

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX III

ORGANISATION REQUIREMENTS FOR AIR OPERATIONS
[PART-ORO]

ORO.GEN.005 Scope

[^{F1}This Annex establishes requirements to be followed by an air operator conducting:

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 379/2014 of 7 April 2014 amending Commission Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

- (a) commercial air transport operations (CAT);
- (b) commercial specialised operations;
- (c) non-commercial operations with complex motor-powered aircraft;
- (d) non-commercial specialised operations with complex motor-powered aircraft.]

SUBPART **GENERAL REQUIREMENTS**
GEN

SECTION I

General

^{F2}ORO.GEN.105

Textual Amendments

F2 Annex 3 point ORO.GEN.105 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, 359(2) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.GEN.110 Operator responsibilities

- [^{F1}(a) The operator is responsible for the operation of the aircraft in accordance with Annex IV to Regulation (EC) No 216/2008, as applicable, the relevant requirements of this Annex and its air operator certificate (AOC) or specialised operation authorisation (SPO authorisation) or declaration.]
- (b) Every flight shall be conducted in accordance with the provisions of the operations manual.
- (c) The operator shall establish and maintain a system for exercising operational control over any flight operated under the terms of its certificate[^{F3}, SPO authorisation][^{F4} or declaration.]

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Textual Amendments

- F3** Inserted by Commission Regulation (EU) No 379/2014 of 7 April 2014 amending Commission Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.
- F4** Inserted by Commission Regulation (EU) No 800/2013 of 14 August 2013 amending Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (Text with EEA relevance).

- (d) The operator shall ensure that its aircraft are equipped and its crews are qualified as required for the area and type of operation.
- (e) The operator shall ensure that all personnel assigned to, or directly involved in, ground and flight operations are properly instructed, have demonstrated their abilities in their particular duties and are aware of their responsibilities and the relationship of such duties to the operation as a whole.
- [^{F5}(f) The operator shall establish procedures and instructions for the safe operation of each aircraft type, containing ground staff and crew member duties and responsibilities, for all types of operation on the ground and in flight. Those procedures and instructions shall not require crew members to perform any activities during critical phases of flight other than those required for the safe operation of the aircraft. Procedures and instructions for a sterile flight crew compartment shall also be included.]

Textual Amendments

- F5** Substituted by Commission Regulation (EU) 2015/140 of 29 January 2015 amending Regulation (EU) No 965/2012 as regards sterile flight crew compartment and correcting that Regulation.

- (g) The operator shall ensure that all personnel are made aware that they shall comply with the laws, regulations and procedures of those States in which operations are conducted and that are pertinent to the performance of their duties.
- [^{F6}(h) The operator shall establish a checklist for each aircraft type to be used by crew members in all phases of flight under normal, abnormal and emergency conditions in order to ensure that the operating procedures in the operations manual are followed. The design and the usage of checklists shall observe human factors principles and take into account the latest relevant documentation from the design approval holder.]

Textual Amendments

- F6** Substituted by Commission Implementing Regulation (EU) 2019/1384 of 24 July 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 (Text with EEA relevance).

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- (i) The operator shall specify flight planning procedures to provide for the safe conduct of the flight based on considerations of aircraft performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes or operating sites concerned. These procedures shall be included in the operations manual.
- [^{F7}(j)] The operator shall establish and maintain dangerous goods training programmes for personnel as required by the technical instructions. Such training programmes shall be commensurate with the responsibilities of personnel. Training programmes of operators performing CAT, whether they transport dangerous goods or not, and of operators conducting operations other than CAT referred to in points (b), (c) and (d) of point ORO.GEN.005 that transport dangerous goods shall be subject to review and approval by the [^{F8}CAA].

Textual Amendments

- F8** Word in Annex 3 point ORO.GEN.110(j) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(3)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

- F7** Substituted by [Commission Regulation \(EU\) 2017/363 of 1 March 2017 amending Regulation \(EU\) No 965/2012 as regards the specific approval of single-engined turbine aeroplane operations at night or in instrument meteorological conditions and the approval requirements for the dangerous goods training relating to commercial specialised operations, non-commercial operations of complex motor-powered aircraft and non-commercial specialised operations of complex motor-powered aircraft.](#)

- [^{F9}(k)] Notwithstanding point (j), operators conducting commercial operations with either of the following aircraft shall ensure that the flight crew has received an appropriate dangerous goods training or briefing, to enable them to recognise undeclared dangerous goods brought on board by passengers or as cargo:
- (1) a single-engined propeller-driven aeroplane having an MCTOM of 5 700 kg or less and an MOPSC of 5 or less, operated in a flight taking off and landing at the same aerodrome or operating site, under VFR by day;
 - (2) an other-than-complex motor-powered helicopter, single-engined, with an MOPSC of 5 or less, operated in a flight taking off and landing at the same aerodrome or operating site, under VFR by day.]]

Textual Amendments

- F9** Substituted by [Commission Implementing Regulation \(EU\) 2018/1975 of 14 December 2018 amending Regulation \(EU\) No 965/2012 as regards air operations requirements for sailplanes and electronic flight bags.](#)

ORO.GEN.115 [Application for an AOC]

- (a) The application for an [^{F3}air] operator certificate or an amendment to an existing certificate shall be made in a form and manner established by the [^{F10}CAA], taking

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into account the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules.

Textual Amendments

F10 Word in Annex 3 point ORO.GEN.115 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Applicants for an initial certificate shall provide the [F10CAA] with documentation demonstrating how they will comply with the requirements established in Regulation (EC) No 216/2008 and its Implementing Rules. Such documentation shall include a procedure describing how changes not requiring prior approval will be managed and notified to the [F10CAA].

ORO.GEN.120 of compliance

- (a) Alternative means of compliance to those adopted by the [F11CAA] may be used by an operator to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.

Textual Amendments

F11 Word in Annex 3 point ORO.GEN.120(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(5)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) When an operator subject to certification wishes to use an alternative means of compliance to the acceptable means of compliance (AMC) adopted by the [F12CAA] to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules, it shall, prior to implementing it, provide the [F13CAA] with a full description of the alternative means of compliance. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that the Implementing Rules are met.

The operator may implement these alternative means of compliance subject to prior approval by the [F13CAA] and upon receipt of the notification as prescribed in ARO.GEN.120(d).

Textual Amendments

F12 Word in Annex 3 point ORO.GEN.120(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(5)(b)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F13 Word in Annex 3 point ORO.GEN.120(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(5)(b)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- [F4(c) An operator required to declare its activity shall notify to the [F14CAA] the list of alternative means of compliance it uses to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.]

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Textual Amendments

F14 Word in Annex 3 point ORO.GEN.120(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 359\(5\)\(c\)](#) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

[^{F3}(d) When an operator subject to SPO authorisation wishes to use alternative means of compliance, it shall comply with (b) whenever such alternative means of compliance affects the standard operating procedures that are part of the authorisation and with (c) for the declared part of its organisation and operation.]

ORO.GEN.125 [Terms of approval and privileges of an AOC holder]

A certified operator shall comply with the scope and privileges defined in the operations specifications attached to the operator's certificate.

ORO.GEN.130 [Changes related to an AOC holder]

(a) Any change affecting:

- (1) the scope of the certificate or the operations specifications of an operator; or
- (2) any of the elements of the operator's management system as required in ORO.GEN.200(a)(1) and (a)(2),

shall require prior approval by the [^{F15}CAA].

Textual Amendments

F15 Word in Annex 3 point ORO.GEN.130 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 359\(6\)](#) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(b) For any changes requiring prior approval in accordance with Regulation (EC) No 216/2008 and its Implementing Rules, the operator shall apply for and obtain an approval issued by the [^{F15}CAA]. The application shall be submitted before any such change takes place, in order to enable the [^{F15}CAA] to determine continued compliance with Regulation (EC) No 216/2008 and its Implementing Rules and to amend, if necessary, the operator certificate and related terms of approval attached to it.

The operator shall provide the [^{F15}CAA] with any relevant documentation.

The change shall only be implemented upon receipt of formal approval by the [^{F15}CAA] in accordance with ARO.GEN.330.

The operator shall operate under the conditions prescribed by the [^{F15}CAA] during such changes, as applicable.

(c) All changes not requiring prior approval shall be managed and notified to the [^{F15}CAA] as defined in the procedure approved by the [^{F15}CAA] in accordance with ARO.GEN.310(c).

ORO.GEN.135 [Continued validity of an AOC]

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- [^{F6}(a) The operator's certificate shall remain valid subject to all of the following:
 - (1) the operator remaining in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under point ORO.GEN.150 of this Annex;
 - (2) the [^{F16}CAA] being granted access to the operator as defined in point ORO.GEN.140 of this Annex to determine continued compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts;
 - (3) the certificate not being surrendered or revoked.]

Textual Amendments

F16 Word in Annex 3 point ORO.GEN.135 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 359\(7\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Upon revocation or surrender the certificate shall be returned to the [^{F16}CAA] without delay.

ORO.GEN.140

- [^{F6}(a) For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the operator shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, SPO authorisation or declaration, whether it is contracted or not, to any person authorised by [^{F17}the CAA]:
 - (1) [^{F18}.....]
 - (2) [^{F18}.....]

Textual Amendments

F18 Annex 3 point ORO.GEN.140(a)(1)(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 359\(8\)\(b\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F17 Words in Annex 3 point ORO.GEN.140(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 359\(8\)\(a\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Access to the aircraft mentioned under (a) shall [^{F3}, in the case of CAT,] include the possibility to enter and remain in the aircraft during flight operations unless otherwise decided by the commander for the flight crew compartment in accordance with CAT.GEN.MPA.135 in the interest of safety.

ORO.GEN.150

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After receipt of notification of findings, the operator shall:

- (a) identify the root cause of the non-compliance;
- (b) define a corrective action plan; and
- (c) demonstrate corrective action implementation to the satisfaction of the [F19CAA] within a period agreed with [F20the CAA] as defined in ARO.GEN.350(d).

Textual Amendments

F19 Word in Annex 3 point ORO.GEN.150(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(9)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F20 Words in Annex 3 point ORO.GEN.150(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(9)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.GEN.155 Immediate reaction to a safety problem

The operator shall implement:

- (a) any safety measures mandated by the [F21CAA] in accordance with ARO.GEN.135(c)^{F22}...
- (b) ^{F23}

Textual Amendments

F21 Word in Annex 3 point ORO.GEN.155(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(10)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F22 Word in Annex 3 point ORO.GEN.155(a) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(10)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F23 Annex 3 point ORO.GEN.155(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(10)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.GEN.160 Occurrence reporting

- [F6(a)] The operator shall report to the [F24CAA], and to any other organisation required to be informed by the State of the operator, any accident, serious incident and occurrence as defined in Regulation (EU) No 996/2010 of the European Parliament and of the Council ⁽¹⁾ and Regulation (EU) No 376/2014.]

Textual Amendments

F24 Word in Annex 3 point ORO.GEN.160 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(11)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- [^{F25}(b) Without prejudice to point (a) the operator shall report to the [^{F24}CAA] and to the organisation responsible for the design of the aircraft any incident, malfunction, technical defect, exceeding of technical limitations or occurrence that would highlight inaccurate, incomplete or ambiguous information contained in the operational suitability data established in accordance with Regulation (EU) No 748/2012 or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident.]

Textual Amendments

F25 Substituted by [Commission Regulation \(EU\) No 71/2014 of 27 January 2014 amending Regulation \(EU\) No 965/2012 laying down technical requirements and administrative procedures related to Air Operations pursuant to Regulation \(EC\) No 216/2008 of the European Parliament and of the Council \(Text with EEA relevance\)](#).

- [^{F6}(c) Without prejudice to Regulation (EU) No 996/2010 and Regulation (EU) No 376/2014, the reports referred in points (a) and (b) shall be made in a form and manner established by the [^{F24}CAA] and shall contain all pertinent information about the conditions known to the operator.]
- (d) Reports shall be made as soon as practicable, but in any case within 72 hours of the operator identifying the condition to which the report relates, unless exceptional circumstances prevent this.
- (e) Where relevant, the operator shall produce a follow-up report to provide details of actions it intends to take to prevent similar occurrences in the future, as soon as these actions have been identified. This report shall be produced in a form and manner established by the [^{F24}CAA].

SECTION 2

Management

ORO.GEN.200 Management system

- (a) The operator shall establish, implement and maintain a management system that includes:
- (1) clearly defined lines of responsibility and accountability throughout the operator, including a direct safety accountability of the accountable manager;
 - (2) a description of the overall philosophies and principles of the operator with regard to safety, referred to as the safety policy;
 - (3) the identification of aviation safety hazards entailed by the activities of the operator, their evaluation and the management of associated risks, including taking actions to mitigate the risk and verify their effectiveness;
 - (4) maintaining personnel trained and competent to perform their tasks;
 - (5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;

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- (6) a function to monitor compliance of the operator with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary; and
- (7) any additional requirements that are prescribed in the relevant Subparts of this Annex or other applicable Annexes.
- (b) The management system shall correspond to the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.

[^{F1}ORO.GEN.205] Continued activities

- [^{F6}(a) When contracting or purchasing any services or products as a part of its activities, the operator shall ensure all of the following:
 - (1) that the contracted or purchased services or products comply with the applicable requirements;
 - (2) that any aviation safety hazards associated with contracted or purchased services or products are considered by the operator's management system.]
- (b) When the certified operator or the SPO authorisation holder contracts any part of its activity to an organisation that is not itself certified or authorised in accordance with this Part to carry out such activity, the contracted organisation shall work under the approval of the operator. The contracting organisation shall ensure that the [^{F26}CAA] is given access to the contracted organisation, to determine continued compliance with the applicable requirements.]

Textual Amendments

F26 Word in Annex 3 point ORO.GEN.205(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **359(12)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

~~ORO.GEN.240~~ Personnel requirements

- (a) The operator shall appoint an accountable manager, who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements. The accountable manager shall be responsible for establishing and maintaining an effective management system.
- (b) A person or group of persons shall be nominated by the operator, with the responsibility of ensuring that the operator remains in compliance with the applicable requirements. Such person(s) shall be ultimately responsible to the accountable manager.
- (c) The operator shall have sufficient qualified personnel for the planned tasks and activities to be performed in accordance with the applicable requirements.
- (d) The operator shall maintain appropriate experience, qualification and training records to show compliance with point (c).
- (e) The operator shall ensure that all personnel are aware of the rules and procedures relevant to the exercise of their duties.

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ORO.GEN.215 Facility requirements

The operator shall have facilities allowing the performance and management of all planned tasks and activities in accordance with the applicable requirements.

ORO.GEN.200 Record-keeping

- (a) The operator shall establish a system of record-keeping that allows adequate storage and reliable traceability of all activities developed, covering in particular all the elements indicated in ORO.GEN.200.
- (b) The format of the records shall be specified in the operator's procedures.
- (c) Records shall be stored in a manner that ensures protection from damage, alteration and theft.

[^{F27}SECTION 3

Additional organisational requirements

ORO.GEN.210 Aircraft listed on an AOC for non-commercial operations and specialised operations

- (a) Aircraft listed on an operator's AOC may remain on the AOC if it is operated in any of the following situations:
 - (1) by the AOC holder itself, for specialised operations in accordance with Annex VIII (Part-SPO);
 - (2) by other operators, for non-commercial operations with motor-powered aircraft or for specialised operations performed in accordance with Annex VI (Part-NCC), Annex VII (Part-NCO) or Annex VIII (Part-SPO), provided that the aircraft is used for a continuous period not exceeding 30 days.
- (b) When the aircraft is used in accordance with point (a)(2), the AOC holder providing the aircraft and the operator using the aircraft shall establish a procedure:
 - (1) clearly identifying which operator is responsible for the operational control of each flight and to describe how the operational control is transferred between them;
 - (2) describing the handover procedure of the aircraft upon its return to the AOC holder.

That procedure shall be included in the operations manual of each operator or in a contract between the AOC holder and the operator using the aircraft in accordance with point (a)(2). The AOC holder shall establish a template of such contract. Point ORO.GEN.220 shall apply to the record-keeping of those contracts.

The AOC holder and the operator using the aircraft in accordance with point (a)(2) shall ensure that the procedure is communicated to the relevant personnel.

- (c) The AOC holder shall submit to the [^{F28}CAA] the procedure referred to in point (b) for prior approval.

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- The AOC holder shall agree with the [F28CAA] on the means and on the frequency of providing it with information about transfers of operational control in accordance with point ORO.GEN.130(c).
- (d) The continuing airworthiness of the aircraft used in accordance with point (a) shall be managed by the organisation responsible for the continuing airworthiness of the aircraft included in the AOC, in accordance with Regulation (EU) No 1321/2014.
- (e) The AOC holder providing the aircraft in accordance with point (a) shall:
- (1) indicate in its operations manual the registration marks of the provided aircraft and the type of operations conducted with those aircraft;
 - (2) remain informed at all times and keep record of each operator that holds the operational control of the aircraft at any given moment until the aircraft is returned to the AOC holder;
 - (3) ensure that its hazard identification, risk assessment and mitigation measures address all the operations conducted with those aircraft.
- (f) For operations under Annex VI (Part-NCC) and Annex VIII (Part-SPO), the operator using the aircraft in accordance with point (a) shall ensure all of the following:
- (1) that every flight conducted under its operational control is recorded in the aircraft technical log system;
 - (2) that no changes to the aircraft systems or configuration are made;
 - (3) [F29that any defect or technical malfunction occurring while the aircraft is under its operational control is reported to the organisation referred in point (d);]
 - (4) that the AOC holder receives a copy of any occurrence report related to the flights performed with the aircraft, completed in accordance with Regulation (EU) No 376/2014 and Commission Implementing Regulation (EU) 2015/1018 ⁽²⁾ .]

Textual Amendments

- F28** Word in Annex 3 point ORO.GEN.310 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), 65
- F29** Substituted by [Commission Implementing Regulation \(EU\) 2019/1387 of 1 August 2019 amending 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](#).

Textual Amendments

- F27** Inserted by [Commission Implementing Regulation \(EU\) 2019/1384 of 24 July 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-](#)

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commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements (Text with EEA relevance).

SUBPART ~~AIR~~ **OPERATOR CERTIFICATION** AOC

ORO.AOC.100 **Operation for an air operator certificate**

- (a) Without prejudice to Regulation (EC) No 1008/2008 of the European Parliament and the Council⁽³⁾, prior to commencing commercial air [^{F3}transport] operations, the operator shall apply for and obtain an air operator certificate (AOC) issued by the [^{F30}CAA].

Textual Amendments

F30 Word in Annex 3 point ORO.AOC.100 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 360\(2\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

- [^{F1}(b) The operator shall provide the following information to the [^{F30}CAA]:
- (1) the official name and business name, address, and mailing address of the applicant;
 - (2) a description of the proposed operation, including the type(s), and number of aircraft to be operated;
 - (3) a description of the management system, including organisational structure;
 - (4) the name of the accountable manager;
 - (5) the names of the nominated persons required by ORO.AOC.135(a) together with their qualifications and experience;
 - (6) a copy of the operations manual required by ORO.MLR.100;
 - (7) a statement that all the documentation sent to the [^{F30}CAA] have been verified by the applicant and found in compliance with the applicable requirements.
- (c) Applicants shall demonstrate to the [^{F30}CAA] that:
- (1) [^{F31}they comply with all the requirements of annex IV to Regulation (EC) No 216/2008, this Annex (Part-ORO), Annex IV (Part-CAT) and Annex V (Part-SPA) to this Regulation and Annex I (Part 26) to Regulation (EU) 2015/640 ⁽⁴⁾];
 - (2) [^{F32}all aircraft operated have a certificate of airworthiness (CofA) in accordance with Regulation (EU) No 748/2012 or are dry leased-in in accordance with ORO.AOC.110 (d); and]
 - (3) its organisation and management are suitable and properly matched to the scale and scope of the operation.]

Textual Amendments

F31 Substituted by [Commission Regulation \(EU\) 2015/640 of 23 April 2015 on additional airworthiness specifications for a given type of operations and amending Regulation \(EU\) No 965/2012.](#)

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F32 Substituted by Commission Regulation (EU) 2015/1329 of 31 July 2015 amending Regulation (EU) No 965/2012 as regards operations by Union air carriers of aircraft registered in a third country (Text with EEA relevance).

ORO.AOC.110 Operations specifications and privileges of an AOC holder

The privileges of the operator, including those granted in accordance with Annex V (Part-SPA), shall be specified in the operations specifications of the certificate.

ORO.AOC.111 Leasing agreement

Any lease-in

- (a) Without prejudice to Regulation (EC) No 1008/2008, any lease agreement concerning aircraft used by an operator certified in accordance with this Part shall be subject to prior approval by the [F33CAA].

Textual Amendments

F33 Word in Annex 3 point ORO.AOC.110(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- [F32(b) The operator certified in accordance with this Part shall not lease-in aircraft included in the list of operators subject to operational restrictions, registered in a State of which all operators under its oversight are [F34included on the United Kingdom safety list] or from an operator that is subject to an operating ban pursuant to Regulation (EC) No 2111/2005.]

Textual Amendments

F34 Words in Annex 3 point ORO.AOC.110(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

[F6Wet lease-in

- (c) The applicant for the approval of the wet lease-in of an aircraft from a third-country operator shall demonstrate to the [F35CAA] all of the following:
- (1) that the third country operator holds a valid AOC issued in accordance with Annex 6 to the Convention on International Civil Aviation;
 - (2) that the safety standards of the third country operator with regard to continuing airworthiness and air operations are equivalent to the applicable requirements established by Regulation (EU) No 1321/2014 and this Regulation;
 - (3) that the aircraft has a standard CofA issued in accordance with Annex 8 to the Convention on International Civil Aviation.]

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F35 Word in Annex 3 point ORO.AOC.110(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F32}Dry lease-in

- (d) An applicant for the approval of the dry lease-in of an aircraft registered in a third country shall demonstrate to the [^{F36}CAA] that:
- (1) an operational need has been identified that cannot be satisfied through leasing an aircraft registered in the [^{F37}United Kingdom];
 - (2) the duration of the dry lease-in does not exceed seven months in any 12 consecutive month period;
 - (3) compliance with the applicable requirements of Regulation (^{F38}...) No 1321/2014 is ensured; and
 - (4) the aircraft is equipped in accordance with the EU regulations for Air Operations.]

Textual Amendments

F37 Words in Annex 3 point ORO.AOC.110(d)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(d)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F38 Word in Annex 3 point ORO.AOC.110(d)(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(d)(iii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F36 Word in Annex 3 point ORO.AOC.110(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(d)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Dry lease-out

- (e) The operator certified in accordance with this Part intending to dry lease-out one of its aircraft shall apply for prior approval by the [^{F39}CAA]. The application shall be accompanied by copies of the intended lease agreement or description of the lease provisions, except financial arrangements, and all other relevant documentation.

Textual Amendments

F39 Word in Annex 3 point ORO.AOC.110(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(e)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Wet lease-out

- (f) Prior to the wet lease-out of an aircraft, the operator certified in accordance with this Part shall notify the [^{F40}CAA].

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F40 Word in Annex 3 point ORO.AOC.110(f) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(3)(e)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.AOC.115 Code-share agreements

- (a) Without prejudice to applicable [^{F41}United Kingdom safety requirements] for third country operators and aircraft, an operator certified in accordance with this Part shall enter into a code-share agreement with a third country operator only after:
- (1) having verified that the third country operator complies with the applicable ICAO standards; and
 - (2) having provided the [^{F42}CAA] with documented information enabling [^{F43}the CAA] to comply with ARO.OPS.105.

Textual Amendments

F42 Word in Annex 3 point ORO.AOC.115(a)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(4)(a)(ii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F43 Words in Annex 3 point ORO.AOC.115(a)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(4)(a)(ii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F41 Words in Annex 3 point ORO.AOC.115(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(4)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) When implementing the code-share agreement the operator shall monitor and regularly assess the ongoing compliance of the third country operator with the applicable ICAO standards.
- (c) The operator certified in accordance with this Part shall not sell and issue tickets for a flight operated by a third country operator when the third country operator is [^{F44}included on the United Kingdom safety list] pursuant to Regulation (EC) No 2111/2005 or is failing to maintain compliance with the applicable ICAO standards.

Textual Amendments

F44 Words in Annex 3 point ORO.AOC.115(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.AOC.120 Crews to provide cabin crew training and to issue cabin crew attestations

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) When intending to provide the training course required in Annex V (Part-CC) to [F¹Regulation (EU) No 1178/2011], the operator shall apply for and obtain an approval issued by the [F⁴⁵CAA]. For this purpose, the applicant shall demonstrate compliance with the requirements for the conduct and content of training course established in CC.TRA.215 and CC.TRA.220 of that Annex and shall provide the [F⁴⁵CAA] with:
- (1) the date of intended commencement of activity;
 - (2) the personal details and qualifications of the instructors as relevant to the training elements to be covered;
 - (3) the name(s) and address(es) of the training site(s) at which the training is to be conducted;
 - (4) a description of the facilities, training methods, manuals and representative devices to be used; and
 - (5) the syllabi and associated programmes for the training course.

Textual Amendments

F45 Word in Annex 3 point ORO.AOC.120(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(5)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) If [F⁴⁶the CAA] decides, in accordance with ARA.CC.200 of Annex VI (Part-ARA) to [F¹Regulation (EU) No 1178/2011], that operators may be approved to issue cabin crew attestations, the applicant shall, in addition to (a):
- (1) demonstrate to the [F⁴⁷CAA] that:
 - (i) the organisation has the capability and accountability to perform this task;
 - (ii) the personnel conducting examinations are appropriately qualified and free from conflict of interest; and
 - (2) provide the procedures and the specified conditions for:
 - (i) conducting the examination required by CC.TRA.220;
 - (ii) issuing cabin crew attestations; and
 - (iii) supplying the [F⁴⁸CAA] with all relevant information and documentation related to the attestations it will issue and their holders, for the purpose of record-keeping, oversight and enforcement actions by [F⁴⁹the CAA].

Textual Amendments

F47 Word in Annex 3 point ORO.AOC.120(b)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(5)(b)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F48 Word in Annex 3 point ORO.AOC.120(b)(2)(iii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(5)(b)(iii)(aa)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F49 Words in Annex 3 point ORO.AOC.120(b)(2)(iii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(5)(b)(iii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F46 Words in Annex 3 point ORO.AOC.120(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **360(5)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(c) The approvals referred to in (a) and (b) shall be specified in the operations specifications.

[^{F6}ORO.AOC.125] **Commercial operations of an AOC holder with aircraft listed on its AOC**

(a) The AOC holder may conduct non-commercial operations in accordance with Annex VI (Part-NCC) or Annex VII (Part-NCO) with aircraft listed in the operations specifications of its AOC or in its operations manual, provided that the AOC holder describes such operations in detail in the operations manual, including the following:

- (1) an identification of the applicable requirements;
- (2) a description of any differences between operating procedures used when conducting CAT operations and non-commercial operations;
- (3) means of ensuring that all personnel involved in the operations are fully familiar with the associated procedures.

(b) An AOC holder shall comply with:

- (1) Annex VIII (Part-SPO) when conducting maintenance check flights with complex motor-powered aircraft;
- (2) Annex VII (Part-NCO) when conducting maintenance check flights with other than complex motor-powered aircraft.

(c) An AOC holder conducting operations referred to in points (a) and (b) shall not be required to submit a declaration in accordance with this Annex.

(d) The AOC holder shall specify the type of flight, as listed in its operations manual, in the flight-related documents (operational flight plan, loadsheet and other equivalent documents).]

[^{F32}ORO.AOC.130] **Flight data monitoring-acroplanes**

(a) The operator shall establish and maintain a flight data monitoring programme, which shall be integrated in its management system, for aeroplanes with a maximum certificated take-off mass of more than 27 000 kg.

(b) The flight data monitoring programme shall be non-punitive and contain adequate safeguards to protect the source(s) of the data.]

ORO.AOC.135] **Personnel requirements**

[^{F6}(a) In accordance with point ORO.GEN.210(b), the operator shall nominate persons responsible for the management and supervision of the following areas:

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) flight operations;
- (2) crew member training;
- (3) ground operations;
- (4) continuing airworthiness or for the continuing airworthiness management contract in accordance with Regulation (EU) No 1321/2014, as the case may be.]
- (b) *Adequacy and competency of personnel*
 - (1) The operator shall employ sufficient personnel for the planned ground and flight operations.
 - (2) All personnel assigned to, or directly involved in, ground and flight operations shall:
 - (i) be properly trained;
 - (ii) demonstrate their capabilities in the performance of their assigned duties; and
 - (iii) be aware of their responsibilities and the relationship of their duties to the operation as a whole.
 - (c) *Supervision of personnel*
 - (1) The operator shall appoint a sufficient number of personnel supervisors, taking into account the structure of the operator's organisation and the number of personnel employed.
 - (2) The duties and responsibilities of these supervisors shall be defined, and any other necessary arrangements shall be made to ensure that they can discharge their supervisory responsibilities.
 - (3) The supervision of crew members and personnel involved in the operation shall be exercised by individuals with adequate experience and the skills to ensure the attainment of the standards specified in the operations manual.

ORO.AOC-115 ~~Adaptability~~ requirements

In accordance with ORO.GEN.215, the operator shall:

- (a) make use of appropriate ground handling facilities to ensure the safe handling of its flights;
- (b) arrange operational support facilities at the main operating base, appropriate for the area and type of operation; and
- (c) ensure that the available working space at each operating base is sufficient for personnel whose actions may affect the safety of flight operations. Consideration shall be given to the needs of ground crew, personnel concerned with operational control, the storage and display of essential records and flight planning by crews.

ORO.AOC-116 ~~Documentation~~ requirements

- (a) The operator shall make arrangements for the production of manuals and any other documentation required and associated amendments.
- (b) The operator shall be capable of distributing operational instructions and other information without delay.

[^{F4}SUBPART DEC

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

DECLARATION**ORO.DEC.100 Declaration**

[^{F1}The operator of complex motor-powered aircraft engaged in non-commercial operations or non-commercial specialised operations, and the commercial specialised operator shall:]

- (a) provide the [^{F50}CAA] with all relevant information prior to commencing operations, using the form contained in Appendix I to this Annex;
- (b) notify to the [^{F50}CAA] a list of the alternative means of compliance used;
- (c) maintain compliance with the applicable requirements and with the information given in the declaration;
- (d) notify the [^{F50}CAA] without delay of any changes to its declaration or the means of compliance it uses through submission of an amended declaration using the form contained in Appendix I to this Annex; and
- (e) notify the [^{F50}CAA] when it ceases operation.]

Textual Amendments

F50 Word in Annex 3 point ORO.DEC.100 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, 361 (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

[^{F3}SUBPART **COMMERCIAL SPECIALISED OPERATIONS**
SPO

ORO.SPO.100 Common requirements for commercial specialised operators

- (a) A commercial specialised operator shall in addition to ORO.DEC.100 also comply with ORO.AOC.135, ORO.AOC.140 and ORO.AOC.150.
- (b) Aircraft shall have a certificate of airworthiness (CofA) in accordance with Regulation (EU) No 748/2012 or shall be leased-in in accordance with (c).
- [^{F6}(c) A commercial specialised operator shall obtain prior approval of the [^{F51}CAA] and comply with the following conditions:
 - (1) for wet leasing-in an aircraft of a third-country operator:
 - (i) that the safety standards of a third-country operator with regard to continuing airworthiness and air operations are equivalent to the applicable requirements established by Regulation (EU) No 1321/2014 ⁽⁵⁾ and this Regulation;
 - (ii) that the aircraft of a third-country operator has a standard CofA issued in accordance with Annex 8 to the Convention on International Civil Aviation;
 - (iii) that the duration of the wet lease-in does not exceed seven months in any 12 consecutive month period;
 - (2) for dry leasing-in an aircraft registered in a third country:

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) that an operational need that cannot be satisfied through leasing an aircraft [^{F52}registered in the United Kingdom] has been identified;
- (ii) that the duration of the dry lease-in does not exceed seven months in any 12 consecutive month period;
- (iii) that the safety standards of the third-country aircraft with regard to continuing airworthiness are equivalent to the applicable requirements established by Regulation (EU) No 1321/2014;
- (iv) that the aircraft is equipped in accordance with Annex VIII (Part SPO).]

Textual Amendments

F52 Words in Annex 3 point ORO.SPO.100(c) substituted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(2)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F51 Word in Annex 3 point ORO.SPO.100(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(2)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.SPO.110 Authorisation of high risk commercial specialised operations

- (a) A commercial specialised operator shall apply for and obtain an authorisation issued by the [^{F53}CAA] prior to commencing a high risk commercial specialised operation:
 - (1) that is carried out over an area where the safety of third parties on the ground is likely to be endangered in the event of an emergency, or
 - (2) that, as determined by the [^{F54}CAA], due to its specific nature and the local environment in which it is conducted, poses a high risk, in particular to third parties on the ground.

Textual Amendments

F54 Word in Annex 3 point ORO.SPO.110(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(3)(a)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F53 Word in Annex 3 point ORO.SPO.110(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(3)(a)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The operator shall provide the following information to the [^{F55}CAA]:
 - (1) the official name and business name, address, and mailing address of the applicant;

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (2) a description of the management system, including organisational structure;
- (3) a description of the proposed operation, including the type(s), and number of aircraft to be operated;
- (4) the risk assessment documentation and related standard operating procedures, required by SPO.OP.230;
- (5) a statement that all the documentation sent to the [F55CAA] has been verified by the operator and found in compliance with the applicable requirements.

Textual Amendments

F55 Word in Annex 3 point ORO.SPO.110(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(3)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) The application for an authorisation or its amendment shall be made in a form and manner established by the [F56CAA], taking into account the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules.

Textual Amendments

F56 Word in Annex 3 point ORO.SPO.110(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(3)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

ORO.SPO.115 Changes

- (a) Any change affecting the scope of the authorisation or the authorised operations shall require prior approval of the [F57CAA]. Any change not covered by the initial risk assessment, shall require the submission of an amended risk assessment and SOP to the [F57CAA].

Textual Amendments

F57 Word in Annex 3 point ORO.SPO.115 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **362(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The application for approval of a change shall be submitted before any such change takes place, in order to enable the [F57CAA] to determine continued compliance with Regulation (EC) No 216/2008 and its Implementing Rules and to amend, if necessary, the authorisation. The operator shall provide the [F57CAA] with any relevant documentation.
- (c) The change shall only be implemented upon receipt of formal approval by the [F57CAA] in accordance with ARO.OPS.150.
- (d) The operator shall operate under the conditions prescribed by the [F57CAA] during such changes, as applicable.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ORO.SPO.120 Continued validity

- (a) An operator holding a specialised operation authorisation shall comply with the scope and privileges defined in the authorisation.
- (b) The operator's authorisation shall remain valid subject to:
 - (1) the operator remaining in compliance with the relevant requirements of Regulation (EC) No 216/2008 and its Implementing Rules, taking into account the provisions related to the handling of findings as specified under ORO.GEN.150;
 - (2) the ^{F58}CAA] being granted access to the operator as defined in ORO.GEN.140 to determine continued compliance with the relevant requirements of Regulation (EC) No 216/2008 and its Implementing Rules; and
 - (3) the authorisation not being surrendered or revoked.

Textual Amendments

F58 Word in Annex 3 point ORO.SPO.120 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 362\(5\)](#) (with [Sch. 3](#)) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#))

- (c) Upon revocation or surrender the authorisation shall be returned to the ^{F58}CAA] without delay.]

SUBPART MANUALS, LOGS AND RECORDS

MLR

ORO.MLR.100 Operations manual — general

- (a) The operator shall establish an operations manual (OM) as specified under 8.b of Annex IV to Regulation (EC) No 216/2008.
- ^{F1}(b) The content of the OM shall reflect the requirements set out in this Annex, Annex IV (Part-CAT), Annex V (Part-SPA), Annex VI (Part-NCC) and Annex VIII (Part-SPO), as applicable, and shall not contravene the conditions contained in the operations specifications to the air operator certificate (AOC), the SPO authorisation or the declaration and the list of specific approvals, as applicable.]
- (c) The OM may be issued in separate parts.
- (d) All operations personnel shall have easy access to the portions of the OM that are relevant to their duties.
- (e) The OM shall be kept up to date. All personnel shall be made aware of the changes that are relevant to their duties.
- (f) Each crew member shall be provided with a personal copy of the relevant sections of the OM pertaining to their duties. Each holder of an OM, or appropriate parts of it, shall be responsible for keeping their copy up to date with the amendments or revisions supplied by the operator.
- (g) For AOC holders:

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) for amendments required to be notified in accordance with ORO.GEN.115(b) and ORO.GEN.130(c), the operator shall supply the [F59CAA] with intended amendments in advance of the effective date; and
- (2) for amendments to procedures associated with prior approval items in accordance with ORO.GEN.130, approval shall be obtained before the amendment becomes effective.

Textual Amendments

F59 Word in Annex 3 Subpart MLR substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **363** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- [F3(g1) For SPO authorisation holders, any amendment associated with the authorised standard operating procedures, prior approval shall be obtained before the amendment becomes effective.]
- (h) Notwithstanding (g) [F3 and (g1)], when immediate amendments or revisions are required in the interest of safety, they may be published and applied immediately, provided that any approval required has been applied for.
 - (i) The operator shall incorporate all amendments and revisions required by the [F59CAA].
 - (j) The operator shall ensure that information taken from approved documents, and any amendment thereof, is correctly reflected in the OM. This does not prevent the operator from publishing more conservative data and procedures in the OM.
 - (k) The operator shall ensure that all personnel are able to understand the language in which those parts of the OM which pertain to their duties and responsibilities are written. The content of the OM shall be presented in a form that can be used without difficulty and observes human factors principles.

ORO.MLR.010 Operations manual — structure for commercial air transport]

[F9 Except for operations with single-engined propeller-driven aeroplanes with an MOPSC of 5 or less or single-engined non-complex helicopters with an MOPSC of 5 or less, taking off and landing at the same aerodrome or operating site, under VFR by day, the main structure of the OM shall be as follows:]

- (a) Part A: General/Basic, comprising all non-type-related operational policies, instructions and procedures;
- (b) Part B: Aircraft operating matters, comprising all type-related instructions and procedures, taking into account differences between types/classes, variants or individual aircraft used by the operator;
- (c) Part C: Commercial air transport operations, comprising route/role/area and aerodrome/operating site instructions and information;
- (d) Part D: Training, comprising all training instructions for personnel required for a safe operation.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F60 Substituted by Commission Regulation (EU) No 800/2013 of 14 August 2013 amending Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (Text with EEA relevance).

ORO.MLR.105 Minimum equipment list

- [^{F5}(a) A minimum equipment list (MEL) shall be established as specified under point 8.a.3 of Annex IV to Regulation (EC) No 216/2008, based on the relevant master minimum equipment list (MMEL) as defined in the data established in accordance with Regulation (EU) No 748/2012. If an MMEL has not been established as part of the operational suitability data, the MEL may be based on the relevant MMEL accepted by the State of Operator or Registry as applicable.]
- (b) The MEL and any amendment thereto shall be approved by the [^{F59}CAA].
- (c) The operator shall amend the MEL after any applicable change to the MMEL within the acceptable timescales.
- (d) In addition to the list of items, the MEL shall contain:
- (1) a preamble, including guidance and definitions for flight crews and maintenance personnel using the MEL;
 - (2) the revision status of the MMEL upon which the MEL is based and the revision status of the MEL;
 - (3) the scope, extent and purpose of the MEL.
- (e) The operator shall:
- (1) establish rectification intervals for each inoperative instrument, item of equipment or function listed in the MEL. The rectification interval in the MEL shall not be less restrictive than the corresponding rectification interval in the MMEL;
 - (2) establish an effective rectification programme;
 - (3) only operate the aircraft after expiry of the rectification interval specified in the MEL when:
 - (i) the defect has been rectified; or
 - (ii) the rectification interval has been extended in accordance with (f).
- (f) Subject to approval of the [^{F59}CAA], the operator may use a procedure for the one time extension of category B, C and D rectification intervals, provided that:
- (1) the extension of the rectification interval is within the scope of the MMEL for the aircraft type;
 - (2) the extension of the rectification interval is, as a maximum, of the same duration as the rectification interval specified in the MEL;

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- (3) the rectification interval extension is not used as a normal means of conducting MEL item rectification and is used only when events beyond the control of the operator have precluded rectification;
- (4) a description of specific duties and responsibilities for controlling extensions is established by the operator;
- (5) the [F59CAA] is notified of any extension of the applicable rectification interval; and
- (6) a plan to accomplish the rectification at the earliest opportunity is established.
- (g) The operator shall establish the operational and maintenance procedures referenced in the MEL taking into account the operational and maintenance procedures referenced in the MMEL. These procedures shall be part of the operator's manuals or the MEL.
- (h) The operator shall amend the operational and maintenance procedures referenced in the MEL after any applicable change to the operational and maintenance procedures referenced in the MMEL.
- (i) Unless otherwise specified in the MEL, the operator shall complete:
 - (1) the operational procedures referenced in the MEL when planning for and/or operating with the listed item inoperative; and
 - (2) the maintenance procedures referenced in the MEL prior to operating with the listed item inoperative.
- (j) Subject to a specific case-by-case approval by the [F59CAA], the operator may operate an aircraft with inoperative instruments, items of equipment or functions outside the constraints of the MEL but within the constraints of the MMEL, provided that:
 - (1) [F25the concerned instruments, items of equipment or functions are within the scope of the MMEL as defined in point (a);]
 - (2) the approval is not used as a normal means of conducting operations outside the constraints of the approved MEL and is used only when events beyond the control of the operator have precluded the MEL compliance;
 - (3) a description of specific duties and responsibilities for controlling the operation of the aircraft under such approval is established by the operator; and
 - (4) a plan to rectify the inoperative instruments, items of equipment or functions or to return operating the aircraft under the MEL constraints at the earliest opportunity is established.

ORO.MLR.110 ~~110~~ **Key log**

Particulars of the aircraft, its crew and each journey shall be retained for each flight, or series of flights, in the form of a journey log, or equivalent.

ORO.MLR.115 ~~115~~ **Record-keeping**

- [F1(a) The following records shall be stored for at least 5 years.
 - (1) for CAT operators, records of the activities referred to in ORO.GEN.200;
 - (2) for declared operators, a copy of the operator's declaration, details of approvals held and operations manual;

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- (3) for SPO authorisation holders, in addition to (a)(2), records related to the risk assessment conducted in accordance with SPO.OP.230 and related standard operating procedures.]
- (b) The following information used for the preparation and execution of a flight, and associated reports, shall be stored for three months:
- (1) the operational flight plan, if applicable;
 - (2) route-specific notice(s) to airmen (NOTAM) and aeronautical information services (AIS) briefing documentation, if edited by the operator;
 - (3) mass and balance documentation;
 - (4) notification of special loads, including written information to the commander/pilot-in-command about dangerous goods [^{F3}, if applicable];
 - (5) the journey log, or equivalent; and
 - (6) flight report(s) for recording details of any occurrence, or any event that the commander/pilot-in-command deems necessary to report or record;
- (c) Personnel records shall be stored for the periods indicated below:

Flight crew licence and cabin crew attestation	As long as the crew member is exercising the privileges of the licence or attestation for the aircraft operator
Crew member training, checking and qualifications	3 years
Records on crew member recent experience	15 months
Crew member route and aerodrome/task and area competence, as appropriate	3 years
Dangerous goods training, as appropriate	3 years
Training/qualification records of other personnel for whom a training programme is required	Last 2 training records

- (d) The operator shall:
- (1) maintain records of all training, checking and qualifications of each crew member, as prescribed in Part-ORO; and
 - (2) make such records available, on request, to the crew member concerned.
- (e) The operator shall preserve the information used for the preparation and execution of a flight and personnel training records, even if the operator ceases to be the operator of that aircraft or the employer of that crew member, provided this is within the timescales prescribed in (c).
- (f) If a crew member becomes a crew member for another operator, the operator shall make the crew member's records available to the new operator, provided this is within the timescales prescribed in (c).

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SUBPART ~~SECURITY~~

SEC

[^{F29}ORO.~~SEC~~100] ~~Flight crew compartment security — aeroplanes~~

- (a) In an aeroplane which is equipped with a secure flight crew compartment door, that door shall be capable of being locked, and means shall be provided by which the cabin crew can notify the flight crew in the event of suspicious activity or security breaches in the cabin.
- (b) All passenger-carrying aeroplanes that are engaged in the commercial transportation of passengers shall be equipped with an approved secure flight crew compartment door that is capable of being locked and unlocked from either pilot's station and designed to meet the applicable airworthiness requirements, where such aeroplanes fall within any of the following categories:
 - (1) aeroplanes with an MCTOM that exceeds 54 500 kg;
 - (2) aeroplanes with an MCTOM that exceeds 45 500 kg and have an MOPSC of more than 19; or
 - (3) aeroplanes with an MOPSC of more than 60.
- (c) In all aeroplanes which are equipped with a secure flight crew compartment door in accordance with point (b):
 - (1) that door shall be closed prior to engine start for take-off and shall be locked when required so by security procedures or by the pilot-in-command until engine shutdown after landing, except when deemed to be necessary for authorised persons to access or egress in compliance with national civil aviation security programmes;
 - (2) means shall be provided for monitoring from either pilot's station the entire door area outside the flight crew compartment to identify persons that request to enter and to detect suspicious behaviour or potential threat.]

[^{F1}ORO.~~SEC~~105] ~~Flight crew compartment security — helicopters~~

If installed, the flight crew compartment door on a helicopter operated for the purpose of carrying passengers shall be capable of being locked from within the flight crew compartment in order to prevent unauthorised access.

SUBPART ~~FLIGHT CREW~~

FC

[^{F1}ORO.~~FC~~005]

This Subpart establishes requirements to be met by the operator related to flight crew training, experience and qualification and comprises:

- (a) SECTION 1 specifying common requirements applicable to both non-commercial operations of complex motor-powered aircraft and any commercial operation;
- (b) [^{F9}SECTION 2 specifying additional requirements applicable to commercial air transport operations, with the exception of commercial air transport operations of passengers conducted under VFR by day, starting and ending at the same aerodrome or operating site and within a local area specified by the [^{F61}CAA], with:

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- (1) single-engined propeller-driven aeroplanes having an MCTOM of 5 700 kg or less and an MOPSC of 5 or less; or
- (2) other-than-complex motor-powered helicopters, single-engined, with an MOPSC of 5 or less;]
- (c) SECTION 3 specifying additional requirements for commercial specialised operations and for those referred to in b(1) and (2).]

Textual Amendments

F61 Word in Annex 3 Subpart FC substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **363** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F4}SECTION 1

Common requirements]

ORO.FC001 Composition of flight crew

- (a) The composition of the flight crew and the number of flight crew members at designated crew stations shall be not less than the minimum specified in the aircraft flight manual or operating limitations prescribed for the aircraft.
- (b) The flight crew shall include additional flight crew members when required by the type of operation and shall not be reduced below the number specified in the operations manual.
- (c) All flight crew members shall hold a licence and ratings issued or accepted in accordance with Commission Regulation (EU) No 1178/2011⁽⁶⁾ and appropriate to the duties assigned to them.
- (d) The flight crew member may be relieved in flight of his/her duties at the controls by another suitably qualified flight crew member.
- (e) When engaging the services of flight crew members who are working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart and the relevant elements of Annex I (Part-FCL) to Regulation (EU) No 1178/2011, including the requirements on recent experience, are complied with, taking into account all services rendered by the flight crew member to other operator(s) to determine in particular:
 - (1) the total number of aircraft types or variants operated; and
 - (2) the applicable flight and duty time limitations and rest requirements.

ORO.FC005 Designation as pilot-in-command/commander

- (a) In accordance with 8.e of Annex IV to Regulation (EC) No 216/2008, one pilot amongst the flight crew, qualified as pilot-in-command in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011, shall be designated by the operator as [^{F60}pilot-in-command or, for commercial air transport operations, as commander.]

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) The operator shall only designate a flight crew member to act as pilot-in-command/commander if he/she has:
- (1) the minimum level of experience specified in the operations manual;
 - (2) adequate knowledge of the route or area to be flown and of the aerodromes, including alternate aerodromes, facilities and procedures to be used;
 - (3) in the case of multi-crew operations, completed an operator's command course if upgrading from co-pilot to pilot-in-command/commander.
- (c) ^[F3]In the case of commercial operations of aeroplanes and helicopters, ^[F1]the pilot-in-command/commander or the pilot, to whom the conduct of the flight may be delegated, shall have had initial familiarisation training of the route or area to be flown and of the aerodromes, facilities and procedures to be used. This route/area and aerodrome knowledge shall be maintained by operating at least once on the route or area or to the aerodrome within a 12-month period.
- ^[F1](d) Point (c) shall not apply in the case of:
- (1) performance class B aeroplanes involved in commercial air transport operations under VFR by day; and
 - (2) ^[F5]commercial air transport operations of passengers conducted under VFR by day, starting and ending at the same aerodrome or operating site or within a local area specified by the ^[F61]CAA, with other-than complex motor-powered helicopters, single-engined, with a MOPSC of 5.]

ORO.FC010 Flight engineer

When a separate flight engineer station is incorporated in the design of an aeroplane, the flight crew shall include one crew member who is suitably qualified in accordance with applicable national rules.

ORO.FC015 Crew resource management (CRM) training

- (a) Before operating, the flight crew member shall have received CRM training, appropriate to his/her role, as specified in the operations manual.
- (b) Elements of CRM training shall be included in the aircraft type or class training and recurrent training as well as in the command course.

ORO.FC020 Operator conversion training

- (a) In the case of aeroplane or helicopter operations, the flight crew member shall complete the operator conversion training course before commencing unsupervised line flying:
 - (1) when changing to an aircraft for which a new type or class rating is required;
 - (2) when joining an operator.
- (b) The operator conversion training course shall include training on the equipment installed on the aircraft as relevant to flight crew members' roles.

ORO.FC025 References training and familiarisation training

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) Flight crew members shall complete differences or familiarisation training when required by Annex I (Part-FCL) to Regulation (EU) No 1178/2011 and when changing equipment or procedures requiring additional knowledge on types or variants currently operated.
- (b) The operations manual shall specify when such differences or familiarisation training is required.

ORO.FC130 Current training and checking

- (a) Each flight crew member shall complete annual recurrent flight and ground training relevant to the type or variant of aircraft on which he/she operates, including training on the location and use of all emergency and safety equipment carried.
- (b) Each flight crew member shall be periodically checked to demonstrate competence in carrying out normal, abnormal and emergency procedures.

ORO.FC135 Qualification to operate in either pilot's seat

Flight crew members who may be assigned to operate in either pilot's seat shall complete appropriate training and checking as specified in the operations manual.

ORO.FC140 Operation on more than one type or variant

- [^{F25}(a) Flight crew members operating more than one type or variant of aircraft shall comply with the requirements prescribed in this Subpart for each type or variant, unless credits related to the training, checking, and recent experience requirements are defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012 for the relevant types or variants.]
- (b) Appropriate procedures and/or operational restrictions shall be specified in the operations manual for any operation on more than one type or variant.

[^{F62}ORO.FC145] Provision of training, checking and assessment

- (a) All training, checking and assessment required in this Subpart shall be conducted in accordance with the training programmes and syllabi established by the operator in the operations manual;
- (b) When establishing the training programmes and syllabi, the operator shall include the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.
- (c) In the case of CAT operations, training and checking programmes, including syllabi and use of individual flight simulation training devices (FSTDs), shall be approved by the [^{F61}CAA].
- (d) The FSTD shall replicate the aircraft used by the operator, as far as practicable. Differences between the FSTD and the aircraft shall be described and addressed through a briefing or training, as appropriate.
- (e) The operator shall establish a system to adequately monitor changes to the FSTD and to ensure that those changes do not affect the adequacy of the training programmes.]

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F62 Substituted by Commission Implementing Regulation (EU) 2020/2036 of 9 December 2020 amending Regulation (EU) No 965/2012 as regards the requirements for flight crew competence and training methods and postponing dates of application of certain measures in the context of the COVID-19 pandemic.

^{F63}ORO.FC.105 Personnel providing training, checking and assessment

- (a) All training, checking and assessment required in this Subpart shall be conducted by appropriately qualified personnel.
- (b) In the case of flight and flight simulation training and checking, the personnel that provides the training and conducts the checks shall be qualified in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011.
- (c) For an EBT programme, the personnel that performs assessment and provides training shall:
- (1) hold an Annex I (Part-FCL) instructor or examiner certificate;
 - (2) complete the operator's EBT instructor standardisation programme. This shall include an initial standardisation programme and a recurrent standardisation programme.
- Completion of the operator's EBT initial standardisation will qualify the instructor to perform EBT practical assessment.
- (d) Notwithstanding point (b) above, the line evaluation of competence shall be conducted by a suitably qualified commander nominated by the operator that is standardised in EBT concepts and the assessment of competencies (line evaluator).]

Textual Amendments

F63 Inserted by Commission Implementing Regulation (EU) 2020/2036 of 9 December 2020 amending Regulation (EU) No 965/2012 as regards the requirements for flight crew competence and training methods and postponing dates of application of certain measures in the context of the COVID-19 pandemic.

^{F4}SECTION 2

Additional requirements for commercial air transport operations]

ORO.FC.200 Composition of flight crew

- (a) There shall not be more than one inexperienced flight crew member in any flight crew.
- (b) The commander may delegate the conduct of the flight to another pilot suitably qualified in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 provided that the requirements of ORO.FC.105(b)(1), (b)(2) and (c) are complied with.
- (c) Specific requirements for aeroplane operations under instrument flight rules (IFR) or at night.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) The minimum flight crew shall be two pilots for all turbo-propeller aeroplanes with a maximum operational passenger seating configuration (MOPSC) of more than nine and all turbojet aeroplanes.
- (2) Aeroplanes other than those covered by (c)(1) shall be operated with a minimum crew of two pilots, unless the requirements of ORO.FC.202 are complied with, in which case they may be operated by a single pilot.
- (d) Specific requirements for helicopter operations.
 - (1) For all operations of helicopters with an MOPSC of more than 19 and for operations under IFR of helicopters with an MOPSC of more than 9:
 - (i) the minimum flight crew shall be two pilots; and
 - (ii) the commander shall be the holder of an airline transport pilot licence (helicopter) (ATPL(H)) with an instrument rating issued in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011.
 - (2) Operations not covered by (d)(1) may be operated by a single pilot under IFR or at night provided that the requirements of ORO.FC.202 are complied with.

ORO.FCL.A.201 Flight relief of flight crew members

- (a) The commander may delegate the conduct of the flight to:
 - (1) another qualified commander; or
 - (2) for operations only above flight level (FL) 200, a pilot who complies with the following minimum qualifications:
 - (i) ATPL;
 - (ii) conversion training and checking, including type rating training, in accordance with ORO.FC.220;
 - (iii) all recurrent training and checking in accordance with ORO.FC.230 and ORO.FC.240;
 - (iv) route/area and aerodrome competence in accordance with ORO.FC.105.
- (b) The co-pilot may be relieved by:
 - (1) another suitably qualified pilot;
 - (2) for operations only above FL 200, a cruise relief co-pilot that complies with the following minimum qualifications:
 - (i) valid commercial pilot licence (CPL) with an instrument rating;
 - (ii) conversion training and checking, including type rating training, in accordance with ORO.FC.220 except the requirement for take-off and landing training;
 - (iii) recurrent training and checking in accordance with ORO.FC.230 except the requirement for take-off and landing training.
- (c) A flight engineer may be relieved in flight by a crew member suitably qualified in accordance with applicable national rules.

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ORO.FC.2021 Single-pilot operations under IFR or at night

In order to be able to fly under IFR or at night with a minimum flight crew of one pilot, as foreseen in ORO.FC.200(c)(2) and (d)(2), the following shall be complied with:

- (a) The operator shall include in the operations manual a pilot's conversion and recurrent training programme that includes the additional requirements for a single-pilot operation. The pilot shall have undertaken training on the operator's procedures, in particular regarding:
 - (1) engine management and emergency handling;
 - (2) use of normal, abnormal and emergency checklist;
 - (3) air traffic control (ATC) communication;
 - (4) departure and approach procedures;
 - (5) autopilot management, if applicable;
 - (6) use of simplified in-flight documentation;
 - (7) single-pilot crew resource management.
- (b) The recurrent checks required by ORO.FC.230 shall be performed in the single-pilot role on the relevant type or class of aircraft in an environment representative of the operation.
- (c) For aeroplane operations under IFR the pilot shall have:
 - (1) a minimum of 50 hours flight time under IFR on the relevant type or class of aeroplane, of which 10 hours are as commander; and
 - (2) completed during the preceding 90 days on the relevant type or class of aeroplane:
 - (i) five IFR flights, including three instrument approaches, in a single-pilot role; or
 - (ii) an IFR instrument approach check.
- (d) For aeroplane operations at night the pilot shall have:
 - (1) a minimum of 15 hours flight time at night which may be included in the 50 hours flight time under IFR in (c)(1); and
 - (2) completed during the preceding 90 days on the relevant type or class of aeroplane:
 - (i) three take-offs and landings at night in the single pilot role; or
 - (ii) a night take-off and landing check.
- (e) For helicopter operations under IFR the pilot shall have:
 - (1) 25 hours total IFR flight experience in the relevant operating environment; and
 - (2) 25 hours flight experience as a single pilot on the specific type of helicopter, approved for single-pilot IFR, of which 10 hours may be flown under

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supervision, including five sectors of IFR line flying under supervision using the single-pilot procedures; and

- (3) completed during the preceding 90 days:
- (i) five IFR flights as a single pilot, including three instrument approaches, carried out on a helicopter approved for this purpose; or
 - (ii) an IFR instrument approach check as a single pilot on the relevant type of helicopter, flight training device (FTD) or full flight simulator (FFS).

ORO.FC205 Command course

- (a) For aeroplane and helicopter operations, the command course shall include at least the following elements:
- (1) training in an FSTD, which includes line oriented flight training (LOFT) and/or flight training;
 - (2) the operator proficiency check, operating as commander;
 - (3) command responsibilities training;
 - (4) line training as commander under supervision, for a minimum of:
 - (i) 10 flight sectors, in the case of aeroplanes; and
 - (ii) 10 hours, including at least 10 flight sectors, in the case of helicopters;
 - (5) completion of a line check as commander and demonstration of adequate knowledge of the route or area to be flown and of the aerodromes, including alternate aerodromes, facilities and procedures to be used; and
 - (6) crew resource management training.

ORO.FC210 Initial operator's crew resource management (CRM) training

- (a) The flight crew member shall have completed an initial CRM training course before commencing unsupervised line flying.
- (b) Initial CRM training shall be conducted by at least one suitably qualified CRM trainer who may be assisted by experts in order to address specific areas.
- (c) If the flight crew member has not previously received theoretical training in human factors to the ATPL level, he/she shall complete, before or combined with the initial CRM training, a theoretical course provided by the operator and based on the human performance and limitations syllabus for the ATPL as established in Annex I (Part-FCL) to Regulation (EU) No 1178/2011.

ORO.FC210 Operator conversion training and checking

- (a) CRM training shall be integrated into the operator conversion training course.
- (b) Once an operator conversion course has been commenced, the flight crew member shall not be assigned to flying duties on another type or class of aircraft until the course is completed or terminated. Crew members operating only performance class B

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aeroplanes may be assigned to flights on other types of performance class B aeroplanes during conversion courses to the extent necessary to maintain the operation.

- (c) The amount of training required by the flight crew member for the operator's conversion course shall be determined in accordance with the standards of qualification and experience specified in the operations manual, taking into account his/her previous training and experience.
- (d) The flight crew member shall complete:
 - (1) the operator proficiency check and the emergency and safety equipment training and checking before commencing line flying under supervision (LIFUS); and
 - (2) the line check upon completion of line flying under supervision. For performance class B aeroplanes, LIFUS may be performed on any aeroplane within the applicable class.
- [^{F25}(e) In the case of aeroplanes, pilots that have been issued a type rating based on a zero flight-time training ('ZFTT') course shall:
 - (1) commence line flying under supervision not later than 21 days after the completion of the skill test or after appropriate training provided by the operator. The content of that training shall be described in the operations manual;
 - (2) complete six take-offs and landings in an FSTD not later than 21 days after the completion of the skill test under the supervision of a type rating instructor for aeroplanes (' TRI(A) ') occupying the other pilot seat. The number of take-offs and landings may be reduced when credits are defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012. If those take-offs and landings have not been performed within 21 days, the operator shall provide refresher training the content of which shall be described in the operations manual;
 - (3) conduct the first four take-offs and landings of the LIFUS in the aeroplane under the supervision of a TRI(A) occupying the other pilot seat. The number of take-offs and landings may be reduced when credits are defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.]

ORO.FC.230 Current training and checking

- (a) Each flight crew member shall complete recurrent training and checking relevant to the type or variant of aircraft on which they operate.
- (b) *Operator proficiency check*
 - (1) Each flight crew member shall complete operator proficiency checks as part of the normal crew complement to demonstrate competence in carrying out normal, abnormal and emergency procedures.
 - (2) When the flight crew member will be required to operate under IFR, the operator proficiency check shall be conducted without external visual reference, as appropriate.
 - (3) The validity period of the operator proficiency check shall be six calendar months. For operations under VFR by day of performance class B aeroplanes conducted during seasons not longer than eight consecutive months, one operator proficiency check shall be sufficient. The proficiency check shall be undertaken before commencing commercial air transport operations.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F5}(4) The flight crew member involved in operations by day and over routes navigated by reference to visual landmarks with an other-than complex motor-powered helicopter may complete the operator proficiency check in only one of the relevant types held. The operator proficiency check shall be performed each time on the type least recently used for the proficiency check. The relevant helicopter types that may be grouped for the purpose of the operator proficiency check shall be contained in the operations manual.]

[^{F5}(5) Notwithstanding ORO.FC.145(a)(2), for operations of other-than complex motor-powered helicopters by day and over routes navigated by reference to visual landmarks and performance class B aeroplanes, the check may be conducted by a suitably qualified commander nominated by the operator, trained in CRM concepts and the assessment of CRM skills. The operator shall inform the [^{F61}CAA] about the persons nominated.]

(c) *Line check*

(1) Each flight crew member shall complete a line check on the aircraft to demonstrate competence in carrying out normal line operations described in the operations manual. The validity period of the line check shall be 12 calendar months.

(2) Notwithstanding ORO.FC.145(a)(2), line checks may be conducted by a suitably qualified commander nominated by the operator, trained in CRM concepts and the assessment of CRM skills.

(d) *Emergency and safety equipment training and checking*

Each flight crew member shall complete training and checking on the location and use of all emergency and safety equipment carried. The validity period of an emergency and safety equipment check shall be 12 calendar months.

(e) *CRM training*

(1) Elements of CRM shall be integrated into all appropriate phases of the recurrent training.

(2) Each flight crew member shall undergo specific modular CRM training. All major topics of CRM training shall be covered by distributing modular training sessions as evenly as possible over each three-year period.

(f) Each flight crew member shall undergo ground training and flight training in an FSTD or an aircraft, or a combination of FSTD and aircraft training, at least every 12 calendar months.

(g) The validity periods mentioned in (b)(3), (c) and (d) shall be counted from the end of the month when the check was taken.

(h) When the training or checks required above are undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date.

[^{F63}ORO.FC.201 **Evidence-based training**

(a) EBT PROGRAMME

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) The operator may substitute the requirements of ORO.FC.230 by establishing, implementing and maintaining a suitable EBT programme approved by the [F61CAA].

The operator shall demonstrate its capability to support the implementation of the EBT programme (including an implementation plan) and perform a safety risk assessment demonstrating how an equivalent level of safety is achieved.

- (2) The EBT programme shall:
- (i) correspond to the size of the operator, and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities;
 - (ii) ensure pilot competence by assessing and developing pilot competencies required for a safe, effective and efficient operation of aircraft;
 - (iii) ensure that each pilot is exposed to the assessment and training topics derived in accordance with ORO.FC.232;
 - (iv) include at least six EBT modules distributed across a 3-year programme; each EBT module shall consist of an evaluation phase and a training phase. The validity period of a EBT module shall be 12 months;
 - (A) The evaluation phase comprises a line-orientated flight scenario (or scenarios) to assess all competencies and identify individual training needs.
 - (B) The training phase comprises:
 - (a) the manoeuvres training phase, comprising training to proficiency in certain defined manoeuvres;
 - (b) the scenario-based training phase, comprising a line-orientated flight scenario (or scenarios) to develop competencies and address individual training needs.

The training phase shall be conducted in a timely manner after the evaluation phase.

- (3) The operator shall ensure that each pilot enrolled in the EBT programme completes:
- (i) a minimum of two EBT modules within the validity period of the type rating, separated by a period of not less than 3 months. The EBT module is completed when:
 - (A) the content of the EBT programme is completed for that EBT module (exposure of the pilot to the assessment and training topics); and

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- (B) an acceptable level of performance in all observed competencies has been demonstrated;
- (ii) line evaluation(s) of competence; and
- (iii) ground training.
- (4) The operator shall establish an EBT instructor standardisation and concordance assurance programme to ensure that the instructors involved in EBT are properly qualified to perform their tasks.
 - (i) All instructors must be subject to this programme;
 - (ii) The operator shall use appropriate methods and metrics to assess concordance;
 - (iii) The operator shall demonstrate that the instructors have sufficient concordance.
- (5) The EBT programme may include contingency procedures for unforeseen circumstances that could affect the delivery of the EBT modules. The operator shall demonstrate the need for those procedures. The procedures shall ensure that a pilot does not continue line operations if the performance observed was below the minimum acceptable level. They may include:
 - (i) a different separation period between EBT modules; and
 - (ii) different order of the phases of the EBT module.
- (b) **COMPETENCY FRAMEWORK**

The operator shall use a competency framework for all aspects of assessment and training within an EBT programme. The competency framework shall:

 - (1) be comprehensive, accurate, and usable;
 - (2) include observable behaviours required for safe, effective and efficient operations;
 - (3) include a defined set of competencies, their descriptions and their associated observable behaviours.
- (c) **TRAINING SYSTEM PERFORMANCE**
 - (1) The EBT system performance shall be measured and evaluated through a feedback process in order to:
 - (i) validate and refine the operator's EBT programme;
 - (ii) ascertain that the operator's EBT programme develops pilot competencies.
 - (2) The feedback process shall be included in the operator's management system.
 - (3) The operator shall develop procedures governing the protection of EBT data.
- (d) **GRADING SYSTEM**

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- (1) The operator shall use a grading system to assess the pilot competencies. The grading system shall ensure:
 - (i) a sufficient level of detail to enable accurate and useful measurements of individual performance;
 - (ii) a performance criterion and a scale for each competency, with a point on the scale which determines the minimum acceptable level to be achieved for the conduct of line operations. The operator shall develop procedures to address low performance of the pilot;
 - (iii) data integrity;
 - (iv) data security.
 - (2) The operator shall verify at regular intervals the accuracy of the grading system against a criterion-referenced system.
- (e) **SUITABLE TRAINING DEVICES AND VOLUME OF HOURS TO COMPLETE THE OPERATOR'S EBT PROGRAMME**
- (1) Each EBT module shall be conducted in an FSTD with a qualification level adequate to ensure the correct delivery of the assessment and training topics.
 - (2) The operator shall provide a sufficient volume of hours in the suitable training device for the pilot to complete the operator's EBT programme. The criteria to determine the volume of the EBT programme are as follows:
 - (i) The volume corresponds to the size and complexity of the EBT programme;
 - (ii) The volume is sufficient to complete the EBT programme;
 - (iii) The volume ensures an effective EBT programme taking into account the recommendations provided by ICAO ^{F64}... and the [^{F61}CAA];
 - (iv) The volume corresponds to the technology of the training devices used.
- (f) **EQUIVALENCY OF MALFUNCTIONS**
- (1) Each pilot shall receive assessment and training in the management of aircraft system malfunctions.
 - (2) Aircraft system malfunctions that place a significant demand on a proficient crew shall be organised by reference to the following characteristics:
 - (i) immediacy;
 - (ii) complexity;
 - (iii) degradation of aircraft control;
 - (iv) loss of instrumentation;
 - (v) management of consequences.

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- (3) Each pilot shall be exposed to at least one malfunction for each characteristic at the frequency determined by the table of assessment and training topics.
 - (4) Demonstrated proficiency in the management of one malfunction is considered equivalent to demonstrated proficiency in the management of other malfunctions with the same characteristics.
- (g) EQUIVALENCY OF APPROACHES RELEVANT TO OPERATIONS
- (1) The operator shall ensure that each pilot receives regular training in the conduct of approach types and approach methods relevant to operations.
 - (2) This training shall include approaches that place an additional demand on a proficient crew.
 - (3) This training shall include the approaches that require specific approval in accordance with Annex V (Part- SPA) to this Regulation.
- (h) LINE EVALUATION OF COMPETENCE
- (1) Each pilot shall periodically undertake a line evaluation of competence in an aircraft to demonstrate the safe, effective and efficient conduct of normal line operations described in the operations manual.
 - (2) The validity period of a line evaluation of competence shall be 12 months.
 - (3) The operator approved for EBT may, with the approval of the [F61CAA], extend the validity of the line evaluation of competence to:
 - (i) either 2 years, subject to a risk assessment;
 - (ii) or 3 years, subject to a feedback process for the monitoring of line operations which identifies threats to the operations, minimises the risks of such threats, and implements measures to manage human error in the operations.
 - (4) For successful completion of the line evaluation of competence, the pilot shall demonstrate an acceptable level of performance in all observed competencies.
- (i) GROUND TRAINING
- (1) Every 12 calendar months, each pilot shall undergo:
 - (i) technical ground training;
 - (ii) assessment and training on the location and use of all emergency and safety equipment carried on the aircraft.
 - (2) The operator may, with the approval of the [F61CAA] and subject to a risk assessment, extend the period of assessment and training on the location and use of all emergency and safety equipment carried on the aircraft to 24 months.]

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Textual Amendments

F64 Words in Annex 3 point ORO.FC.231(e)(2)(iii) omitted (16.6.2021) by virtue of [The Aviation Safety \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/614\)](#), regs. 1(1), **2(3)**

[^{F63} ~~ORO.FC.231~~ **EBT programme assessment and training topics**

- (a) The operator shall ensure that each pilot is exposed to the assessment and training topics.
- (b) The assessment and training topics shall be:
 - (1) derived from safety and operational data that are used to identify the areas for improvement and prioritisation of pilot training to guide in the construction of suitable EBT programmes;
 - (2) distributed across a 3-year period at a defined frequency;
 - (3) relevant to the type or variant of aircraft on which the pilot operates.]

[^{F62} ~~ORO.FC.230~~ **Pilot qualification to operate in either pilot's seat**

- (a) Commanders whose duties require them to operate in either pilot seat and carry out the duties of a co-pilot, or commanders required to conduct training or checking duties, shall complete additional training and checking as specified in the operations manual. The check may be conducted together with the operator proficiency check prescribed in point ORO.FC.230(b) or in the EBT programme prescribed in point ORO.FC.231.]
- (b) The additional training and checking shall include at least the following:
 - (1) an engine failure during take-off;
 - (2) a one-engine-inoperative approach and go-around; and
 - (3) a one-engine-inoperative landing.
- (c) In the case of helicopters, commanders shall also complete their proficiency checks from left- and right-hand seats, on alternate proficiency checks, provided that when the type rating proficiency check is combined with the operator proficiency check the commander completes his/her training or checking from the normally occupied seat.
- (d) When engine-out manoeuvres are carried out in an aircraft, the engine failure shall be simulated.
- (e) When operating in the co-pilot's seat, the checks required by ORO.FC.230 for operating in the commander's seat shall, in addition, be valid and current.
- (f) The pilot relieving the commander shall have demonstrated, concurrent with the operator proficiency checks prescribed in ORO.FC.230(b), practice of drills and procedures that would not, normally, be his/her responsibility. Where the differences between left- and right-hand seats are not significant, practice may be conducted in either seat.
- (g) The pilot other than the commander occupying the commander's seat shall demonstrate practice of drills and procedures, concurrent with the operator proficiency checks prescribed in ORO.FC.230(b), which are the commander's responsibility

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acting as pilot monitoring. Where the differences between left- and right-hand seats are not significant, practice may be conducted in either seat.

ORO.FC.210 Operation on more than one type or variant

- (a) The procedures or operational restrictions for operation on more than one type or variant established in the operations manual and approved by the [F61CAA] shall cover:
 - (1) the flight crew members' minimum experience level;
 - (2) the minimum experience level on one type or variant before beginning training for and operation of another type or variant;
 - (3) the process whereby flight crew qualified on one type or variant will be trained and qualified on another type or variant; and
 - (4) all applicable recent experience requirements for each type or variant.
- (b) When a flight crew member operates both helicopters and aeroplanes, that flight crew member shall be limited to operations on only one type of aeroplane and one type of helicopter.
- (c) Point (a) shall not apply to operations of performance class B aeroplane if they are limited to single-pilot classes of reciprocating engine aeroplanes under VFR by day. Point (b) shall not apply to operations of performance class B aeroplane if they are limited to single-pilot classes of reciprocating engine aeroplanes.

ORO.FC.215 Alternative training and qualification programme

- (a) The aeroplane operator having appropriate experience may substitute one or more of the following training and checking requirements for flight crew by an alternative training and qualification programme (ATQP), approved by the [F61CAA]:
 - (1) SPA.LVO.120 on flight crew training and qualifications;
 - (2) conversion training and checking;
 - (3) differences training and familiarisation training;
 - (4) command course;
 - (5) recurrent training and checking; and
 - (6) operation on more than one type or variant.
- (b) The ATQP shall contain training and checking that establishes and maintains at least an equivalent level of proficiency achieved by complying with the provisions of ORO.FC.220 and ORO.FC.230. The level of flight crew training and qualification proficiency shall be demonstrated prior to being granted the ATQP approval by the [F61CAA].
- (c) The operator applying for an ATQP approval shall provide the [F61CAA] with an implementation plan, including a description of the level of flight crew training and qualification proficiency to be achieved.
- (d) In addition to the checks required by ORO.FC.230 and FCL.060 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011, each flight crew member shall complete a line oriented evaluation (LOE) conducted in an FSTD. The validity period of an LOE shall be 12 calendar months. The validity period shall be counted from the end of

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the month when the check was taken. When the LOE is undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date.

- (e) After two years of operating with an approved ATQP, the operator may, with the approval of the [F61CAA], extend the validity periods of the checks in ORO.FC.230 as follows:
- (1) Operator proficiency check to 12 calendar months. The validity period shall be counted from the end of the month when the check was taken. When the check is undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date.
 - (2) Line check to 24 calendar months. The validity period shall be counted from the end of the month when the check was taken. When the check is undertaken within the last six months of the validity period, the new validity period shall be counted from the original expiry date.
 - (3) Emergency and safety equipment checking to 24 calendar months. The validity period shall be counted from the end of the month when the check was taken. When the check is undertaken within the last six months of the validity period, the new validity period shall be counted from the original expiry date.

ORO.FC.250 Commanders holding a CPL(A)

- [F7(a) The holder of a CPL(A) (aeroplane) shall only act as commander in commercial air transport on a single-pilot aeroplane if either of the following conditions is met:
- (1) when carrying passengers under VFR outside a radius of 50 NM (90 km) from an aerodrome of departure, he/she has a minimum of 500 hours of flight time on aeroplanes or holds a valid instrument rating;
 - (2) when operating on a multi-engine type under IFR, he/she has a minimum of 700 hours of flight time on aeroplanes, including 400 hours as pilot-in-command. These hours shall include 100 hours under IFR and 40 hours in multi-engine operations. The 400 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual, on the basis of two hours of flight time as co-pilot for one hour of flight time as pilot-in command;
 - (3) when operating on a single-engined aeroplane under IFR, he/she has a minimum of 700 hours of flight time on aeroplanes, including 400 hours as pilot-in-command. Those hours shall include 100 hours under IFR. The 400 hours as pilot-in-command may be substituted by hours operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual, on the basis of two hours of flight time as co-pilot for one hour of flight time as pilot-in command.]
- (b) For operations under VFR by day of performance class B aeroplanes (a)(1) shall not apply.

ORO.FC.250 Commanders holding a CPL(H)

- (a) The holder of a CPL(H) (helicopter) shall only act as commander in commercial air transport on a single-pilot helicopter if:
- (1) when operating under IFR, he/she has a minimum of 700 hours total flight time on helicopters, including 300 hours as pilot-in-command. These hours shall include 100 hours under IFR. The 300 hours as pilot-in-command may be substituted by hours

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operating as co-pilot within an established multi-pilot crew system prescribed in the operations manual on the basis of two hours of flight time as co-pilot for one hour flight time as pilot-in command;

- (2) when operating under visual meteorological conditions (VMC) at night, he/she has:
- (i) a valid instrument rating; or
 - (ii) 300 hours of flight time on helicopters, including 100 hours as pilot-in-command and 10 hours as pilot flying at night.

[^{F3}SECTION 3

Additional requirements for commercial specialised operations and CAT operations referred to in ORO.FC.005(b)(1) and (2)

ORO.FC.005 Current training and checking — operator proficiency check

- (a) Each flight crew member shall complete operator proficiency checks to demonstrate his/her competence in carrying out normal, abnormal and emergency procedures, covering the relevant aspects associated with the specialised tasks described in the operations manual.
- (b) Appropriate consideration shall be given when operations are undertaken under IFR or at night.
- (c) The validity period of the operator proficiency check shall be 12 calendar months. The validity period shall be counted from the end of the month when the check was taken. When the operator proficiency check is undertaken within the last three months of the validity period, the new validity period shall be counted from the original expiry date.]

SUBPART CABIN CREW

CC

ORO.CC.005

[^{F60}This Subpart establishes the requirements to be met by the operator when operating an aircraft with cabin crew and comprises:

- (a) Section 1 specifying common requirements applicable to all operations; and
- (b) Section 2 specifying additional requirements only applicable to commercial air transport operations.]

SECTION 1

[^{F60}Common requirements]

[^{F6}ORO.CC.010 Number and composition of cabin crew

- (a) For the operation of aircraft with an MOPSC of more than 19, at least one cabin crew member shall be assigned when carrying one or more passenger(s).
- (b) For the purpose of complying with point (a), the minimum number of cabin crew members shall be the greatest number amongst the following:

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- (1) the number of cabin crew members established during the aircraft certification process in accordance with the applicable certification specifications, for the aircraft cabin configuration used by the operator;
 - (2) if the number under point (1) has not been established, the number of cabin crew members established during the aircraft certification process for the maximum certified passenger seating configuration reduced by 1 for every whole multiple of 50 passenger seats of the aircraft cabin configuration used by the operator falling below the maximum certified seating capacity;
 - (3) one cabin crew member for every 50, or fraction of 50, passenger seats installed on the same deck of the aircraft to be operated.
- (c) For operations with more than one cabin crew member, the operator shall nominate one cabin crew member accountable to the pilot-in-command or the commander.
- (d) By way of derogation from point (a), non-commercial operations with aircraft with an MOPSC of more than 19 may be performed without an operating cabin crew member, subject to the prior approval by the [F⁶⁵CAA]. To obtain the approval, the operator shall ensure that all of the following conditions are fulfilled:
- (1) there are maximum 19 passengers on board;
 - (2) the operator has developed procedures for that operation.]

Textual Amendments

F65 Word in Annex 3 Subpart CC substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **363** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, [Sch. 5](#) para. 1(1)

ORO.CC111 Conditions for assignment to duties

- (a) Cabin crew members shall only be assigned to duties on an aircraft if they:
 - (1) are at least 18 years of age;
 - (2) have been assessed, in accordance with the applicable requirements of Annex IV (Part-MED) to Regulation (EU) No 1178/2011, as physically and mentally fit to perform their duties and discharge their responsibilities safely; and
 - (3) have successfully completed all applicable training and checking required by this Subpart and are competent to perform the assigned duties in accordance with the procedures specified in the operations manual.
- (b) Before assigning to duties cabin crew members who are working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart are complied with, taking into account all services rendered by the cabin crew member to any other operator(s), to determine in particular:
 - (1) the total number of aircraft types and variants operated; and
 - (2) the applicable flight and duty time limitations and rest requirements.
- (c) Operating cabin crew members, as well as their role with regard to the safety of passengers and flight, shall be clearly identified to the passengers.

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ORO.CC15 Conduct of training courses and associated checking

- (a) A detailed programme and syllabus shall be established by the operator for each training course in accordance with the applicable requirements of this Subpart, and of Annex V (Part-CC) to [F1Regulation (EU) No 1178/2011] where applicable, to cover the duties and responsibilities to be discharged by the cabin crew members.
- (b) Each training course shall include theoretical and practical instruction together with individual or collective practice, as relevant to each training subject, in order that the cabin crew member achieves and maintains the adequate level of proficiency in accordance with this Subpart.
- (c) Each training course shall be:
 - (1) conducted in a structured and realistic manner; and
 - (2) performed by personnel appropriately qualified for the subject to be covered.
- (d) During or following completion of all training required by this Subpart, each cabin crew member shall undergo a check covering all training elements of the relevant training programme, except for crew resource management (CRM) training. Checks shall be performed by personnel appropriately qualified to verify that the cabin crew member has achieved and/or maintains the required level of proficiency.
- (e) CRM training courses and CRM modules where applicable shall be conducted by a cabin crew CRM instructor. When CRM elements are integrated in other training, a cabin crew CRM instructor shall manage the definition and implementation of the syllabus.

ORO.CC120 Initial training course

- (a) Each new entrant who does not already hold a valid cabin crew attestation issued in accordance with Annex V (Part-CC) to [F1Regulation (EU) No 1178/2011]:
 - (1) shall be provided with an initial training course as specified in CC.TRA.220 of that Annex; and
 - (2) shall successfully undergo the associated examination before undertaking other training required by this Subpart.
- (b) Elements of the initial training programme may be combined with the first aircraft type specific training and operator conversion training, provided that the requirements of CC.TRA.220 are met and any such element(s) are recorded as elements of the initial training course in the training records of the cabin crew members concerned.

ORO.CC125 Aircraft type specific training and operator conversion training

- (a) Each cabin crew member shall have completed appropriate aircraft type specific training and operator conversion training, as well as the associated checks, before being:
 - (1) first assigned by the operator to operate as a cabin crew member; or
 - (2) assigned by that operator to operate on another aircraft type.
- [F25(b) When establishing the aircraft type specific and the operator conversion training programmes and syllabi, the operator shall include, where available, the relevant

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elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.]

- (c) The aircraft type specific training programme shall:
- (1) involve training and practice on a representative training device or on the actual aircraft; and
 - (2) cover at least the following aircraft type specific training elements:
 - (i) aircraft description as relevant to cabin crew duties;
 - (ii) all safety equipment and systems installed relevant to cabin crew duties;
 - (iii) operation and actual opening, by each cabin crew member, of each type or variant of normal and emergency doors and exits in the normal and emergency modes;
 - (iv) demonstration of the operation of the other exits including flight crew compartment windows;
 - (v) fire and smoke protection equipment where installed;
 - (vi) evacuation slide training, where fitted;
 - (vii) operation of the seat, restraint system and oxygen system equipment relevant to pilot incapacitation.
- (d) The operator conversion training programme for each aircraft type to be operated shall:
- (1) involve training and practice on a representative training device or on the actual aircraft;
 - (2) include training in the operator's standard operating procedures for cabin crew members to be first assigned to duties by the operator;
 - (3) cover at least the following operator specific training elements as relevant to the aircraft type to be operated:
 - (i) description of the cabin configuration;
 - (ii) location, removal and use of all portable safety and emergency equipment carried on-board;
 - (iii) all normal and emergency procedures;
 - (iv) passenger handling and crowd control;
 - (v) fire and smoke training including the use of all related fire-fighting and protective equipment representative of that carried on-board;
 - (vi) evacuation procedures;
 - (vii) pilot incapacitation procedures;
 - (viii) applicable security requirements and procedures;
 - (ix) crew resource management.

ORO.CC.130 Differences training

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) In addition to the training required in ORO.CC.125, the cabin crew member shall complete appropriate training and checking covering any differences before being assigned on:
 - (1) a variant of an aircraft type currently operated; or
 - (2) a currently operated aircraft type or variant with different:
 - (i) safety equipment;
 - (ii) safety and emergency equipment location; or
 - (iii) normal and emergency procedures.
- (b) The differences training programme shall:
 - (1) be determined as necessary on the basis of a comparison with the training programme completed by the cabin crew member, in accordance with ORO.CC.125(c) and (d), for the relevant aircraft type; and
 - (2) involve training and practice in a representative training device or the actual aircraft as relevant to the difference training element to be covered.
- [^{F25}(c) When establishing a differences training programme and syllabus for a variant of an aircraft type currently operated, the operator shall include, where available, the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.]

ORO.CC.135 Familiarisation

After completion of aircraft type specific training and operator conversion training on an aircraft type, each cabin crew member shall complete appropriate supervised familiarisation on the type before being assigned to operate as a member of the minimum number of cabin crew required in accordance with ORO.CC.100.

ORO.CC.140 Recurrent training

- (a) Each cabin crew member shall complete annually recurrent training and checking.
- (b) Recurrent training shall cover the actions assigned to each member of the cabin crew in normal and emergency procedures and drills relevant to each aircraft type and/or variant to be operated.
- (c) Aircraft type specific training elements:
 - (1) Recurrent training shall include annually touch-drills by each cabin crew member for simulating the operation of each type or variant of normal and emergency doors and exits for passenger evacuation.
 - (2) Recurrent training shall also include at intervals not exceeding three years:
 - (i) operation and actual opening by each cabin crew member, in a representative training device or in the actual aircraft, of each type or variant of normal and emergency exits in the normal and emergency modes;
 - (ii) actual operation by each cabin crew member, in a representative training device or in the actual aircraft, of the flight crew compartment security door, in both normal and emergency modes, and of the seat and restraint system,

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- and a practical demonstration of the oxygen system equipment relevant to pilot incapacitation;
- (iii) demonstration of the operation of all other exits including the flight crew compartment windows; and
 - (iv) demonstration of the use of the life-raft, or slide raft, where fitted.
- (d) Operator specific training elements:
- (1) Recurrent training shall include annually:
 - (i) by each cabin crew member:
 - (A) location and handling of all safety and emergency equipment installed or carried on board; and
 - (B) the donning of life-jackets, portable oxygen and protective breathing equipment (PBE);
 - (ii) stowage of articles in the passenger compartment;
 - (iii) procedures related to aircraft surface contamination;
 - (iv) emergency procedures;
 - (v) evacuation procedures;
 - (vi) incident and accident review;
 - (vii) crew resource management;
 - (viii) aero-medical aspects and first aid including related equipment;
 - (ix) security procedures.
 - (2) Recurrent training shall also include at intervals not exceeding three years:
 - (i) use of pyrotechnics (actual or representative devices);
 - (ii) practical demonstration of the use of flight crew checklists;
 - (iii) realistic and practical training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the aircraft;
 - (iv) by each cabin crew member:
 - (A) extinguishing a fire characteristic of an aircraft interior fire;
 - (B) donning and use of PBE in an enclosed simulated smoke-filled environment.
- (e) Validity periods:
- (1) The annual recurrent training validity period shall be 12 calendar months counted from the end of the month when the check was taken.
 - (2) If the recurrent training and checking required in (a) are undertaken within the last three calendar months of the validity period, the new validity period shall be counted from the original expiry date.

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- (3) For the additional triennial training elements specified in (c)(2) and (d)(2), the validity period shall be 36 calendar months counted from the end of the month when the checks were taken.

ORO.CC.135 Refresher training

- (a) When a cabin crew member, during the preceding six months within the validity period of the last relevant recurrent training and checking:
- (1) has not performed any flying duties, he/she shall, before being reassigned to such duties, complete refresher training and checking for each aircraft type to be operated; or
- (2) has not performed flying duties on one particular aircraft type, he/she shall, before being reassigned to duties, complete on that aircraft type:
- (i) refresher training and checking; or
- (ii) two familiarisation flights in accordance with ORO.CC.135.
- (b) The refresher training programme for each aircraft type shall at least cover:
- (1) emergency procedures;
- (2) evacuation procedures;
- (3) operation and actual opening, by each cabin crew member, of each type or variant of normal and emergency exits and of the flight crew compartment security door in the normal and emergency modes;
- (4) demonstration of the operation of all other exits including the flight crew compartment windows;
- (5) location and handling of all relevant safety and emergency equipment installed or carried on-board.
- (c) The operator may elect to replace refresher training by recurrent training if the reinstatement of the cabin crew member's flying duties commences within the validity period of the last recurrent training and checking. If that validity period has expired, refresher training may only be replaced by aircraft type specific and operator conversion training as specified in ORO.CC.125.

SECTION 2

Additional requirements for commercial air transport operations

ORO.CC.200 Cabin crew member

- (a) When more than one cabin crew member is required, the composition of the cabin crew shall include a senior cabin crew member nominated by the operator.
- (b) The operator shall nominate cabin crew members to the position of senior cabin crew member only if they:
- (1) have at least one year of experience as operating cabin crew member; and
- (2) have successfully completed a senior cabin crew training course and the associated check.

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- (c) The senior cabin crew training course shall cover all duties and responsibilities of senior cabin crew members and shall include at least the following elements:
 - (1) pre-flight briefing;
 - (2) cooperation with the crew;
 - (3) review of operator requirements and legal requirements;
 - (4) accident and incident reporting;
 - (5) human factors and crew resource management (CRM); and
 - (6) flight and duty time limitations and rest requirements.
- (d) The senior cabin crew member shall be responsible to the commander for the conduct and coordination of normal and emergency procedures specified in the operations manual, including for discontinuing non-safety-related duties for safety or security purposes.
- (e) The operator shall establish procedures to select the most appropriately qualified cabin crew member to act as senior cabin crew member if the nominated senior cabin crew member becomes unable to operate. Changes to these procedures shall be notified to the [F65CAA].

[F6 ORO.CC.205] Reduction of the number of cabin crew members during ground operations and in unforeseen circumstances

- (a) Whenever passengers are on board an aircraft, the minimum number of cabin crew members required in accordance with point ORO.CC.100 shall be present in the aircraft and ready to act.
- (b) By way of derogation from point (a), the minimum number of cabin crew members may be reduced in either of the following cases:
 - (1) during normal ground operations not involving refuelling or defuelling when the aircraft is at its parking station;
 - (2) in unforeseen circumstances if the number of passengers carried on the flight is reduced. In this case, a report shall be submitted to the [F65CAA] after completion of the flight;
 - (3) for the purpose of providing in-flight rest during the cruise phase, either in accordance with point ORO.FTL.205(e) or as a fatigue mitigation implemented by the operator.
- (c) For the purposes of points (b)(1) and (b)(2), the operator's procedures of the operations manual shall ensure that:
 - (1) an equivalent level of safety is achieved with the reduced number of cabin crew members, in particular for evacuation of passengers;
 - (2) despite the reduced number of cabin crew members a senior cabin crew member is present in accordance with point ORO.CC.200;
 - (3) at least one cabin crew member is required for every 50, or fraction of 50, passengers present on the same deck of the aircraft;

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- (4) in the case of normal ground operations with aircraft requiring more than one cabin crew member, the number determined in accordance with point (3) shall be increased by one cabin crew member per each pair of floor level emergency exits.
- (d) For the purposes of point (b)(3), the operator shall:
 - (1) conduct a risk assessment to determine the number of cabin crew members who are to be present and ready to act at all times during cruise;
 - (2) identify measures to mitigate the effects of having a lower number of cabin crew members being present and ready to act during cruise;
 - (3) establish in the operations manual specific procedures, including for the in-flight rest of the senior cabin crew member, that ensure at all times appropriate passenger handling and efficient management of any abnormal or emergency situations;
 - (4) specify, in the flight time specification scheme in accordance with point ORO.FTL.125, the conditions under which in-flight rest may be provided to the cabin crew members.]

ORO.CC.210 Additional conditions for assignment to duties

Cabin crew members shall only be assigned to duties, and operate, on a particular aircraft type or variant if they:

- (a) hold a valid attestation issued in accordance with Annex V (Part-CC) to [F1 Regulation (EU) No 1178/2011];
- (b) are qualified on the type or variant in accordance with this Subpart;
- (c) comply with the other applicable requirements of this Subpart and Annex IV (Part-CAT);
- (d) wear the operator's cabin crew uniform.

ORO.CC.215 Training and checking programs and related documentation

- (a) Training and checking programmes including syllabi required by this Subpart shall be approved by the [F65 CAA] and specified in the operations manual.
- (b) After a cabin crew member has successfully completed a training course and the associated check, the operator shall:
 - (1) update the cabin crew member's training records in accordance with ORO.MLR.115; and
 - (2) provide him/her with a list showing updated validity periods as relevant to the aircraft type(s) and variant(s) on which the cabin crew member is qualified to operate.

ORO.CC.250 Operation on more than one aircraft type or variant

- (a) A cabin crew member shall not be assigned to operate on more than three aircraft types, except that, with the approval of the [F65 CAA], the cabin crew member may be assigned to operate on four aircraft types if for at least two of the types:

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- (1) safety and emergency equipment and type-specific normal and emergency procedures are similar; and
- (2) non-type-specific normal and emergency procedures are identical.
- (b) For the purpose of (a) and for cabin crew training and qualifications, the operator shall determine:
 - (1) [^{F25}each aircraft as a type or a variant taking into account, where available, the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012 for the relevant aircraft type or variant; and]
 - (2) variants of an aircraft type to be different types if they are not similar in the following aspects:
 - (i) emergency exit operation;
 - (ii) location and type of portable safety and emergency equipment;
 - (iii) type-specific emergency procedures.

ORO.CCS1511 Single cabin crew member operations

- (a) The operator shall select, recruit, train and check the proficiency of cabin crew members to be assigned to single cabin crew member operations according to criteria appropriate to this type of operation.
- (b) Cabin crew members who have no previous operating experience as single cabin crew member shall only be assigned to such type of operation after they have:
 - (1) completed training as required in (c) in addition to other applicable training and checking required by this Subpart;
 - (2) successfully passed the checks verifying their proficiency in discharging their duties and responsibilities in accordance with the procedures specified in the operations manual; and
 - (3) undertaken familiarisation flying of at least 20 hours and 15 sectors on the relevant aircraft type under the supervision of an appropriately experienced cabin crew member.
- (c) The following additional training elements shall be covered with particular emphasis to reflect single cabin crew operations:
 - (1) responsibility to the commander for the conduct of normal and emergency procedures;
 - (2) importance of coordination and communication with the flight crew, in particular when managing unruly or disruptive passengers;
 - (3) review of operator requirements and legal requirements;
 - (4) documentation;
 - (5) accident and incident reporting; and
 - (6) flight and duty time limitations and rest requirements.

SUBPART TECHNICAL CREW IN HEMS, HHO OR NVIS OPERATIONS

TC

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ORO.TC.100 Scope

This Subpart establishes the requirements to be met by the operator when operating an aircraft with technical crew members in commercial air transport helicopter emergency medical service (HEMS), night vision imaging system (NVIS) operations or helicopter hoist operations (HHO).

ORO.TC.105 Conditions for assignment to duties

- (a) Technical crew members in commercial air transport HEMS, HHO or NVIS operations shall only be assigned duties if they:
 - (1) are at least 18 years of age;
 - (2) are physically and mentally fit to safely discharge assigned duties and responsibilities;
 - (3) have completed all applicable training required by this Subpart to perform the assigned duties;
 - (4) have been checked as proficient to perform all assigned duties in accordance with the procedures specified in the operations manual.
- (b) Before assigning to duties technical crew members who are self-employed and/or working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart are complied with, taking into account all services rendered by the technical crew member to other operator(s) to determine in particular:
 - (1) the total number of aircraft types and variants operated;
 - (2) the applicable flight and duty time limitations and rest requirements.

ORO.TC.110 Training and checking

- (a) The operator shall establish a training programme in accordance with the applicable requirements of this Subpart to cover the duties and responsibilities to be performed by technical crew members.
- (b) Following the completion of initial, operator conversion, differences and recurrent training, each technical crew member shall undergo a check to demonstrate their proficiency in carrying out normal and emergency procedures.
- (c) Training and checking shall be conducted for each training course by personnel suitably qualified and experienced in the subject to be covered. The operator shall inform the [F66CAA] about the personnel conducting the checks.

Textual Amendments

F66 Word in Annex 3 Subpart TC substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 363](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

ORO.TC.115 Initial training

Before undertaking the operator conversion training, each technical crew member shall complete initial training, including:

- (a) general theoretical knowledge on aviation and aviation regulations covering all elements relevant to the duties and responsibilities required of technical crew;

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- (b) fire and smoke training;
- (c) survival training on ground and in water, appropriate to the type and area of operation;
- (d) aero-medical aspects and first-aid;
- (e) communication and relevant CRM elements of ORO.FC.115 and ORO.FC.215.

ORO.TC010 Operator conversion training

Each technical crew member shall complete:

- (a) operator conversion training, including relevant CRM elements,
 - (1) before being first assigned by the operator as a technical crew member; or
 - (2) when changing to a different aircraft type or class, if any of the equipment or procedures mentioned in (b) are different.
- (b) Operator conversion training shall include:
 - (1) the location and use of all safety and survival equipment carried on the aircraft;
 - (2) all normal and emergency procedures;
 - (3) on-board equipment used to carry out duties in the aircraft or on the ground for the purpose of assisting the pilot during HEMS, HHO or NVIS operations.

ORO.TC015 Differences training

- (a) Each technical crew member shall complete differences training when changing equipment or procedures on types or variants currently operated.
- (b) The operator shall specify in the operations manual when such differences training is required.

ORO.TC020 Familiarisation flights

Following completion of the operator conversion training, each technical crew member shall undertake familiarisation flights prior to operating as a required technical crew member in HEMS, HHO or NVIS operations.

ORO.TC025 Recurrent training

- (a) Within every 12-month period, each technical crew member shall undergo recurrent training relevant to the type or class of aircraft and equipment that the technical crew member operates. Elements of CRM shall be integrated into all appropriate phases of the recurrent training.
- (b) Recurrent training shall include theoretical and practical instruction and practice.

ORO.TC040 Refresher training

- (a) Each technical crew member who has not undertaken duties in the previous six months shall complete the refresher training specified in the operations manual.

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- (b) The technical crew member who has not performed flying duties on one particular aircraft type or class during the preceding six months shall, before being assigned on that type or class, complete either:
- (1) refresher training on the type or class; or
 - (2) two familiarisation sectors on the aircraft type or class.

[^{F67}SUBPART] **FLIGHT AND DUTY TIME LIMITATIONS AND REST REQUIREMENTS**
FTL

SECTION 1

General

ORO.FTL.100 Scope

This Subpart establishes the requirements to be met by an operator and its crew members with regard to flight and duty time limitations and rest requirements for crew members.

ORO.FTL.105 Definitions

For the purpose of this Subpart, the following definitions shall apply:

- (1) ‘acclimatised’ means a state in which a crew member’s circadian biological clock is synchronised to the time zone where the crew member is. A crew member is considered to be acclimatised to a 2-hour wide time zone surrounding the local time at the point of departure. When the local time at the place where a duty commences differs by more than 2 hours from the local time at the place where the next duty starts, the crew member, for the calculation of the maximum daily flight duty period, is considered to be acclimatised in accordance with the values in the Table 1.

Table 1

Time difference (h) between reference time and local time where the crew member starts the next duty	Time elapsed since reporting at reference time				
	< 48	48–71:59	72–95:59	96–119:59	≥ 120
< 4	B	D	D	D	D
≤ 6	B	X	D	D	D
≤ 9	B	X	X	D	D
≤ 12	B	X	X	X	D

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- ‘B’ means acclimatised to the local time of the departure time zone,
- ‘D’ means acclimatised to the local time where the crew member starts his/her next duty, and
- ‘X’ means that a crew member is in an unknown state of acclimatisation;
- (2) ‘reference time’ means the local time at the reporting point situated in a 2-hour wide time zone band around the local time where a crew member is acclimatised;
- (3) ‘accommodation’ means, for the purpose of standby and split duty, a quiet and comfortable place not open to the public with the ability to control light and temperature, equipped with adequate furniture that provides a crew member with the possibility to sleep, with enough capacity to accommodate all crew members present at the same time and with access to food and drink;
- (4) ‘suitable accommodation’ means, for the purpose of standby, split duty and rest, a separate room for each crew member located in a quiet environment and equipped with a bed, which is sufficiently ventilated, has a device for regulating temperature and light intensity, and access to food and drink;
- (5) ‘augmented flight crew’ means a flight crew which comprises more than the minimum number required to operate the aircraft, allowing each flight crew member to leave the assigned post, for the purpose of in-flight rest, and to be replaced by another appropriately qualified flight crew member;
- (6) ‘break’ means a period of time within a flight duty period, shorter than a rest period, counting as duty and during which a crew member is free of all tasks;
- (7) ‘delayed reporting’ means the postponement of a scheduled FDP by the operator before a crew member has left the place of rest;
- (8) ‘disruptive schedule’ means a crew member’s roster which disrupts the sleep opportunity during the optimal sleep time window by comprising an FDP or a combination of FDPs which encroach, start or finish during any portion of the day or of the night where a crew member is acclimatised. A schedule may be disruptive due to early starts, late finishes or night duties.
- (a) ‘early type’ of disruptive schedule means:
- (i) for ‘early start’ a duty period starting in the period between 05:00 and 05:59 in the time zone to which a crew member is acclimatised; and
- (ii) for ‘late finish’ a duty period finishing in the period between 23:00 and 01:59 in the time zone to which a crew member is acclimatised;
- (b) ‘late type’ of disruptive schedule means:
- (i) for ‘early start’ a duty period starting in the period between 05:00 and 06:59 in the time zone to which a crew member is acclimatised; and
- (ii) for ‘late finish’ a duty period finishing in the period between 00:00 and 01:59 in the time zone to which a crew member is acclimatised;

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- (9) ‘night duty’ means a duty period encroaching any portion of the period between 02:00 and 04:59 in the time zone to which the crew is acclimatised;
- (10) ‘duty’ means any task that a crew member performs for the operator, including flight duty, administrative work, giving or receiving training and checking, positioning, and some elements of standby;
- (11) ‘duty period’ means a period which starts when a crew member is required by an operator to report for or to commence a duty and ends when that person is free of all duties, including post-flight duty;
- (12) ‘flight duty period (“FDP”)’ means a period that commences when a crew member is required to report for duty, which includes a sector or a series of sectors, and finishes when the aircraft finally comes to rest and the engines are shut down, at the end of the last sector on which the crew member acts as an operating crew member;
- (13) [^{F9}‘flight time’ means, for aeroplanes, the time between an aircraft first moving from its parking place for the purpose of taking off until it comes to rest on the designated parking position and all engines or propellers are shut down;]
- (14) ‘home base’ means the location, assigned by the operator to the crew member, from where the crew member normally starts and ends a duty period or a series of duty periods and where, under normal circumstances, the operator is not responsible for the accommodation of the crew member concerned;
- (15) ‘local day’ means a 24-hour period commencing at 00:00 local time;
- (16) ‘local night’ means a period of 8 hours falling between 22:00 and 08:00 local time;
- (17) ‘operating crew member’ means a crew member carrying out duties in an aircraft during a sector;
- (18) ‘positioning’ means the transferring of a non-operating crew member from one place to another, at the behest of the operator, excluding:
- the time of travel from a private place of rest to the designated reporting place at home base and vice versa, and
 - the time for local transfer from a place of rest to the commencement of duty and vice versa;
- (19) ‘rest facility’ means a bunk or seat with leg and foot support suitable for crew members’ sleeping on board an aircraft;
- (20) ‘reserve’ means a period of time during which a crew member is required by the operator to be available to receive an assignment for an FDP, positioning or other duty notified at least 10 hours in advance;
- (21) ‘rest period’ means a continuous, uninterrupted and defined period of time, following duty or prior to duty, during which a crew member is free of all duties, standby and reserve;
- (22) ‘rotation’ is a duty or a series of duties, including at least one flight duty, and rest periods out of home base, starting at home base and ending when returning to home base for a rest period where the operator is no longer responsible for the accommodation of the crew member;
- (23) ‘single day free of duty’ means, for the purpose of complying with the provisions of Council Directive 2000/79/EC ⁽⁷⁾, a time free of all duties and standby consisting

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of one day and two local nights, which is notified in advance. A rest period may be included as part of the single day free of duty;

- (24) ‘sector’ means the segment of an FDP between an aircraft first moving for the purpose of taking off until it comes to rest after landing on the designated parking position;
- (25) ‘standby’ means a pre-notified and defined period of time during which a crew member is required by the operator to be available to receive an assignment for a flight, positioning or other duty without an intervening rest period;
- (26) ‘airport standby’ means a standby performed at the airport;
- (27) ‘other standby’ means a standby either at home or in a suitable accommodation;
- (28) ‘window of circadian low (“WOCL”)’ means the period between 02:00 and 05:59 hours in the time zone to which a crew member is acclimatised.

ORO.FTL.110 Operator responsibilities

An operator shall:

- (a) publish duty rosters sufficiently in advance to provide the opportunity for crew members to plan adequate rest;
- (b) ensure that flight duty periods are planned in a way that enables crew members to remain sufficiently free from fatigue so that they can operate to a satisfactory level of safety under all circumstances;
- (c) specify reporting times that allow sufficient time for ground duties;
- (d) take into account the relationship between the frequency and pattern of flight duty periods and rest periods and give consideration to the cumulative effects of undertaking long duty hours combined with minimum rest periods;
- (e) allocate duty patterns which avoid practices that cause a serious disruption of an established sleep/work pattern, such as alternating day/night duties;
- (f) comply with the provisions concerning disruptive schedules in accordance with ARO.OPS.230;
- (g) provide rest periods of sufficient time to enable crew members to overcome the effects of the previous duties and to be rested by the start of the following flight duty period;
- (h) plan recurrent extended recovery rest periods and notify crew members sufficiently in advance;
- (i) plan flight duties in order to be completed within the allowable flight duty period taking into account the time necessary for pre-flight duties, the sector and turnaround times;
- (j) change a schedule and/or crew arrangements if the actual operation exceeds the maximum flight duty period on more than 33 % of the flight duties in that schedule during a scheduled seasonal period.

ORO.FTL.115 Crew member responsibilities

Crew members shall:

- (a) comply with point CAT.GEN.MPA.100(b) of Annex IV (Part-CAT); and

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- (b) make optimum use of the opportunities and facilities for rest provided and plan and use their rest periods properly.

ORO.FTL.120 Fatigue risk management (FRM)

- (a) When FRM is required by this Subpart or an applicable certification specification, the operator shall establish, implement and maintain a FRM as an integral part of its management system. The FRM shall ensure compliance with the essential requirements in points 7.f, 7.g and 8.f of Annex IV to Regulation (EC) No 216/2008. The FRM shall be described in the operations manual.
- (b) The FRM established, implemented and maintained shall provide for continuous improvement to the overall performance of the FRM and shall include:
- (1) a description of the philosophy and principles of the operator with regard to FRM, referred to as the FRM policy;
 - (2) documentation of the FRM processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;
 - (3) scientific principles and knowledge;
 - (4) a hazard identification and risk assessment process that allows managing the operational risk(s) of the operator arising from crew member fatigue on a continuous basis;
 - (5) a risk mitigation process that provides for remedial actions to be implemented promptly, which are necessary to effectively mitigate the operator's risk(s) arising from crew member fatigue and for continuous monitoring and regular assessment of the mitigation of fatigue risks achieved by such actions;
 - (6) FRM safety assurance processes;
 - (7) FRM promotion processes.
- (c) The FRM shall correspond to the flight time specification scheme, the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities and the applicable flight time specification scheme.
- (d) The operator shall take mitigating actions when the FRM safety assurance process shows that the required safety performance is not maintained.

ORO.FTL.125 Flight time specification schemes

- (a) Operators shall establish, implement and maintain flight time specification schemes that are appropriate for the type(s) of operation performed and that comply with Regulation (EC) No 216/2008, this Subpart and other applicable legislation, including Directive 2000/79/EC.
- (b) Before being implemented, flight time specification schemes, including any related FRM where required, shall be approved by the [F68CAA].

Textual Amendments

F68 Word in Annex 3 point ORO.FTL.125(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **364(2)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

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- (c) To demonstrate compliance with Regulation (EC) No 216/2008 and this Subpart, the operator shall apply the applicable certification specifications adopted by the [F⁶⁹CAA]. Alternatively, if the operator wants to deviate from those certification specifications in accordance with Article 22(2) of Regulation (EC) No 216/2008, it shall provide the [F⁷⁰CAA] with a full description of the intended deviation prior to implementing it. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment demonstrating that the requirements of Regulation (EC) No 216/2008 and of this Subpart are met.

Textual Amendments

- F69** Word in Annex 3 point ORO.FTL.125(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **364(2)(b)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F70** Word in Annex 3 point ORO.FTL.125(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **364(2)(b)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (d) For the purpose of point ARO.OPS.235(d), within 2 years of the implementation of a deviation or derogation, the operator shall collect data concerning the granted deviation or derogation and analyse that data using scientific principles with a view to assessing the effects of the deviation or derogation on aircrew fatigue. Such analysis shall be provided in the form of a report to the [F⁷¹CAA].

Textual Amendments

- F71** Word in Annex 3 point ORO.FTL.125(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **364(2)(c)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SECTION 2

Commercial Air Transport Operators

ORO.FTL.200 Home base

An operator shall assign a home base to each crew member.

ORO.FTL.205 Flight duty period (FDP)

- (a) The operator shall:
- (1) define reporting times appropriate to each individual operation taking into account ORO.FTL.110(c);
 - (2) establish procedures specifying how the commander shall, in case of special circumstances which could lead to severe fatigue, and after consultation with the crew members concerned, reduce the actual FDP and/or increase the rest period in order to eliminate any detrimental effect on flight safety.
- (b) Basic maximum daily FDP.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) The maximum daily FDP without the use of extensions for acclimatised crew members shall be in accordance with the following table:

Table 2

Maximum daily FDP — Acclimatised crew members

Start of FDP at reference time	1–2 Sectors	3 Sectors	4 Sectors	5 Sectors	6 Sectors	7 Sectors	8 Sectors	9 Sectors	10 Sectors
0600–1329	13:00	12:30	12:00	11:30	11:00	10:30	10:00	09:30	09:00
1330–1359	12:45	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00
1400–1429	12:30	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00
1430–1459	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00	09:00
1500–1529	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00	09:00
1530–1559	11:45	11:15	10:45	10:15	09:45	09:15	09:00	09:00	09:00
1600–1629	11:30	11:00	10:30	10:00	09:30	09:00	09:00	09:00	09:00
1630–1659	11:15	10:45	10:15	09:45	09:15	09:00	09:00	09:00	09:00
1700–0459	11:00	10:30	10:00	09:30	09:00	09:00	09:00	09:00	09:00
0500–0514	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00	09:00
0515–0529	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00	09:00
0530–0544	12:30	12:00	11:30	11:00	10:30	10:00	09:30	09:00	09:00
0545–0559	12:45	12:15	11:45	11:15	10:45	10:15	09:45	09:15	09:00

- (2) The maximum daily FDP when crew members are in an unknown state of acclimatisation shall be in accordance with the following table:

Table 3

Crew members in an unknown state of acclimatisation

Maximum daily FDP according to sectors

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Table 3

Crew members in an unknown state of acclimatisation

1–2	3	4	5	6	7	8
11:00	10:30	10:00	09:30	09:00	09:00	09:00

- (3) The maximum daily FDP when crew members are in an unknown state of acclimatisation and the operator has implemented a FRM, shall be in accordance with the following table:

Table 4

Crew members in an unknown state of acclimatisation under FRM

The values in the following table may apply provided the operator's FRM continuously monitors that the required safety performance is maintained.

Maximum daily FDP according to sectors

1–2	3	4	5	6	7	8
12:00	11:30	11:00	10:30	10:00	09:30	09:00

- (c) FDP with different reporting time for flight crew and cabin crew.

Whenever cabin crew requires more time than the flight crew for their pre-flight briefing for the same sector or series of sectors, the FDP of the cabin crew may be extended by the difference in reporting time between the cabin crew and the flight crew. The difference shall not exceed 1 hour. The maximum daily FDP for cabin crew shall be based on the time at which the flight crew report for their FDP, but the FDP shall start at the reporting time of the cabin crew.

- (d) Maximum daily FDP for acclimatised crew members with the use of extensions without in-flight rest.
- (1) The maximum daily FDP may be extended by up to 1 hour not more than twice in any 7 consecutive days. In that case:
- (i) the minimum pre-flight and post-flight rest periods shall be increased by 2 hours; or
 - (ii) the post-flight rest period shall be increased by 4 hours.
- (2) When extensions are used for consecutive FDPs, the additional pre- and post-flight rest between the two extended FDPs required under subparagraph 1 shall be provided consecutively.
- (3) The use of the extension shall be planned in advance, and shall be limited to a maximum of:
- (i) 5 sectors when the WOCL is not encroached; or
 - (ii) 4 sectors, when the WOCL is encroached by 2 hours or less; or
 - (iii) 2 sectors, when the WOCL is encroached by more than 2 hours.
- (4) Extension of the maximum basic daily FDP without in-flight rest shall not be combined with extensions due to in-flight rest or split duty in the same duty period.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) Flight time specification schemes shall specify the limits for extensions of the maximum basic daily FDP in accordance with the certification specifications applicable to the type of operation, taking into account:
- (i) the number of sectors flown; and
 - (ii) WOCL encroachment.
- (e) Maximum daily FDP with the use of extensions due to in-flight rest

Flight time specification schemes shall specify the conditions for extensions of the maximum basic daily FDP with in-flight rest in accordance with the certification specifications applicable to the type of operation, taking into account:

- (i) the number of sectors flown;
 - (ii) the minimum in-flight rest allocated to each crew member;
 - (iii) the type of in-flight rest facilities; and
 - (iv) the augmentation of the basic flight crew.
- (f) Unforeseen circumstances in flight operations — commander's discretion
- (1) The conditions to modify the limits on flight duty, duty and rest periods by the commander in the case of unforeseen circumstances in flight operations, which start at or after the reporting time, shall comply with the following:
- (i) the maximum daily FDP which results after applying points (b) and (e) of point ORO.FTL.205 or point ORO.FTL.220 may not be increased by more than 2 hours unless the flight crew has been augmented, in which case the maximum flight duty period may be increased by not more than 3 hours;
 - (ii) if on the final sector within an FDP the allowed increase is exceeded because of unforeseen circumstances after take-off, the flight may continue to the planned destination or alternate aerodrome; and
 - (iii) the rest period following the FDP may be reduced but can never be less than 10 hours.
- (2) In case of unforeseen circumstances which could lead to severe fatigue, the commander shall reduce the actual flight duty period and/or increase the rest period in order to eliminate any detrimental effect on flight safety.
- (3) The commander shall consult all crew members on their alertness levels before deciding the modifications under subparagraphs 1 and 2.
- (4) The commander shall submit a report to the operator when an FDP is increased or a rest period is reduced at his or her discretion.
- (5) Where the increase of an FDP or reduction of a rest period exceeds 1 hour, a copy of the report, to which the operator shall add its comments, shall be sent by the operator to the [F72CAA] not later than 28 days after the event.
- (6) The operator shall implement a non-punitive process for the use of the discretion described under this provision and shall describe it in the operations manual.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F72 Word in Annex 3 point ORO.FTL.205(f)(5) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **364(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(g) Unforeseen circumstances in flight operations — delayed reporting

The operator shall establish procedures, in the operations manual, for delayed reporting in the event of unforeseen circumstances, in accordance with the certification specifications applicable to the type of operation.

ORO.FTL.210 Flight times and duty periods

- (a) The total duty periods to which a crew member may be assigned shall not exceed:
- (1) 60 duty hours in any 7 consecutive days;
 - (2) 110 duty hours in any 14 consecutive days; and
 - (3) 190 duty hours in any 28 consecutive days, spread as evenly as practicable throughout that period.
- (b) The total flight time of the sectors on which an individual crew member is assigned as an operating crew member shall not exceed:
- (1) 100 hours of flight time in any 28 consecutive days;
 - (2) 900 hours of flight time in any calendar year; and
 - (3) 1 000 hours of flight time in any 12 consecutive calendar months.
- (c) Post-flight duty shall count as duty period. The operator shall specify in its operations manual the minimum time period for post-flight duties.

ORO.FTL.215 Positioning

If an operator positions a crew member, the following shall apply:

- (a) positioning after reporting but prior to operating shall be counted as FDP but shall not count as a sector;
- (b) all time spent on positioning shall count as duty period.

ORO.FTL.220 Split duty

The conditions for extending the basic maximum daily FDP due to a break on the ground shall be in accordance with the following:

- (a) flight time specification schemes shall specify the following elements for split duty in accordance with the certification specifications applicable to the type of operation:
 - (1) the minimum duration of a break on the ground; and
 - (2) the possibility to extend the FDP prescribed under point ORO.FTL.205(b) taking into account the duration of the break on the ground, the facilities provided to the crew member to rest and other relevant factors;
- (b) the break on the ground shall count in full as FDP;
- (c) split duty shall not follow a reduced rest.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ORO.FTL.225 Standby and duties at the airport

If an operator assigns crew members to standby or to any duty at the airport, the following shall apply in accordance with the certification specifications applicable to the type of operation:

- (a) standby and any duty at the airport shall be in the roster and the start and end time of standby shall be defined and notified in advance to the crew members concerned to provide them with the opportunity to plan adequate rest;
- (b) a crew member is considered on airport standby from reporting at the reporting point until the end of the notified airport standby period;
- (c) airport standby shall count in full as duty period for the purpose of points ORO.FTL.210 and ORO.FTL.235;
- (d) any duty at the airport shall count in full as duty period and the FDP shall count in full from the airport duty reporting time;
- (e) the operator shall provide accommodation to the crew member on airport standby;
- (f) flight time specification schemes shall specify the following elements:
 - (1) the maximum duration of any standby;
 - (2) the impact of the time spent on standby on the maximum FDP that may be assigned, taking into account facilities provided to the crew member to rest, and other relevant factors such as:
 - the need for immediate readiness of the crew member,
 - the interference of standby with sleep, and
 - sufficient notification to protect a sleep opportunity between the call for duty and the assigned FDP;
 - (3) the minimum rest period following standby which does not lead to assignment of an FDP;
 - (4) how time spent on standby other than airport standby shall be counted for the purpose of cumulative duty periods.

ORO.FTL.230 Reserve

If an operator assigns crew members to reserve, the following requirements shall apply in accordance with the certification specifications applicable to the type of operation:

- (a) reserve shall be in the roster;
- (b) flight time specification schemes shall specify the following elements:
 - (1) the maximum duration of any single reserve period;
 - (2) the number of consecutive reserve days that may be assigned to a crew member.

ORO.FTL.235 Rest periods

- (a) Minimum rest period at home base.
 - (1) The minimum rest period provided before undertaking an FDP starting at home base shall be at least as long as the preceding duty period, or 12 hours, whichever is greater.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) By way of derogation from point (1), the minimum rest provided under point (b) applies if the operator provides suitable accommodation to the crew member at home base.

(b) Minimum rest period away from home base.

The minimum rest period provided before undertaking an FDP starting away from home base shall be at least as long as the preceding duty period, or 10 hours, whichever is greater. This period shall include an 8-hour sleep opportunity in addition to the time for travelling and physiological needs.

(c) Reduced rest

By derogation from points (a) and (b), flight time specification schemes may reduce the minimum rest periods in accordance with the certification specifications applicable to the type of operation and taking into account the following elements:

- (1) the minimum reduced rest period;
 - (2) the increase of the subsequent rest period; and
 - (3) the reduction of the FDP following the reduced rest.
- (d) Recurrent extended recovery rest periods

Flight time specification schemes shall specify recurrent extended recovery rest periods to compensate for cumulative fatigue. The minimum recurrent extended recovery rest period shall be 36 hours, including 2 local nights, and in any case the time between the end of one recurrent extended recovery rest period and the start of the next extended recovery rest period shall not be more than 168 hours. The recurrent extended recovery rest period shall be increased to 2 local days twice every month.

(e) Flight time specification schemes shall specify additional rest periods in accordance with the applicable certification specifications to compensate for:

- (1) the effects of time zone differences and extensions of the FDP;
- (2) additional cumulative fatigue due to disruptive schedules; and
- (3) a change of home base.

ORO.FTL.240 Nutrition

- (a) During the FDP there shall be the opportunity for a meal and drink in order to avoid any detriment to a crew member's performance, especially when the FDP exceeds 6 hours.
- (b) An operator shall specify in its operations manual how the crew member's nutrition during FDP is ensured.

ORO.FTL.245 Records of home base, flight times, duty and rest periods

- (a) An operator shall maintain, for a period of 24 months:
 - (1) individual records for each crew member including:
 - (i) flight times;
 - (ii) start, duration and end of each duty period and FDP;
 - (iii) rest periods and days free of all duties; and

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (iv) assigned home base;
- (2) reports on extended flight duty periods and reduced rest periods.
- (b) Upon request, the operator shall provide copies of individual records of flight times, duty periods and rest periods to:
 - (1) the crew member concerned; and
 - (2) to another operator, in relation to a crew member who is or becomes a crew member of the operator concerned.
- (c) Records referred to in point CAT.GEN.MPA.100(b)(5) in relation to crew members who undertake duties for more than one operator shall be kept for a period of 24 months.

ORO.FTL.250 Fatigue management training

- (a) The operator shall provide initial and recurrent fatigue management training to crew members, personnel responsible for preparation and maintenance of crew rosters and management personnel concerned.
- (b) This training shall follow a training programme established by the operator and described in the operations manual. The training syllabus shall cover the possible causes and effects of fatigue and fatigue countermeasure.]

Textual Amendments

- F67** Inserted by [Commission Regulation \(EU\) No 83/2014 of 29 January 2014 amending Regulation \(EU\) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation \(EC\) No 216/2008 of the European Parliament and of the Council.](#)

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F6}Appendix I

DECLARATION

in accordance with Commission Regulation (EU) No 965/2012 on air operations

Operator

Name:

Place in which the operator has its principal place of business or, if the operator has no principal place of business, place in which the operator is established or residing and place from which the operations are directed:

Name and contact details of the accountable manager:

Aircraft operation

Starting date of operation or applicability date of the change:

Information on aircraft, operation and continuing airworthiness management organisation ^a :

Aircraft MSN	Aircraft type	Aircraft registration ^b	Main base	Type(s) of operation ^c	Organisation responsible for the continuing airworthiness management ^d

Where applicable, details of approvals held (attach list of specific approvals, including specific approvals granted by a third-country, to the declaration, if applicable).

Where applicable, details of specialised operations authorisation held (attach authorisations, if applicable).

Where applicable, list of alternative means of compliance with references to the associated AMCs they replace (attach AltMoC).

Statements

The operator complies, and will continue to comply, with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 of the European Parliament and of the Council and with the requirements of Regulation (EU) No 965/2012.

The management system documentation, including the operations manual, comply with the requirements of Annex III (Part-ORO), Annex V (Part-SPA), Annex VI (Part-NCC), or Annex VIII (Part-SPO) to Regulation (EU) No 965/2012 and all flights will be carried out in accordance with the provisions of the operations manual as required by point ORO.GEN.110(b) of Annex III to that Regulation.

All aircraft operated hold a valid certificate of airworthiness in accordance with Commission Regulation (EU) No 748/2012 or meet the specific airworthiness requirements applicable to aircraft registered in a third country and subject to a lease agreement.

All flight crew members hold a licence in accordance with Annex I to Commission Regulation (EU) No 1178/2011 as required by point ORO.FC.100(c) of Annex III to

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Regulation (EU) No 965/2012 and cabin crew members, where applicable, are trained in accordance with Subpart CC of Annex III to Regulation (EU) No 965/2012.

(If applicable)

The operator has implemented and demonstrated conformity to a recognised industry standard.

Reference of the standard:

Certification body:

Date of the last conformity audit:

The operator will notify to the [F73CAA] any changes in circumstances affecting its compliance with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of Regulation (EU) No 965/2012 as declared to the [F73CAA] through this declaration and any changes to the information and lists of AltMoC included in and annexed to this declaration, as required by point ORO.GEN.120(a) of Annex III to Regulation (EU) No 965/2012.

The operator confirms that the information disclosed in this declaration is correct.

Date, name and signature of the accountable manager

- a** If there is not enough space to list the information in the space of the declaration, the information shall be listed in a separate annex. The annex shall be dated and signed.
-
- b** If the aircraft is also registered with an AOC holder, specify the AOC number of the AOC holder.
-
- c** ‘ Type(s) of operation ’ refers to the type of operations conducted with this aircraft, e.g. non-commercial operations or specialised operations such as aerial photography flights, aerial advertising flights, news media flights, television and movie flights, parachute operations, skydiving, maintenance check flights.
-
- d** Information about the organisation responsible for the continuing airworthiness management includes the name of the organisation, the address and the approval reference.]
-

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) [^{F6}Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (OJ L 295, 12.11.2010, p. 35).]
- (2) [^{F27}Commission Implementing Regulation (EU) 2015/1018 of 29 June 2015 laying down a list classifying occurrences in civil aviation to be mandatorily reported according to Regulation (EU) No 376/2014 of the European Parliament and of the Council (OJ L 163, 30.6.2015, p. 1).]
- (3) OJ L 293, 31.10.2008, p. 3.
- (4) [^{F1}[^{F31}Commission Regulation (EU) 2015/640 of 23 April 2015 on additional airworthiness specifications for a given type of operations and amending Regulation (EU) No 965/2012 (OJ L 106, 24.4.2015, p. 18).]]
- (5) [^{F3}[^{F6}Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1).]]
- (6) OJ L 311, 25.11.2011, p. 1.
- (7) [^{F67}OJ L 302, 1.12.2000, p. 57.]

Textual Amendments

- F1** Substituted by Commission Regulation (EU) No 379/2014 of 7 April 2014 amending Commission Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.
- F3** Inserted by Commission Regulation (EU) No 379/2014 of 7 April 2014 amending Commission Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.
- F6** Substituted by Commission Implementing Regulation (EU) 2019/1384 of 24 July 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 (Text with EEA relevance).
- F27** Inserted by Commission Implementing Regulation (EU) 2019/1384 of 24 July 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 (Text with EEA relevance).
- F31** Substituted by Commission Regulation (EU) 2015/640 of 23 April 2015 on additional airworthiness specifications for a given type of operations and amending Regulation (EU) No 965/2012.
- F67** Inserted by Commission Regulation (EU) No 83/2014 of 29 January 2014 amending Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) No 965/2012. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 5 point SPA.HEMS.105 inserted by [S.I. 2022/1235 reg. 8\(2\)\(a\)](#)
- Annex 5 point SPA.HEMS.110 substituted by [S.I. 2022/1235 reg. 8\(2\)\(b\)](#)
- Annex 5 point SPA.HEMS.130(e)(2)(ii) words inserted by [S.I. 2022/1235 reg. 8\(2\)\(c\)](#)
- Annex 2 Appendix 4 symbol omitted by [S.I. 2019/645 reg. 357\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 1 word substituted by [S.I. 2019/645 reg. 357\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(2) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 3 word substituted by [S.I. 2019/645 reg. 357\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 4 word substituted by [S.I. 2019/645 reg. 357\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 4 word substituted by [S.I. 2019/645 reg. 357\(5\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 5 word substituted by [S.I. 2019/645 reg. 357\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 6 word substituted by [S.I. 2019/645 reg. 357\(7\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 1 words omitted by [S.I. 2019/645 reg. 357\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(2) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 3 words omitted by [S.I. 2019/645 reg. 357\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 6 words omitted by [S.I. 2019/645 reg. 357\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 1 words substituted by [S.I. 2019/645 reg. 357\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(2) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 1 words substituted by [S.I. 2019/645 reg. 357\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(2) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 2 words substituted by [S.I. 2019/645 reg. 357\(3\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(3)(c) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 3 words substituted by [S.I. 2019/645 reg. 357\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 4 words substituted by [S.I. 2019/645 reg. 357\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)

- Annex 2 Appendix 4 words substituted by [S.I. 2019/645 reg. 357\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 4 words substituted by [S.I. 2019/645 reg. 357\(5\)\(f\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 5 words substituted by [S.I. 2019/645 reg. 357\(6\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 5 words substituted by [S.I. 2019/645 reg. 357\(6\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 6 words substituted by [S.I. 2019/645 reg. 357\(7\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 2 Appendix 6 words substituted by [S.I. 2019/645 reg. 357\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 357(4)-(7) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 43)
- Annex 3 point ORO.AOC.125(a) word substituted by [S.I. 2019/645 reg. 360\(6\)](#) (This amendment not applied to legislation.gov.uk. Reg. 360(6) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 44)
- Annex 3 Appendix 1 words substituted by [S.I. 2019/645 reg. 365\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 365(a) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 45(a))
- Art. 10(5)(a) omitted by [S.I. 2019/645 reg. 349\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 349 omitted immediately before IP completion day by virtue of S.I. 2019/1098, regs. 1(3), 9)
- Art. 10(5)(b) words substituted by [S.I. 2019/645 reg. 349\(5\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 349 omitted immediately before IP completion day by virtue of S.I. 2019/1098, regs. 1(3), 9)
- Art. 10(5)(b) words substituted by [S.I. 2019/645 reg. 349\(5\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 349 omitted immediately before IP completion day by virtue of S.I. 2019/1098, regs. 1(3), 9)
- Art. 10(6)(a) word substituted by [S.I. 2019/645 reg. 349\(6\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 349 omitted immediately before IP completion day by virtue of S.I. 2019/1098, regs. 1(3), 9)
- Art. 10(6)(c) words substituted by [S.I. 2019/645 reg. 349\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 349 omitted immediately before IP completion day by virtue of S.I. 2019/1098, regs. 1(3), 9)
- Art. 10(6)(d) words substituted by [S.I. 2019/645 reg. 349\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 349 omitted immediately before IP completion day by virtue of S.I. 2019/1098, regs. 1(3), 9)