



INFO-2016-1: EASA TCO SMS

To: NON-EU BUSINESS AVIATION COMMERCIAL OPERATORS
From: IS-BAO PROGRAMME
Date: 25SEP2016
Subject: EASA TCO SMS

PURPOSE:

To clarify the use of IS-BAO Registration as part of a successful EASA Third Country Operator (TCO) authorization application.

NOTE - IS-BAO registration (all Stages) indicates an operator has an SMS in place equivalent to ICAO phase 4 SMS and may be used to declare an SMS for EASA TCO purposes.

DETAILS:

Non-EU registered commercial operators desiring to fly into the EU must file an application for approval with EASA. The EU is unifying the process by using a centralized approval from EASA. The EASA Third Country Operator (TCO) regulation has an implementation deadline of Nov. 26, 2016. However, operators were required to begin applying for TCO prior to traveling to Europe in May 2014. The 30-month transition period ensures smooth implementation of Part-TCO and should not interrupt operations for foreign air carriers into the EU.



Prior to operating into the EU, operators should visit EASA's TCO website (<https://tco.easa.europa.eu>) to file an application, if one has not been completed already. The website includes a straightforward new users guide to assist operators in the application process.

The TCO Authorization is issued solely by EASA and grants the authority for applicants to operate commercially into Europe. To receive TCO authorization, operators must meet ICAO Standards. The online application process requires operators to self-

declare compliance and many items, such as aircraft weights, TCAS 7.1, and implementation of an SMS under ICAO Annex 19, SMS.

- ICAO Annex 19, Section 3.1.3, requires each State ensure commercial operators implement an SMS.
- ICAO Annex 19, Section 4.1.3, states, “The SMS of a certified operator of aeroplanes or helicopters authorized to conduct international commercial air transport, in accordance with Annex 6, Part I or Part III, Section II, respectively, shall be made acceptable to the State of the Operator.”

While the Part TCO regulation contains language requiring applicants to participate in a State sponsored SMS, this provision assumes all States have adopted ICAO Annex 19, Section 3.1.3. However, not all States have adopted all ICAO Annexes. For example, the FAA does not have an SMS requirement for Part 135 operators.

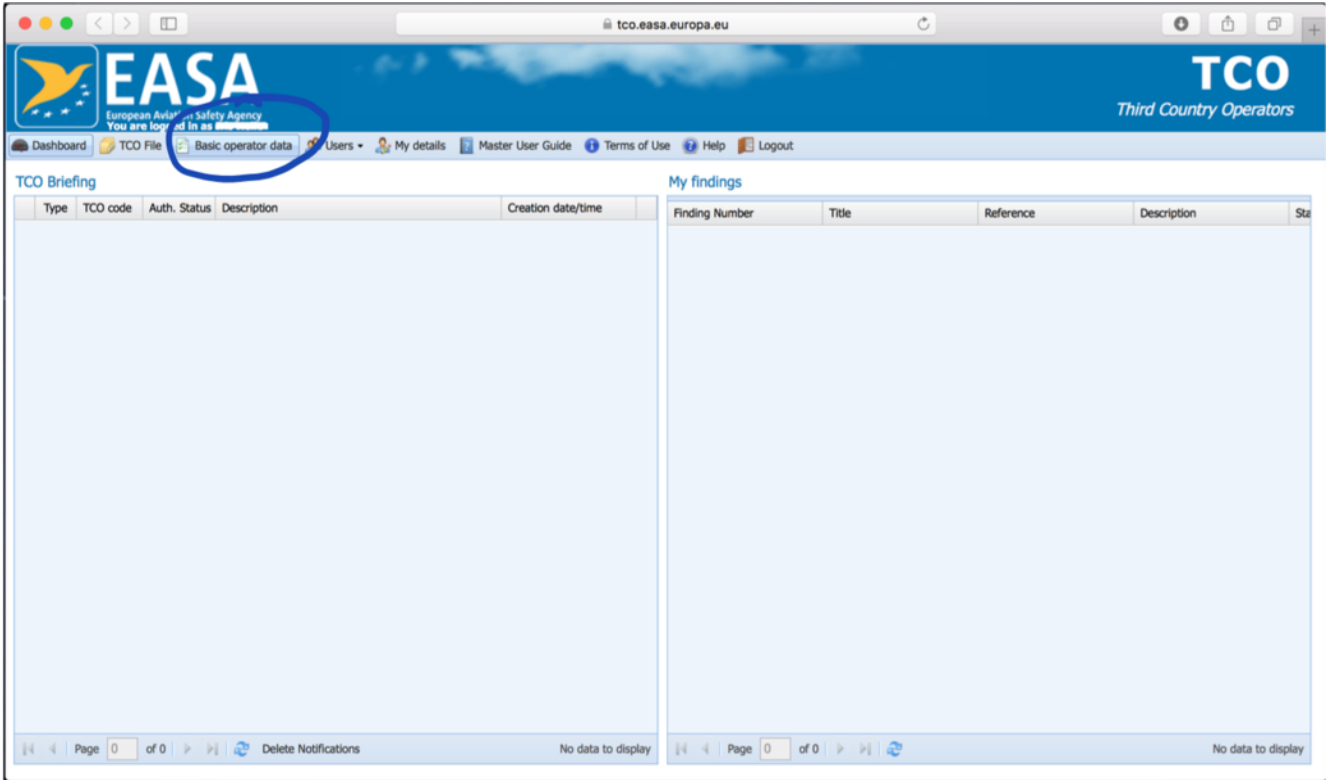
Because many States have filed differences to various ICAO Annexes, Part TCO also contains a provision indicating EASA will accept alternative means of compliance. Since all stages of IS-BAO are ICAO Phase 4-compliant, EASA has been approving applications from operators using an IS-BAO registered SMS to show compliance, including those of U.S. FAR Part 135 operators. Recent IBAC conversations with EASA officials indicate this process will not change.

Contact:

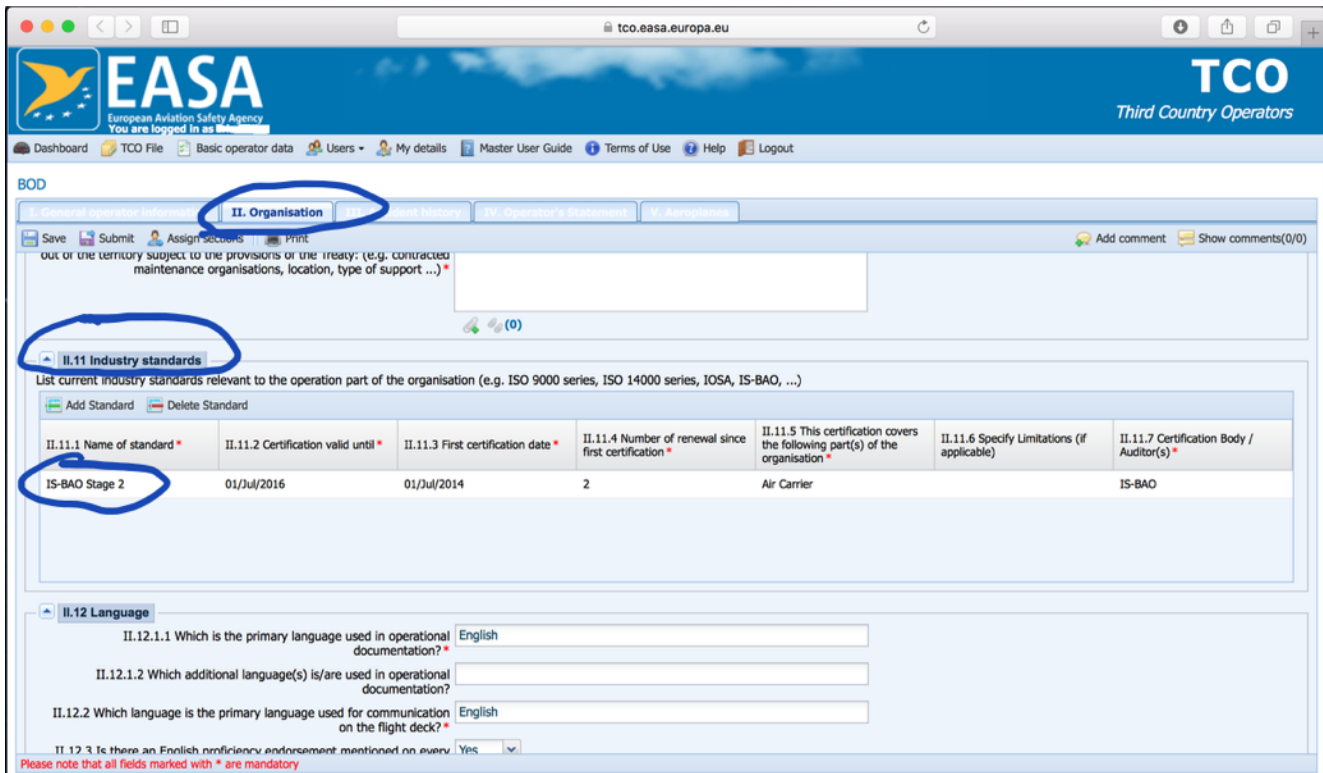
Should you have any questions, please contact Ben Walsh, IS-BAO Programme Director at bwalsh@ibac.org.

PROCEDURE:

- 1. After sign in on the landing page, select “**Basic operator data**”:



2. On the 'BOD' page select **"II. Organization"**, Scroll down to **"II.11 Industry standards"**, enter your IS-BAO registration:



EASA European Aviation Safety Agency
TCO Third Country Operators

Dashboard TCO File Basic operator data Users My details Master User Guide Terms of Use Help Logout

BOD

General operator information **II. Organisation** III. Operator's Statement IV. Operator's Statement V. Aeroplanes

Save Submit Assign accounts Print Add comment Show comments(0/0)

out of the territory subject to the provisions of the Treaty: (e.g. contracted maintenance organisations, location, type of support ...)

II.11 Industry standards

List current industry standards relevant to the operation part of the organisation (e.g. ISO 9000 series, ISO 14000 series, IOSA, IS-BAO, ...)

Add Standard Delete Standard

II.11.1 Name of standard *	II.11.2 Certification valid until *	II.11.3 First certification date *	II.11.4 Number of renewal since first certification *	II.11.5 This certification covers the following part(s) of the organisation *	II.11.6 Specify Limitations (if applicable)	II.11.7 Certification Body / Auditor(s) *
IS-BAO Stage 2	01/Jul/2016	01/Jul/2014	2	Air Carrier		IS-BAO

II.12 Language

II.12.1.1 Which is the primary language used in operational documentation? English

II.12.1.2 Which additional language(s) is/are used in operational documentation?

II.12.2 Which language is the primary language used for communication on the flight deck? English

II.12.3 Is there an English proficiency endorsement mentioned on every Yes

Please note that all fields marked with * are mandatory

3. Further down in the “II. Organization’ section” at “**II.14 Safety management system (SMS)**” select phase 4.

The screenshot shows the EASA TCO (Third Country Operators) portal. The user is logged in as 'Administrator'. The main navigation bar includes 'Dashboard', 'TCO File', 'Basic operator data', 'Users', 'My details', 'Master User Guide', 'Terms of Use', 'Help', and 'Logout'. The 'BOD' (Basic Operator Data) section is active, with tabs for 'General operator information', 'II. Organisation', 'III. Accident history', 'IV. Operator's Statement', and 'V. Aeroplanes'. The 'II. Organisation' tab is selected, and the 'II.14 Safety management system (SMS)' section is expanded. The question 'II.14.1 Which of the following best describes the present status of your organisation's safety management system (SMS) with respect to the ICAO SMS framework?' is displayed. The options are: Phase 1 (planning) is implemented, Phase 2 (reactive processes) is implemented, Phase 3 (proactive and predictive processes) is implemented, and Phase 4 (operational safety assurance) is implemented. A blue arrow points to the 'Phase 4 (operational safety assurance) is implemented' radio button. Below this, the 'II.15 Noteworthy Information' section is expanded, showing a text area for 'II.15.1 Specify here any other noteworthy information relevant to the operation (e.g. planned mergers and acquisitions, expansion plans, planned fleet restructuring, new type of operation, operational control measures)'. A note at the bottom states: 'Please note that all fields marked with * are mandatory'.

II.12.5 Which language is the primary language used for communication between flight deck and cabin crew? * English

II.13 Flight time / duty time and rest period limitation scheme

II.13.1 The flight time / duty time (FT/DT) and rest period limitation scheme is approved by your authorities? * Yes

II.13.2 The FT/DT and rest scheme is implemented for * ☒ Flight crew ☐ Cabin crew ☐ Other crew (please specify)

II.14 Safety management system (SMS)

II.14.1 Which of the following best describes the present status of your organisation's safety management system (SMS) with respect to the ICAO SMS framework? *

☐ Phase 1 (planning) is implemented

☐ Phase 2 (reactive processes) is implemented

☐ Phase 3 (proactive and predictive processes) is implemented

☒ Phase 4 (operational safety assurance) is implemented

II.15 Noteworthy Information

II.15.1 Specify here any other noteworthy information relevant to the operation (e.g. planned mergers and acquisitions, expansion plans, planned fleet restructuring, new type of operation, operational control measures)

Please note that all fields marked with * are mandatory

4. The approval comes with 4 pages:

 **EASA**
European Aviation Safety Agency

EASA Account Number: [REDACTED]

FAO: [REDACTED]
[REDACTED] CHARTER, INC.,
[REDACTED]
[REDACTED]
[REDACTED]
USA

Cologne, 3 May 2016

Subject: Delivery of EASA documents

Dear [REDACTED]

Please find enclosed the original(s) of your document(s) issued by the European Aviation Safety Agency.

Should you have further queries, please do not hesitate to contact us. Please assist us by always quoting your EASA account number in any correspondence with the Agency.

Right to Appeal
You have the right to appeal against this decision of the Agency in accordance with Articles 44-51 of Regulation (EC) No 216/2008. The appeal notification must be filed in writing at EASA within two months from the date of notification of this decision; you are required to pay a fee when lodging the appeal. The appeal notification form and further instructions are available from the EASA website: <http://www.easa.europa.eu>

Yours sincerely
The Applications Management Team

Contact: approvals@easa.europa.eu

This is a computer generated document valid without an EASA signature.

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TE.GEN.00101-004

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Tel: +49 221 89990 1000
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AUTHORISATION

Type of operation: **COMMERCIAL AIR TRANSPORT (CAT)**

EASA.TCO.USA- [REDACTED]

[REDACTED] CHARTER, INC.

[REDACTED]

USA

Doing business as/Trading name: **[REDACTED]**

State of the operator: **USA**

AOC or equivalent document number: **[REDACTED]**

This authorisation confirms that **[REDACTED] CHARTER, INC.** has complied with the requirements of Part-TCO and is entitled to apply for individual operating permits or equivalent documents to perform commercial air transport operations into, within or out of the territory subject to the provisions of the Treaty in accordance with the conditions defined in the specifications in their latest version as published electronically.

This authorisation may be used to apply for individual operating permits.

Remark: Individual operational permits or equivalent documents related to "traffic rights" in the framework of agreements between EU Member States and third countries must be obtained from EU Member States in addition to this authorisation prior to the intended starting date of the operation.

This authorisation is valid whilst the authorised operator remains in compliance with Part-TCO.

Subject to compliance with the foregoing condition, this authorisation will remain valid unless the authorisation or the air operator certificate issued by the state of the operator has been surrendered, suspended or revoked.

For the European Aviation Safety Agency

Date of Issue: **02. MAI 2016**


Patrick KY
Executive Director

60038420

TCO Authorisation - **[REDACTED]** - **[REDACTED]** CHARTER, INC. - **[REDACTED]**



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I) Changes requiring prior authorisation by the Agency

Any of the **following changes** affecting the terms of an authorisation or associated specifications shall **require prior authorisation** by the Agency:

1. temporary or permanent cessation of operations;
2. the name of the operator;
3. the operator's principal place of business;
4. new type of aircraft with different ICAO type designator - included in the fleet,
5. change in the operator's scope of activities or extensions of privileges, for which EASA has specifically limited or excluded this activity in the TCO specification;
6. restrictions imposed in the operations specifications to the AOC;
7. enforcement measures imposed by a civil aviation authority, including limitations and suspension;
8. any takeover, merger, consolidation or other structural change to the operator's organisation that could result in a change.

The application for prior authorisation by the Agency shall be submitted by the third country operator at least **30 days before the date of implementation** of the intended change. The application shall be performed by submission of an updated Basic Operator Data form in the TCO web-interface.

II) Changes NOT requiring prior authorisation by the Agency

Changes not listed in paragraph I) above do not require prior authorisation. These changes **shall be notified to the Agency before the change is implemented**. The notification shall be performed by submission of an updated Basic Operator Data form in the TCO web-interface.

III) Special Agreement between EASA and the third country operator

Pursuant to ART.210 (c) of Annex 2 to Regulation 452/2014 the Agency hereby agrees with the third country operator the following alleviation:

EASA has provided the operator with specifications associated to the TCO authorisation for **"TCO Business aircraft"**. Derogating from paragraph I.4 above the operator may use under its TCO authorisation a new type of aircraft without prior authorisation by the Agency under the following conditions:

- (a) the change shall be **notified to the Agency before the new aircraft is used** under the TCO authorisation. The notification shall be performed by submission of an updated Basic Operator Data form in the TCO Web-Interface; and
- (b) the aircraft **complies with all applicable ICAO standards and airspace requirements**; and
- (c) the new type of aircraft **meets all criteria of "TCO Business aircraft"**, meaning that the aircraft:
 - i. is not used for scheduled operations.
 - ii. is a multi-engine passenger aeroplane
 - iii. is operated by multi-crew
 - iv. does not exceed an MCTM of 45 500 kg
 - v. is not authorized to carry more than 19 passengers
 - vi. holds an EASA type certificate
 - vii. holds a standard Certificate of Airworthiness





European Aviation Safety Agency

Form

SPECIFICATION associated to TCO Authorisation
(subject to the approved conditions in the AOC and associated operations specifications)

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Authorisation⁽¹⁾: **EASA.TCO.USA-0020.01** Date⁽²⁾: **02. MAI 2016** Specifications: **Issue 001**
Operator name⁽³⁾: **CHARTER, INC.**
Trading name:

Signature:

Aircraft model⁽⁴⁾: **TCO Business Aircraft (Multi-engine/multi-crew aircraft with MCTOM not exceeding 45 500 kg and authorised for not more than 19 seats, used for non-scheduled passenger transport or air ambulance flights)**

Note: Authorised registration marks are listed in the Agency's electronic publication.

Types of operation:

Commercial air transportation

☐ Passengers(*) ☐ Cargo(*) ☐ Other⁽⁵⁾(*): (*) As per the latest AOC Operations Specifications issued by the State of the Operator.

Special limitations⁽⁶⁾:

SPECIAL AUTHORISATIONS	YES	NO	SPECIFICATION ⁽⁷⁾	REMARKS
Dangerous goods	<input type="radio"/>	<input type="radio"/>	(*)	(*) As per the latest AOC Operations Specifications issued by the State of the Operator
Low visibility operations Take Off Approach and Landing	<input type="radio"/>	<input type="radio"/>	RVR ⁽⁸⁾ : (*) m CAT ⁽⁹⁾ : (*) DH: (*) ft RVR: (*) m	(*) As per the latest AOC Operations Specifications issued by the State of the Operator
RVSM ⁽¹⁰⁾ <input type="radio"/> N/A	<input type="radio"/>	<input type="radio"/>	(*)	(*) As per the latest AOC Operations Specifications issued by the State of the Operator
ETOPS/EDTO ⁽¹¹⁾ <input type="radio"/> N/A	<input type="radio"/>	<input type="radio"/>	Maximum diversion time ⁽¹²⁾ : (*) min	(*) As per the latest AOC Operations Specifications issued by the State of the Operator
Navigation specifications for PBN operations	<input type="radio"/>	<input type="radio"/>	(*)	(*) As per the latest AOC Operations Specifications issued by the State of the Operator
Other ⁽¹³⁾	<input type="radio"/>	<input type="radio"/>	(*)	(*) As per the latest AOC Operations Specifications issued by the State of the Operator

⁽¹⁾ Insertion of associated operator's authorisation number.

⁽²⁾ Issuance date of the operations specifications (dd-mm-yyyy).

⁽³⁾ Operator's registered name and the operator's trading name, if different.

⁽⁴⁾ Insert the Commercial Aviation Safety Team (CAST)/ICAO designation of the aircraft make, model and series, or master series, if a series has been designated (e.g. Boeing-737-3K2 or Boeing-777-232). The CAST/ICAO taxonomy is available at <http://www.intlaviationstandards.org/>

⁽⁵⁾ Other type of transportation to be specified (e.g. emergency medical service).

⁽⁶⁾ List the applicable special limitations (e.g. VFR only, day only).

⁽⁷⁾ List in this column the most permissive criteria for each approval or the approval type (with appropriate criteria).

⁽⁸⁾ Insert the approved minimum take-off RVR in metres. One line per approval may be used if different approvals are granted.

⁽⁹⁾ Insert the applicable precision approach category (CAT II, IIIA, IIIB or IIIC). Insert the minimum RVR in metres and decision height in feet. One line is used per listed approach category.

⁽¹⁰⁾ "Not applicable (N/A)" box may be checked only if the aircraft maximum ceiling is below FL 290.

⁽¹¹⁾ Extended range operations (ETOPS) currently applies only to twin-engine aircraft.

⁽¹²⁾ The threshold distance may also be listed (in NM), as well as the engine type.

⁽¹³⁾ Other authorizations or data can be entered here, using one line (or one multi-line block) per authorization (e.g. special approach authorization, MNPS, approved navigation performance).



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