



Council of the
European Union

Brussels, 18 November 2014
(OR. en)

15676/14
ADD 1

AVIATION 215

COVER NOTE

From:	European Commission
date of receipt:	14 November 2014
To:	General Secretariat of the Council
No. Cion doc.:	D034508/02 ANNEXES I & II
Subject:	COMMISSION REGULATION (EU) No .../.. of XXX on additional airworthiness specifications for a given type of operations and amending Regulation (EU) No 965/2012

Delegations will find attached document D034508/02 ANNEXES I & II.

Encl.: D034508/02 ANNEXES I & II

ANNEX I

PART-26

ADDITIONAL AIRWORTHINESS SPECIFICATIONS FOR OPERATIONS

CONTENTS

SUBPART A — GENERAL PROVISIONS

26.10 Competent authority

26.20 Temporary inoperative equipment

26.30 Demonstration of compliance

SUBPART B — LARGE AEROPLANES

26.50 Seats, berths, safety belts, and harnesses

26.100 Location of emergency exits

26.105 Emergency exit access

26.110 Emergency exit markings

26.120 Interior emergency lighting and emergency light operation

26.150 Compartment interiors

26.155 Flammability of cargo compartment liners

26.160 Lavatory fire protection

26.200 Landing gear aural warning

26.250 Flight crew compartment door operating systems — single incapacitation

SUBPART A — GENERAL PROVISIONS

26.10 Competent authority

For the purpose of the Part set out in this Annex, the competent authority to which compliance with the specifications needs to be demonstrated by operators shall be the authority designated by the Member State in which the operator has its principal place of business.

26.20 Temporary inoperative equipment

A flight shall not be commenced when any of the aircraft's instruments, items of equipment, or functions required by this Part are inoperative or missing unless waived by the operator's Minimum Equipment List as defined in Part-ORO.MLR.105 and approved by the competent authority.

26.30 Demonstration of compliance

- (a) The Agency shall issue, in accordance with Article 19(2) of Regulation (EC) No 216/2008, certification specifications as standard means to show compliance of products with this Part. The certification specifications shall be sufficiently detailed and specific to indicate to operators the conditions under which compliance with the requirements of this Part may be demonstrated.
- (b) Operators may demonstrate compliance with the requirements of this Part by complying with:
 - (i) the detailed specifications issued by the Agency under paragraph (a) or the equivalent specifications issued by the Agency under Part 21.A.16A; or
 - (ii) technical standards offering an equivalent level of safety as those included in those specifications.

SUBPART B — LARGE AEROPLANES

26.50 Seats, berths, safety belts, and harnesses

Operators of large aeroplanes used in commercial air transport, type certified on or after 1 January 1958, shall ensure that each flight or cabin crew member seat and its restraint system are configured in order to provide an optimum level of protection in an emergency landing whilst allowing the occupant's necessary functions and facilitating rapid egress.

26.100 Location of emergency exits

Except for aeroplanes having an emergency exit configuration installed and approved prior to 1 April 1999, operators of large aeroplanes used in commercial air transport having a maximum operational passenger seating configuration of more than nineteen with one or more emergency exits deactivated shall ensure that the distance(s) between the remaining exits remains (remain) compatible with effective evacuation.

26.105 Emergency exit access

Operators of large aeroplanes used in commercial air transport shall provide means to facilitate the rapid and easy movement of each passenger from their seat to any of the emergency exits in case of an emergency evacuation.

26.110 Emergency exit markings

Operators of large aeroplanes used in commercial air transport shall comply with the following:

- (a) means shall be provided to facilitate the location, access, and operation of emergency exits by cabin occupants under foreseeable conditions in the cabin in case of an emergency evacuation;
- (b) means shall be provided to facilitate the location and operation of emergency exits by personnel on the outside of the aeroplane in case of an emergency evacuation.

26.120 Interior emergency lighting and emergency light operation

Operators of large aeroplanes used in commercial air transport shall provide means to ensure that illuminated exit signage, general cabin and exit area illumination, and low level exit path illumination is available to facilitate the location of exits and movement of passengers to the exits in case of emergency evacuation.

26.150 Compartment interiors

Operators of large aeroplanes used in commercial air transport shall comply with the following:

- (a) all materials and equipment used in compartments occupied by the crew or passengers shall demonstrate flammability characteristics compatible with minimising the effects of in-flight fires and the maintenance of survivable conditions in the cabin for a time commensurate with that needed to evacuate the aircraft;
- (b) smoking prohibition shall be indicated with placards;
- (c) disposal receptacles shall be such that containment of an internal fire is ensured; such receptacles shall be marked to prohibit the disposal of smoking materials.

26.155 Flammability of cargo compartment liners

Operators of large aeroplanes used in commercial air transport, type certified after 1 January 1958, shall ensure that the liners of Class C or Class D cargo compartments are constructed of materials that adequately prevent the effects of a fire in the compartment from endangering the aircraft or its occupants.

26.160 Lavatory fire protection

Operators of large aeroplanes used in commercial air transport with a maximum operational passenger seating configuration of more than 19 shall comply with the following:

Lavatories shall be equipped with:

- (a) smoke detection means;
- (b) means to automatically extinguish a fire occurring in each disposal receptacle.

26.200 Landing gear aural warning

Operators of large aeroplanes used in commercial air transport shall ensure that an appropriate landing gear aural warning device is installed in order to significantly reduce the likelihood of landings with landing gear inadvertently retracted.

26.250 Flight crew compartment door operating systems — single incapacitation

Operators of large aeroplanes used in commercial air transport shall ensure that flight crew compartment door operating systems, where installed, be provided with alternate opening means in order to facilitate access by cabin crew members into the flight crew compartment in the case of a single flight crew member incapacitation.

ANNEX II

Annex III (Part-ORO) to Regulation (EU) No 965/2012 is amended as follows:

In point ORO.AOC.100, subparagraph (c)(1) is replaced by the following:

"(1) 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) No .../....
[Reference will be introduced by the Office of Publication after the adoption on this Regulation];"