

PART NCO

v4, Julian Scarfe, 22 Aug 2016

PURPOSE OF DOCUMENT

This document is designed as an informal introduction to the EASA operations regulations “Part-NCO” applicable to most light GA aircraft within EASA scope from 26 August 2016. It is **not**:

- an introduction to air law – it assumes some familiarity with operations regulations, and specifically it points out some differences from UK law;
- comprehensive or definitive – this paper is a good faith attempt to explain the rules, but it simplifies or omits certain aspects that may be important to some pilots: only the published rules are complete and authoritative;
- a position paper on how the law should be – though you may detect the occasional comment arising out of my frustration.

The author participated in the Part-NCO review group in 2010, working with EASA and other stakeholders on the text of Part-NCO. It is worth remembering that this pre-dates the GA Safety Strategy and Roadmap for Regulation of GA. The GA community had less leverage than it does today; now the principles for regulation of GA are well established and documented. In the intervening years, a number of changes have been made to the text of Part-NCO, and others are proposed, all intended to make the rules more proportionate for GA.

I have no objection to this text being re-used, but if it is modified in any way and remains attributed to me, please make sure that the nature of the modification is made clear.

BACKGROUND AND APPLICABILITY

The EASA Air Operations Regulation (“Commission Regulation (EU) No 965/2012”, or the “Air Ops Regulation” below) has been in effect since 2012. It has introduced operational rules progressively, and the European rules applying to Commercial Air Transport have been in effect for some years now.

On 26 August 2016, two more sets of rules are introduced across the EASA states (although they have already been in effect in a few states), replacing national rules. These subparts of the Air Ops Regulation deal with non-commercial operations.

Part-NCC deals with non-commercial operations of complex motor-powered aircraft. For the purpose of the Air Ops Regulation, complex motor-powered aircraft means aeroplanes:

- More than 5700 kg MTOW or
- More than 19 passenger seats or
- Requiring two or more pilots or
- Equipped with turbojet engine(s).

and helicopters:

- More than 3175 kg MTOW or
- More than 9 passenger seats or
- Requiring two or more pilots.

Multiengine turbo-props, while technically falling within the definition of complex motor-powered aircraft, have been excluded from Part-NCC. Part-NCO will apply instead.

Non-commercial operations of complex motor-powered aircraft also come with organisational requirements (Part-ORO), and operators should seek appropriate specialist advice on this.

Non-commercial operations of aircraft that are not (by that definition) complex motor powered aircraft fall under Part-NCO, though its application to balloons and gliders has been postponed until 2018 and 2019 respectively.

The rest of this document will deal with non-commercial operations of “other than complex” aeroplanes. It focuses on differences between UK national regulation (in its Air Navigation Order, “ANO”, prior to August 2016) and Part-NCO.

As well as applying to aircraft registered in an EASA member state, it also applies to foreign registered aircraft whose operators are established or resident in an EASA member state.

‘Operator’ is defined as a “legal or natural person, operating or proposing to operate one or more aircraft”. It is obviously one of the least useful definitions in the entire EASA regulatory framework, since there is no mention of what it means to “operate” an aircraft. The UK definition, “the person who at the relevant time has the management of that aircraft”, is probably the intent.

COMMERCIAL OPERATIONS AND THE EXCEPTIONS (“DEROGATIONS”)

The definitions around commercial and non-commercial operations in the Air Ops Regulation are not very well thought out.

The Air Ops Regulation defines “commercial air transport” as “an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration”.

The Basic Regulation defines a “commercial operation” as “any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator”.

(Note, however, the lack of clarity over who the operator is, as discussed in the background section above.)

It would be fair to say that a non-commercial operation is one that is neither a commercial operation nor a commercial air transport operation.

These definitions are very broad, and so the Air Operations Regulation also sets out a number of types of operation that are to be operated under Part-NCO, even though strictly they fall under the definition of commercial operation or commercial air transport operation. These include:

- flight training

- cost-shared flights by private individuals, on the condition that the direct cost is shared by all the occupants of the aircraft, pilot included and the number of persons sharing the direct costs is limited to six;
- competition flights or flying displays, on the condition that the remuneration or any valuable consideration given for such flights is limited to recovery of direct costs and a proportionate contribution to annual costs, as well as prizes of no more than a value specified by the competent authority;
- introductory flights, parachute dropping, sailplane towing or aerobatic flights performed either by [an ATO], or by an organisation created with the aim of promoting aerial sport or leisure aviation, on the condition that the aircraft is operated by the organisation on the basis of ownership or dry lease, that the flight does not generate profits distributed outside of the organisation, and that whenever non-members of the organisation are involved, such flights represent only a marginal activity of the organisation.

These operations are also treated as non-commercial for the purposes of the Aircrew Regulation, i.e. they are within the privileges of a PPL holder, as well as falling under Part-NCO.

STRUCTURE OF PART-NCO

Part-NCO is divided into subparts:

- GEN** deals with general requirements, including pilot responsibilities, and documents.
- OP** deals with operational procedures, including pre-flight preparation, operating minima and fuel planning.
- POL** deals with performance and operating limitations, and is mercifully short.
- IDE** deals with instruments, data and equipment
- SPEC** deals with specific requirements for particular types of “specialised operation”, like towing, competition flights, aerobatics and parachute dropping.

The regulation is addressed to the pilot-in-command, operator and crew members.

Most of Part-NCO is directed at the “pilot-in-command”, defined as “the pilot designated as being in command and charged with the safe conduct of the flight”. This differs from the other parts of the Air Ops Regulation where the rules are directed at the “operator”, though a few of these remain in Part-NCO.

HARD LAW AND SOFT LAW

EASA regulations consist of implementing rules (“hard law”) which are mandatory, and Acceptable Means of Compliance (AMC) and Guidance Material (GM), which together comprise “soft law”. AMC serves to set out one way of satisfying the implementing rule. If the AMC is complied with, the rule is satisfied. Guidance Material is generally used to explain terminology.

However, the status of AMC depends on the part of the implementing rules in which it appears. Where a CAT operator, for example, wishes to use an alternative means of compliance, it will be agreed with its NAA as part of the operator’s approval, usually on the basis of the alternative means of compliance providing an equivalent level of safety. But

there is no approval process associated with operations under Part-NCO, and operators/pilots are free to choose other ways of complying with the implementing rule, without approval, and without any requirement to demonstrate an equivalent level of safety.

Thus in essence, AMC in Part-NCO is little more than guidance, albeit guidance that, if complied with, assures compliance with the law.

GENERAL RULES

COMPETENT AUTHORITY

The “competent authority” plays a much less significant role in Part-NCO than in other parts of the rules, as there is little requirement for approval. The competent authority is, however, responsible for oversight and enforcement, so it is important in that context.

If an aircraft is registered in an EASA state, the competent authority is the state of registry. If the aircraft is registered in a third country, the competent authority is the state where the operator (who is, probably, the pilot) is established or residing.

RESPONSIBILITIES

Pilot-in-command responsibilities and authority under Part-NCO are fairly standard and uncontroversial.

The responsibilities include:

- the safety of the aircraft;
- the initiation, continuation, termination or diversion of a flight in the interest of safety;
- ensuring that all operational procedures and checklists are complied with;
- the pilot’s fitness to fly and fatigue;
- deciding on acceptance of the aircraft with unserviceabilities (see the section on Minimum Equipment List below);
- recording flight times etc. and all known or suspected defects;
- reporting hazardous weather;
- staying seated at the controls in critical stage of flight (!);
- dealing with emergencies; and
- reporting accidents and unlawful interference.

They also include pre-flight actions, ensuring that:

- the aircraft is registered and airworthy;
- instruments and equipment are serviceable;
- the weight and balance is within limits;
- equipment and baggage is securely stowed; and
- AFM limitations will not be exceeded during the flight.

PORTABLE ELECTRONIC DEVICES

Part-NCO contains a rather unscientific demand that *“the pilot-in-command shall not permit any person to use a portable electronic device (PED) on board an aircraft that **could***

*adversely affect the performance of the aircraft's systems and equipment". Although this, if taken literally, would require all electronics, including electronic flight bags, to be switched off, there is likely to be a proposal to adapt it to "where PEDs, including EFBs, are used on board an aircraft, the pilot-in-command shall ensure that they **do not** affect the performance of the aircraft systems, equipment or the ability to operate the aircraft". The requirement, either way, is practically unenforceable and reflects normal airmanship.*

DOCUMENTS

Required documents are essentially divided into two categories: those needed in flight, and those carried for oversight purposes.

For use in flight, the requirement is for:

- the Aircraft Flight Manual, or equivalent document(s);
- current and suitable aeronautical charts for the route or area of the proposed flight and all routes along which it is reasonable to expect that the flight may be diverted;
- procedures and visual signals information for use by intercepting and intercepted aircraft;
- details of the filed ATS flight plan, if applicable
- the Minimum Equipment List, if one has been declared.

I imagine most of us carry these documents anyway – interception signals have been a requirement for international flights for some time. The AFM is, in some cases, regarded as being a part of the Certificate of Airworthiness.

For oversight purposes, the requirement is for:

- the original certificate of registration;
- the original certificate of airworthiness (CofA);
- the noise certificate, if applicable;
- the list of specific approvals, if applicable (under Part-SPA, e.g. Low Visibility Operations);
- the aircraft radio licence, if applicable;
- the third party liability insurance certificate(s);
- the journey log, or equivalent, for the aircraft;

The journey log simply records flights (departure point, destination, pilot-in-command, times), and a tech log, for example, is usually adequate as a journey log. This is a new requirement, not in the ANO, though in principle it has always been required by the Chicago Convention for international flights.

The "oversight" list may be left at the place of departure if intending to take off and land there, or if operating within a designated distance or area. We would hope that the UK CAA will designate the entire London and Scottish FIRs for this purpose, effectively requiring these documents only for international flights, as under UK national rules.

Unless otherwise noted, copies are acceptable, including, in either list, an electronic document. AMC advises on the content and currency of charts.

There is no explicit requirement for the carriage of flight crew licences, because Part-FCL requires flight crew licences to be available.

INFORMATION ON EMERGENCY AND SURVIVAL EQUIPMENT CARRIED

Part-NCO includes a requirement that *“Except for aircraft taking-off and landing at the same aerodrome/operating site, the operator shall, at all times, have available for immediate communication to rescue coordination centres (RCCs) lists containing information on the emergency and survival equipment carried on board.”*

This appears to have been copy-pasted from ICAO Annex 6 Part II, and I’ve come across no one who seems to know how the “operator” is meant to communicate this, when the “operator” is probably lying unconscious in the same field as the crashed aircraft. I imagine a list kept with the other aircraft papers satisfies the letter of the law.

MINIMUM EQUIPMENT LIST

The “minimum equipment list” (MEL) is a relatively new concept under the EASA Ops rules. It is, in fact, the converse of what it sounds like: it is a list of acceptable defects and conditions under which those defects are acceptable.

There is no obligation to have an MEL, but under Part-M, which is already in force, without an MEL any defect can only be deferred by an engineer. To give the flight crew some discretion, an MEL can be used. For example, an MEL might say that a trim tab indicator may be inoperative if “the tab is visually checked for full range of operation, its operation is not restricted, and the tab is positioned to NEUTRAL and appropriate setting is verified by visual inspection prior to each departure”.

MELs have to be based on a Master MEL (MMEL) for the aircraft type, and must be no less restrictive. For aircraft for which no MMEL is available, a generic MMEL is published by EASA. The operator must notify the competent authority of its MEL, but it does not have to be approved.

It is tempting to blame EASA for the cumbersome concept and regulatory structure behind MELs, but it is, in fact, a concept in Part-23/CS-23, part of the way that aircraft certification works globally. It has always interacted rather badly with UK national law. Sailplanes, balloons, Very Light Aircraft and Light Sports Aircraft do not have the same requirements, but rather a simple list of what must be working to go flying. A more general means for pilots to defer defects is coming along with Part-M Light, but that will probably not get in to law until 2017 or beyond.

DANGEROUS GOODS

The carriage of dangerous goods has to be done in accordance with the ICAO Technical Instructions for the Carriage of Dangerous Goods. Dangerous Goods include flammables like fuel and de-icer, lithium batteries, compressed gases and corrosives.

There are exceptions for:

articles and substances which would otherwise be classified as dangerous goods but which are required to be aboard the aircraft in accordance with the pertinent airworthiness requirements

In an amendment, inserted at Europe Air Sports’ insistence, in Regulation 2016/1199 of 22 July 2016, the exception has been broadened:

Reasonable quantities of articles and substances that would otherwise be classified as dangerous goods and that are used to facilitate flight safety, where carriage aboard the aircraft is advisable to ensure their timely availability for operational purposes, shall be [exempt]. This is regardless of whether or not such articles and substances are required to be carried or intended to be used in connection with a particular flight.

The packing and loading on board of the above-mentioned articles and substances shall be performed, under the responsibility of the pilot in command, in such a way as to minimise the risks posed to crew members, passengers, cargo or the aircraft during aircraft operations.

This is designed to allow small amounts of e.g. de-icing fluid and oil, as well as spare batteries, to be stored aboard. This brings the Part-NCO rule more or less into line with UK national law on the carriage of dangerous goods, set out in The Air Navigation (Dangerous Goods) Regulations 2002 of the UK.

For dangerous goods that do not fall within the exceptions above, an approval is required unless the aircraft is an ELA2 (in effect, less than 2000 kg for aeroplanes). But this does not exempt the operator from all the other requirements of the Technical Instructions such as packing, training requirements, labelling etc., and is therefore of limited value.

OPERATING PROCEDURES

AERODROME OPERATING MINIMA

Aerodrome operating minima (AOM) for IFR flights are set out in some detail. They are “selected and used” by the pilot-in-command. They cannot be lower than those established by the state in which the aerodrome is located, and cannot include low visibility operations (550 m RVR for approach, 400 m RVR for take-off) without a specific approval. Note that the 400 m RVR for take-off is higher than the 150 m required under the UK ANO.

AOM are in two parts:

- Decision heights and minimum descent heights are specified in the implementing rules, and are calculated on the same basis as under most national rules and EU-OPS. The DH/MDH is usually the higher of the OCH or the system minimum for the approach aid.
- Minimum RVRs and visibilities are set out in guidance material. In principle, the pilot is at liberty to select these within the constraints mentioned above. In practice, I suspect most will use those in the Guidance Material or published by Jeppesen, which are substantially the same as for CAT.

For circling, a minimum MDH (400 ft for Cat A) and minimum visibility (1500 m for Cat A) is given in the rules.

The approach ban, prohibiting continuation of an approach below 1000 ft if the reported RVR is lower than the required RVR, or continuation below the DH without visual reference. Once below 1000 ft, the approach may be continued even if a lower RVR is reported. This is similar to current UK legislation.

NOISE ABATEMENT

The pilot-in-command is obliged to take into account published noise abatement procedures to minimise the effect of noise while ensuring that safety has priority over noise abatement.

FUEL PLANNING AND MANAGEMENT

Fuel planning requirements are much more demanding under Part-NCO than under UK national law. The rules, in effect, introduce the concept of a fuel reserve which must be preserved on landing, other than in an emergency. The required reserve for aeroplanes is:

- 10 mins for local VFR within sight of the aerodrome
- 30 mins for other day VFR
- 45 mins for IFR and night VFR

The minutes are at “normal cruising altitude”, whatever that means.

Improved fuel planning rules for NCO are proposed in NPA 2016-06(C).

OXYGEN CARRIAGE AND USE (UNPRESSURISED AIRCRAFT)

Part-NCO originally required the use of oxygen by flight crew members above FL130, or above FL100 for more than 30 mins, with an equivalent requirement for the oxygen supply to be carried. This is more restrictive than the historic UK national requirement, which only requires oxygen above FL130.

However, the oxygen carriage requirements have been revised (by Regulation 2016/1199 of 22 July 2016, again as a result of Europe Air Sports’ intervention) to align with the ICAO Annex 6 Part II standards, which apply a more safety-objective based rule with only guidance on the levels at which oxygen must be used.

The pilot-in-command is required to ensure that the crew are not impaired by hypoxia, and that passengers are not harmfully affected by it, by using oxygen. The pilot-in-command can make a judgment on this (for example by using a pulse oximeter), but the rule also provides for specific levels (FL130, or FL100 for more than 30 mins) if the pilot cannot or does not want to make that judgment.

ALTERNATES

An alternate is required for IFR flights unless the forecast for +/- 1 hour either side of ETA indicates the approach can be flown in VMC. The alternate must be specified in the flight plan, though it is unclear whether this means the ATS flight plan or the operational flight plan (“Plog”). The alternate must be “weather permissible”, meaning “above Aerodrome Operating Minima at the expected time of use”, which is more restrictive than the current UK requirement (which only requires the destination *or* alternate to be above AOM).

DEPARTURE AND APPROACH PROCEDURES

The pilot may only deviate from established departure and approach procedures published for the runway in use if obstacle clearance criteria can be observed and any ATC clearance is adhered to.

PASSENGER BRIEFING

As in most national law, the pilot is responsible for briefing the passengers on emergency procedures. The implementing rule sets out more general requirements than the UK equivalent, but has the same effect.

FLIGHT PREPARATION

Flight preparation requirements are essentially equivalent to those in UK national law. There has been some controversy over the requirement to be familiar with “*all* available meteorological information appropriate to the intended flight”, but in practice it is no more than the usual requirement for pre-flight diligence.

ICING

As with Portable Electronic Devices, the phrasing of the rule on ground ice contamination is rather unscientific, requiring the removal of any deposit that *might* adversely affect the performance of the aircraft. Pragmatism is again the order of the day, bearing in mind that even small amounts of ice can have a significant effect on performance.

For in-flight icing conditions, the language is again quite pragmatic. The aircraft may only be flown intentionally in “*expected or actual icing conditions*” if certified to do so, and should leave, without delay, icing conditions that it is not able to cope with. One can probably envisage extreme interpretations of the words (akin to what we have seen develop about “known icing conditions” in the US) that are unhelpful, but a practical and prudent approach to icing conditions is unlikely to be a problem in the real world.

SIMULATED SITUATIONS IN FLIGHT

One of the most controversial new rules inserted into Part-NCO is one that forbids the simulation of emergencies/abnormal situations or the simulation of flight in IMC when carrying passengers or cargo.

This has the potential to prevent a lot of common, safety-enhancing practice with other pilots if they are considered to be passengers. Fortunately, EASA’s interpretation of the Ops regulation is that the operator may designate any willing persons (for example a second pilot) as flight crew, who would not be treated as a passenger. The interpretation, sometimes taken as implicit in the UK, that all occupants in excess of the minimum crew must be treated as passengers, is not supported by EASA.

GROUND PROXIMITY DETECTION AND ACAS

Rules requiring TAWS and TCAS to be used in accordance with customary procedures cater for the few aircraft to which NCO applies for which TAWS and TCAS are mandatory – mostly large turbine singles.

PERFORMANCE

OPERATING LIMITATIONS AND PERFORMANCE

The operating limitations section of Part-NCO is mercifully short, requiring compliance with weight and balance limitations in the AFM and mandating the display of operating

limitations by placard. It also requires the pilot-in-command to ensure the performance of the aircraft is adequate for the intended flight, including the aerodromes to be used.

It is, in fact, the earlier rule on responsibilities that requires the pilot-in-command to be satisfied before commencing a flight that operating limitations will not be exceeded at any time during the flight. While internet forum sophists may entertain themselves with the loopholes in that one, I think the intention is clear.

WEIGHING

The requirement for weighing an aircraft and making W&B data available is, apparently, part of the operating rules. No explanation of why this appears in Ops rather than Maintenance rules has ever been offered!

INSTRUMENTS, DATA AND EQUIPMENT

CERTIFICATION OF INSTRUMENTS AND EQUIPMENT

Flight instruments, navigation and communication equipment, as well as any equipment installed in the aircraft (except spare fuses, torches, clocks, first aid kits, survival equipment and child restraints) must meet the applicable airworthiness requirements. Other required equipment need not be of an approved type.

LIGHTS

The usual lights (anti-collision, nav, landing and instrument) are required for night operations, as well as a torch for each crew station.

INSTRUMENTS

For VFR by day, a

- compass,
- clock (can be a watch, GPS or phone),
- altimeter and
- airspeed indicator

are required, or rather the means must be available to measure what they measure, e.g. via a flight data computer or other integrated system.

For VFR at night (or where there is no visual horizon), in addition to the above

- turn and slip,
- attitude indicator,
- vertical speed indicator and
- direction indicator

are required, as well as a low vacuum/power warning for the gyros.

For IFR, an OAT indicator and pitot heat are required in addition to the VFR night kit.

COMMUNICATIONS EQUIPMENT

Communication radios are required to meet airspace requirements for communication. Duplication is not required.

NAVIGATION EQUIPMENT

Navigation radios are required to fly the filed ATS flight plan if applicable, and to meet applicable airspace requirements (i.e. PBN specifications like RNAV 5). Duplication is not required, but if one item of equipment fails there should be sufficient left to allow the flight to be completed safely (even if not according to the original plan).

Additional requirements are imposed for Performance Based Navigation.

SURVEILLANCE EQUIPMENT

Transponders are required according to the airspace requirements.

MISCELLANEOUS EQUIPMENT

Most of the other equipment requirements are similar to or a little less prescriptive than current UK rules.

INTERCOM

When operating with more than one flight crew member, an intercom with headsets is required. Since all aircraft operated under Part-NCO can be operated by a single pilot, this mainly affects instructional flights.

SEAT BELTS

Seat belts are required for all passengers, with a shoulder strap for flight crew. A child restraint device is required for every infant under two years. Further detail on what constitutes an adequate child restraint device is in the AMC.

FIRST-AID KIT

A first aid kit is required. AMC/GM gives some guidance on contents.

HAND FIRE EXTINGUISHERS

A fire extinguisher is required in aeroplanes of more than 1200 kg MTOM.

FLIGHT OVER WATER

Life jackets are required in singles when out of gliding distance of land, or where there is a likelihood of ditching (presumably in the event of an engine failure). Lifejackets are required in all aeroplanes operating more than 50 miles from land, and in addition the pilot-in-command must decide whether other equipment, like life-rafts and flares, are necessary.

SURVIVAL EQUIPMENT

Other survival equipment is required over areas in which search and rescue would be especially difficult. These are usually designated by the state concerned.

EMERGENCY LOCATOR TRANSMITTERS

Emergency Locator Transmitters (ELTs) are required for all aeroplanes and helicopters, but may be replaced by a personal locator beacon (PLB) carried by the pilot or passengers for aircraft with 6 or fewer seats. The requirement for an ELT has been in the UK ANO for some years, but an exemption has been published for private flights. So many owners and operators will need to equip with at least a PLB (and one with GPS is strongly recommended), typically costing about £200.

SPECIFIC APPROVALS – PBN

In the original Ops regulation, all Performance Based Navigation (PBN) except RNAV 5 required a specific approval. Since PBN is an integral part of modern IFR and includes, for example, any GPS approach, it was clear that to require every GA operator (i.e. every GA pilot) to obtain specific approval would cause chaos.

In a recent change also introduced by Regulation 2016/1199 of 22 July 2016, a specific approval is required only for certain performance based navigation specifications (RNP AR APCH and RNP 0.3, neither of which are relevant to most GA operations). Other specifications such as RNAV 5 (formerly B-RNAV), RNAV 1 (P-RNAV) and RNP APCH (GPS approaches) require no approval. There is a requirement, however, that:

- a. *the relevant PBN navigation specification is stated in the AFM or other document that has been approved by the certifying authority as part of an airworthiness assessment or is based on such approval; and*
- b. *the aircraft is operated in conformance with the relevant navigation specification and limitations in the AFM or other document mentioned above.*

and also that

any navigational database required for PBN is suitable and current.

SPECIALISED OPERATIONS

Specialised operations are treated separately under the EASA Ops rules. The definition of specialised operation is unhelpful, as it just lists examples rather than criteria:

‘specialised operation’ means any operation other than commercial air transport where the aircraft is used for specialised activities such as agriculture, construction, photography, surveying, observation and patrol, aerial advertisement;

It is, in essence, the group of operations, other than passenger and cargo carriage, that one might expect to pay someone to perform, and hence it is associated with what would historically be called ‘aerial work’, even though the classification methodology is very different from the UK’s previous definition of aerial work. The concept introduces the terminology “task specialist” to distinguish those performing operational duties, other than the flight crew, from passengers.

If specialised operations are commercial, they are subject to Part-SPO as well as organisational requirements in Part-ORO and a requirement for a declaration from the

operator. Non-commercial specialised operations, however, are covered by additional rules in a subpart of NCO, called NCO.SPEC.

NCO.SPEC includes a general requirement to conduct a risk assessment, assessing the complexity of the activity to determine the hazards and associated risks inherent in the operation and establish mitigating measures. The risk assessment does not need to be recorded, though there is a requirement that specialised operations are

performed in accordance with a checklist. Based on the risk assessment, the pilot-in-command shall establish such checklist appropriate to the specialised activity and aircraft used, taking account of any section of this subpart.

The remaining provisions of NCO.SPEC are mainly alleviations, exempting the operation from rules that might normally apply. For example, for parachuting:

Notwithstanding [the requirement for passengers to occupy a seat], the floor of the aircraft may be used as a seat, provided means are available for the task specialist to hold or strap on.

While it may be a sledgehammer to crack a nut, the provisions of NCO.SPEC are unlikely to cause issues in practice.

SUMMARY

Compared to many other pieces of EASA regulation, which introduced disproportionate changes with a significant adverse effect on GA, Part-NCO is relatively harmless. In many areas, it will be less restrictive than current national law and the standardisation of Ops rules in Europe offers advantages for those crossing borders between EASA states.