
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to retained EU law in the field of aviation safety.

Part 2 revokes Commission Regulation No 73/2010 as a consequence of the amendments made to Commission Implementing Regulation (EU) 2017/373 and Commission Regulation (EU) 139/2014, which supersede Regulation 73/2010.

Part 3 makes amendments to implementing rules using powers conferred by Regulation (EU) 2018/1139 of 4 July 2018 on common rules in the field of civil aviation.

Chapter 1 of Part 3 amends [Commission Regulation \(EU\) No 1178/2011](#) (aircrew) to create new requirements in relation to evidence-based training for flight crew competence and training methods.

Chapter 2 of Part 3 amends Commission Regulation (EU) 965/2012 (air operations) to incorporate updated provision in relation to: alcohol testing of flight and cabin crew members; updated definitions, in particular, that of “psychoactive substance”; the detection and misuse of psychoactive substances to prevent endangerment of aircraft and those on board; and requirements for operators to provide a non-punitive support programme for flight crew affected by substance use; and to incorporate the latest International Civil Aviation Organization (“ICAO”) standards in order to meet international obligations under the Chicago Convention of 7th December 1944 in respect of landing performance calculations and runway surface conditions under the Global Reporting Format (“GRF”).

Chapter 3 of Part 3 amends Annexes 1, 3 and 4 to [Commission Regulation \(EU\) No 139/2014](#) (aerodromes) which sets out requirements for the operation of aerodromes. The provisions implement recent amendments to Standards and Recommended Practices (SARPs) in Annex 15 to the Chicago Convention on Aeronautical Information Services and the ICAO publication “Procedures for Air Navigation Services – Aeronautical Information Service” (PANS-AIM Doc 10066). The amendments relate to the requirements for Aeronautical Data Quality (“ADQ”) and GRF. The ADQ requirements are to ensure that the aeronautical data disseminated by aerodromes is of sufficient quality for intended use and ensure continued alignment with both the EU and ICAO in this area.

Chapter 4 of Part 3 amends [Commission Regulation \(EU\) No 1321/2014](#) (continuing airworthiness) to add a requirement that an aircraft maintenance programme under that Regulation demonstrates compliance with Annex I (Part-26) to Commission Regulation (EU) 2015/640.

Chapter 5 of Part 3 amends Commission Regulation (EU) 2015/640 (airworthiness specification) to create new requirements for aircraft relating to: structural integrity and prevention of fatigue; mitigating risk or injuries or fatalities from an in-flight fire in cargo or baggage compartment, and runway overrun awareness and alerting systems aimed at preventing runway excursions.

Chapter 6 of Part 3 amends Commission Implementing Regulation (EU) 2017/373 (common requirements for providers of air traffic management / air navigation services and other air traffic management network functions and their oversight) to ensure, in relation to instrument flight rule flights, that parties originating, processing and transmitting data perform their data activities to the required quality level to support the intended use of that data, and also that aeronautical information is originated, assembled, formatted, edited, published and provided at the required quality for all flight phases to users of such information, such as aircraft operators, aerodrome operators and air traffic management / air navigation service providers.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Chapters 7 and 8 of Part 3 make amendments to [Commission Regulation \(EU\) No 2018/395](#) (balloons) and Commission Implementing Regulation (EU) No 2018/1976 (sailplanes) in respect of balloon and sailplane licensing. The amendments postpone the deadline for the conversion of existing licences to new Sailplane Pilot Licences and Balloon Pilot Licences, for 2 years, until 8th December 2023. The postponement is introduced as the Civil Aviation Authority (CAA) are conducting a review of General Aviation Pilot Licensing which may lead to simplification of the licensing requirements.

Chapter 9 of Part 3 amends Commission Implementing Regulation (EU) 2019/947 (operation of unmanned aircraft) to exclude operators of certain unmanned aircraft from the requirement to register with the CAA for particular low-risk operations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. The changes contained in Chapters 1 to 6 of Part 3 were subject to separate impact assessments carried out during consultation by the European Union Aviation Safety Agency. These impact assessments can be found at www.easa.europa.eu/document-library/notices-of-proposed-amendment, and in relation to the testing of flight and cabin crew at www.easa.europa.eu/document-library/opinions. In relation to the amendments to Commission Regulation (EU) 2019/947 a de minimis assessment has been prepared as the net impact is estimated to be below £5 million per year. An Explanatory Memorandum is available alongside this instrument on www.legislation.gov.uk.