

- (2) the discovery of undeclared or misdeclared dangerous goods in cargo or mail; or
 - (3) the finding of dangerous goods carried by passengers or crew members, or in their baggage, when not in accordance with Part 8 of the technical instructions.
- (f) The operator shall ensure that passengers are provided with information about dangerous goods in accordance with the technical instructions.
- (g) The operator shall ensure that notices giving information about the transport of dangerous goods are provided at acceptance points for cargo as required by the technical instructions.

SUBPART B

OPERATING PROCEDURES

SECTION 1

Motor-powered aircraft**CAT.OP.MPA.100 Use of air traffic services**

- (a) The operator shall ensure that:
- (1) air traffic services (ATS) appropriate to the airspace and the applicable rules of the air are used for all flights whenever available;
 - (2) in-flight operational instructions involving a change to the ATS flight plan, when practicable, are coordinated with the appropriate ATS unit before transmission to an aircraft.
- (b) Notwithstanding (a), the use of ATS is not required unless mandated by air space requirements for:
- (1) operations under VFR by day of other-than-complex motor-powered aeroplanes;
 - (2) helicopters with an MCTOM of 3 175 kg or less operated by day and over routes navigated by reference to visual landmarks; or
 - (3) local helicopter operations,
- provided that search and rescue service arrangements can be maintained.

CAT.OP.MPA.105 Use of aerodromes and operating sites

- (a) The operator shall only use aerodromes and operating sites that are adequate for the type(s) of aircraft and operation(s) concerned.
- (b) The use of operating sites shall only apply to:
- (1) other-than-complex motor-powered aeroplanes; and
 - (2) helicopters.

CAT.OP.MPA.106 Use of isolated aerodromes — aeroplanes

- (a) Using an isolated aerodrome as destination aerodrome with aeroplanes requires the prior approval by the competent authority.
- (b) An isolated aerodrome is one for which the alternate and final fuel reserve required to the nearest adequate destination alternate aerodrome is more than:
- (1) for aeroplanes with reciprocating engines, fuel to fly for 45 minutes plus 15 % of the flying time planned to be spent at cruising level or two hours, whichever is less; or
 - (2) for aeroplanes with turbine engines, fuel to fly for two hours at normal cruise consumption above the destination aerodrome, including final reserve fuel.

CAT.OP.MPA.107 Adequate aerodrome

The operator shall consider an aerodrome as adequate if, at the expected time of use, the aerodrome is available and equipped with necessary ancillary services such as air traffic services (ATS), sufficient lighting, communications, weather reporting, navigation aids and emergency services.

CAT.OP.MPA.110 Aerodrome operating minima

- (a) The operator shall establish aerodrome operating minima for each departure, destination or alternate aerodrome planned to be used. These minima shall not be lower than those established for such aerodromes by the State in which the aerodrome is located, except when specifically approved by that State. Any increment specified by the competent authority shall be added to the minima.
- (b) The use of a head-up display (HUD), head-up guidance landing system (HUDLS) or enhanced vision system (EVS) may allow operations with lower visibilities than the established aerodrome operating minima if approved in accordance with SPA.LVO.
- (c) When establishing aerodrome operating minima, the operator shall take the following into account:
- (1) the type, performance and handling characteristics of the aircraft;
 - (2) the composition, competence and experience of the flight crew;
 - (3) the dimensions and characteristics of the runways/final approach and take-off areas (FATOs) that may be selected for use;
 - (4) the adequacy and performance of the available visual and non-visual ground aids;
 - (5) the equipment available on the aircraft for the purpose of navigation and/or control of the flight path during the take-off, the approach, the flare, the landing, rollout and the missed approach;
 - (6) for the determination of obstacle clearance, the obstacles in the approach, missed approach and the climb-out areas necessary for the execution of contingency procedures;
 - (7) the obstacle clearance altitude/height for the instrument approach procedures;
 - (8) the means to determine and report meteorological conditions; and
 - (9) the flight technique to be used during the final approach.
- (d) The operator shall specify the method of determining aerodrome operating minima in the operations manual.
- (e) The minima for a specific approach and landing procedure shall only be used if all the following conditions are met:
- (1) the ground equipment shown on the chart required for the intended procedure is operative;
 - (2) the aircraft systems required for the type of approach are operative;
 - (3) the required aircraft performance criteria are met; and
 - (4) the crew is appropriately qualified.

CAT.OP.MPA.115 Approach flight technique — aeroplanes

- (a) All approaches shall be flown as stabilised approaches unless otherwise approved by the competent authority for a particular approach to a particular runway.
- (b) Non-precision approaches
- (1) The continuous descent final approach (CDFA) technique shall be used for all non-precision approaches.

- (2) Notwithstanding (1), another approach flight technique may be used for a particular approach/runway combination if approved by the competent authority. In such cases, the applicable minimum runway visual range (RVR):
- (i) shall be increased by 200 m for category A and B aeroplanes and by 400 m for category C and D aeroplanes; or
 - (ii) for aerodromes where there is a public interest to maintain current operations and the CDFA technique cannot be applied, shall be established and regularly reviewed by the competent authority taking into account the operator's experience, training programme and flight crew qualification.

CAT.OP.MPA.120 Airborne radar approaches (ARAs) for overwater operations — helicopters

- (a) An ARA shall only be undertaken if:
- (1) the radar provides course guidance to ensure obstacle clearance; and
 - (2) either:
 - (i) the minimum descent height (MDH) is determined from a radio altimeter; or
 - (ii) the minimum descent altitude (MDA) plus an adequate margin is applied.
- (b) ARAs to rigs or vessels under way shall only be conducted in multi-crew operations.
- (c) The decision range shall provide adequate obstacle clearance in the missed approach from any destination for which an ARA is planned.
- (d) The approach shall only be continued beyond decision range or below MDA/H when visual reference with the destination has been established.
- (e) For single-pilot operations, appropriate increments shall be added to the MDA/H and decision range.

CAT.OP.MPA.125 Instrument departure and approach procedures

- (a) The operator shall ensure that instrument departure and approach procedures established by the State of the aerodrome are used.
- (b) Notwithstanding (a), the commander may accept an ATC clearance to deviate from a published departure or arrival route, provided obstacle clearance criteria are observed and full account is taken of the operating conditions. In any case, the final approach shall be flown visually or in accordance with the established instrument approach procedures.
- (c) Notwithstanding (a), the operator may use procedures other than those referred to in (a) provided they have been approved by the State in which the aerodrome is located and are specified in the operations manual.

CAT.OP.MPA.130 Noise abatement procedures — aeroplanes

- (a) Except for VFR operations of other-than-complex motor-powered aeroplanes, the operator shall establish appropriate operating departure and arrival/approach procedures for each aeroplane type taking into account the need to minimise the effect of aircraft noise.
- (b) The procedures shall:
- (1) ensure that safety has priority over noise abatement; and
 - (2) be simple and safe to operate with no significant increase in crew workload during critical phases of flight.

CAT.OP.MPA.131 Noise abatement procedures — helicopters

- (a) The operator shall ensure that take-off and landing procedures take into account the need to minimise the effect of helicopter noise.

(b) The procedures shall:

- (1) ensure that safety has priority over noise abatement; and
- (2) be simple and safe to operate with no significant increase in crew workload during critical phases of flight.

CAT.OP.MPA.135 Routes and areas of operation — general

(a) The operator shall ensure that operations are only conducted along routes, or within areas, for which:

- (1) ground facilities and services, including meteorological services, adequate for the planned operation are provided;
- (2) the performance of the aircraft is adequate to comply with minimum flight altitude requirements;
- (3) the equipment of the aircraft meets the minimum requirements for the planned operation; and
- (4) appropriate maps and charts are available.

(b) The operator shall ensure that operations are conducted in accordance with any restriction on the routes or the areas of operation specified by the competent authority.

(c) (a)(1) shall not apply to operations under VFR by day of other-than-complex motor-powered aircraft on flights that depart from and arrive at the same aerodrome or operating site.

CAT.OP.MPA.136 Routes and areas of operation — single-engined aeroplanes

The operator shall ensure that operations of single-engined aeroplanes are only conducted along routes, or within areas, where surfaces are available that permit a safe forced landing to be executed.

CAT.OP.MPA.137 Routes and areas of operation — helicopters

The operator shall ensure that:

- (a) for helicopters operated in performance class 3, surfaces are available that permit a safe forced landing to be executed, except when the helicopter has an approval to operate in accordance with CAT.POL.H.420;
- (b) for helicopters operated in performance class 3 and conducting 'coastal transit' operations, the operations manual contains procedures to ensure that the width of the coastal corridor, and the equipment carried, is consistent with the conditions prevailing at the time.

CAT.OP.MPA.140 Maximum distance from an adequate aerodrome for two-engined aeroplanes without an ETOPS approval

(a) Unless approved by the competent authority in accordance with Annex V (Part-SPA), Subpart F, the operator shall not operate a two-engined aeroplane over a route that contains a point further from an adequate aerodrome, under standard conditions in still air, than:

(1) for performance class A aeroplanes with either:

- (i) a maximum operational passenger seating configuration (MOPSC) of 20 or more; or
- (ii) a maximum take-off mass of 45 360 kg or more,

the distance flown in 60 minutes at the one-engine-inoperative (OEI) cruising speed determined in accordance with (b);

(2) for performance class A aeroplanes with:

- (i) an MOPSC of 19 or less; and
- (ii) a maximum take-off mass less than 45 360 kg,

the distance flown in 120 minutes or, subject to approval by the competent authority, up to 180 minutes for turbo-jet aeroplanes, at the OEI cruise speed determined in accordance with (b);

- (3) for performance class B or C aeroplanes:
- (i) the distance flown in 120 minutes at the OEI cruise speed determined in accordance with (b); or
 - (ii) 300 NM, whichever is less.
- (b) The operator shall determine a speed for the calculation of the maximum distance to an adequate aerodrome for each two-engined aeroplane type or variant operated, not exceeding V_{MO} (maximum operating speed) based upon the true airspeed that the aeroplane can maintain with one engine inoperative.
- (c) The operator shall include the following data, specific to each type or variant, in the operations manual:
- (1) the determined OEI cruising speed; and
 - (2) the determined maximum distance from an adequate aerodrome.
- (d) To obtain the approval referred to in (a)(2), the operator shall provide evidence that:
- (1) the aeroplane/engine combination holds an extended range operations with two-engined aeroplanes (ETOPS) type design and reliability approval for the intended operation;
 - (2) a set of conditions has been implemented to ensure that the aeroplane and its engines are maintained to meet the necessary reliability criteria; and
 - (3) the flight crew and all other operations personnel involved are trained and suitably qualified to conduct the intended operation.

CAT.OP.MPA.145 Establishment of minimum flight altitudes

- (a) The operator shall establish for all route segments to be flown:
- (1) minimum flight altitudes that provide the required terrain clearance, taking into account the requirements of Subpart C; and
 - (2) a method for the flight crew to determine those altitudes.
- (b) The method for establishing minimum flight altitudes shall be approved by the competent authority.
- (c) Where the minimum flight altitudes established by the operator and a State overflown differ, the higher values shall apply.

CAT.OP.MPA.150 Fuel policy

- (a) The operator shall establish a fuel policy for the purpose of flight planning and in-flight replanning to ensure that every flight carries sufficient fuel for the planned operation and reserves to cover deviations from the planned operation. The fuel policy and any change to it require prior approval by the competent authority.
- (b) The operator shall ensure that the planning of flights is based upon at least:
- (1) procedures contained in the operations manual and:
 - (i) data provided by the aircraft manufacturer; or
 - (ii) current aircraft-specific data derived from a fuel consumption monitoring system;and
 - (2) the operating conditions under which the flight is to be conducted including:
 - (i) aircraft fuel consumption data;
 - (ii) anticipated masses;

- (iii) expected meteorological conditions; and
 - (iv) air navigation services provider(s) procedures and restrictions.
- (c) The operator shall ensure that the pre-flight calculation of usable fuel required for a flight includes:
- (1) taxi fuel;
 - (2) trip fuel;
 - (3) reserve fuel consisting of:
 - (i) contingency fuel;
 - (ii) alternate fuel, if a destination alternate aerodrome is required;
 - (iii) final reserve fuel; and
 - (iv) additional fuel, if required by the type of operation;
 - and
 - (4) extra fuel if required by the commander.
- (d) The operator shall ensure that in-flight replanning procedures for calculating usable fuel required when a flight has to proceed along a route or to a destination aerodrome other than originally planned includes:
- (1) trip fuel for the remainder of the flight; and
 - (2) reserve fuel consisting of:
 - (i) contingency fuel;
 - (ii) alternate fuel, if a destination alternate aerodrome is required;
 - (iii) final reserve fuel; and
 - (iv) additional fuel, if required by the type of operation;
 - and
 - (3) extra fuel if required by the commander.

CAT.OP.MPA.151 Fuel policy — alleviations

- (a) Notwithstanding CAT.OP.MPA.150(b) to (d), for operations of performance class B aeroplanes the operator shall ensure that the pre-flight calculation of usable fuel required for a flight includes:
- (i) taxi fuel, if significant;
 - (ii) trip fuel;
 - (iii) reserve fuel, consisting of:
 - (A) contingency fuel that is not less than 5 % of the planned trip fuel or, in the event of in-flight replanning, 5 % of the trip fuel for the remainder of the flight; and
 - (B) final reserve fuel to fly for an additional period of 45 minutes for reciprocating engines or 30 minutes for turbine engines;
 - (iv) alternate fuel to reach the destination alternate aerodrome via the destination, if a destination alternate aerodrome is required; and
 - (v) extra fuel, if specified by the commander.

(b) Notwithstanding CAT.OP.MPA.150(b) to (d), for helicopters with an MCTOM of 3 175 kg or less, by day and over routes navigated by reference to visual landmarks or local helicopter operations, the fuel policy shall ensure that, on completion of the flight, or series of flights the final reserve fuel is not less than an amount sufficient for:

- (1) 30 minutes flying time at normal cruising speed; or
- (2) 20 minutes flying time at normal cruising speed when operating within an area providing continuous and suitable precautionary landing sites.

CAT.OP.MPA.155 Carriage of special categories of passengers (SCPs)

(a) Persons requiring special conditions, assistance and/or devices when carried on a flight shall be considered as SCPs including at least:

- (1) persons with reduced mobility (PRMs) who, without prejudice to Regulation (EC) No 1107/2006, are understood to be any person whose mobility is reduced due to any physical disability, sensory or locomotory, permanent or temporary, intellectual disability or impairment, any other cause of disability, or age;
- (2) infants and unaccompanied children; and
- (3) deportees, inadmissible passengers or prisoners in custody.

(b) SCPs shall be carried under conditions that ensure the safety of the aircraft and its occupants according to procedures established by the operator.

(c) SCPs shall not be allocated, nor occupy, seats that permit direct access to emergency exits or where their presence could:

- (1) impede crew members in their duties;
- (2) obstruct access to emergency equipment; or
- (3) impede the emergency evacuation of the aircraft.

(d) The commander shall be notified in advance when SCPs are to be carried on board.

CAT.OP.MPA.160 Stowage of baggage and cargo

The operator shall establish procedures to ensure that:

- (a) only hand baggage that can be adequately and securely stowed is taken into the passenger compartment; and
- (b) all baggage and cargo on board that might cause injury or damage, or obstruct aisles and exits if displaced, is stowed so as to prevent movement.

CAT.OP.MPA.165 Passenger seating

The operator shall establish procedures to ensure that passengers are seated where, in the event that an emergency evacuation is required, they are able to assist and not hinder evacuation of the aircraft.

CAT.OP.MPA.170 Passenger briefing

The operator shall ensure that passengers are:

- (a) given briefings and demonstrations relating to safety in a form that facilitates the application of the procedures applicable in the event of an emergency; and
- (b) provided with a safety briefing card on which picture-type instructions indicate the operation of emergency equipment and exits likely to be used by passengers.

CAT.OP.MPA.175 Flight preparation

(a) An operational flight plan shall be completed for each intended flight based on considerations of aircraft performance, other operating limitations and relevant expected conditions on the route to be followed and at the aerodromes/operating sites concerned.

- (b) The flight shall not be commenced unless the commander is satisfied that:
- (1) all items stipulated in 2.a.3 of Annex IV to Regulation (EC) No 216/2008 concerning the airworthiness and registration of the aircraft, instrument and equipment, mass and centre of gravity (CG) location, baggage and cargo and aircraft operating limitations can be complied with;
 - (2) the aircraft is not operated contrary to the provisions of the configuration deviation list (CDL);
 - (3) the parts of the operations manual that are required for the conduct of the flight are available;
 - (4) the documents, additional information and forms required to be available by CAT.GEN.MPA.180 are on board;
 - (5) current maps, charts and associated documentation or equivalent data are available to cover the intended operation of the aircraft including any diversion that may reasonably be expected;
 - (6) ground facilities and services required for the planned flight are available and adequate;
 - (7) the provisions specified in the operations manual in respect of fuel, oil, oxygen, minimum safe altitudes, aerodrome operating minima and availability of alternate aerodromes, where required, can be complied with for the planned flight; and
 - (8) any additional operational limitation can be complied with.
- (c) Notwithstanding (a), an operational flight plan is not required for operations under VFR of:
- (1) other-than-complex motor-powered aeroplane taking off and landing at the same aerodrome or operating site; or
 - (2) helicopters with an MCTOM of 3 175 kg or less, by day and over routes navigated by reference to visual landmarks in a local area as specified in the operations manual.

CAT.OP.MPA.180 Selection of aerodromes — aeroplanes

- (a) Where it is not possible to use the departure aerodrome as a take-off alternate aerodrome due to meteorological or performance reasons, the operator shall select another adequate take-off alternate aerodrome that is no further from the departure aerodrome than:
- (1) for two-engined aeroplanes:
 - (i) one hour flying time at an OEI cruising speed according to the AFM in still air standard conditions based on the actual take-off mass; or
 - (ii) the ETOPS diversion time approved in accordance with Annex V (Part-SPA), Subpart F, subject to any MEL restriction, up to a maximum of two hours, at the OEI cruising speed according to the AFM in still air standard conditions based on the actual take-off mass;
 - (2) for three and four-engined aeroplanes, two hours flying time at the OEI cruising speed according to the AFM in still air standard conditions based on the actual take-off mass.

If the AFM does not contain an OEI cruising speed, the speed to be used for calculation shall be that which is achieved with the remaining engine(s) set at maximum continuous power.

- (b) The operator shall select at least one destination alternate aerodrome for each instrument flight rules (IFR) flight unless the destination aerodrome is an isolated aerodrome or:
- (1) the duration of the planned flight from take-off to landing or, in the event of in-flight replanning in accordance with CAT.OP.MPA.150(d), the remaining flying time to destination does not exceed six hours; and
 - (2) two separate runways are available and usable at the destination aerodrome and the appropriate weather reports and/or forecasts for the destination aerodrome indicate that, for the period from one hour before until one hour after the expected time of arrival at the destination aerodrome, the ceiling will be at least 2 000 ft or circling height + 500 ft, whichever is greater, and the ground visibility will be at least 5 km.

- (c) The operator shall select two destination alternate aerodromes when:
- (1) the appropriate weather reports and/or forecasts for the destination aerodrome indicate that during a period commencing one hour before and ending one hour after the estimated time of arrival, the weather conditions will be below the applicable planning minima; or
 - (2) no meteorological information is available.
- (d) The operator shall specify any required alternate aerodrome(s) in the operational flight plan.

CAT.OP.MPA.181 Selection of aerodromes and operating sites — helicopters

- (a) For flights under instrument meteorological conditions (IMC), the commander shall select a take-off alternate aerodrome within one hour flying time at normal cruising speed if it would not be possible to return to the site of departure due to meteorological reasons.
- (b) For IFR flights or when flying under VFR and navigating by means other than by reference to visual landmarks, the commander shall specify at least one destination alternate aerodrome in the operational flight plan unless:
- (1) the destination is a coastal aerodrome and the helicopter is routing from offshore;
 - (2) for a flight to any other land destination, the duration of the flight and the meteorological conditions prevailing are such that, at the estimated time of arrival at the site of intended landing, an approach and landing is possible under visual meteorological conditions (VMC); or
 - (3) the site of intended landing is isolated and no alternate is available; in this case, a point of no return (PNR) shall be determined.
- (c) The operator shall select two destination alternate aerodromes when:
- (1) the appropriate weather reports and/or forecasts for the destination aerodrome indicate that during a period commencing one hour before and ending one hour after the estimated time of arrival, the weather conditions will be below the applicable planning minima; or
 - (2) no meteorological information is available for the destination aerodrome.
- (d) The operator may select off-shore destination alternate aerodromes when the following criteria are applied:
- (1) an off-shore destination alternate aerodrome shall be used only after a PNR. Prior to the PNR, on-shore alternate aerodromes shall be used;
 - (2) OEI landing capability shall be attainable at the alternate aerodrome;
 - (3) to the extent possible, deck availability shall be guaranteed. The dimensions, configuration and obstacle clearance of individual helidecks or other sites shall be assessed in order to establish operational suitability for use as an alternate aerodrome by each helicopter type proposed to be used;
 - (4) weather minima shall be established taking accuracy and reliability of meteorological information into account;
 - (5) the MEL shall contain specific provisions for this type of operation; and
 - (6) an off-shore alternate aerodrome shall only be selected if the operator has established a procedure in the operations manual.
- (e) The operator shall specify any required alternate aerodrome(s) in the operational flight plan.

CAT.OP.MPA.185 Planning minima for IFR flights — aeroplanes

- (a) *Planning minima for a take-off alternate aerodrome*

The operator shall only select an aerodrome as a take-off alternate aerodrome when the appropriate weather reports and/or forecasts indicate that, during a period commencing one hour before and ending one hour after the estimated time of arrival at the aerodrome, the weather conditions will be at or above the applicable landing minima specified in accordance with CAT.OP.MPA.110. The ceiling shall be taken into account when the only approach operations available are non-precision approaches (NPA) and/or circling operations. Any limitation related to OEI operations shall be taken into account.

(b) *Planning minima for a destination aerodrome other than an isolated destination aerodrome*

The operator shall only select the destination aerodrome when:

(1) the appropriate weather reports and/or forecasts indicate that, during a period commencing one hour before and ending one hour after the estimated time of arrival at the aerodrome, the weather conditions will be at or above the applicable planning minima as follows:

(i) RVR/visibility (VIS) specified in accordance with CAT.OP.MPA.110; and

(ii) for an NPA or a circling operation, the ceiling at or above MDH;

or

(2) two destination alternate aerodromes are selected.

(c) *Planning minima for a destination alternate aerodrome, isolated aerodrome, fuel en-route alternate (fuel ERA) aerodrome, en-route alternate (ERA) aerodrome*

The operator shall only select an aerodrome for one of these purposes when the appropriate weather reports and/or forecasts indicate that, during a period commencing one hour before and ending one hour after the estimated time of arrival at the aerodrome, the weather conditions will be at or above the planning minima in Table 1.

Table 1

Planning minima

Destination alternate aerodrome, isolated destination aerodrome, fuel ERA and ERA aerodrome

Type of approach	Planning minima
CAT II and III	CAT I RVR
CATI	NPA RVR/VIS Ceiling shall be at or above MDH
NPA	NPA RVR/VIS + 1 000 m Ceiling shall be at or above MDH + 200 ft
Circling	Circling

CAT.OP.MPA.186 Planning minima for IFR flights — helicopters

(a) *Planning minima for take-off alternate aerodrome(s)*

The operator shall only select an aerodrome or landing site as a take-off alternate aerodrome when the appropriate weather reports and/or forecasts indicate that, during a period commencing one hour before and ending one hour after the estimated time of arrival at the take-off alternate aerodrome, the weather conditions will be at or above the applicable landing minima specified in accordance with CAT.OP.MPA.110. The ceiling shall be taken into account when the only approach operations available are NPA operations. Any limitation related to OEI operations shall be taken into account.

(b) *Planning minima for destination aerodrome and destination alternate aerodrome(s)*

The operator shall only select the destination and/or destination alternate aerodrome(s) when the appropriate weather reports and/or forecasts indicate that, during a period commencing one hour before and ending one hour after the estimated time of arrival at the aerodrome or operating site, the weather conditions will be at or above the applicable planning minima as follows:

(1) except as provided in CAT.OP.MPA.181(d), planning minima for a destination aerodrome shall be:

(i) RVR/VIS specified in accordance with CAT.OP.MPA.110; and

(ii) for NPA operations, the ceiling at or above MDH;

(2) planning minima for destination alternate aerodrome(s) are as shown in Table 1.

Table 1

Planning minima destination alternate aerodrome

Type of approach	Planning minima
CAT II and III	CAT I RVR
CAT I	CAT I + 200 ft/400 m visibility
NPA	NPA RVR/VIS + 400 m Ceiling shall be at or above MDH + 200 ft

CAT.OP.MPA.190 Submission of the ATS flight plan

- (a) If an ATS flight plan is not submitted because it is not required by the rules of the air, adequate information shall be deposited in order to permit alerting services to be activated if required.
- (b) When operating from a site where it is impossible to submit an ATS flight plan, the ATS flight plan shall be transmitted as soon as possible after take-off by the commander or the operator.

CAT.OP.MPA.195 Refuelling/defuelling with passengers embarking, on board or disembarking

- (a) An aircraft shall not be refuelled/defuelled with Avgas (aviation gasoline) or wide-cut type fuel or a mixture of these types of fuel, when passengers are embarking, on board or disembarking.
- (b) For all other types of fuel, necessary precautions shall be taken and the aircraft shall be properly manned by qualified personnel ready to initiate and direct an evacuation of the aircraft by the most practical and expeditious means available.

CAT.OP.MPA.200 Refuelling/defuelling with wide-cut fuel

Refuelling/defuelling with wide-cut fuel shall only be conducted if the operator has established appropriate procedures taking into account the high risk of using wide-cut fuel types.

CAT.OP.MPA.205 Push back and towing — aeroplanes

Push back and towing procedures specified by the operator shall be conducted in accordance with established aviation standards and procedures.

CAT.OP.MPA.210 Crew members at stations**(a) Flight crew members**

- (1) During take-off and landing each flight crew member required to be on duty in the flight crew compartment shall be at the assigned station.
- (2) During all other phases of flight each flight crew member required to be on duty in the flight crew compartment shall remain at the assigned station, unless absence is necessary for the performance of duties in connection with the operation or for physiological needs, provided at least one suitably qualified pilot remains at the controls of the aircraft at all times.
- (3) During all phases of flight each flight crew member required to be on duty in the flight crew compartment shall remain alert. If a lack of alertness is encountered, appropriate countermeasures shall be used. If unexpected fatigue is experienced, a controlled rest procedure, organised by the commander, may be used if workload permits. Controlled rest taken in this way shall not be considered to be part of a rest period for purposes of calculating flight time limitations nor used to justify any extension of the duty period.

(b) Cabin crew members

During critical phases of flight, each cabin crew member shall be seated at the assigned station and shall not perform any activities other than those required for the safe operation of the aircraft.

CAT.OP.MPA.215 Use of headset — aeroplanes

(a) Each flight crew member required to be on duty in the flight crew compartment shall wear a headset with boom microphone or equivalent. The headset shall be used as the primary device for voice communications with ATS:

(1) when on the ground:

(i) when receiving the ATC departure clearance via voice communication; and

(ii) when engines are running;

(2) when in flight:

(i) below transition altitude; or

(ii) 10 000 ft, whichever is higher;

and

(3) whenever deemed necessary by the commander.

(b) In the conditions of (a), the boom microphone or equivalent shall be in a position that permits its use for two-way radio communications.

CAT.OP.MPA.216 Use of headset — helicopters

Each flight crew member required to be on duty in the flight crew compartment shall wear a headset with boom microphone, or equivalent, and use it as the primary device to communicate with ATS.

CAT.OP.MPA.220 Assisting means for emergency evacuation

The operator shall establish procedures to ensure that before taxiing, take-off and landing and when safe and practicable to do so, all means of assistance for emergency evacuation that deploy automatically are armed.

CAT.OP.MPA.225 Seats, safety belts and restraint systems

(a) *Crew members*

(1) During take-off and landing, and whenever decided by the commander in the interest of safety, each crew member shall be properly secured by all safety belts and restraint systems provided.

(2) During other phases of the flight, each flight crew member in the flight crew compartment shall keep the assigned station safety belt fastened while at his/her station.

(b) *Passengers*

(1) Before take-off and landing, and during taxiing, and whenever deemed necessary in the interest of safety, the commander shall be satisfied that each passenger on board occupies a seat or berth with his/her safety belt or restraint system properly secured.

(2) The operator shall make provisions for multiple occupancy of aircraft seats that is only allowed on specified seats. The commander shall be satisfied that multiple occupancy does not occur other than by one adult and one infant who is properly secured by a supplementary loop belt or other restraint device.

CAT.OP.MPA.230 Securing of passenger compartment and galley(s)

(a) The operator shall establish procedures to ensure that before taxiing, take-off and landing all exits and escape paths are unobstructed.

(b) The commander shall ensure that before take-off and landing, and whenever deemed necessary in the interest of safety, all equipment and baggage are properly secured.

CAT.OP.MPA.235 Life-jackets — helicopters

The operator shall establish procedures to ensure that, when operating a helicopter over water in performance class 3, account is taken of the duration of the flight and conditions to be encountered when deciding if life-jackets are to be worn by all occupants.

CAT.OP.MPA.240 Smoking on board

The commander shall not allow smoking on board:

- (a) whenever considered necessary in the interest of safety;
- (b) during refuelling and defuelling of the aircraft;
- (c) while the aircraft is on the surface unless the operator has determined procedures to mitigate the risks during ground operations;
- (d) outside designated smoking areas, in the aisle(s) and lavatory(ies);
- (e) in cargo compartments and/or other areas where cargo is carried that is not stored in flame-resistant containers or covered by flame-resistant canvas; and
- (f) in those areas of the passenger compartment where oxygen is being supplied.

CAT.OP.MPA.245 Meteorological conditions — all aircraft

(a) On IFR flights the commander shall only:

- (1) commence take-off; or
- (2) continue beyond the point from which a revised ATS flight plan applies in the event of in-flight replanning,

when information is available indicating that the expected weather conditions, at the time of arrival, at the destination and/or required alternate aerodrome(s) are at or above the planning minima.

- (b) On IFR flights, the commander shall only continue towards the planned destination aerodrome when the latest information available indicates that, at the expected time of arrival, the weather conditions at the destination, or at least one destination alternate aerodrome, are at or above the applicable aerodrome operating minima.
- (c) On VFR flights, the commander shall only commence take-off when the appropriate weather reports and/or forecasts indicate that the meteorological conditions along the part of the route to be flown under VFR will, at the appropriate time, be at or above the VFR limits.

CAT.OP.MPA.246 Meteorological conditions — aeroplanes

In addition to CAT.OP.MPA.245, on IFR flights with aeroplanes, the commander shall only continue beyond:

- (a) the decision point when using the reduced contingency fuel (RCF) procedure; or
- (b) the pre-determined point when using the pre-determined point (PDP) procedure,

when information is available indicating that the expected weather conditions, at the time of arrival, at the destination and/or required alternate aerodrome(s) are at or above the applicable aerodrome operating minima.

CAT.OP.MPA.247 Meteorological conditions — helicopters

In addition to CAT.OP.MPA.245:

- (a) On VFR flights overwater out of sight of land with helicopters, the commander shall only commence take-off when the appropriate weather reports and/or forecasts indicate that the cloud ceiling will be above 600 ft by day or 1 200 ft by night.

- (b) Notwithstanding (a), when flying between helidecks located in class G airspace where the overwater sector is less than 10 NM, VFR flights may be conducted when the limits are at, or better than, the following:

Table 1

Minima for flying between helidecks located in class G airspace

	Day		Night	
	Height (*)	Visibility	Height (*)	Visibility
Single-pilot	300 ft	3 km	500 ft	5 km
Two pilots	300 ft	2 km (**)	500 ft	5 km (***)

(*) The cloud base shall be such as to allow flight at the specified height, below and clear of cloud.

(**) Helicopters may be operated in flight visibility down to 800 m provided the destination or an intermediate structure is continuously visible.

(***) Helicopters may be operated in flight visibility down to 1 500 m provided the destination or an intermediate structure is continuously visible.

- (c) Flight with helicopters to a helideck or elevated FATO shall only be operated when the mean wind speed at the helideck or elevated FATO is reported to be less than 60 kt.

CAT.OP.MPA.250 Ice and other contaminants — ground procedures

- (a) The operator shall establish procedures to be followed when ground de-icing and anti-icing and related inspections of the aircraft are necessary to allow the safe operation of the aircraft.
- (b) The commander shall only commence take-off if the aircraft is clear of any deposit that might adversely affect the performance or controllability of the aircraft, except as permitted under (a) and in accordance with the AFM.

CAT.OP.MPA.255 Ice and other contaminants — flight procedures

- (a) The operator shall establish procedures for flights in expected or actual icing conditions.
- (b) The commander shall only commence a flight or intentionally fly into expected or actual icing conditions if the aircraft is certified and equipped to cope with such conditions.
- (c) If icing exceeds the intensity of icing for which the aircraft is certified or if an aircraft not certified for flight in known icing conditions encounters icing, the commander shall exit the icing conditions without delay, by a change of level and/or route, if necessary by declaring an emergency to ATC.

CAT.OP.MPA.260 Fuel and oil supply

The commander shall only commence a flight or continue in the event of in-flight replanning when satisfied that the aircraft carries at least the planned amount of usable fuel and oil to complete the flight safely, taking into account the expected operating conditions.

CAT.OP.MPA.265 Take-off conditions

Before commencing take-off, the commander shall be satisfied that:

- (a) according to the information available to him/her, the weather at the aerodrome or operating site and the condition of the runway or FATO intended to be used would not prevent a safe take-off and departure; and
- (b) established aerodrome operating minima will be complied with.

CAT.OP.MPA.270 Minimum flight altitudes

The commander or the pilot to whom conduct of the flight has been delegated shall not fly below specified minimum altitudes except when:

- (a) necessary for take-off or landing; or
- (b) descending in accordance with procedures approved by the competent authority.

CAT.OP.MPA.275 Simulated abnormal situations in flight

The operator shall ensure that when carrying passengers or cargo the following are not simulated:

- (a) abnormal or emergency situations that require the application of abnormal or emergency procedures; or
- (b) flight in IMC by artificial means.

CAT.OP.MPA.280 In-flight fuel management — aeroplanes

The operator shall establish a procedure to ensure that in-flight fuel checks and fuel management are carried out according to the following criteria.

(a) In-flight fuel checks

- (1) The commander shall ensure that fuel checks are carried out in-flight at regular intervals. The usable remaining fuel shall be recorded and evaluated to:
 - (i) compare actual consumption with planned consumption;
 - (ii) check that the usable remaining fuel is sufficient to complete the flight, in accordance with (b); and
 - (iii) determine the expected usable fuel remaining on arrival at the destination aerodrome.
- (2) The relevant fuel data shall be recorded.

(b) In-flight fuel management

- (1) The flight shall be conducted so that the expected usable fuel remaining on arrival at the destination aerodrome is not less than:
 - (i) the required alternate fuel plus final reserve fuel; or
 - (ii) the final reserve fuel if no alternate aerodrome is required.
- (2) If an in-flight fuel check shows that the expected usable fuel remaining on arrival at the destination aerodrome is less than:
 - (i) the required alternate fuel plus final reserve fuel, the commander shall take into account the traffic and the operational conditions prevailing at the destination aerodrome, at the destination alternate aerodrome and at any other adequate aerodrome in deciding whether to proceed to the destination aerodrome or to divert so as to perform a safe landing with not less than final reserve fuel; or
 - (ii) the final reserve fuel if no alternate aerodrome is required, the commander shall take appropriate action and proceed to an adequate aerodrome so as to perform a safe landing with not less than final reserve fuel.
- (3) The commander shall declare an emergency when the calculated usable fuel on landing, at the nearest adequate aerodrome where a safe landing can be performed, is less than final reserve fuel.
- (4) Additional conditions for specific procedures
 - (i) On a flight using the RCF procedure, to proceed to the destination 1 aerodrome, the commander shall ensure that the usable fuel remaining at the decision point is at least the total of:
 - (A) trip fuel from the decision point to the destination 1 aerodrome;
 - (B) contingency fuel equal to 5 % of trip fuel from the decision point to the destination 1 aerodrome;
 - (C) destination 1 aerodrome alternate fuel, if a destination 1 alternate aerodrome is required; and
 - (D) final reserve fuel.

(ii) On a flight using the PDP procedure to proceed to the destination aerodrome, the commander shall ensure that the usable fuel remaining at the PDP is at least the total of:

- (A) trip fuel from the PDP to the destination aerodrome;
- (B) contingency fuel from the PDP to the destination aerodrome; and
- (C) additional fuel.

CAT.OP.MPA.281 In-flight fuel management — helicopters

- (a) The operator shall establish a procedure to ensure that in-flight fuel checks and fuel management are carried out.
- (b) The commander shall ensure that the amount of usable fuel remaining in flight is not less than the fuel required to proceed to an aerodrome or operating site where a safe landing can be made, with final reserve fuel remaining.
- (c) The commander shall declare an emergency when the actual usable fuel on board is less than final reserve fuel.

CAT.OP.MPA.285 Use of supplemental oxygen

The commander shall ensure that flight crew members engaged in performing duties essential to the safe operation of an aircraft in flight use supplemental oxygen continuously whenever the cabin altitude exceeds 10 000 ft for a period of more than 30 minutes and whenever the cabin altitude exceeds 13 000 ft.

CAT.OP.MPA.290 Ground proximity detection

When undue proximity to the ground is detected by a flight crew member or by a ground proximity warning system, the pilot flying shall take corrective action immediately to establish safe flight conditions.

CAT.OP.MPA.295 Use of airborne collision avoidance system (ACAS)

The operator shall establish operational procedures and training programmes when ACAS is installed and serviceable. When ACAS II is used, such procedures and training shall be in accordance with Commission Regulation (EU) No 1332/2011 ⁽¹⁾.

CAT.OP.MPA.300 Approach and landing conditions

Before commencing an approach to land, the commander shall be satisfied that, according to the information available to him/her, the weather at the aerodrome and the condition of the runway or FATO intended to be used should not prevent a safe approach, landing or missed approach, having regard to the performance information contained in the operations manual.

CAT.OP.MPA.305 Commencement and continuation of approach

- (a) The commander or the pilot to whom conduct of the flight has been delegated may commence an instrument approach regardless of the reported RVR/VIS.
- (b) If the reported RVR/VIS is less than the applicable minimum the approach shall not be continued:
 - (1) below 1 000 ft above the aerodrome; or
 - (2) into the final approach segment in the case where the DA/H or MDA/H is more than 1 000 ft above the aerodrome.
- (c) Where the RVR is not available, RVR values may be derived by converting the reported visibility.
- (d) If, after passing 1 000 ft above the aerodrome, the reported RVR/VIS falls below the applicable minimum, the approach may be continued to DA/H or MDA/H.
- (e) The approach may be continued below DA/H or MDA/H and the landing may be completed provided that the visual reference adequate for the type of approach operation and for the intended runway is established at the DA/H or MDA/H and is maintained.

⁽¹⁾ OJ L 336, 20.12.2011, p. 20.

- (f) The touchdown zone RVR shall always be controlling. If reported and relevant, the midpoint and stopend RVR shall also be controlling. The minimum RVR value for the midpoint shall be 125 m or the RVR required for the touchdown zone if less, and 75 m for the stopend. For aircraft equipped with a rollout guidance or control system, the minimum RVR value for the midpoint shall be 75 m.

CAT.OP.MPA.310 Operating procedures — threshold crossing height — aeroplanes

The operator shall establish operational procedures designed to ensure that an aeroplane conducting precision approaches crosses the threshold of the runway by a safe margin, with the aeroplane in the landing configuration and attitude.

CAT.OP.MPA.315 Flight hours reporting — helicopters

The operator shall make available to the competent authority the hours flown for each helicopter operated during the previous calendar year.

CAT.OP.MPA.320 Aircraft categories

- (a) Aircraft categories shall be based on the indicated airspeed at threshold (V_{AT}) which is equal to the stalling speed (V_{SO}) multiplied by 1,3 or one-g (gravity) stall speed (V_{S1g}) multiplied by 1,23 in the landing configuration at the maximum certified landing mass. If both V_{SO} and V_{S1g} are available, the higher resulting V_{AT} shall be used.
- (b) The aircraft categories specified in the table below shall be used.

Table 1

Aircraft categories corresponding to V_{AT} values

Aircraft category	V_{AT}
A	Less than 91 kt
B	From 91 to 120 kt
C	From 121 to 140 kt
D	From 141 to 165 kt
E	From 166 to 210 kt

- (c) The landing configuration that is to be taken into consideration shall be specified in the operations manual.
- (d) The operator may apply a lower landing mass for determining the V_{AT} if approved by the competent authority. Such a lower landing mass shall be a permanent value, independent of the changing conditions of day-to-day operations.

SUBPART C

AIRCRAFT PERFORMANCE AND OPERATING LIMITATIONS

SECTION 1

Aeroplanes

CHAPTER 1

General requirements

CAT.POLA.100 Performance classes

- (a) The aeroplane shall be operated in accordance with the applicable performance class requirements.
- (b) Where full compliance with the applicable requirements of this Section cannot be shown due to specific design characteristics, the operator shall apply approved performance standards that ensure a level of safety equivalent to that of the appropriate chapter.

CAT.POLA.105 General

- (a) The mass of the aeroplane:
- (1) at the start of the take-off; or
 - (2) in the event of in-flight replanning, at the point from which the revised operational flight plan applies,