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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

**Notice concerning the entry into force of the Surrender Agreement between the European Union,
Iceland and Norway**

The Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway ⁽¹⁾, signed in Vienna on 28 June 2006, shall, pursuant to its Article 38(4), enter into force on 1 November 2019.

⁽¹⁾ OJ L 292, 21.10.2006, p. 2.

DECISIONS

DECISION (EU, Euratom) 2019/1388 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

of 4 September 2019

appointing a Judge to the General Court

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 254 and 255 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Whereas:

- (1) Article 48 of Protocol No 3 on the Statute of the Court of Justice of the European Union, as amended by Regulation (EU, Euratom) 2015/2422 of the European Parliament and of the Council ⁽¹⁾, provides that the General Court is to consist of two Judges per Member State as from 1 September 2019.
- (2) Point (c) of Article 2 of that Regulation provides that the term of office of four Judges, of the additional nine Judges to be appointed as from 1 September 2019, ends on 31 August 2022.
- (3) Mr Gerhard HESSE has been nominated for the post of additional Judge of the General Court.
- (4) The panel set up under Article 255 of the Treaty on the Functioning of the European Union has given an opinion on the suitability of Mr Gerhard HESSE to perform the duties of Judge of the General Court.
- (5) Mr Gerhard HESSE should be appointed to the post of additional Judge of the General Court,

HAVE ADOPTED THIS DECISION:

Article 1

Mr Gerhard HESSE is hereby appointed Judge of the General Court for the period from the date of entry into force of this Decision to 31 August 2022.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 4 September 2019.

The President
M. RISLAKKI

⁽¹⁾ Regulation (EU, Euratom) 2015/2422 of the European Parliament and of the Council of 16 December 2015 amending Protocol No 3 on the Statute of the Court of Justice of the European Union (OJ L 341, 24.12.2015, p. 14).

COMMISSION IMPLEMENTING DECISION (EU) 2019/1389**of 4 September 2019****authorising derogations from Regulation (EU) No 1307/2013 of the European Parliament and of the Council and from Commission Delegated Regulation (EU) No 639/2014 as regards the implementation of certain conditions relating to the greening payment for claim year 2019 in Belgium, Spain, France, Lithuania, Poland and Portugal***(notified under document C(2019) 6438)***(Only the Dutch, French, Lithuanian, Polish, Portuguese and Spanish, texts are authentic)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 ⁽¹⁾, and in particular Article 69(1) thereof,

Whereas:

- (1) Chapter 3 of Title III of Regulation (EU) No 1307/2013 provides for a payment for agricultural practices beneficial for the climate and the environment ('greening payment'). Those practices include crop diversification and ecological focus areas. Further rules on those practices are laid down in Chapter 3 of Commission Delegated Regulation (EU) No 639/2014 ⁽²⁾.
- (2) Pursuant to Article 44(4) of Regulation (EU) No 1307/2013, for the purposes of crop diversification, land lying fallow is counted as a different crop from grasses or other herbaceous forage. This implies that land that has been grazed or harvested for production purposes cannot be counted as land lying fallow.
- (3) Pursuant to Article 45(2) of Delegated Regulation (EU) No 639/2014, land lying fallow may be qualified as ecological focus area for the purposes of point (a) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013 provided that there is no agricultural production on it.
- (4) Pursuant to Article 45(9) of Delegated Regulation (EU) No 639/2014, areas under catch crops or green cover may be qualified as ecological focus area for the purposes of Article 46 of Regulation (EU) No 1307/2013 on the condition that they were established by sowing a mixture of crop species and provided that the conditions set in Article 46 of Regulation (EU) No 1307/2013 are met. Member States are to set up the list of mixtures of crop species to be used and fix the period at national, regional, sub-regional or farm level during which areas under catch crops or green cover declared as ecological focus areas have to be in place. That period shall not be less than eight weeks. In addition, areas under catch crops or green cover shall not include areas under winter crops which are sown in autumn normally for harvesting or for grazing.
- (5) Belgium, Spain, France, Lithuania, Poland and Portugal have decided that areas under land lying fallow meeting the criteria laid down in Article 45(2) of Delegated Regulation (EU) No 639/2014 and areas under catch crop or green cover complying with Article 45(9) of that Regulation may be considered to be ecological focus areas in accordance with points (a) and (i) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013.
- (6) Belgium, Spain, France, Lithuania, Poland and Portugal informed the Commission that the severe drought they had experienced in spring and summer had cumulative effects to the detriment of agricultural activity, putting pressure on the yields of vegetation used for animal feed, especially grasslands and pastures.
- (7) The severe drought made the livestock sectors run low on fodder and prevented them from stocking reserves. Those developments raised concerns, in particular due to increasing costs as a result of the shortage of production, putting at risk the viability of the holdings concerned.

⁽¹⁾ OJ L 347, 20.12.2013, p. 608.

⁽²⁾ Commission Delegated Regulation (EU) No 639/2014 of 11 March 2014 supplementing Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and amending Annex X to that Regulation (OJ L 181, 20.6.2014, p. 1).

- (8) In order to allow farmers on the affected areas to make use as much as possible, of their available areas for the purpose of feeding animals, Belgium, Spain, France, Lithuania, Poland and Portugal have requested to be authorised to derogate from certain conditions relating to the greening payment as regards land lying fallow which has been declared to meet the crop diversification or ecological focus area requirements in accordance with Article 44(4) and point (a) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013, respectively.
- (9) For the same reasons, Belgium, France, Lithuania and Poland have requested to be authorised to derogate from certain conditions relating to the greening payment as regards areas under catch crops or green cover which have been declared to meet the ecological focus area requirements in accordance with point (i) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013.
- (10) Besides, some farmers in France, Lithuania and Poland were not able to sow catch crops or green cover in the right time due to the extreme weather conditions that made the soil condition unsuitable to preparatory work. Consequently, without shortening the duration of the period during which areas with catch crops have to be in place, implementing their crop plan will be difficult, in particular where they subsequently plan to sow a winter crop. Having passed this optimum time, farmers risk being obliged to sow winter crops in bad conditions, thus jeopardising the future yield of the crops concerned.
- (11) In view of the severity of the drought in 2019 in the areas affected and its consequences, it is appropriate to provide for derogations from Article 44(4) of Regulation (EU) No 1307/2013 as regards land laying fallow for the purpose of crop diversification, from Article 45(2) of Delegated Regulation (EU) No 639/2014 as regards land laying fallow for the qualification as ecological focus areas pursuant to point (a) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013, and from Article 45(9) of Delegated Regulation (EU) No 639/2014 as regards areas under catch crops or green cover for the qualification as ecological focus areas pursuant to point (i) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013.
- (12) However, in order to comply with the requirements set out in Article 69(1) of Regulation (EU) No 1307/2013, this Decision should only provide for derogations to the crop diversification and ecological focus area obligations to the extent and for such a period as is strictly necessary. For that reason, the derogations provided for in this Decision should be applicable to farmers established in areas formally recognised by the competent authorities of the Member States concerned as having been affected by that drought, resulting in a significant shortage of fodder resources. Further conditions should also be laid down to target the derogation.
- (13) Taking into account the availability of other instruments and the specific characteristics of the affected areas, including existing farming systems and land use, Belgium, Spain, France, Lithuania, Poland and Portugal should have the possibility to decide which of these derogations apply in the areas affected and to which extent, provided the conditions laid down in this Decision are complied with. When deciding on the application of the derogations in the affected areas, those Member States should take due account of the objectives of the agricultural practices beneficial for the climate and the environment and, in particular, the need for sufficient protection of soil quality and quality of natural resources and biodiversity, especially during the most sensitive periods for flowering and nesting birds.
- (14) In order to ensure that the derogations authorised by this Decision are effective, Belgium, Spain, France, Lithuania, Poland and Portugal should take their decisions within 14 days after the date of notification of this Decision, and should notify the Commission of their decisions within 7 days after the date on which that decision was taken.
- (15) In order to enable the Commission to monitor the correct application of the relevant rules and the impact of the derogations, Belgium, Spain, France, Lithuania, Poland and Portugal should provide information on the number of hectares covered with a view to assessing the impact of the derogations on the environmental objectives of crop diversification and ecological focus areas established by Regulation (EU) No 1307/2013. That information should be made available to the Commission by 15 December 2019 using the existing management instruments. By the same date Belgium, Spain, France, Lithuania, Poland and Portugal should provide the Commission with an assessment of the impact of the derogation on the environment, biodiversity and climate objectives linked to ecological focus areas, catch crops and crop diversification, and where appropriate with a description of the measures to mitigate any identified negative impact.
- (16) The measures provided for in this Decision are in accordance with the opinion of the Committee for Direct Payments,

HAS ADOPTED THIS DECISION:

Article 1

Scope of the derogations

1. By way of derogation from Article 44(4) of Regulation (EU) No 1307/2013, for claim year 2019 Belgium, Spain, France, Lithuania, Poland and Portugal may decide that land lying fallow is considered as a distinct crop even though such land has been grazed or harvested for production purposes.
2. By way of derogation from Article 45(2) of Delegated Regulation (EU) No 639/2014, for claim year 2019 Belgium, Spain, France, Lithuania, Poland and Portugal may decide that land lying fallow is considered as ecological focus area pursuant to point (a) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013 even though such land has been grazed or harvested for production purposes.
3. By way of derogation from Article 45(9) of Delegated Regulation (EU) No 639/2014, for claim year 2019 Belgium, France, Lithuania and Poland may decide any of the following for the qualification as ecological focus areas in accordance with point (i) of the first subparagraph of Article 46(2) of Regulation (EU) No 1307/2013:
 - (a) that areas under catch crops or green cover may be established without sowing a mixture of crop species, provided the crops sown are grasses or other herbaceous forage;
 - (b) that areas under catch crops or green cover may include areas under winter crops which are sown in autumn normally for harvesting for forage or for grazing.
4. By way of derogation from the second subparagraph of Article 45(9) of Delegated Regulation (EU) No 639/2014, for claim year 2019 France, Lithuania and Poland may shorten the minimum mandatory period during which areas under catch crops or green cover have to be in place as set in that provision, provided a winter crop is sown afterwards.

Article 2

Areas concerned by the derogations

The decisions referred to in Article 1 shall apply only to areas where the affected livestock is located or in the case of Article 1(4) where the soil condition was made unsuitable for preparatory work before sowing at the relevant time therefore preventing compliance with Article 45(9) of Delegated Regulation (EU) No 639/2014, and which are formally recognised by the competent authorities of Belgium, Spain, France, Lithuania, Poland and Portugal as having been affected in 2019 by the severe drought.

Article 3

Time limit

The decisions referred to in Article 1 shall be taken within 14 days after the date of notification of this Decision.

Article 4

Notification

1. Within 7 days after the date on which the decisions referred to in Article 1 were taken, Belgium, Spain, France, Lithuania, Poland and Portugal shall notify the Commission of:
 - (a) the areas formally recognised by their competent authorities as having been affected in 2019 by the severe drought;
 - (b) the decisions taken pursuant to Article 1, including the nature of the derogations applied at NUTS 3 level and the justification for using the derogations in the areas concerned.
2. By 15 December 2019 at the latest, Belgium, Spain, France, Lithuania, Poland and Portugal shall notify the Commission of the number of holdings which used the derogations provided for in Article 1 and the number of hectares where the derogations provided for in Article 1 have been applied. That information shall be provided at NUTS 3 level. By the same date Belgium, Spain, France, Lithuania, Poland and Portugal shall provide the Commission with an assessment of the impact of the derogation on the environment, biodiversity and climate objectives linked to ecological focus areas, catch crops and crop diversification, and where appropriate with a description of the measures to mitigate any identified negative impact.

*Article 5***Addressees**

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Spain, the French Republic, the Republic of Lithuania, the Republic of Poland and the Portuguese Republic.

Done at Brussels, 4 September 2019.

For the Commission

Phil HOGAN

Member of the Commission

CORRIGENDA**Corrigendum to Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and alleviations for general aviation aircraft concerning maintenance and continuing airworthiness management**

(Official Journal of the European Union L 228 of 4 September 2019)

On page 2, Articles 1 and 2 are replaced as follows:

‘Article 1

Regulation (EU) No 1321/2014 is amended as follows:

- (1) Article 3 is replaced by the following:

“Article 3

Continuing airworthiness requirements

1. The continuing airworthiness of aircraft referred to in point (a) of Article 1 and components for installation thereon shall be ensured in accordance with the requirements of Annex I (Part-M), except for aircraft listed in the first subparagraph of paragraph 2 to which the requirements of Annex Vb (Part-ML) shall apply.

2. The requirements of Annex Vb (Part-ML) shall apply to the following other than complex motor-powered aircraft:

- (a) aeroplanes of 2 730 kg maximum take-off mass or less;
- (b) rotorcraft of 1 200 kg maximum take-off mass or less, certified for a maximum of up to 4 occupants;
- (c) other ELA2 aircraft.

Where aircraft referred to points (a), (b) and (c) of the first subparagraph is listed in the air operator certificate of an air carrier licensed in accordance with Regulation (EC) No 1008/2008, the requirements of Annex I (Part-M) shall apply.

3. In order to be listed in the air operator certificate of an air carrier licensed in accordance with Regulation (EC) No 1008/2008, aircraft referred to in points (a), (b) and (c) of the first subparagraph of paragraph 2 shall comply with all of the following requirements:

- (a) its aircraft maintenance programme has been approved by the competent authority in accordance with point M.A.302 of Annex I (Part-M);
- (b) due maintenance required by the maintenance programme referred to in point (a) has been performed and certified in accordance with point 145.A.48 and 145.A.50 of Annex II (Part-145);
- (c) an airworthiness review has been performed and a new airworthiness review certificate has been issued in accordance with point M.A.901 of Annex I (Part-M).

4. By way of derogation from paragraph 1 of this Article, the continuing airworthiness of aircraft referred to in point (a) of Article 1, for which a permit to fly has been issued, shall be ensured on the basis of the specific continuing airworthiness arrangements defined in the permit to fly issued in accordance with Annex I (Part-21) to Commission Regulation (EU) No 748/2012 (*).

5. Aircraft maintenance programmes for aircraft referred to in point (a) of Article 1 that comply with the requirements specified in point M.A.302 of Annex I (Part-M) applicable before 24 September 2019 shall be deemed to comply with the requirements specified in point M.A.302 of Annex I (Part-M) or point M.L.A.302 of Annex Vb (Part-ML), as applicable, in accordance with paragraphs 1 and 2.

6. Operators shall ensure the continuing airworthiness of aircraft referred to in point (b) of Article 1 and components for installation thereon in accordance with the requirements of Annex Va (Part-T).

7. The continuing airworthiness of aeroplanes with a maximum certificated take-off mass at or below 5 700 kg which are equipped with multiple turboprop engines shall be ensured in accordance with the requirements applicable to other than complex motor-powered aircraft as set out in points M.A.201, M.A.301, M.A.302, M.A.601 and M.A.803 of Annex I (Part-M), point 145.A.30 of Annex II (Part-145), points 66.A.5, 66.A.30, 66.A.70, Appendix V and VI of Annex III (Part-66), point CAMO.A.315 of Annex Vc (Part-CAMO), point CAO.A.010 and Appendix I of Annex Vd (Part-CAO) to the extent that they apply to other than complex motor-powered aircraft.

(*) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).”;

(2) Article 4 is replaced by the following:

“Article 4

Approvals for organisations involved in the continuing airworthiness

1. Organisations involved in the continuing airworthiness of aircraft and components for installation thereon, including maintenance, shall be approved, upon their request, by the competent authority in accordance with the requirements of Annex II (Part-145), Annex Vc (Part-CAMO) or Annex Vd (Part-CAO), as applicable to the respective organisations.

2. By way of derogation from paragraph 1, until 24 September 2020 organisations may, upon their request, be issued approvals by the competent authority in accordance with the requirements of Subpart F and Subpart G of Annex I (Part-M). Those approvals shall be valid until 24 September 2021.

3. Maintenance approvals issued or recognised by a Member State in accordance with the certification specification JAR-145 referred to in Annex II to Council Regulation (EEC) No 3922/91 (*) and valid before 29 November 2003 shall be deemed to have been issued in accordance with the requirements of Annex II (Part-145) to this Regulation.

4. Organisations that hold a valid approval issued in accordance with Subpart F or Subpart G of Annex I (Part-M) or with Annex II (Part-145) shall, upon their request, be issued by the competent authority a Form 3-CAO as set out in Appendix 1 to Annex Vd (Part-CAO).

The privileges of such an organisation under the approval issued in accordance with Annex Vd (Part-CAO) shall be the same as privileges under the approval issued in accordance with Subpart F or Subpart G of Annex I (Part-M) or with Annex II (Part-145). However, those privileges shall not exceed the privileges of an organisation referred to in Section A of Annex Vd (Part-CAO).

The organisation may correct any findings of non-compliance with Annex Vd (Part-CAO) until 24 September 2021. If after that date the findings are not corrected, the approval shall be revoked.

Until the organisation complies with Annex Vd (Part-CAO) or until 24 September 2021, whichever of the two comes first, it shall be certified and overseen in accordance with Subpart F or Subpart G of Annex I (Part-M) or Annex II (Part-145), as applicable.

5. Valid approvals of continuing airworthiness management organisations issued in accordance with Subpart G of Annex I (Part-M) shall be deemed to have been issued in accordance with Annex Vc (Part-CAMO).

The organisation may correct any findings of non-compliance with Annex Vc (Part-CAMO) until 24 September 2021.

If the organisation corrects the findings by that date, the competent authority shall issue a new Form 14 approval certificate in accordance with Annex Vc (Part-CAMO). If after that date the findings are not corrected, the approval shall be revoked.

Until the organisation complies with Annex Vc (Part-CAMO) or 24 September 2021, whichever of the two comes first, it shall be certified and oversight in accordance with Subpart G of Annex I (Part-M).

6. Certificates of release to service and authorised release certificates issued before 28 October 2008 by a maintenance organisation approved in accordance with the requirements laid down in the national law of the Member State where the organisation is established, to other than complex motor-powered aircraft not involved in commercial air transport, including any component for installation thereto, shall be deemed to have been issued in accordance with points M.A.801, M.A.802 of Annex I (Part-M) and point 145.A.50 of Annex II (Part-145).

(*) Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation (OJ L 373, 31.12.1991, p. 4).”;

(3) in Article 5, paragraph 1 is replaced by the following:

“1. Certifying staff shall be qualified in accordance with the requirements of Annex III (Part-66), except as provided for in points M.A.606(h), M.A.607(b), M.A.801(d) and M.A.803 of Annex I (Part-M), in points ML.A.801(c) and ML.A.803 of Annex Vb (Part-ML), in points CAO.A.035(d) and CAO.A.040(b) of Annex Vd (Part-CAO) and in points 145.A.30(j) of and Appendix IV to Annex II (Part-145).”;

(4) the following Article 7a is inserted:

“Article 7a

Competent authorities

1. Where a Member State designates more than one entity as competent authority with the necessary powers and allocated responsibilities for the certification and oversight of persons and organisations subject to this Regulation, the following requirements shall be complied with:

- (a) the areas of competence of each competent authority shall be clearly defined, in particular in terms of responsibilities and geographic limitations;
- (b) coordination shall be established between those authorities in order to ensure effective certification and oversight of all organisations and persons subject to this Regulation within their respective remits.

2. Member States shall ensure that the personnel of their competent authorities do not perform certification and oversight activities when there are indications that this could result, directly or indirectly, in a conflict of interest, in particular when relating to family or financial interest.

3. Where necessary to carry out certification or oversight tasks under this Regulation, the competent authorities shall be empowered to:

- (a) examine the records, data, procedures, and any other material relevant to the execution of the certification and/or oversight tasks;
- (b) make copies or extracts from such records, data, procedures and other material;
- (c) ask for an oral explanation on-site from any of the personnel of those organisations;
- (d) enter relevant premises, operating sites or means of transport owned or used by those persons;
- (e) perform audits, investigations, assessments, inspections, including unannounced inspections, in respect of those organisations;
- (f) take or initiate enforcement measures as appropriate.

4. The powers referred to in paragraph 3 shall be exercised in compliance with the legal provisions of the relevant Member State.”;

(5) Article 9 is deleted;

(6) Annex I is amended in accordance with Annex I to this Regulation;

(7) Annex II is amended in accordance with Annex II to this Regulation;

(8) Annex III is amended in accordance with Annex III to this Regulation;

(9) Annex IV is amended in accordance with Annex IV to this Regulation;

- (10) Annex Va is amended in accordance with Annex V to this Regulation;
- (11) the text set out in Annex VI to this Regulation is inserted as Annex Vb;
- (12) the text set out in Annex VII to this Regulation is inserted as Annex Vc;
- (13) the text set out in Annex VIII to this Regulation is inserted as Annex Vd.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 24 March 2020.'

Corrigendum to Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 amending Regulations (EU) No 965/2012 and (EU) No 1321/2014 as regards the use of aircraft listed on an air operator certificate for non-commercial operations and specialised operations, the establishment of operational requirements for the conduct of maintenance check flights, the establishment of rules on non-commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements

(Official Journal of the European Union L 228 of 4 September 2019)

On page 108, Article 1(3):

for: '(3) the following Article 9aa is inserted:

"Article 9aa

Flight crew requirements for maintenance check flights

A pilot having acted, before 20 August 2019, as a pilot-in-command on a maintenance check flight that in accordance with the definition in point SPO.SPEC.MCF.100 in Annex VIII is categorised as a Level A maintenance check flight, shall be given credit for the purpose of complying with point SPO.SPEC.MCF.115(a)(1) of that Annex. In that case, the operator shall ensure that the pilot-in-command receives a briefing on any differences identified between the operating practices established before 20 August 2019 and the obligations provided in Sections 5 and 6 of Subpart E of Annex VII to this Regulation including those derived from the related procedures established by the operator.";

read: '(3) the following Article 9aa is inserted:

"Article 9aa

Flight crew requirements for maintenance check flights

A pilot having acted, before 24 September 2019, as a pilot-in-command on a maintenance check flight that in accordance with the definition in point SPO.SPEC.MCF.100 in Annex VIII is categorised as a Level A maintenance check flight, shall be given credit for the purpose of complying with point SPO.SPEC.MCF.115(a)(1) of that Annex. In that case, the operator shall ensure that the pilot-in-command receives a briefing on any differences identified between the operating practices established before 24 September 2019 and the obligations provided in Sections 5 and 6 of Subpart E of Annex VII to this Regulation including those derived from the related procedures established by the operator.";

