



# Notice of Proposed Amendment 2024-04 (A)

in accordance with Article 6 of MB Decision 01-2022

## Regular update of Commission Regulation (EU) No 748/2012 and the associated acceptable means of compliance and guidance material

RMT.0031 — SUBTASK 3

### EXECUTIVE SUMMARY

This Notice of Proposed Amendment (NPA) proposes to amend Commission Regulation (EU) No 748/2012 (the Initial Airworthiness Regulation) and the associated acceptable means of compliance (AMC) and guidance material (GM) in order to address miscellaneous issues of a non-controversial nature.

The objective is to ensure that the Initial Airworthiness Regulation and the associated AMC and GM are fit for purpose, are cost-effective, and can be implemented. To achieve this, the following main actions are proposed in this NPA:

- amend the articles of the Initial Airworthiness Regulation to match the current situation of grandfathering and transitional measures and to correct cross references to the points in Annex I (Part 21);
- clarify the competence requirements for pilots performing operational suitability data flight tests in Annex I (Part 21);
- clarify the reporting obligations for production organisation approval holders in Annex I (Part 21);
- introduce recommendations made by the International Authorities Working Group on point 21.A.101;
- correct typographical errors and cross references in Annex I (Part 21) and in the AMC and GM;
- resolve certain recurrent implementation issues by improving the text of the AMC and GM to Annex I (Part 21);
- align the AMC and GM to Annex I (Part 21) with the current industry practices and standards.

The proposed regulatory material is expected to increase the efficiency of implementing Annex I (Part 21) and ensure alignment with the current industry practices.

NPA 2024-04 is divided into four parts. This document, NPA 2024-04 (A), includes the background information pertaining to the regulatory proposal.

### REGULATION TO BE AMENDED

[Commission Regulation \(EU\) No 748/2012 \(IAW\)](#)

### ED DECISIONS TO BE AMENDED

ED Decision 2012/020/R – AMC/GM to Part 21, Issue 2

### AFFECTED STAKEHOLDERS

Design and production organisations; Member States' competent authorities; EASA

### WORKING METHOD(S)

#### Development

By EASA

#### Impact assessment(s)

Light

#### Consultation

NPA — Public

**Related documents/information:** [ToR RMT.0031 Issue 2](#), 22 February 2023

**PLANNING MILESTONES:** Refer to the latest edition of Volume II of the European Plan for Aviation Safety (EPAS).



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## 1. About this NPA

### 1.1. How this regulatory material was developed

The European Union Aviation Safety Agency (EASA) identified a set of issues (as described in Section 2) and, after having assessed the impacts of the possible intervention actions, identified rulemaking as the necessary intervention action.

This rulemaking activity is included in the 2024 edition of Volume II of the European Plan for Aviation Safety (EPAS)<sup>1</sup> under Rulemaking Task (RMT).0031.

EASA developed the regulatory material in question in line with Regulation (EU) 2018/1139<sup>2</sup> (the Basic Regulation) and the Rulemaking Procedure<sup>3</sup>, and in accordance with the objectives and working methods described in the Terms of Reference (ToR) for this rulemaking task<sup>4</sup>.

### 1.2. How to comment on this NPA

The draft regulatory material is hereby presented for public consultation.

Please submit your comments using **solely** the dedicated **Comment-Response Tool (CRT)** available at <http://hub.easa.europa.eu/crt/><sup>5</sup>.

To facilitate the collection of comments and technically support their subsequent review by EASA in an efficient, controlled and structured manner, stakeholders are kindly requested to submit their comments to the **relevant predefined segments** of the NPA within the CRT, and to refrain from submitting specific comments or all their comments to the 'General Comments' segment.

Furthermore, once all comments are placed in the relevant predefined segments, there is no need to submit them (as a PDF attachment) to the 'General Comments' segment.

The deadline for the submission of comments is **30 July 2024**.

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<sup>1</sup> [European Plan for Aviation Safety \(EPAS\) 2024 - 13th edition | EASA \(europa.eu\)](#)

<sup>2</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

<sup>3</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'rulemaking procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('rulemaking procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

<sup>4</sup> ToR RMT.0031 'Regular update of the Initial Airworthiness Regulation and associated AMC and GM' Issue 2 (<https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0031>).

<sup>5</sup> In the event of technical problems, please send an email with a short description to [crt@easa.europa.eu](mailto:crt@easa.europa.eu).



### 1.3. Next steps

Following the consultation on the draft regulatory material, EASA will review all the comments received and will duly consider them in the subsequent phases of this rulemaking activity.

Considering the above, EASA may issue an opinion proposing amendments to Commission Regulation (EU) No 748/2012<sup>6</sup>. The opinion will be submitted to the European Commission, which shall consider its content and decide whether to issue amendments to that Regulation.

In addition, EASA may issue a decision setting out the AMC and GM.

When issuing the opinion and the decision, EASA will also provide feedback to the commenters and information to the public on who engaged in the process and/or provided comments during the consultation on the draft regulatory material, which comments were received, how such engagement and/or consultation was used in rulemaking and how the comments were considered.

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<sup>6</sup> 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 (recast) (OJ L 224, 21.8.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0748&qid=1707392133954>).



## 2. In summary — why and what

### 2.1. Why we need to act — issue/rationale

The adoption of Regulation (EU) 2018/1139 (the Basic Regulation) and the adoption of several other regulations amending Commission Regulation (EU) No 748/2012 have introduced certain inconsistencies in the articles of Commission Regulation (EU) No 748/2012 regarding transition and grandfathering measures and in cross references to its Annex I (Part 21).

The stakeholders and EASA have also identified the following gaps and errors in Annex I (Part 21), for example:

- the reporting obligations for production organisations are incorrect (i.e. they wrongly state that production organisations report also to the Agency);
- clear competence requirements for pilots performing operational suitability data (OSD) flight tests are lacking.

In addition, the industry standards and practices have evolved and the design and production organisations may benefit from the recognition of current standards/practices as acceptable means of compliance with Annex I (Part 21).

Moreover, the experience accumulated during product certification projects and design/production organisation approvals and oversight has highlighted recurrent issues that may impact the efficient management of such projects.

Finally, there is a need to correct typographical errors and incorrect cross references that may affect the clarity of the regulatory material in Annex I (Part 21) and its AMC and GM.

A detailed description of the identified issues is provided in the following section.

#### 2.1.1. Description of the issues

##### Issues in the articles (enacting terms) of Commission Regulation (EU) No 748/2012

###### Issue 1: Article 4 — outdated cross references

After the issuance of Commission Regulation (EU) No 748/2012, Commission Delegated Regulation (EU) 2019/897 has amended point 21.A.113(b) of Annex I (Part 21) and has added point 21.A.113(c)<sup>7</sup>. Consequently, the cross reference in Article 4(2)(b) is now incomplete.

In addition, the cross reference in Article 4(2)(d) to point 21.A.115(a) of Annex I (Part 21) is no longer appropriate, as the content of this point was changed with Commission Regulation (EU) No 748/2012.

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<sup>7</sup> Commission Delegated Regulation (EU) 2019/897 of 12 March 2019 amending Regulation (EU) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection (OJ L 144, 3.6.2019, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R0897&qid=1707310174775>).



**Issue 2: Article 7a — outdated cross references and transitional measures**

Commission Regulation (EU) No 69/2014<sup>8</sup> amended Commission Regulation (EU) No 748/2012 to introduce new requirements on OSD. Article 7a was inserted to include grandfathering and transitional measures for a smooth implementation of the new requirements.

Commission Delegated Regulation (EU) 2019/897 reorganised the provisions in Annex I (Part 21) to Commission Regulation (EU) No 748/2012 in such a manner that Section A sets out the requirements applicable only to the applicants for, and holders of, any certificate issued or to be issued in accordance with that Annex and that Section B sets out the requirements applicable only to the competent authorities, including EASA. Point 21.A.21(e), referenced in Article 7a and related to type-certificate (TC) entitlement when the applicant has demonstrated compliance with the applicable OSD certification basis, was rearranged to be partially in point 21.A.21 (demonstration of compliance) and partially in point 21.B.103 (issuance of the TC). In addition, the OSD certification basis was moved from point 21.A.17B to point 21.B.82. However, Article 7a was not updated accordingly.

**Issue 3: Article 9 — outdated cross references**

Commission Delegated Regulation (EU) 2023/1028<sup>9</sup> has fully replaced Article 9 of Commission Regulation (EU) No 748/2012, which has been inadvertently modified by Commission Delegated Regulation (EU) 2022/1358. However, the provisions in the current Article 9(8) have not been updated to correctly cross-refer to the relevant paragraphs of this Article.

**Issues in Annex I (Part 21) to Commission Regulation (EU) No 748/2012****Issue 4: outdated references to Regulation (EU) 2018/1139 (the Basic Regulation)**

Following the adoption of the Basic Regulation, several cross references included in Annex I (Part 21) are no longer valid.

**Issue 5: point 21.A.3A(b)(3) — inconsistent reporting obligations for production organisations**

The reporting obligations for production organisations wrongly included a reporting line to EASA, in addition to the reporting line to the competent authority. Production organisations are required to report only to the competent authority identified in accordance with point 21.1.

**Issue 6: point 21.A.5(d) — typographical error in cross references**

Point 21.A.5(d) contains record-keeping requirements for staff records (for approved production and design organisations). For approved production organisations, the relevant requirements for staff nomination are included in points 21.A.139(c), 21.A.145(c) and 21.A.145(d). Point 21.A.5(d) wrongly refers to point 21.A.145(b).

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<sup>8</sup> Commission Regulation (EU) No 69/2014 of 27 January 2014 amending Regulation (EU) No 748/2012 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 23, 28.1.2014, p. 12) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0069&qid=1707391747451>).

<sup>9</sup> Commission Delegated Regulation (EU) 2023/1028 of 20 March 2023 amending Regulation (EU) No 748/2012 as regards the definition of complex motor-powered aircraft and correcting that Regulation (OJ L 139, 26.5.2023, p. 10) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R1028&qid=1707394522157>).



**Issue 7: point 21.A.15(d) — deletion of provisions for a separate operational suitability data (OSD) application**

Point 21.A.15(d) was first introduced with Commission Regulation (EU) No 69/2014. The provision ‘or be supplemented with, after the initial application’ provided the possibility of applying for the approval of OSD separately from the type design approval. This possibility no longer exists, as the EASA application process no longer allows a separate application for OSD approval.

With Commission Delegated Regulation (EU) 2019/897, the provision related to the application for OSD approval as part of the TC or RTC was moved to point 21.A.15(b)(4) to refer to the OSD certification basis. However, the provision for a separate OSD application was kept in point 21.A.15(d), thereby contradicting the certification process.

**Issue 8: obsolete requirements to return a certificate**

Annex I (Part 21) includes several requirements for the certificate holders to return the relevant certificates when these certificates have been surrendered or revoked (see points 21.A.51, 21.A.118B, 21.A.125C, 21.A.159, 21.A.181, 21.A.211, 21.A.259, 21.A.619 and 21.A.723). In current practice, in which most of the certificates are issued electronically, the requirement to return a certificate is obsolete.

In addition, such requirements are not harmonised with the similar requirements of EASA’s bilateral partners.

*Note:* The above considerations are valid for product and organisation approval certificates issued by EASA. The situation might be different when referring to individual aircraft certificates: airworthiness certificate, noise certificate and permit to fly. Such certificates must be carried on board the aircraft, as required by the EU Air Operations rules. However, the rules do not prescribe a specific format for these documents, which means that electronic/digital documents are fully acceptable. Nevertheless, it is recognised that each Member State competent authority may have different administrative requirements and processes for the issuance of such certificates. Consequently, the option to request the return of the certificate should remain available.

Please also refer to the guidance for EASA Member States on the [Carriage of electronic documents on board aircraft](#).

**Issue 9: point 21.A.101 — improvement of regulatory provisions**

Following the tragic accidents of Boeing 737 MAX aircraft, the US Federal Aviation Administration (FAA) has been required to revise and improve the policy and standards related to the amended TC process — the so-called changed product rule.

The changed product rule has significant importance not only for those authorities that are States of design, but also for those authorities that have a substantial stake in the validation of the products and those that engage in the application of their own design changes. In an effort to reduce multiple international certification approaches, it is imperative that authorities work collectively to harmonise their respective rules and associated guidance. Therefore, the FAA established the Changed Product Rule International Authorities Working Group (IAWG), consisting of civil aviation authorities engaged in the certification and validation of aviation products. Participating authorities include the FAA, EASA,



Transport Canada Civil Aviation, the National Civil Aviation Agency of Brazil, the Civil Aviation Administration of China and the Japan Civil Aviation Bureau.

In September 2022, the report of the IAWG was published by the FAA. The report contains several recommendations for requirement changes that provide clarification and are consistent with current practices:

- recommendation 1BR3: structuring rule language to be consistent with current practice;
- recommendation 1BR5: adequate certification basis;
- recommendation 1BR6: significant change criteria.

All participating authorities in the IAWG were supportive of these proposals. EASA considers these proposals non-controversial and is using this NPA as an opportunity to put these proposals forward for public consultation.

#### **Issue 10: point 21.A.101 — clarification of requirements relevant to supplemental type-certificate (STC) applicants under point (h)**

Commission Delegated Regulation (EU) 2021/699<sup>10</sup> has updated Annex I (Part 21) with the necessary references to Annex I (Part-26) to Commission Regulation (EU) 2015/640 in order to ensure that TC holders and STC applicants address the effects of ageing aircraft structures as part of the approval of TC changes. According to new point 21.A.101(h), in the case of STC applications, the applicants are not required to take into account point 26.303 of Annex I (Part-26) to Commission Regulation (EU) 2015/640<sup>11</sup>.

However, point 26.303 is not applicable to STC applicants. In addition, it was not intended to exempt all STC applicants from the need to address requirements related to widespread fatigue damage and the related establishment of a limit of validity. These requirements will become applicable to STC applicants when the certification basis includes CS 25.571 at Amendment 19 or a later amendment. They will need to address these requirements if an adequate certification basis cannot otherwise be established.

Consequently, better wording is necessary to indicate why reference to Annex I (Part-26) to Commission Regulation (EU) 2015/640 is made and to achieve the desired exception for STC applicants.

#### **Issue 11: point 21.A.118A(a)(2) — outdated cross references**

The content of point 21.A.115 was changed and its subpoints were renumbered by Commission Delegated Regulation (EU) 2019/897. However, the cross reference in point 21.A.118A(a)(2) has not been updated.

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<sup>10</sup> Commission Delegated Regulation (EU) 2021/699 of 21 December 2020 amending and correcting Regulation (EU) No 748/2012 as regards the instructions for continued airworthiness, the production of parts to be used during maintenance and the consideration of ageing aircraft aspects during certification (OJ L 145, 28.4.2021, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0699&qid=1707395815694>).

<sup>11</sup> Commission Regulation (EU) 2015/640 of 23 April 2015 on additional airworthiness specifications for a given type of operations and amending Regulation (EU) No 965/2012 (OJ L 106, 24.4.2015, p. 18) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0640&qid=1707395951290>).



**Issue 12: point 21.A.143(a)(11) — incomplete reference to the requirement for a production management system**

Commission Delegated Regulation (EU) 2022/201<sup>12</sup> introduced in Annex I (Part 21) to Commission Regulation (EU) No 748/2012 safety management system (SMS) requirements. The requirements for the production management system are included in point 21.A.139, with point 21.A.139(c) covering the safety management element and point 21.A.139(d) the quality management element. Consequently, as part of the production organisation exposition (POE) requirements in point 21.A.143(a)(11), the reference to point 21.A.139(c) is incomplete.

**Issue 13: point 21.A.143(c) — approval of production organisation exposition (POE) amendments related to changes as per point 21.A.147**

Commission Delegated Regulation (EU) 2022/201 introduced, in point 21.A.143(b), the requirement for the approval of the initial issue of the POE. However, a similar requirement has not been introduced for amendments to the POE related to changes to the production management system, which have to be approved by the competent authority under point 21.A.147.

Annex I (Part 21) to Commission Regulation (EU) No 748/2012 includes requirements for the production organisation approval (POA) and design organisation approval (DOA) domains. The way the applicant documentation is managed in the two domains is rather different; for example, the POA certificate (EASA Form 55) does not include the POE reference number and the amendment level. Consequently, it is considered appropriate that not only the initial issue of the POE but also the POE amendments related to changes under point 21.A.147 are to be approved by the competent authority.

**Issue 14: points 21.A.159(a) and 21.A.259(a) — clarification of validity conditions**

Suspension is the act of temporary interruption of a certificate. During the suspension period, the certificate holder cannot exercise the privileges granted through the certificate. The certificate is therefore temporarily invalid.

Points 21.A.159(a) and 21.A.259(a) do not include suspension as a condition for a POA or a DOA certificate to lose validity.

**Issue 15: points 21.A.174 and 21.A.204 — ambiguity in the reference to the statement of conformity**

Both application requirements for the airworthiness certificate and the noise certificate, in points 21.A.174 and 21.A.204 respectively, refer to point 21.A.163(b) for the statement of conformity. However, point 21.A.163(b) is not about the issuance of the statement of conformity but about the privilege of the approved production organisations to obtain a certificate of airworthiness or a noise certificate without further showing.

Furthermore, the text of the privilege set out in point 21.A.163(b) is not fully clear in respect of the links with the issuance of the airworthiness certificate and noise certificate.

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<sup>12</sup> Commission Delegated Regulation (EU) 2022/201 of 10 December 2021 amending Regulation (EU) No 748/2012 as regards management systems and occurrence-reporting systems to be established by design and production organisations, as well as procedures applied by the Agency, and correcting that Regulation (OJ L 33, 15.2.2022, p. 7) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0201&qid=1707396312021>).



**Issue 16: point 21.A.307 — outdated cross reference to Article 9 and wrong applicability of conditions in point (c)**

Commission Delegated Regulation (EU) 2023/1028 has reorganised the paragraphs in Article 9 of Commission Regulation (EU) No 748/2012. Consequently, the reference to Article 9(4) in point 21.A.307(b)(7) is no longer valid.

In addition, for the derogation case contained in point 21.A.307(b)(7), the conditions in point 21.A.307(c) do not apply.

**Issue 17: point 21.B.82 — no provisions for equivalent safety findings in the case of the operational suitability data (OSD) certification basis**

Currently, there are no explicit provisions to include equivalent safety findings in the OSD certification basis (similar to the type certification basis).

Also, point 21.B.82 contains some provisions reflecting a previous approach for product certification where two separate applications — one for the type certification and the other for the OSD approval — were possible. Currently, there is only one application.

**Issue 18: point 21.B.103 — outdated cross reference and missing restricted type-certificate**

Point 21.B.103(a) lists the provisions for the issuance of a type-certificate (TC) or a restricted TC (RTC) by EASA. Point 21.A.21(a) contains the requirements that the applicant shall comply with to be issued with a TC or an RTC. Points 21.A.21(b) and 21.B.103(b) provide for the conditions under which it may be possible to derogate from points 21.A.21(a) and 21.B.103(a). Consequently, cross-referring in point 21.B.103(a) to the whole of point 21.A.21 is incorrect.

**Issue 19: point 21.B.125(d)(2)(iii) — wrong cross references**

There is an incorrect cross reference to point (f)(1)(i), introduced by Commission Implementing Regulation (EU) 2022/203<sup>13</sup>.

**Issue 20: points 21.B.125(d)(2)(i), 21.B.225(d)(2)(i) and 21.B.433(d)(2)(i) — extension of level 2 findings**

The current text in Annex I (Part 21), Section B, for the extension of the corrective actions implementation period, might be perceived as limiting the available approaches to extension because it:

- suggests that the extension will be granted only at the end of the initial period;
- implies that it is a 3-month period that can be extended, when in fact the initial corrective actions implementation period may be shorter than 3 months;
- suggests that only one extension is possible.

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<sup>13</sup> Commission Implementing Regulation (EU) 2022/203 of 14 February 2022 amending Regulation (EU) No 748/2012 as regards management systems and occurrence-reporting systems to be established by competent authorities, and correcting Regulation (EU) No 748/2012 as regards the issuance of airworthiness review certificates (OJ L 33, 15.2.2022, p. 46) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0203&qid=1707397891995>).



In fact, the extension should be granted as soon as the corrective action plan is found to be acceptable. This could be at any time between the notification date and the end of the period. Furthermore, what is extended is not a 3-month period but the period that was initially granted for the implementation of the corrective actions. Finally, if duly justified, the period for the implementation of the corrective actions may be extended more than once.

In addition, specific to the DOA domain, there could be an incorrect interpretation of the rule that level 2 findings escalated to level 1 findings cannot be de-escalated to level 2 findings again.

#### **Issue 21: point 21.B.225(b)(4) — correction of the reference for the requirement for the appointment of the accountable manager**

When listing the cases for a level 1 finding, the current text in point 21.B.225(b)(4) wrongly cross-refers to the requirement for the appointment of the head of the design organisation in point 21.A.245(a) instead of the requirement for the appointment of the accountable manager in point 21.A.145(c)(1).

#### **Issue 22: Appendix VIII — inconsistency in the reported address**

There is an inconsistency in the reported address between EASA Form 52 and EASA Form 55. EASA Form 55 shows the registered address, but EASA Form 52 shows the location where the release has been performed. This could lead to uncertainty or misunderstandings.

#### **Issue 23: Appendix X — limitation of production organisation approval (POA) privileges where an aircraft is subject to a declaration of design compliance**

Commission Delegated Regulation (EU) 2022/1358<sup>14</sup> has introduced new privileges for an approved production organisation under Annex I (Part 21), Subpart G, related to aircraft subject to a declaration of design compliance under Annex Ib (Part 21 Light) to Commission Regulation (EU) No 748/2012.

However, Appendix X ('Production Organisation Approval Certificate – EASA Form 55') to Annex I (Part 21) has not been modified, and contains the following limitation regarding the issuance of statements of conformity: 'A Statement of Conformity may not be issued for a non-approved aircraft'.

This limitation may prevent a POA holder from issuing a statement of conformity for an aircraft subject to a declaration of design compliance (EASA Form 52b). Consequently, it is inconsistent with the POA privilege set out in point 21.A.163(d).

#### **Issue 24: Appendix XII — missing competence requirements for pilots performing operational suitability data (OSD) flight tests**

Appendix XII to Annex I (Part 21) contains requirements on the classification of flight tests in categories and on pilot competence to perform these tests. The requirements refer to Annex I

<sup>14</sup> Commission Delegated Regulation (EU) 2022/1358 of 2 June 2022 amending Regulation (EU) No 748/2012 as regards the implementation of more proportionate requirements for aircraft used for sport and recreational aviation (OJ L 205, 5.8.2022, p. 7) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R1358&qid=1707398216544>).



(Part-FCL) to Commission Regulation (EU) No 1178/2011<sup>15</sup>, in which privileges in terms of licences and ratings for pilots are set out.

Appendix XII does not include a category of flight test specifically addressing OSD flight test activities in which EASA OSD pilots participate. As a consequence, a literal application of the current Appendix XII requires pilots to hold a flight test rating to conduct these OSD flight tests, as they are typically performed on not yet certified aircraft types under Category 2. However, these flights are of much lower risk than other flight tests, as they are conducted using aircraft for which the flight envelope has already been fully tested and they are conducted within the normal operational envelope. Furthermore, the OSD pilots act as co-pilots under the supervision of a flight test pilot belonging to the type certification applicant acting as pilot-in-command.

EASA OSD pilots do not hold a flight test rating and EASA considers that the above-mentioned nature of the flights does not justify requiring such a rating. In addition, for some flights, a pilot with a flight test rating may even be deemed not appropriate (i.e. where airline pilot profiles are required).

### **Issues in the AMC and GM to Annex I (Part 21) to Commission Regulation (EU) No 748/2012**

#### **Issue 25: point 21.A.6 — explanation of the term ‘manuals’**

The term ‘manuals’ in Annex I (Part 21) is confusing since more and more data is no longer released in the format of a ‘manual’. Data/information can instead be released in different formats (or in an app with no format).

#### **Issue 26: GM1 21.A.7(a) — illustrated parts catalogue (IPC) status**

EASA regularly receives questions from the industry and stakeholders on the status of the illustrated parts catalogue — namely, whether or not it is part of the instructions for continued airworthiness (ICA).

Although not specifically mentioned, part number information is a means of compliance for the ‘removing’ and ‘installing’ instructions required by the different certification specifications. The instruction on ‘how’ a part can be installed is not enough; the instruction on ‘what’ part can be fitted is implicitly required as essential information.

GM1 21.A.7(a) ‘Scope of ICA, their publication format and typical ICA data’ already mentions the parts catalogue as a typical ICA, but just as an example.

Therefore, it is considered beneficial to address this topic and provide more clarification.

#### **Issue 27: AMC1 21.A.7(c) — wrong inclusion of provisions for changes**

The current AMC1 21.A.7(c) includes acceptable means of compliance for completeness and timely availability of changes to the ICA (in section (b)). However, the correct regulatory point for the relevant requirements for changes to the ICA is point 21.A.7(d).

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<sup>15</sup> Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011R1178&qid=1707398627823>).



**Issue 28: consideration of the special conditions (SCs) published by EASA**

EASA considers it necessary for a TC applicant to review the SCs already published by EASA when proposing the type certification basis. This provision is not currently included in the AMC and GM. The related regulatory points are 21.A.15, 21.A.91 and 21.B.80.

**Issue 29: review of the GM to point 21.A.15(d)**

The proposal to delete the provisions in point 21.A.15(d) — related to a separate application for OSD approval — also requires a review of the related GM.

- GM No 1 to 21.A.15(d) does not relate to any provision in Annex I (Part 21) and incorrectly refers to the master minimum equipment list (MMEL) for ELA1 and ELA2. CS-MMEL and CS-GEN-MMEL do not apply to ELA1 and ELA2 and are not part of the OSD certification basis for these types of aircraft. Any other list established by the applicant for these types of aircraft, including installed equipment that may be temporarily inoperative, does not constitute the MMEL in accordance with Commission Regulation (EU) No 748/2012 as required by point ORO.MLR.105 of Commission Regulation (EU) No 965/2012.
- GM No 2 to 21.A.15(d) relates to point 21.A.15(d) as introduced with Commission Regulation (EU) No 69/2014. However, this point has been modified by Commission Delegated Regulation (EU) 2019/897, making the content of this GM no longer relevant. Furthermore, the criteria for the determination of a type or variant are included in the OSD certification specifications.
- GM No 3 to 21.A.15(d) relates to the list of content of the OSD introduced in point 21.A.15(d) with Commission Regulation (EU) No 69/2014. However, this point has been modified by Commission Delegated Regulation (EU) 2019/897, making the contents of this GM no longer relevant. The information on OSD elements required from or requested by the applicant, and on which are mandatory and which are non-mandatory, is contained in the relevant OSD certification specifications.
- GM4 21.A.15(d) needs to be amended and renumbered ‘GM1 21.A.15(b)(4)’.

The purpose of the amendment is to keep the guidance on the OSD certification for different types of operations, which relates to the provision on OSD certification basis for the certification programme in point 21.A.15(b)(4), and to delete the information that is already included in the certification specifications.

**Issue 30: recognition of industry standards**

ASD-STAN is an international non-profit association that develops and maintains European standards for the European aerospace and defence industry. In recent years, ASD-STAN has issued certain standards relevant for approved design organisations under Part 21. EASA has reviewed these standards. EASA confirmed its concurrence with them, when they were found to be suitable acceptable means of compliance with Part 21. However, these standards have not yet been formally recognised by cross reference in the AMC to Part 21.



**Issue 31: GM 21.A.35(b)(2) — objective and content of function and reliability testing**

Flights performed for the purpose of compliance with point 21.A.35(b)(2) typically can include operational suitability flights at EASA's request. However, this is not reflected in the corresponding GM 21.A.35(b)(2).

**Issue 32: AMC 21.B.100(a) and 21.A.15(b)(6) — cybersecurity — new critical example**

ED Decision 2020/006/R on 'Aircraft cybersecurity'<sup>16</sup> introduced the requirements to conduct cybersecurity risk assessments on various products (CS-25, CS-23, CS-27, CS-29, CS-P, CS-E, CS-APU).

The cybersecurity risk assessment requires the identification of 'threat conditions', which are analogous to 'failure conditions' defined in US 14 Code of Federal Regulations Part 25.1309 and EASA CS 25.1309. However, whereas 'failure conditions' result from 'unintentional causes' (e.g. a part failure), 'threat conditions' result from intentional unauthorised electronic interaction and the implications for safety risk and security risk may differ (i.e. 'low safety risk versus high security risk' or 'high safety risk versus low security risk').

Therefore, using the outcome of the safety assessment process to evaluate the criticality of the 'information security' compliance demonstration item (CDI) may lead to an underestimation of the level of risk and a misclassification of the CDI / level of involvement (LoI) required. The criticality of the 'information security' CDI should hence be based on the impact of the change on the items that may contribute to an unsafe condition as identified through the security risk assessment.

**Issue 33: GM1 21.A.90C — additional example of stand-alone changes to the instructions for continued airworthiness (ICA) requiring showing of compliance**

Based on gained experience, EASA needs to update the guidance material for stand-alone changes to the ICA by providing a new example of change requiring showing of compliance.

**Issue 34: GM 21.A.91 — examples of major changes where fatigue and damage tolerance is impacted**

Recent discussions with the industry have highlighted some potential areas for improvement in the guidance material associated with point 21.A.91 regarding changes impacting fatigue and damage tolerance evaluations. A better alignment of the guidance material with associated safety risks is required.

**Issue 35: GM 21.A.91 — clarification of criteria for aircraft flight manual (AFM) changes**

The complementary guidance for classification of changes to the AFM — as set out in GM 21.A.91, Section 3.6 — inadvertently refers to noise limitations. In addition, the criteria for changes to the parts of the AFM that do not require approval by EASA are not correctly placed in the category of 'administrative' revisions. Changes to non-approved sections might be more than administrative but still considered minor if they are stand-alone (e.g. improvement of a system description).

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<sup>16</sup> ED Decision 2020/006/R of 24 June 2020 on 'Aircraft cybersecurity' (<https://www.easa.europa.eu/en/document-library/agency-decisions/ed-decision-2020006r>).



**Issue 36: GM 21.A.91 — introduction of a new item in the master minimum equipment list (MMEL)**

The introduction of a new item in the MMEL in most cases directly leads to a major classification. Indeed, GM2 MMEL.110 paragraph (c) reports that ‘Non-safety-related items need not be included in the MMEL, unless so desired by the applicant’ and GM1 MMEL.145 cannot contain all the cases eligible for MMEL minor change classification. The guidance material does not recognise that there might be other cases in which a new item is introduced in the MMEL that can be classified as minor when the conditions for major classification are not met.

**Issue 37: GM 21.A.101 — inconsistencies in applicable provisions**

- Point 21.A.101 was updated through Commission Delegated Regulation (EU) 2019/897, to be applicable for major changes only. The information in the related GM still mentions ‘minor changes’.
- In addition, Section 5.1 of GM 21.A.101 wrongly indicates that CS-26 (introduced through Commission Regulation (EU) 2015/640 on additional airworthiness specifications for a given type of operations (Annex I (Part 26)) is an additional airworthiness standard to be included in the type certification basis. However, Part-26 / CS-26 is applicable only for TC holders and not for TC applicants, and such requirements should not be introduced in the type certification basis.
- Furthermore, due to the amendments proposed in this NPA to point 21.A.101, the revision of the GM is necessary.

**Issue 38: Approval of a major change required as a corrective action for an unsafe condition — transposition of EASA Certification Memorandum CM-21.A-D-001**

Under point 21.A.3B(c)(1), when EASA has to issue an airworthiness directive, the design approval holder has to propose appropriate corrective action. This corrective action might necessitate a change to the TC; therefore, it needs to be approved by EASA in accordance with point 21.A.97.

Experience has shown that there are continued airworthiness issues triggered by the fact that the initial design is non-compliant with the applicable certification specifications. The re-establishment of compliance may require more than one change which for practical reasons must be implemented sequentially. In such cases, compliance with point 21.A.97(b)(1) cannot be demonstrated until the last of the corrective changes to the TC is implemented.

However, each of these sequential changes to the TC that provides an ‘alleviating action’ (as used in GM 21.A.3B(d)(4), points 4.1(i) and 4.2(i)) should be permitted to be approved, to mitigate a potential unsafe condition and to maintain an adequate level of airworthiness (according to GM 21.A.3B(d)(4), point 2.5(a)).

To address this situation and provide conditions under which incomplete compliance demonstration for such major changes may be accepted, EASA issued CM-21.A-D-001 ‘Interpretation to 21.A.3B(c)(1) and 21.A.103(a)(2)(i)<sup>17</sup>’ on 20 August 2018. This Certification Memorandum has not yet been transposed into AMC to Part 21.

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<sup>17</sup> <https://www.easa.europa.eu/en/document-library/product-certification-consultations/easa-cm-21a-d-001>



**Issue 39: GM1 21.A.112B — demonstration of capability — examples of CS-27/CS-29 supplemental type-certificate (STC) projects**

According to point 21.A.112B(a) of Part 21, an STC applicant shall demonstrate its capability by holding a DOA. By way of derogation from this requirement, as an alternative procedure to demonstrate its capability, an STC applicant may seek EASA's agreement for the use of procedures setting out the specific design practices, resources and sequence of activities (known as alternative procedures to DOA (ADOA)).

The decision on accepting one of the two capability demonstration options is made by EASA on a case-by-case basis, assessing the merits of each project (e.g. complexity of the design change, complexity of the related compliance demonstration).

To guide the potential STC applicants with regard to the expected EASA decision, GM1 to 21.A.112B provides a list of STC examples categorised in two groups. Group 1 contains typical examples where it is expected that EASA will require a DOA. For group 2, an ADOA will normally be acceptable.

However, EASA has noticed that more and more STC applications for rather complex rotorcraft design changes (or involving complex compliance demonstrations) are being made by applicants that have demonstrated their capability by an ADOA. This usually leads to challenges during the certification projects due to applicants' competence gaps and may even lead to the cancellation of the project.

**Issue 40: GM 21.A.133(a) — production organisation approval (POA) applicants without manufacturing facilities**

There are POA applicants that outsource all the production activities and therefore could have difficulties in justifying the need for a POA. Such applicants may also have difficulties overseeing their subcontractors. In addition, a level playing field is required in the management of such cases by the competent authorities. Consequently, additional guidance is considered necessary for managing such applicants.

**Issue 41: software handling in a production organisation**

Production organisations are increasingly confronted with the need to handle software included in the aircraft's type design. Part 21 does not include any specific acceptable means of compliance or guidance material addressing this matter. This may potentially lead to disharmonised approaches between POA applicants/holders and their unequal treatment by the competent authorities.

**Issue 42: AMC2 21.A.145(a) — qualification standards for non-destructive testing (NDT) staff**

Part 21 Subpart G does not specify acceptable means of compliance for the qualifications of the staff performing non-destructive testing (NDT) in accordance with European Standard EN 4179 which is referenced in Annex I (Part-M) and Annex II (Part-145) to Commission Regulation (EU) No 1321/2014<sup>18</sup> (AMC M.A.606(f), AMC 145.A.30(f)). This may potentially lead to unequal treatment of POA applicants/holders.

<sup>18</sup> Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R1321&qid=1707478187007>).



**Issue 43: GM 21.A.151 — lack of adequate codes to describe the production organisation approval (POA) scope of work**

The codes specified in GM 21.A.151, for the description of the POA scope of work in the terms of approval, have not been updated considering the evolution of the aviation industry and the existence of new types of products (e.g. electrical engines).

In addition, a correction of the terminology in the terms of approval is needed for consistency with the production organisation approval certificate (EASA Form 55).

**Issue 44: AMC2 21.A.163(c) — reference to previous EASA Form 1**

In practice, it has been identified that the reference to the previous EASA Form 1, when there is a recertification of items from 'prototype' to 'new', is usually missing. Such reference is needed to ensure proper traceability during the release process of the organisation receiving and installing the items in question.

**Issue 45: European Technical Standard Order (ETSO) authorisation versus installation approval**

For some ETSO authorisation applicants, it is not clear that the installation approval is not covered in the ETSO authorisation and consequently in the declaration required to be provided under point 21.A.606(d).

**Issue 46: forms equivalent to an EASA Form 1**

In standard practice, end users often install parts covered by other airworthiness certificates that are deemed equivalent to an EASA Form 1. This is typically the case under bilateral agreements signed between the EU and a non-EU country, recognising a certificate issued in accordance with the non-EU country's regulation as equivalent to an EASA Form 1 (e.g. FAA 8130-3). Currently, there is no guidance material in Part 21 explaining what parts are eligible for installation.

**Issue 47: example of an acceptable document issued by the manufacturer**

Under point 21.A.307(b)(1), certain parts are eligible for installation on a certified product without requiring an EASA Form 1. Nevertheless, such parts need to be accompanied by a document meeting the requirements in point 21.A.307(c). Currently, there are no acceptable means of compliance for the accompanied documents.

**Issue 48: non-ETSO functions and an incomplete ETSO article**

There are different approaches by ETSO applicants to address ETSO standards that cover the functionalities of the article. Sometimes the applicants consider all the standards covering the functionalities of the article, and sometimes they do not. Furthermore, it is not indicated where functions of the article are not covered by the minimum performance specification of the ETSO.



**Issue 49: AMC 21.A.608 — new declaration of design and performance (DDP) form**

Based on the experience accumulated during ETSO authorisation projects, EASA has updated the acceptable form the applicants should use for the declaration of design and performance (DDP). This new form has been published on the EASA website<sup>19</sup>, but it is not yet included in AMC 21.A.608.

**Issue 50: GM 21.A.719 — validity of flight conditions in the event of aircraft ownership change**

EASA receives applications for flight conditions approval for an aircraft that already has an approved flight conditions and whose configuration has not changed but which has been transferred to another owner. In such cases, an additional flight conditions approval is not necessary and the related administrative burden is therefore avoided.

**Issue 51: ETSO marking — manufacturer clarification**

In the EASA regulatory system, the designer and the manufacturer of an article may be different. There are no acceptable means of compliance regarding the marking of ETSO articles in such cases. This may potentially lead to inconsistencies in article marking or insufficient information being provided regarding the article designer and the article manufacturer.

**Issue 52: electronic marking of electronic hardware**

The ETSO authorisation applicants, in the case of electronic hardware, often ask to electronically mark the article rather than physically marking it using an article name plate or label. For similar requests, the FAA has defined the electronic marking conditions in AC 21-46A. Currently, Part 21 does not include acceptable means of compliance for electronic marking.

**Issue 53: AMC2 21.B.100(b) — EASA's involvement in the review of minor changes**

The current AMC2 21.B.100(b) contains a note regarding EASA's involvement in the review of minor changes. However, this note does not cover the spectrum of minor changes actually identified in EASA Form 34 (i.e. technical or administrative) being only applicable to the review associated with anticipated minor changes. Therefore, the ETSO authorisation holders might have wrong expectations regarding EASA's involvement in the review of minor changes.

The issues identified above do not represent a direct safety risk. Nevertheless, these gaps and inconsistencies may affect the efficiency and effectiveness of the certification processes.

**2.1.2. Who is affected by the issue**

Design and production organisations, Member States' competent authorities, and EASA.

**2.1.3. How could the issue evolve**

If no action is taken, the design and production organisations, the competent authorities of Member States and EASA will continue to face challenges in the implementation of the Initial Airworthiness Regulation, potentially leading to a lack of efficiency and a non-level playing field.

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<sup>19</sup> <https://www.easa.europa.eu/en/downloads/120813/en>



#### 2.1.4. Conclusion on rulemaking needs

EASA concluded, as explained further in Section 3 below, that an intervention was necessary and that non-regulatory actions cannot effectively address the issues. Therefore, it is necessary to revise the applicable regulations, AMC and GM.

#### 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. The proposed regulatory material presented here is expected to contribute to achieving these overall objectives by addressing the issues described in Section 2.1.

More specifically, through the proposed regulatory material presented here, EASA intends to address miscellaneous issues of a non-controversial nature. The objective of this rulemaking task is to ensure that the Initial Airworthiness Regulation and the associated AMC and GM are fit for purpose, are cost-effective and can be implemented.



## 2.3. How we want to achieve it — overview of the proposed amendments

### 2.3.1. Proposal

#### Issues in the articles (enacting terms) of Commission Regulation (EU) No 748/2012

##### **Issue 1: Article 4 — outdated cross references**

In Article 4(2)(b), it is proposed that the reference to point '21.A.113(a) and (b)' is replaced with a reference to point '21.A.113' such that the complete point, which relates to the application for an STC, does not apply.

It is proposed that Article 4(2)(d) is amended such that it refers to the complete point 21.A.115.

##### **Issue 2: Article 7a — outdated cross references and transitional measures**

Article 7a should be updated to match the current situation of the grandfathering and transitional measures and to avoid any confusion between the references to points in Annex I (Part 21) to Commission Regulation (EU) No 748/2012 that became applicable after the date of entry into force of Article 7a.

It is proposed that paragraph 1 of Article 7a is amended to clarify that the TC holder shall demonstrate compliance with the applicable OSD certification basis established and notified in accordance with point 21.B.82 for the delivery of a new aircraft to an EU operator. This demonstration shall be completed before the aircraft is operated by an EU operator, and the deadline of 18 December 2015 should be deleted because it is obsolete.

Paragraph 2 of Article 7a should be amended for applications for TCs that were filed before 17 February 2014. Since the 5-year limit of application validity has ended, applicants must either submit a new application in accordance with point 21.A.15(f)(1) or apply for an extension in accordance with point 21.A.15(f)(2). The applicant shall demonstrate compliance with the applicable OSD certification basis in point 21.B.82 as established and notified by EASA, taking into account the new date of application or the new reference date in accordance with point 21.A.15(f). In this case, exception from the new OSD elements introduced with Commission Regulation (EU) No 69/2014 as a transitional measure should no longer be granted. As in paragraph 1, this demonstration shall be completed before the aircraft is operated by an EU operator, and the deadline of 18 December 2015 should be deleted because it is obsolete. The actual date of entry into force of Commission Regulation (EU) No 69/2014 of 17 February 2014 should be added.

Paragraph 3 of Article 7a — on the grandfathering of Operational Evaluation Board reports and master minimum equipment lists issued before 17 February 2014, the date of entry into force of Commission Regulation (EU) No 69/2014 — should refer to point 21.B.103(a), related to the issuance of a TC.

Since the entry into force of Commission Regulation (EU) No 69/2014, all TC holders subject to Article 7a have obtained the extension of the scope of their DOA or ADOA. Paragraph 4 of Article 7a is obsolete and should be deleted.

Finally, in accordance with the second subparagraph of Article 11 of the Basic Regulation, Article 7a also applies to restricted TC (RTC) holders. Reference to RTCs should be added throughout Article 7a.



**Issue 3: Article 9 — outdated cross references**

It is proposed that the cross reference in Article 9(8) be corrected to read ‘The demonstration of capability pursuant to paragraphs 1 or 7 shall ...’ Article 9(7) is the correct reference for the demonstration of production capability in accordance with Annex Ib (Part 21 Light).

**Issues in Annex I (Part 21) to Commission Regulation (EU) No 748/2012****Issue 4: outdated references to the Basic Regulation**

It is proposed that references to the Basic Regulation be updated in the following locations: point 21.B.327 and Appendices III to VII.

It is also proposed that the reference to the Basic Regulation in GM 21.A.133(a) be updated.

**Issue 5: point 21.A.3A(b)(3) — inconsistent reporting obligations for production organisations**

It is proposed that point 21.A.3A(b)(3) retains only the reporting line to the competent authority responsible, in accordance with point 21.1.

According to point 21.1, the competent authority is either:

- for production organisations that have their principal place of business in a territory for which a Member State is responsible under the Convention on International Civil Aviation, signed in Chicago on 7 December 1944 (‘the Chicago Convention’), the authority designated by that Member State or by another Member State in accordance with Article 64 of Regulation (EU) 2018/1139, or the Agency if the responsibility has been reallocated to the Agency in accordance with Article 64 or 65 of Regulation (EU) 2018/1139; or
- for production organisations that have their principal place of business outside a territory for which a Member State is responsible under the Chicago Convention, the Agency.

**Issue 6: point 21.A.5(d) — typographical error in a cross reference**

It is proposed that the cross reference in point 21.A.5(d) be corrected to read ‘21.A.145(d)’ instead of ‘21.A.145(b)’.

**Issue 7: point 21.A.15(d) — deletion of provisions for a separate operational suitability data (OSD) application**

It is proposed that the provision in point 21.A.15(d) be deleted and replaced with ‘(Reserved)’.

**Issue 8: obsolete requirements to return a certificate**

It is proposed that the requirement to return a certificate upon surrender or revocation be deleted (i.e. delete points 21.A.51(b), 21.A.118B(b), 21.A.125C(b), 21.A.159(b), 21.A.259(b) and 21.A.619(b)).

For airworthiness certificates, noise certificates and permits to fly (refer to points 21.A.181(b), 21.A.211(b) and 21.A.723(c) respectively), it is proposed that the requirement to return the certificate, but only upon the request of the competent authority, be maintained.



**Issue 9: point 21.A.101 — improvement of regulatory provisions**

It is proposed that new text is added in point 21.A.101(a) to strengthen the process flow in the rule, consistent with what is already described in the guidance material (refer to GM 21.A.101). The added text will make clear that point 21.A.101 does not apply to major changes to a TC for which an application for a new TC under point 21.A.19 is necessary. In addition, the applicability to the OSD certification basis and environmental protection requirements will be clarified.

It is proposed that point 21.A.101(b) be amended to better reflect the changed product process, as already indicated in step 2 of Figure 3-1 of GM 21.A.101.

The reference to the type certification basis and OSD certification basis clarifies that point 21.A.101(b) applies to airworthiness (and not to environmental protection).

It is also proposed that point 21.A.101(b) be amended to clarify and enforce the requirement that the established certification basis is adequate. This change is consistent with current guidance and practice. In addition, it is proposed that the explicit term 'reversion' is used to describe the approach of considering an earlier amendment of a certification specification for the cases presented in this point.

Furthermore, it is proposed that it be clarified that the criteria in point 21.A.101(b)(1) are three separate criteria. To achieve this, the three criteria will be listed in three separate bullet points instead of the current two bullet points. The proposal clarifies the rule language and does not change current practice.

In addition, in point 21.A.101(c) it is proposed that 'maximum weight' be replaced with 'maximum take-off mass' since that is the term that provides certainty on the physical quantity (NB: EASA will consistently follow up on this terminology change at the level of certification specifications, where still necessary). It will also be clarified, through reference to the OSD certification basis, that point 21.A.101(c) applies to airworthiness (and not to environmental protection).

Finally, the possibility of supplementing the initial application with the OSD certification basis is a procedure that was used in the past when separate applications were expected to be submitted. Currently, according to the procedure, only one application for the approval of the change is needed. It is proposed that point 21.A.101(g) be deleted and replaced with '(Reserved)'.

**Issue 10: point 21.A.101 — clarification of the requirements relevant to supplemental type-certificate (STC) applicants under point (h)**

It is proposed that point 21.A.101(h) be revised to separate the requirements placed on major change applicants from those imposed on STC applicants. It is further proposed that, in the case of STC applicants, it is made clear that the certification specifications equivalent to the provision on the limit of validity in point 26.303 of Annex I (Part-26) to Regulation (EU) 2015/640 shall be considered if an adequate certification basis is not otherwise ensured as per point 21.A.101(b).

In addition, it is proposed that GM 21.A.101 be amended to include appropriate references to point 21.A.101(h), which are currently missing.



**Issue 11: point 21.A.118A(a)(2) — outdated cross references**

It is proposed that in point 21.A.118A(a)(2) the reference to point 21.A.115 be updated to read '21.A.115(b)(5)(ii)' instead of '21.A.115(d)(2)'.

**Issue 12: point 21.A.143(a)(11) — incomplete reference to the requirement for a production management system**

In point 21.A.143(a)(11), it is proposed that a reference to point 21.A.139(d) be added in order to also cover the quality management element.

**Issue 13: point 21.A.143(c) — approval of production organisation exposition (POE) amendments related to changes as per point 21.A.147**

It is proposed that point 21.A.143(c) should include the requirement for the approval of the POE amendments, related to the changes as per point 21.A.147, by the competent authority.

**Issue 14: points 21.A.159(a) and 21.A.259(a) — clarification of validity conditions**

It is proposed that suspension be included as one of the conditions in points 21.A.159(a)(4) and 21.A.259(a)(4).

The national competent authorities are invited to comment on this proposal from taking into consideration their own administrative practices for the management of the suspended certificates.

**Issue 15: points 21.A.174 and 21.A.204 — ambiguity in the reference to the statement of conformity**

It is proposed that the POA privileges set out in point 21.A.163(b), to obtain a certificate of airworthiness and a noise certificate, be clarified by indicating that these certificates are issued under point 21.A.174 or 21L.A.143(c) and point 21.A.204 or 21L.A.163 respectively.

In addition, it is proposed that the POA privilege set out in point 21.A.163(d), to obtain a restricted certificate of airworthiness and a restricted noise certificate, be clarified by indicating that these certificates are issued under points 21L.A.143(d) and 21L.A.163 respectively.

It is proposed that, in points 21.A.174 and 21.A.204, the acceptable statements of conformity and on which basis these statements are issued be clarified.

In addition, it is proposed that the reference to Article 9 in points 21.A.174 and 21.A.204 be updated in accordance with the amended Article 9 adopted with Commission Delegated Regulation (EU) 2023/1028.

**Issue 16: point 21.A.307 — outdated cross reference to Article 9 and wrong applicability of conditions in point (c)**

It is proposed that the reference to Article 9 in point 21.A.307(b)(7) be updated in accordance with the amended Article 9 adopted with Commission Delegated Regulation (EU) 2023/1028.

In addition, it is proposed that the applicability of conditions in point 21.A.307(c) be limited to cases from point 21.A.307(b)(1) to (b)(6) (i.e. to exclude the case under (b)(7)).



**Issue 17: point 21.B.82 — no provisions for equivalent safety findings in the case of the operational suitability data (OSD) certification basis**

It is proposed that point (2), on equivalent safety findings, be included in point 21.B.82(a), similar to the provision in point 21.B.80(a)(2). The current point '21.B.82(a)(2)' will be renumbered '21.B.82(a)(3)'.

Due to the above-mentioned renumbering of the paragraphs in point 21.B.82(a), GM 21.A.82 is to be updated accordingly.

In addition, it is proposed that in point 21.A.82(a) the provision for referring to the date of a separate application supplement for OSD be deleted.

**Issue 18: point 21.B.103 — outdated cross reference and missing restricted type-certificate (RTC)**

It is proposed that in point 21.B.103(a) the reference to point 21.A.21 is corrected such that only point 21.A.21(a) is referred to.

In addition, it is proposed that the missing reference is added to the RTC in point 21.B.103(b).

**Issue 19: point 21.B.125(d)(2)(iii) — wrong cross reference**

It is proposed that the reference to 'point (f)(1)(i)' is replaced with a reference to 'point (d)(1)'.

**Issue 20: points 21.B.125(d)(2)(i), 21.B.225(d)(2)(i) and 21.B.433(d)(2)(i) — extension of level 2 findings**

It is proposed that the requirement for the extension of level 2 findings be revised to clarify that the extension can be granted at any point during the corrective actions implementation period, which initially can be shorter than 3 months. In addition, the proposed revised text makes clear that more than one extension is possible.

Also, for the DOA domain, it is proposed that a new GM 21.B.433(d) be created to explain that findings which were originally level 2 findings and which were escalated to level 1 findings can be de-escalated again to level 2 findings under certain prerequisites.

*Note:* The opportunity was taken to add in this new GM some further clarification on extensions, escalations and de-escalations.

**Issue 21: point 21.B.225(b)(4) — correction of the reference for the requirement for the appointment of the accountable manager**

It is proposed that the reference in point 21.B.225(b)(4) be corrected to read '21.A.145(c)(1)' instead of '21.A.245(a)'.

**Issue 22: Appendix VIII — inconsistency in the reported address**

It is proposed that the completion instructions for Block 4 in Appendix VIII be revised to say 'registered address' instead of 'address of the location'.



**Issue 23: Appendix X — limitation of production organisation approval (POA) privileges where an aircraft is subject to a declaration of design compliance**

It is proposed that the limitation for the issuance of a statement of conformity in Appendix X to Part 21, EASA Form 55b, be revised to read: ‘A statement of conformity may not be issued for an aircraft that has not been issued with a (restricted) type-certificate or a registered declaration of design compliance.’

In addition, in Section 1 ‘Scope of work’, it is proposed that the table heading be changed from ‘PRODUCTION OF’ to ‘RATING’.

**Issue 24: Appendix XII — missing competence requirements for pilots performing operational suitability data (OSD) flight tests**

It is proposed to amend:

- paragraph C of Appendix XII to Part 21 by creating a new category 5 of flight tests dedicated to flights performed for the purpose of approving OSD;
- the table contained in paragraph D.1 of Appendix XII to Part 21 to specify a competence level 4 for the new category 5 of flight tests.

**Issues in the AMC and GM to Annex I (Part 21) to Commission Regulation (EU) No 748/2012****Issue 25: point 21.A.6 — explanation of the term ‘manuals’**

It is proposed that a new guidance material, GM1 21.A.6, be introduced, explaining that the meaning of the term ‘manuals’ may go beyond the traditional paper documents.

**Issue 26: GM1 21.A.7(a) — illustrated parts catalogue (IPC) status**

An additional paragraph is proposed in GM1 21.A.7(a) to provide an explanation of illustrated parts catalogue status when this type of document is the only source of part number information.

**Issue 27: AMC1 21.A.7(c) — wrong inclusion of provisions for changes**

It is proposed that Section (b) of the current AMC1 21.A.7(c) is deleted, and its content included in new AMC1 21.A.7(d).

**Issue 28: consideration of special conditions (SCs) published by EASA**

It is proposed that a note be included in AMC 21.A.15(b) reminding the applicant to review the applicability to its product of the existing EASA SCs.

In addition, it is proposed that a new note (Note 3) be included in GM 21.A.91, Section 3.4, for the design organisations to consider published EASA SCs for the change classification process.

Furthermore, it is proposed that a new note is included in GM 21.B.80, Section 6, to indicate that EASA will consider the already published SCs when prescribing the SCs for a specific TC application.

**Issue 29: review of GM to point 21.A.15(d)**

It is proposed that the following GM be deleted: GM No 1 to 21.A.15(d), GM No 2 to 21.A.15(d) and GM No 3 to 21.A.15(d).



GM No 4 to 21.A.15(d) is to be renumbered ‘GM1 21.A.15(b)(4)’.

### Issue 30: recognition of industry standards

A new AMC2 21.A.33 is proposed for the recognition of the industry standards contained in:

- technical report TR 9250, *Test Organisations — General requirements for test process and capabilities*;
- technical report TR 9251, *Flammability Test Organisations Qualification Standard*.

In addition, a new AMC1 21.A.239(d)(3) is proposed for the recognition of the industry standards contained in the technical report TR 9255, *Acceptance of supplier’s design capabilities and management of design organisation authorisations*.

*Note:* In order to facilitate the review of this NPA, the above-mentioned technical reports are made temporarily available during the period of public consultation, at the following addresses:

<https://stan-shop.org/en/catalog/item/75472?search=9250%20corrigendum>

<https://stan-shop.org/en/catalog/item/75473?search=9251%20corrigendum>

<https://stan-shop.org/en/catalog/item/75474?search=9255%20corrigendum>

### Issue 31: GM 21.A.35(b)(2) — objective and content of function and reliability testing

It is proposed that GM 21.A.35(b)(2) be amended to mention OSD flights in the description of the objective.

### Issue 32: AMC 21.B.100(a) and 21.A.15(b)(6) — cybersecurity — new critical example

It is proposed that the list of examples in Section 3.3 of AMC 21.B.100(a) and 21.A.15(b)(6) be complemented with the following case: ‘the installation or activation of, or a change to, a function, component or system that, when subjected to an intentional unauthorised electronic interaction with that function, component or system, may contribute to a condition that has an adverse effect on the safety at the aircraft level’.

### Issue 33: GM 21.A.90C — additional example of stand-alone changes to the instructions for continued airworthiness (ICA) requiring showing of compliance

It is proposed to include in GM1 21.A.90C changes to the ‘specific inspection procedures after hard landing’ as an example of where additional showing of compliance is needed.

In addition, a reference to point 21.A.265(h) is to be added, as that point is relevant for the process to manage the stand-alone ICA changes.

### Issue 34: GM 21.A.91 — examples of major changes where fatigue and damage tolerance is impacted

It is proposed to amend Appendix A to GM 21.A.91, Section 1 ‘Structure’ and Section 7 ‘Rotors and drive systems’, to indicate that design changes that are beneficial for fatigue or damage tolerance and for which credit is sought, such as extension of an approved life limit or inspection interval, should also be classified as major.



**Issue 35: GM 21.A.91 — clarification of criteria for aircraft flight manual (AFM) changes**

It is proposed that in paragraph (b)(1), Section 3.6, the reference to ‘noise’ in the examples provided in brackets be deleted.

In addition, it is proposed that the items related to ‘changes to parts of the AFM that do not require approval by EASA’ and ‘changes to parts of the AFM supplement that are not required to be approved by EASA’ be moved from paragraphs (c)(1)(ii) and (c)(2)(ii), respectively, to a new combined paragraph ‘(b)(4)’.

**Issue 36: GM 21.A.91 — introduction of a new item in the MMEL**

It is proposed that Section 3.5, paragraph (a)(2), includes a new condition (subparagraph (vii)) for minor classification in the event of the addition in the MMEL of a new item that does not meet the conditions for major classification and does not introduce a relief in the event of the item being required by the Basic Regulation and its delegated and implementing acts.

In addition, a typographical error is to be corrected in the same paragraph, in subparagraph (vi). The word ‘Appendix’ is added.

**Issue 37: GM 21.A.101 — inconsistencies in applicable provisions**

In GM 21.A.101, Section 1.2, it is proposed that the content of paragraph 1.2.3, related to minor changes, be deleted. Furthermore, in several locations, ‘major’ is to be added to the word ‘change’ to more clearly indicate the scope of this GM.

In addition, in Section 5.1, it is proposed that the references to Commission Regulation (EU) 2015/640, on additional airworthiness specifications for a given type of operations (Annex I (Part-26)) and CS-26, be deleted.

Additional wording corrections and improvements are proposed to align with the changes in point 21.A.101 and to clarify the guidance contents. These include the following.

- Improvement of the structure (e.g. gathering the terminology definitions in Appendix J), the clarity of the text and consistency with point 21.A.101 and throughout the GM.
- Clarification of ‘certification basis’. For practical reasons, ‘certification basis’ is defined throughout the AMC and GM to Part 21 as including the type certification basis, the OSD certification basis and the applicable environmental protection requirements. In those cases in which GM 21.A.101 provides guidance on the establishment of the certification basis for airworthiness (the main purpose of the GM):
  - text is added to clarify that both TC basis and OSD certification basis are being referred to, when it is necessary to clarify that environmental protection is not considered; or
  - ‘existing certification basis’ is to be complemented with ‘certification specification’ such that it reads ‘certification specification in the existing certification basis’; in this case, it applies only to airworthiness, since there are no certification specifications for environmental protection.
- Use of ‘certification specifications’ versus ‘standards’. The GM and its appendices are to be amended to ensure the correct use of these terms, which are not interchangeable. Certification



specifications are the main elements of the type certification basis and the OSD certification basis, and the GM mainly relates to certification specifications. ‘Standard’ is to be used in the following cases:

- ‘airworthiness standards’, referring to design-related requirements from other domains (see paragraph 5.1);
  - ‘predecessor standards’, meaning ‘grandfathered’ products for which the certification basis was established before the issuance of the certification specifications (see paragraph 5.4);
  - in some cases as an element/specification of the certification specifications (e.g. points 21.A.101(d) and 21.B.75 referring to the certification specifications that do not provide adequate standards).
- ‘Mass’ versus ‘weight’. ‘Maximum weight’ is to be replaced with ‘maximum take-off mass’. ‘Weight’ is to be replaced with ‘mass’ where appropriate, since mass is the term that provides certainty on the physical quantity.

**Issue 38: approval of a major change required as a corrective action regarding an unsafe condition — transposition of EASA Certification Memorandum CM-21.A-D-001**

It is proposed that a new AMC1 21.A.101(e)(1)(ii) be created for transposition of CM-21.A-D-001<sup>20</sup>.

**Issue 39: GM1 21.A.112B — demonstration of capability — examples of CS-27/CS-29 supplemental type-certificate (STC) projects**

Based on the experience accumulated, EASA proposes an update of the list of CS-27/CS-29 STC cases in GM1 21.A.112B, providing additional examples and additional conditions/information for the existent ones to enable a better identification of the applicant’s capability demonstration requirements. In particular, the STC cases requiring the applicant to hold a DOA are highlighted.

In addition, for CS-23 products, for one type of STC (i.e. ‘aeromedical system installation’), the categorisation is changed from group 2 to group 1 for a consistent approach across different categories of products.

**Issue 40: GM 21.A.133(a) — production organisation approval (POA) applicants without manufacturing facilities**

It is proposed that the guidance material to point 21.A.133(a) be amended to explain that it is not the intent to issue a POA to a company that fully subcontracts all its manufacturing activities. For a POA applicant requesting a scope of work that includes a full product, it is proposed that the applicant should have its own facilities at least for the final product assembly line.

In addition, it is proposed that the reference to the essential requirements of the Basic Regulation be updated.

<sup>20</sup> EASA CM-21.A-D-001 ‘Interpretation to 21.A.3B(c)(1) and 21.A.103(a)(2)(i)’ (<https://www.easa.europa.eu/en/document-library/product-certification-consultations/easa-cm-21a-d-001>).



**Issue 41: software handling in a production organisation**

The Aerospace, Security and Defence Industries Association of Europe POA Working Group has proposed to EASA a set of means of compliance for software handling. This was proposed through the 'Position paper on software handling within POA', Issue 1, February 2020. Based on this position paper, it is proposed that a new AMC1 21.A.139(d)(1) be introduced to describe the acceptable means of compliance for production organisations' handling of aircraft-related software.

**Issue 42: AMC2 21.A.145(a) — qualification standards for non-destructive testing (NDT) staff**

It is proposed that AMC2 21.A.145(a) include a reference to the European Standard EN 4179 as the relevant standard recognised by EASA for non-destructive testing (NDT) personnel qualification.

**Issue 43: GM 21.A.151 — lack of adequate codes to describe the production organisation approval (POA) scope of work**

It is proposed that the list of codes in GM 21.A.151 be updated to include a new entry in the engine section — to read 'B5 Other'. This will be consistent with the approach used in the aircraft section, where entry 'A12 Other' already exists.

It is also proposed that in GM 21.A.151, in the table heading, 'SCOPE OF WORK' is replaced with 'RATING'. This will ensure consistency with the terminology used in Appendix X (EASA Form 55).

**Issue 44: AMC2 21.A.163(c) — reference to the previous EASA Form 1**

It is proposed that the original certificate number of the previous EASA Form 1 is added to the existing example within AMC2 to 21.A.163(c), Block 12 'Remarks', second bullet.

**Issue 45: ETSO authorisation versus installation approval**

It is proposed that a new AMC1 21.A.303(b) be introduced to explain that an equipment-level approval, issued under the ETSO authorisation procedures of Subpart O, does not represent an approval for installing the part or appliance in question on a certified product.

In addition, it is proposed that a note with a similar content is introduced in AMC1 21.A.606(d). It is proposed that the word 'approval' is deleted from the first paragraph of this AMC (in the text 'relevant for the approval of the installation').

**Issue 46: forms equivalent to an EASA Form 1**

It is proposed that GM 21.A.307 be introduced to clarify which forms are equivalent to an EASA Form 1.

**Issue 47: example of an acceptable document issued by the manufacturer**

It is proposed that GM1 21.A.307(c) be introduced, indicating that the requirement in point 21.A.307 can be fulfilled using different types of documents issued by the manufacturer, as long as these documents contain the information required in point 21.A.307(c).



**Issue 48: non-ETSO functions and an incomplete ETSO article**

A new AMC to point 21.A.606(b) is proposed for addressing non-ETSO functions and an incomplete ETSO article. In both cases, the acceptable means of compliance include the conditions to be met for the EASA acceptance of the non-ETSO functions or the incomplete ETSO article.

**Issue 49: AMC 21.A.608 — new declaration of design and performance form**

It is proposed that the current EASA form for the declaration of design and performance be included in AMC 21.A.608. This AMC is renumbered 'AMC1 21.A.608'.

**Issue 50: GM 21.A.719 — validity of flight conditions in the event of aircraft ownership change**

It is proposed that GM 21.A.719 should explain that there is no need to reapprove the flight conditions in the event of aircraft ownership change, unless there is a change to the configuration of the aircraft that invalidates the permit to fly or the approved flight conditions. It should also be clarified that flight conditions are linked to the specific aircraft serial number(s) and therefore do not have a holder and are not subject to transfer. In addition, no direct obligations are linked to a flight conditions approval. The permit-to-fly holder has the obligation to ensure that the flight conditions are met.

**Issue 51: ETSO marking — manufacturer clarification**

It is proposed that AMC1 21.A.807(a) be created, to present the acceptable means of compliance for the ETSO article marking in the event that the responsible design organisation and the responsible production organisation are different legal entities. In such a case, both organisation names and addresses should be included in the marking.

**Issue 52: electronic marking of electronic hardware**

It is proposed that the conditions for electronic marking, as an alternative to physical marking, be included in the newly created AMC1 21.A.807(a).

**Issue 53: AMC2 21.B.100(b) — EASA's involvement in the review of minor changes**

It is proposed that the existent note, at the end of AMC2 21.B.100(b), should make clear that the EASA review of minor changes may go beyond the elements that were already stated, namely classification, updated certificate and declaration of design and performance, and include affected compliance documents.

*Note:* The proposed regulatory material (see Section 4 of this NPA) may include additional typographical corrections (e.g. spelling mistakes, wrong cross references). Due to the minor nature of these corrections, they are not explicitly presented in this section.

**2.3.2. Targeted applicability of the regulatory material**

EASA has no targeted applicability date for this regulatory material. The applicability date will therefore depend on the progress of this rulemaking task, and the material will become applicable as soon as possible afterwards.



### 2.3.3. Legal basis

The legal basis for amending Commission Regulation (EU) No 748/2012 and its Annex I (Part 21) lies in Articles 17 and 19 of the Basic Regulation regarding the adoption of, respectively, implementing and delegated acts laying down detailed provisions for the airworthiness and environmental certification of aircraft and related products, parts and appliances, and for the certification of design and production organisations.

The legal basis for the issuance of acceptable means of compliance and guidance material for the application of the delegated acts lies in Article 76(3) of the Basic Regulation.

### 2.4. Stakeholders' views

According to the definition of the Terms of Reference for RMT.0031, this NPA contains topics that are considered non-controversial by EASA.

Several issues included in this NPA (e.g. Issue 5, 25, 26, 30, 36 and 41) have been proposed to EASA by the industry.



### 3. Expected benefits and drawbacks of the proposed regulatory material

EASA considered that rulemaking intervention was required and that new or amended regulations, AMC and GM are necessary to effectively address the issues described in Section 2.1, because the objectives described in Section 2.2 cannot be achieved effectively by non-regulatory action.

It was necessary to address repetitive implementation issues and to align the AMC and GM to Part 21 with industry current practice. In addition, the rulemaking intervention was considered necessary due to the accumulation of a number of inconsistencies (e.g. typographical errors, outdated cross references) in Commission Regulation (EU) No 748/2012.

EASA also assessed the impacts of the proposed regulatory material to ensure that the regulatory material delivers its full benefits with minimum drawbacks.

The main benefit of the proposals in this NPA is the expected increase in efficiency as regards the implementation of Part 21. These proposals will maintain Part 21 and the corresponding AMC and GM as fit for purpose.

The proposed regulatory material has been developed taking into account the better regulation principles, and particularly the regulatory fitness principles. In particular, the proposed regulatory material is expected to:

- alleviate existing regulatory burden by clarifying reporting obligations for production organisations, eliminating the obligation to return surrendered or revoked certificates, and clarifying the extension of level 2 findings;
- limit, as far as possible, the regulatory burden created by new/amended requirements by including mainly consistency corrections and ambiguity clarifications.



## 4. Proposed regulatory material

Please refer to the following NPAs:

- **NPA 2024-04 (B): Proposed amendments to Commission Regulation (EU) No 748/2012**
- **NPA 2024-04 (C): Proposed amendments to Annex I (Part 21) to Commission Regulation (EU) No 748/2012**
- **NPA 2024-04 (D): Proposed amendments to the AMC and GM to Annex I (Part 21) to Commission Regulation (EU) No 748/2012**



## 5. Monitoring and evaluation

No monitoring provisions are considered necessary.



## 6. Proposed actions to support implementation

No specific actions to support the implementation are considered necessary.



## 7. References

n/a



## Appendix — Quality of the NPA

To continuously improve the quality of its documents, EASA welcomes your feedback on the quality of this document with regard to the following aspects.

Please provide your feedback on the quality of this document as part of the other comments you have on this NPA. We invite you to also provide a brief justification, especially when you disagree or strongly disagree, so that we consider this for improvement. Your comments will be considered for internal quality assurance and management purposes only and will not be published (e.g. as part of the CRD).

### 1. The regulatory proposal is of technically good/high quality

*Please choose one of the options below and place it as a comment in the CRT; if you disagree or strongly disagree, please provide a brief justification.*

Fully agree / Agree / Neutral / Disagree / Strongly disagree

### 2. The text is clear, readable and understandable

*Please choose one of the options below and place it as a comment in the CRT; if you disagree or strongly disagree, please provide a brief justification.*

Fully agree / Agree / Neutral / Disagree / Strongly disagree

### 3. The regulatory proposal is well substantiated

*Please choose one of the options below and place it as a comment in the CRT; if you disagree or strongly disagree, please provide a brief justification.*

Fully agree / Agree / Neutral / Disagree / Strongly disagree

### 4. The regulatory proposal is fit for purpose (achieving the objectives set)

*Please choose one of the options below and place it as a comment in the CRT; if you disagree or strongly disagree, please provide a brief justification.*

Fully agree / Agree / Neutral / Disagree / Strongly disagree

### 5. The regulatory proposal is proportionate to the size of the issue

*Please choose one of the options below and place it as a comment in the CRT; if you disagree or strongly disagree, please provide a brief justification.*

Fully agree / Agree / Neutral / Disagree / Strongly disagree

### 6. The regulatory proposal applies the ‘better regulation’ principles<sup>21</sup>

*Please choose one of the options below and place it as a comment in the CRT; if you disagree or strongly disagree, please provide a brief justification.*

Fully agree / Agree / Neutral / Disagree / Strongly disagree

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<sup>21</sup> For information and guidance, see the following web pages:

- [https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how\\_en](https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how_en)
- [https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox\\_en](https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en)



**7. Any other comments on the quality of this document (please specify)**

