

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-001 received on 09/01/2023

<p>Safety Recommendation:</p>	<p>It is recommended that the European Union Aviation Safety Agency assesses and determines the time at which the aircraft's flight time should be recorded in the aircraft logbook, whether it should be the airborne time or the block time. [SR-2022-A-02]</p>
<p>Final response:</p>	<p>Provisions on aircraft flight time records are included in Commission Regulation (EU) No 965/2012 on air operations, and the associated Acceptable Means of Compliance (AMC).</p> <p>NCO.GEN.150 of Annex VII (Part-NCO) to Commission Regulation (EU) No 965/2012 and notably points (a)(7), (8) and (9) of the associated AMC1 NCO.GEN.150 stipulate that the Journey Log should include the time of departure and time of arrival, as well as hours of flight.</p> <p>The requirement is therefore covered by the current regulations, in line with the International Civil Aviation Organization (ICAO) Annex 6 Part II section 2.8.2.1.</p> <p>Any national requirements which may contradict these provisions need to be addressed by the national competent authority.</p> <p>Therefore, the European Union Aviation Safety Agency (EASA) does not consider that regulatory change would bring about any additional safety benefits.</p>
<p>EASA Status:</p>	<p>Closed – Disagreement</p>

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-002 received on 09/01/2023

Safety Recommendation:	It is recommended that the European Union Aviation Safety Agency assesses and, if necessary, determines the requirement that the amount of fuel fuelled and the total amount of fuel on aircraft prior to each flight would be indicated in the aircraft logbook. [SR-2020-A-03]
Intermediate response:	The European Union Aviation Safety Agency (EASA) is examining the existing body of regulatory provisions and guidance material as they pertain to fuel entry requirements, and will provide a detailed update in Q2 2023.
EASA Status:	Open

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-003 received on 09/01/2023

<p>Safety Recommendation:</p>	<p>It is recommended that the European Union Aviation Safety Agency establish a requirement for approved training organisations to set minimum periods of time intended for pre-flight operations before the flight and for post-flight operations after the flight. [SR-2022-A-09]</p>
<p>Final response:</p>	<p>The European Union Aviation Safety Agency (EASA) considers that Commission Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew and the associated Acceptable Means of Compliance (AMC) already contain several provisions that set out the technical requirements around pre-flight and post-flight activities.</p> <p>Commission Regulation (EU) No 965/2012, Article 5(5) requires training flights to be operated in compliance with Annex VII (Part-NCO) or Annex VI (Part-NCC) of those Regulations, as applicable. Annex I (Part-FCL) of Regulation (EU) No 1178/2011 sets out the syllabus for training flights (e.g., for the Private Pilot License under point FCL.210 and associated AMC) which clearly addresses pre-flight activities.</p> <p>The relevant aspects as regards safety are to execute the pre-flight or post-flight procedure relevant to the specific flight flown and not to reach a minimum time limit, and in this respect the pilot in command is fully responsible for complying with those requirements.</p> <p>Therefore, EASA does not consider that regulatory change would bring about any additional safety benefits.</p>
<p>EASA Status:</p>	<p>Closed – Disagreement</p>

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-004 received on 09/01/2023

Safety Recommendation:	It is recommended that the European Union Aviation Safety Agency establish flight and duty time limitations and rest requirements for flight instructors of approved training organizations. [SR-2022-A-10]
Final response:	<p>The European Union Aviation Safety Agency (EASA) considers that from a regulatory perspective, the aim of this recommendation is already implemented under Commission Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew and the associated Acceptable Means of Compliance (AMC), notably ORA.ATO.230 and AMC1 ORA.ATO.230(b).</p> <p>In accordance with ARA.GEN.300 of Annex VI (Part-ARA) of Regulation (EU) No 1178/2011, it is the responsibility of the competent authority to verify that the Approved Training Organisation (ATO) remains in compliance with the requirements applicable to the organisations.</p> <p>Therefore, EASA does not consider that regulatory change would bring about any additional safety benefits.</p>
EASA Status:	Closed – Partial Agreement

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Reply to Safety Recommendation LITH-2023-005 received on 09/01/2023

<p>Safety Recommendation:</p>	<p>It is recommended that the European Union Aviation Safety Agency establish the requirement that upon request the approved training organisation shall provide copies of individual records of flight times, duty periods and rest periods to the instructor concerned or to another approved training organisation for flight instructor who is or becomes an employee of that organisation. [SR-2022-A-11]</p>
<p>Final response:</p>	<p>It is part of the initial Approved Training Organisation (ATO) approval procedure (point ARA.GEN.310 of Annex VI (Part-ARA) of Regulation (EU) No 1178/2011) to verify that the organisation has established a management system (as per ORA.GEN.200 of Annex VII (Part-ORA) of Regulation (EU) No 1178/2011) and the appropriate documentation, i.e. operations manual and training manuals which address the flight instructor’s flight and duty times and rest periods (point ORA.ATO.120 of Annex VII (Part-ORA) of Regulation (EU) No 1178/2011).</p> <p>Furthermore, the ATO has to ensure continuous compliance with all the above requirements and is subject to continuous oversight by the competent authority according to Regulation (EU) No 1178/2011, Annex VI (Part-ARA), subpart GEN, section III.</p> <p>Considering the above, the European Union Aviation Safety Agency has therefore concluded that the existing provisions of Commission Regulation (EU) No 1178/2011 and related Acceptable Means of Compliance (AMC) adequately cover the intent of the Safety Recommendation.</p>
<p>EASA Status:</p>	<p>Closed – Disagreement</p>

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-006 received on 09/01/2023

<p>Safety Recommendation:</p>	<p>It is recommended that the European Union Aviation Safety Agency establish the requirement that the flight instructor when undertaking duties for more than one approved training organisation maintain his/her individual records regarding flight and duty times and rest periods and provide each approved training organisation with the data needed to schedule activities in accordance with the applicable requirements. [SR-2022-A-12]</p>
<p>Final response:</p>	<p>It is part of the initial Approved Training Organisation (ATO) approval procedure (point ARA.GEN.310 of Annex VI (Part-ARA) of Regulation (EU) No 1178/2011) to verify that the organisation has established a management system (as per ORA.GEN.200 of Annex VII (Part-ORA) of Regulation (EU) No 1178/2011) and the appropriate documentation, i.e. operations manual and training manuals which address the flight instructor’s flight and duty times and rest periods (point ORA.ATO.120 of Annex VII (Part-ORA) of Regulation (EU) No 1178/2011).</p> <p>Furthermore, the ATO has to ensure continuous compliance with all of the above requirements and is subject to continuous oversight by the competent authority according to Regulation (EU) No 1178/2011, Annex VI (Part-ARA), subpart GEN, section III.</p> <p>Considering the above, the European Union Aviation Safety Agency has therefore concluded that the existing provisions of Commission Regulation (EU) No 1178/2011 and related Acceptable Means of Compliance (AMC) adequately cover the intent of the Safety Recommendation.</p>
<p>EASA Status:</p>	<p>Closed – Disagreement</p>

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Reply to Safety Recommendation LITH-2023-007 received on 09/01/2023

Safety Recommendation:	It is recommended that the European Union Aviation Safety Agency establish the requirement for the national competent authority to establish requirements for the maintaining and controlling of flight instructors' flight and duty times and rest periods. [SR-2022-A-13]
Final response:	<p>Commission Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew provides that the operations manual of Approved Training Organisation (ATO) providing training for commercial pilot licence, multi-crew pilot licence and airline transport pilot licence shall include relevant information to particular groups of personnel, such as flight instructors. Among others, such general information should include flight and duty time limitations for instructors (point ORA.ATO.230 and AMC1 ORA.ATO.230(b) paragraph (a)(14)).</p> <p>Moreover, the ATO's compliance monitoring system shall verify that the requirements are met (ORA.GEN.200 and AMC1 ORA.GEN.200(a)(6)).</p> <p>In addition, the competent authority shall exercise oversight of organisations it has approved (ARA.GEN.300).</p> <p>The European Union Aviation Safety Agency (EASA) has therefore concluded that it would not be appropriate to amend the existing rules, since the provisions of Commission Regulation (EU) No 1178/2011 and related Acceptable Means of Compliance (AMC) adequately cover the intent of the Safety Recommendation.</p>
EASA Status:	Closed – Partial Agreement

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-008 received on 09/01/2023

<p>Safety Recommendation:</p>	<p>It is recommended that the European Union Aviation Safety Agency establish the requirement for the national competent authority to control how approved training organizations and flight instructors maintain and control the flight instructor’s flight and duty times and rest periods. [SR-2022-A-14]</p>
<p>Final response:</p>	<p>Commission Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew provides that it should be part of initial Approved Training Organisation (ATO) approval procedure and continuous oversight activity to ensure compliance with the applicable requirements.</p> <p>In particular, it is part of the initial Approved Training Organisation (ATO) approval procedure (Annex VI (Part-ARA) of Regulation (EU) No 1178/2011, point ARA.GEN.310) to verify that the organisation has established a management system (as per ORA.GEN.200 of Annex VII (Part-ORA) of Regulation (EU) No 1178/2011) and the appropriate documentation, i.e operations manual and training manuals which address the flight instructor’s flight and duty times and rest periods. (cf. point ORA.ATO.120 of Annex VII (Part-ORA) of Regulation (EU) No 1178/2011).</p> <p>Furthermore, the ATO has to ensure continuous compliance with all of the above requirements and is subject to continuous oversight by competent authority according to Regulation (EU) No 1178/2011, Annex VI (Part-ARA), subpart GEN, section III.</p> <p>Considering the above, EASA has therefore concluded that the existing provisions of Commission Regulation (EU) No 1178/2011 and related Acceptable Means of Compliance (AMC) adequately cover the intent of the Safety Recommendation.</p>
<p>EASA Status:</p>	<p>Closed – Partial Agreement</p>

Subject: Piper PA-30 Twin Comanche - registered LY-ARS - on 08/12/2019 - Europe and North Atlantic – Noreikiškės village, Kaunas, Lithuania

Reply to Safety Recommendation LITH-2023-009 received on 09/01/2023

<p>Safety Recommendation:</p>	<p>It is recommended that the European Union Aviation Safety Agency define the requirement, that each approved training organization to have a minimum time period for pre-flight and post-flight duties of flight instructors. [SR-2022-A-15]</p>
<p>Final response:</p>	<p>The European Union Aviation Safety Agency (EASA) considers that there is no need to establish further requirements as Commission Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew and the associated Acceptable Means of Compliance (AMC) already contain several provisions that set out requirements around pre-flight and post-flight activities.</p> <p>Regulation (EU) 965/2012, Article 5(5) requires for training flights to be operated in compliance with Annex VII (Part-NCO) or Annex VI (Part-NCC) of that Regulations, as applicable, for which the pilot-in-command is responsible. Annex I (Part-FCL) of Commission Regulation (EU) No 1178/2011 sets out the syllabus for training flights (e.g. for the PPL private pilot license under point FCL.210 and associated AMC) which clearly addresses the pre-flight activities.</p> <p>The relevant aspects as regards safety are to execute the pre-flight or post-flight procedure relevant to the specific flight flown and not to reach a minimum time limit, and in this respect the pilot in command is fully responsible to for complying with those requirements.</p> <p>Therefore, EASA does not consider that a regulatory change would bring about any additional safety benefits.</p>
<p>EASA Status:</p>	<p>Closed – Disagreement</p>

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Reply to Safety Recommendation LITH-2023-010 received on 09/01/2023

Safety Recommendation:	It is recommended that the European Union Aviation Safety Agency define the requirements and conditions under which flight instructors shall provide services to an approved training organisation if they are not permanent employees of that organisation. [SR-2022-A-16]
Final response:	<p>The European Union Aviation Safety Agency (EASA) is governed by Regulation (EU) 2018/1139 which set outs its roles and responsibilities with regard to civil aviation safety. However, EASA is not competent for matters that relate to rendering services under contractual arrangements or that fall under the remit of national labour law of states participating in the work of EASA (commonly referred to as 'EASA Member States'). Therefore, regulating the status of the flight instructors' employment is outside EASA's remit.</p> <p>As to considerations of aviation safety, reference is made to points ORA.ATO.130 and ORA.ATO.230 of Annex VII (Part-ORA) to Commission Regulation (EU) No 1178/20122 as well as their associated Acceptable Means of Compliance (AMC) that establish the requirements and conditions under which Flight Instructors provide training in accordance with the training manual of the Approved Training Organisations (ATO).</p>
EASA Status:	Closed – Not Responsible

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Reply to Safety Recommendation LITH-2023-011 received on 09/01/2023

Safety Recommendation:	It is recommended that the European Union Aviation Safety Agency define the requirements and conditions under which approved training organisations use, control and are responsible for non-owned aircrafts used for training. [SR-2022-A-17]
Final response:	There are several provisions in place in Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew, in Regulation (EU) No 965/2012 laying down rules on air operation as well as Commission Regulation (EU) No 1321/2014 establishing the continuing airworthiness requirements and dealing with maintenance requirements for aircraft used during training, regardless of the ownership of the aircraft. Therefore, EASA does not consider that a regulatory change would bring about any additional safety benefits.
EASA Status:	Closed – Disagreement