



ECA
Piloting Safety

NPA 2013-26

Requirements for flight recorders and underwater locating devices

Proposed changes regarding the regulatory paragraphs

Original text to be deleted is highlighted in **yellow** and marked with ~~strike through~~;

New text is highlighted in **yellow**;

Explanatory notes on these amendments *are in red italic*.

3.1.1. Amendments to Annex IV (Part CAT — Commercial air transport operations)

SUBPART A – GENERAL REQUIREMENTS

CAT.GEN.MPA.105 Responsibilities of the commander

(a) The commander, in addition to complying with CAT.GEN.MPA.100, shall:

(...)

(10) ensure that:

(i) flight recorders are not disabled or switched off during flight **other than in the event of an accident or a serious incident, or if preservation of recordings of flight recorders is directed by the investigating authority;** ...

***Explanation:** This provision would otherwise increase the need for longer duration recorders.*

SUBPART D – INSTRUMENTS, DATA, EQUIPMENT

SECTION 1 -Aeroplanes

CAT.IDE.A.185 Cockpit voice recorder

...

(b) **Until 31 December 2018,** the CVR shall be capable of retaining the data recorded during at least:

- (1) the preceding two hours in the case of aeroplanes referred to in (a)(1) when the individual CofA has been issued on or after 1 April 1998;
- (2) the preceding 30 minutes for aeroplanes referred to in (a)(1) when the individual CofA has been issued before 1 April 1998; or
- (3) the preceding 30 minutes, in the case of aeroplanes referred to in (a)(2).

~~(c) From 1 January 2019, the CVR installed on board an aeroplane shall not record on a magnetic tape or a magnetic wire, and it shall be capable of retaining the data recorded during at least:~~

- ~~(1) the preceding 15 hours for aeroplanes with an MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2019; or~~

~~(2) the preceding 2 hours for aeroplanes with an MCTOM of up to 27 000 kg or that were first issued with an individual CofA before 1 January 2019;~~

Explanation: ECA does not wish to alter the current provision; arguments supporting ECA's position are detailed in another CRT section.

3.1.2 Amendments to Annex VI (Part NCC Non-commercial operations with complex motor-powered aircraft)

SUBPART A – GENERAL REQUIREMENTS

NCC.GEN.106 Pilot-in-command responsibilities and authority

- (a) The pilot-in-command shall be responsible for:
 - (...)
 - (9) ensuring that flight recorders:
 - (i) flight recorders are not disabled or switched off during flight other than in the event of an accident or a serious incident, or if preservation of recordings of flight recorders is directed by the investigating authority; ...

Explanation: This provision would otherwise increase the need for longer duration recorders.

SUBPART D – INSTRUMENTS, DATA AND EQUIPMENT

Section 1 – Aeroplanes

NCC.IDE.A.160 Cockpit voice recorder

- (...)
 - (b) The CVR shall be capable of retaining data recorded during at least the preceding 2 hours:
 - ~~(1) the preceding 15 hours for aeroplanes with an MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2019; or~~
 - ~~(2) the preceding 2 hours for aeroplanes with an MCTOM of up to 27 000 kg or that were first issued with an individual CofA before 1 January 2019.~~

Explanation: ECA does not wish to alter the current provision; arguments supporting ECA's position are detailed in another CRT section.

3.1.3 Amendments to Annex VIII (Part SPO — Specialised operations)

SUBPART A – GENERAL REQUIREMENTS

SPO.GEN.107 Pilot-in-command responsibilities and authority

- (a) The pilot-in-command shall be responsible for:
 - (...)
 - (9) ensuring that, when installed, flight recorders:
 - (i) flight recorders are not disabled or switched off during flight other than in the event of an accident or a serious incident, or if preservation of recordings of flight recorders is directed by the investigating authority; ...

Explanation: This provision would otherwise increase the need for longer duration recorders.

SUBPART D – INSTRUMENTS, DATA AND EQUIPMENT

Section 1 – Aeroplanes

SPO.IDE.A.140 Cockpit voice recorder

(...)

(b) The CVR shall be capable of retaining data recorded during at least the preceding 2 hours:

(1) the preceding 15 hours for aeroplanes with an MCTOM of more than 27 000 kg and first issued with an individual CofA on or after 1 January 2019; or

(2) the preceding 2 hours for aeroplanes with an MCTOM of up to 27 000 kg or that were first issued with an individual CofA before 1 January 2019.

***Explanation:** ECA does not wish to alter the current provision; arguments supporting ECA's position are detailed in another CRT section.*

3.2.1 Amendment of AMC/GM to Annex III (Part ORO Organisation requirements)

Subpart MLR – Manuals, logs and records

AMC3 ORO.MLR.100 Operations manual — General

(...)

B AIRCRAFT OPERATING MATTERS – TYPE RELATED

(...)

12 PROCEDURES FOR THE PRESERVATION OF FLIGHT RECORDER RECORDINGS FOLLOWING AN ACCIDENT OR A SERIOUS INCIDENT OR WHEN SO DIRECTED BY THE INVESTIGATION AUTHORITY

(...)

12.2 Instructions and means for the flight crew to deactivate the flight recorders **in flight or** immediately after completion of the flight and inform others that the flight recorder recordings shall be preserved.

***Explanation:** This provision would otherwise increase the need for longer duration recorders.*

3.2.2 Amendment of AMC/GM to Annex IV (Part CAT — Commercial air transport operations)

Subpart A – General requirements

Section 1 – Motor-powered aircraft

(...)

AMC1 CAT.GEN.MPA.195(a) Preservation, production and use of flight recorder recordings

PRESERVATION OF RECORDED DATA FOR THE INVESTIGATION

(a) The operator should establish robust procedures to ensure that flight recorder recordings are appropriately preserved for the investigating authority.

(b) The procedures should include:

(1) instructions for flight crew members to deactivate the flight recorders **in flight or** immediately after completion of the flight and to preserve their recording;

***Explanation:** This provision would otherwise increase the need for longer duration recorders.*

3.2.3 Amendment of AMC/GM to Annex VI (Part NCC Non-commercial operations with complex motor-powered aircraft)

Subpart A — General requirements

GM1 NCC.GEN.106(a)(9) Pilot-in-command responsibilities and authority

(...)

AMC1 NCC.GEN.145(a) Preservation, production and use of flight recorder recordings **PRESERVATION OF RECORDED DATA FOR THE INVESTIGATION**

(a) The operator should establish robust procedures to ensure that flight recorder recordings are appropriately preserved for the investigating authority.

(b) The procedures should include:

(1) instructions for pilots to deactivate the flight recorders **in flight or** immediately after completion of the flight and to preserve their recording;

***Explanation:** This provision would otherwise increase the need for longer duration recorders.*

3.2.4 Amendment of AMC/GM to Annex VIII (Part SPO Specialised operations)

Subpart A — General requirements

GM1 SPO.GEN.107(a)(9) Pilot-in-command responsibilities and authority

(...)

AMC1 SPO.GEN.145(a) Preservation, production and use of flight recorder recordings **— operations with complex motor-powered aircraft**

PRESERVATION OF RECORDED DATA FOR THE INVESTIGATION

(a) The operator should establish robust procedures to ensure that flight recorder recordings are appropriately preserved for the investigating authority.

(b) The procedures should include:

(1) instructions for pilots to deactivate the flight recorders **in flight or** immediately after completion of the flight and to preserve their recording;

***Explanation:** This provision would otherwise increase the need for longer duration recorders.*