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Safety Recommendation:

The European Aviation Safety Agency should consider developing requirements for appropriate bracing positions to be identified for each occupant position on aircraft engaged in parachute operations and that these positions be highlighted to occupants at an appropriate time such as during pre-flight briefings.

Response:

The AAIU received the following response from EASA on 16 November 2015:

Depending on the specific nature of the undertaking, parachute operations in EASA Member States are governed by Part-SPO (specialised operations) or Part-NCO (non-commercial operations with other than complex motorpowered aircraft) of Commission Regulation (EU) No 965/2012.

However, it should be noted that, although Regulation (EU) No 965/2012 has been applicable since 28 October 2012, by way of derogation, Member States may elect not to apply Part-SPO and Part-NCO until 21 April 2017. In the meantime, national legislation shall apply.

According to Part-SPO / Part-NCO, the operator / pilot-in-command is required to carry out a risk assessment and establish standard operating procedures (SOPs) / checklists to mitigate the risks related to their specific activity (see SPO.OP.230 and NCO.SPEC.105). This should address brace positions according to the operation and aircraft type.

Furthermore, the operator/pilot-in-command is required to provide a preflight brief to the task specialists / passengers (SPO.OP.135 / NCO.OP.130). This should include a description of the brace positions to be adopted in an emergency, in accordance with the SOPs / checklists.

Lastly, according to ARO.GEN.300 in Part-ARO of Commission Regulation (EU) No 965/2012, the competent authority is required to verify that operators within their jurisdiction comply with Part-SPO and Part-NCO.

Such oversight should detect any weaknesses in the risk assessments and/or SOPs/checklists, which should be required by the competent authority to be corrected.

The IAA responded to the AAIU by Email dated 19 April 2016 as follows:

"The Irish Aviation Authority has been made aware of the EASA response to IRLD-2015-013. The Authority wishes to point out that ANNEX VII (PART-NCO) and

Annex VIII (PART SPO) of Regulation (EU) 965/2012 on Air Operations, are applicable in Ireland from 25th August 2016.

In the meantime, the National aviation regulations applicable to the operation of an aircraft in support of parachute operations in or over Ireland are found in S.I. No. 61 of 2006, IRISH AVIATION AUTHORITY, (OPERATIONS) ORDER, 2006.

Also applicable may be certain EU aviation regulations, chiefly the Rules of the Air ((EU) 923/2012), Flight Crew Licencing rules ((EU) 1178/2011) and Continuing Airworthiness of Aircraft ((EU)1321/2014). The State of aircraft registry will also normally have a regulation which sets out 'operator responsibilities', when operating aircraft on the respective register."

AAIU Comment:

The AAIU considers the current status of this recommendation to be "Closed".