

# **European Union Aviation Safety Agency**

# **Opinion No 05/2021**

# Part 21 Light

Certification and declaration of design compliance of aircraft used for sport and recreational aviation and related products and parts, and declaration of design and production capability of organisations

RMT.0727

#### **EXECUTIVE SUMMARY**

The objective of the proposed 'Part 21 Light' is to provide cost-efficient and proportionate rules in the field of the initial airworthiness of aircraft used for sport and recreational aviation.

Compared to Part 21, the proposed 'Part 21 Light' provides a lighter approach to the certification of those general aviation aircraft, and introduces the possibility for a declaration of design compliance to be submitted as an alternative to certification. The proposed 'Part 21 Light' also provides for the possibility to demonstrate design and production capabilities through a declaration, instead of an approval, and for certain low-risk production activities the demonstration of production capabilities is not required at all.

The Opinion captures the outcome of a series of focused consultation workshops that have been used by the Agency to develop this Opinion. Furthermore, following consultation of the draft Opinion with the Advisory Bodies, the regulatory text of 'Part 21 Light' has been further refined to accommodate concerns about proportionality (e.g. removal of safety management elements).

With these new possibilities, it is expected that the barriers to the entry into the European regulatory system will be lowered while maintaining aviation safety. This is expected to invigorate and stimulate the general aviation sector and permit the easier development of new aircraft types.

The proposed 'Part 21 Light' and related amendments of existing Regulations are expected to reduce the regulatory burden for the designers and manufacturers of aircraft used for sport and recreational aviation while continuing to ensure a high level of safety.

Action area: Design and production

Related rules: Commission Regulation (EU) No 748/2012 and Commission Regulation (EU) No 1321/2014

Affected stakeholders: Design organisation approval (DOA) and production organisation approval (POA) holders;

competent authorities (Cas) including EASA

Driver: Efficiency and proportionality Rulemaking group: No

Impact assessment: Yes Rulemaking Procedure: Article 16 'Accelerated

procedure'

#### **EASA rulemaking procedure milestones**

<b>Start</b> Terms of Reference	4 focused consultation workshops	Advisory Body Consultation draft Opinion	Proposal to the Commission Opinion	Adoption by the Commission Implementing/Delegated acts	Decision Certification Specifications, Acceptable Means of Compliance, Guidance Material
28.8.2019	2019/2020	12.8.2021	22.10.2021	2022/Q3	2022/Q3

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# 1. About this Opinion

### 1.1. How this Opinion was developed

The European Union Aviation Safety Agency (EASA) developed this Opinion in line with Regulation (EU) 2018/1139<sup>1</sup> (the 'Basic Regulation') and the Rulemaking Procedure<sup>2</sup>. This rulemaking activity is included in the <u>European Plan for Aviation Safety (EPAS) 2021-2025</u> under rulemaking task (RMT).0727.

The text of this Opinion has been developed by EASA on the basis of a focused consultation of affected stakeholders with the Advisory Bodies in accordance with Article 16 'Special rulemaking procedure: accelerated procedure' of MB Decision No 18-2015.

EASA has taken the decision to follow the procedure laid down in said Article 16 as this regulatory proposal is expected to affect a limited group of stakeholders. Prior to the consultation with the Advisory Bodies, EASA performed a focused consultation on the regulatory concept and of the regulatory proposal developed thereupon with the affected stakeholders through a series of dedicated workshops. Stakeholders from national aviation authorities (NAAs) and general aviation (GA) manufacturers participated in and contributed to these workshops and a draft version of the regulatory text was shared for comments.

The major milestones of this RMT are presented on the cover page.

#### 1.2. The next steps

This Opinion contains the proposed amendments to Regulation (EU) No 748/2012<sup>3</sup> and Regulation (EU) No 1321/2014<sup>4</sup> and describes their potential impacts. It is submitted to the European Commission, which will decide whether to amend those Regulations based on the Opinion.

If the Commission decides that the related Regulations should be amended, EASA will issue a decision providing the detailed technical specifications and acceptable means of compliance (AMC) and guidance material (GM) supporting the application of the amendments introduced into the related Regulations.

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) (<a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R1321&qid=1626086867262">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R1321&qid=1626086867262</a>).



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://eurlex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139).

<sup>&</sup>lt;sup>2</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 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<a href="http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure">http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure</a>).

<sup>&</sup>lt;sup>3</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 (OJ L 224, 21.8.2012, p. 1) (<a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0748&qid=1626086698974">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0748&qid=1626086698974</a>).

# 2. In summary — why and what

### 2.1. Why we need to amend the rules — issue/rationale

The current Part 21 does not provide sufficient proportionality to the nature and risks associated with certain products and activities, such as aircraft used for sport and recreational aviation. As a consequence, the organisational costs (design and production), certification costs and the associated administrative burden are high for the small-aircraft community, that is the least able to bear them.

As part of GA Roadmap 2.0, EASA aims to simplify the airworthiness system (design and production) for the lower end of GA with smaller and less complex aircraft that pose minimal risks to third parties.

Today, the design and production of these GA aircraft is mostly subject to the same regulatory requirements (Part 21) as large aircraft operated in commercial air transport. This approach is now widely considered to be outdated, inefficient and disproportionate and constitutes a financial burden for this sector of aviation.

In 2012, the European Commission, as proposed by EASA, adopted as set of simplified and more proportionate rules into Part 21 for European Light Aircraft (ELA)<sup>5</sup>.

During the development of Opinion No 01/2011 that supported this change to Part 21 for ELA, comments were received from stakeholders that indicated that on top of the proposed amendments there was still a need for a process where formal organisational approvals would not be required and where there would be reduced involvement from the authorities in the certification and production of low-risk aircraft. Nevertheless, to the extent requested, such simplification was not implementable at that time in view of the substantive requirements of the previous Basic Regulation (EC) No 216/2008, in particular its Article 5.

However, these comments were discussed and considered during the development of the current Basic Regulation (EU) 2018/1139 which now provides the means to introduce greater proportionality for lower-risk and simpler products. At the same time, the Basic Regulation requires the Agency to issue opinions for the amendment of (among others) Regulation (EU) No 748/2012 in order to adapt it — as regards aircraft used for sport and recreational aviation.

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

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Section 2.1.

The specific objective of this proposal is to introduce simplified rules that will enable the application of a proportionate approach for products that are considered to pose less risk when compared to other more complex products. This proposal intends to achieve a reduction in the administrative burden and its associated costs, while at the same time support innovation in the GA sector.

Differentiating between ELA1 (aeroplanes, sailplanes or powered sailplanes that are not classified as complex motorpowered aeroplanes up to a maximum take-off weight of 1 200 kg) and ELA2 (aeroplanes, sailplanes or powered sailplanes that are not classified as complex motor-powered aeroplanes up to a maximum take-off weight of 2 000 kg).



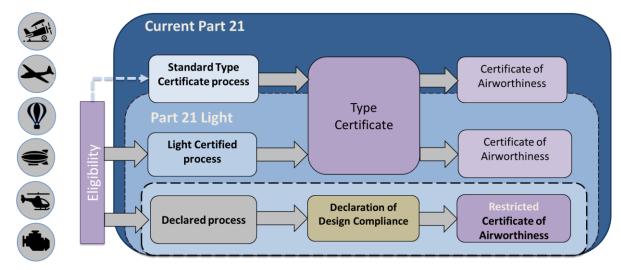
#### 2.3. How we want to achieve it — overview of the proposed amendments

EASA, in the context of the activities of RMT.0727, reviewed the current Regulation (EU) No 748/2012 and its Part 21 in view of the airworthiness processes for sports and recreational aircraft. In this respect, EASA intends to propose to the European Commission to take full account of the new tools and greater regulatory flexibility introduced by the new Basic Regulation.

EASA considers that the best way to introduce the necessary proportionality in the certification process is by creating a dedicated set of rules concerning design and production activities for sports and recreational aircraft ('Part 21 Light'), which would be separate from the current Part 21. This would be achieved through addition of a new annex to Regulation (EU) No 748/2012 and corresponding amendments to that Regulation and to Regulation (EU) No 1321/2014.

These proposed amendments will introduce a proportionate regulatory system for GA. This will be achieved by:

- (a) the simplification of the requirements and processes that an applicant must follow to achieve type certification for a simple product that poses lower risk within a limited scope;
- (b) the adaptation of the requirements and processes to provide, for a low-risk, limited scope of product, the possibility to declare the compliance of the design with a set of predetermined state-of-the-art design specifications. This creates a viable alternative to type certification for simple aircraft that pose lower risks and is only intended to be used for sports and recreational purposes;
- (c) the possibility for organisations involved in the design and production of simple products to use a declaration to attest their design or production capabilities and compliance with the relevant organisational requirements, instead of seeking organisation approvals;
- (d) a coordinated relationship and involvement between EASA, the competent authority and organisations involved in the design and production of simple products; and
- (e) the adaptation of other related EU regulations such as Regulation (EU) No 1321/2014 for continuing airworthiness to ensure consistency and enable the introduction of the 'Part 21 Light' concept.



In more detail, the proposal for a 'Part 21 Light' is split into two key processes to provide the aircraft designer with a choice between:

- Light certified process a light certification process, corresponding to the nature and risk of
  the product, leading to an ICAO-compliant EASA type certificate. On the basis of the EASA type
  certificate, a standard certificate of airworthiness (CofA) would be issued by the competent
  authority for the individual aircraft; or
- Light declared process a declaration of compliance of the aircraft design with the applicable requirements or standards by the responsible organisation, but with no verification of compliance of the design by EASA and no type certificate issued. On the basis of that declaration, a restricted CofA (RCofA) would be issued by the competent authority for the individual aircraft.

It is proposed that 'Part 21 Light' will provide organisations with a choice between these two processes depending upon the scope of their product and their intended market. The choice would principally depend on whether the product is within the scope of both processes and whether the manufacturer is aiming at a market in which individual aircraft ultimately should be able to receive an ICAO-compliant CofA, based on a type certificate, or a (not necessarily ICAO-compliant) RCofA without an EASA-approved design.

# **Light Declared aircraft**



- aeroplanes with an MTOM of **1 200 kg** or less with a seating configuration of maximum **2 persons**;



sailplanes or powered sailplanes of 1 200 kg
 MTOM or less;



- balloons designed for maximum four persons;



 hot air airships designed for maximum four persons.

# **Light Certified aircraft**



 aeroplanes with an MTOM of 2 000 kg or less with a seating configuration of maximum 4 persons;



- sailplanes or powered sailplanes of **2 000 kg** or less;



- balloons;



- hot air airships;

- passenger gas airships designed for **maximum four persons**;



 rotorcraft with an MTOM of 1 200kg or less with a seating configuration of maximum four persons.





- piston engines and fixed pitch propeller on above

The proposed new 'Part 21 Light' rules do not oblige designers and manufacturers falling within the scope of the new rules to change, but rather the aircraft designers and manufacturers will be permitted to choose to either continue using the current, i.e. standard, Part 21 rules for type certification and production along with the existing regulatory alleviations in Part 21 for ELA 1 and ELA 2 aircraft, or transition to the new 'Part 21 Light' rules. This possibility will be retained in order to not adversely affect existing organisations that are familiar with and wish to continue using the current Part 21 requirements.

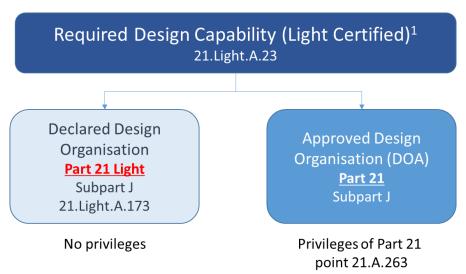
'Part 21 Light' provides significant alleviations from the current design and production capability requirements for organisations that are contained in Part 21. It provides dedicated organisational requirements which will be of interest for new design organisations while providing a regulatory alternative for organisations that already have an approval issued in accordance with Part 21. Those organisations will be permitted to use them as a demonstration of their capabilities also under 'Part 21 Light', thereby enabling a seamless transition to the use of 'Part 21 Light'.

'Part 21 Light' will also allow organisations the possibility to declare their design and production capabilities and become a 'declared design organisation' or a 'declared production organisation', two new categories of organisations to be introduced by the envisaged rules. These declared organisations will be subject to oversight (as approved organisations are currently) by EASA, as regards the 'declared design organisations', and the competent authorities of Member States, as regards the 'declared production organisations' located in the EU. However, the means of conducting oversight will not be the same as for approved organisations, and an alternative approach is proposed. It is proposed that the possibility to declare design or production capabilities is made available only to organisations located in the EU.

The two processes in 'Part 21 Light' have different *organisational requirements* depending on whether the organisation is seeking an EASA type certificate under a simplified certification process (light certified process of design compliance) or declaring that the design of the aircraft complies with detailed technical specifications established by EASA (light declared process of design compliance):

- Light certified process of design compliance
  - Organisations will be permitted to declare their capability to design products and parts (declared design organisation) instead of obtaining a design organisation approval (DOA), which is the main alleviation under this process. However, a standard DOA will also be permitted as a means of demonstrating design capability for those organisations which prefer to hold a DOA.
- Light declared process of design compliance

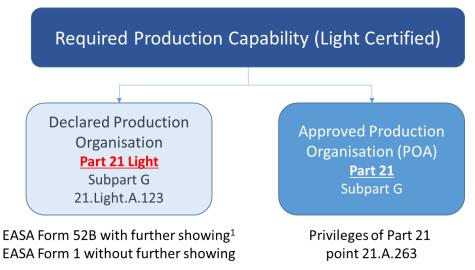
Design organisations will not be required upstream to demonstrate their design capabilities by holding a DOA or by declaring their capabilities as a declared design organisation. However, under 'Part 21 Light', there will be certain organisational requirements that the undertaking will have to cover by the declaration of design compliance which will be required in respect of the product itself.



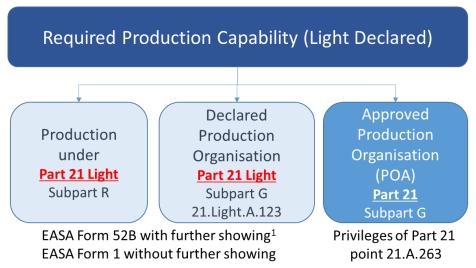
<sup>&</sup>lt;sup>1</sup>There are no formal design capability requirements for Light Declared

As regards the production requirements, they will depend on whether the product has been approved under the light certified process of design compliance or is covered by a declaration issued under the light declared process of design compliance:

- As regards products certified under 'Part 21 Light', they will be permitted to be manufactured either by declared production organisations (which is the main alleviation) or by an organisation holding a standard production organisation approval (POA) if the manufacturer so prefers.
- As regards products declared under 'Part 21 Light', their manufacturers will not be required upstream to hold a POA or to declare their production capabilities. However, similarly as is envisaged for design, there are a dedicated set of production requirements that the organisation will have to confirm compliance with when signing the individual statement of conformity of the manufactured products and parts with the declared design data.



<sup>&</sup>lt;sup>1</sup>Based upon a risk assessment of the need by the Competent Authority



<sup>&</sup>lt;sup>1</sup>Based upon a risk assessment of the need by the Competent Authority

One of the key principles of 'Part 21 Light' is the departure from the rigid oversight of process-based documentary reviews and audit. In its place is the concept of an oversight focused more on the product that has been designed and produced. Due to much simpler designs, the product itself can provide significant insights into the design and production capability of the design and production organisation and the robustness of the processes that have been used by the organisation. More traditional oversight means remain available but should be mainly used as a means to understand and establish the root cause of a possible shortfall in the design or production of the product.

The concept of product-based oversight along with a level of involvement adapted to the inherent risks in case of non-compliance of such products is utilised in 'Part 21 Light' in the verification of compliance by EASA when issuing the type certificate for products in the light certified process. This will provide a proportionate involvement of EASA in the verification of compliance whilst providing the necessary independent substantiation to enable EASA to issue a type certificate for the product.

For declared aircraft, the responsibility for compliance with the applicable technical standards and environmental protection requirements rests with the declarant. EASA, when conducting oversight of the declared design, will primarily ensure that the aircraft does not have any features that would affect

the capability of the aircraft to conduct safe flight and be environmentally compatible during in-service operations. Here the well-established concept of the airworthiness directives or similar measures will be maintained.

The concepts of product-based oversight and a risk-based approach to oversight will also be utilised by the competent authorities of Member States for the verification of conformity of either type-certified products or aircraft subject to a declaration of design compliance prior to issuing the first and subsequent CofAs (for type-certified aircraft) and RCofAs (for declared aircraft).

A risk-based approach to oversight will allow EASA and the competent authorities of Member States to focus their oversight activities where they will have the most benefit and effect. This will also foster a stronger working relationship between organisations and the authorities and work towards the establishment of a voluntary safety culture beyond mandated compliance.

In 'Part 21 Light' there will of course still be the obligation for EASA and the competent authorities of Member States to oversee organisations, products and activities, including those which are declared, to mandate corrective actions based upon findings that are raised during investigations/oversight if they are found to be necessary. EASA and the competent authorities will retain the possibility to limit, suspend or revoke approvals or to stop or prohibit (declared) activities until such time as the corrective actions are implemented and the findings are resolved.

## 2.4. What are the stakeholders' views — outcome of the consultation

During the development of 'Part 21 Light', the Agency took into consideration various inputs from stakeholders which helped to shape the final regulatory proposal.

In addition, during the consultation of the draft Opinion with the Advisory Bodies, the following main topics were raised by the stakeholders:

- There was general support for the inclusion of a dedicated regulatory framework just for simpler products;
- Requests for more details on how compliance can be demonstrated (such detail should be found in AMC/GM once developed) were received;
- There were some misunderstandings about the intent of the light declared process and the responsibilities of the declarant, the Agency and the competent authority;
- There was interest in the means of overseeing a declared design or production organisation;
- Comments were received relating to elements in Annex IV (Part 21 Light) that stem from regulatory changes to Annex I (Part 21) that have already been published in Opinions published by the Agency (some of which have already been incorporated into Regulation (EU) 748/2012);
- Requests were received to include more provisions from Annex I (Part 21) for demonstrating design capability (such as alternative procedures to a design organisation approval (APDOA)) for use in Annex IV (Part 21 Light);
- Requests were received for the inclusion of additional privileges and to permit third parties to declare the compliance of major changes/repairs to an aircraft that was subject to a declaration of design compliance;

- Requests were received to expand the scope of the light certified process (Subpart B of Annex IV (Part 21 Light)) and the light declared process (Subpart C of Annex IV (Part 21 Light)) to permit products of a higher maximum take-off mass (MTOM) and a greater number of occupants;
- Requests for clarification were received on whether or not proportionality had been achieved in the organisational requirements for design and production. For example, to reconsider the need for safety management elements for declared design and production organisations;
- Requests for clarification were received on whether or not the normal obligations of a design holder (i.e. type certificate holder) in Annex I (Part 21) also apply to a design holder or declarant in Annex IV (Part 21 Light).

Based upon the feedback received during the AB consultation of the draft Opinion, the following changes were made to the regulatory text:

- The original provisions for issuing of permits to fly that were consulted could have inadvertently required that the competent authority conducts a physical inspection of an aircraft for every permit to fly that was requested. This was not the original intent and the physical inspection is intended to be conducted by the competent authority in conjunction with the Agency prior to the first flight and the issuance of the flight conditions and permit to fly. This has now been clarified in the provisions relating to permits to fly.
- Certain elements of the safety management system requirements for design and production organisations that have been proposed in Opinion No 04/2020 were included in the draft Opinion for 'Part 21 Light'. Some stakeholders considered that the safety management elements were not proportionate for the type of simple organisations that would be conducting design and production activities for products within the scope of 'Part 21 Light'. Furthermore, the recently published Part-CAO does not contain any safety management system requirements. After further consideration, the safety management elements for declared design and production organisations were removed from Subparts G and J.
- The possibility for an aircraft manufacturer to make a declaration of design compliance (for a limited scope of product as an alternative to a type certificate) created some uncertainty regarding compliance of the aircraft with ICAO Annex 8 and any possible subsequent operational limitations in terms of international territories in which such an aircraft can be operated. The original text of EASA Form 24B was intended to provide clarity on the potential usage of an aircraft that has been subject to a declaration of design compliance. However, further clarification was requested, and additional explanatory text has been provided in EASA Form 24B that will ensure certainty over the possible usage of these aircraft.

#### 2.5. What are the expected benefits and drawbacks of the proposed amendments

The expected benefits and drawbacks of the proposed amendments are summarised below. For the full impact assessment of the alternative options, please refer to Chapter 3.

It is expected that the regulatory burden for the design and production organisations of sports and recreational aircraft will be alleviated, thereby reducing the associated costs. This is particularly noticeable for a limited scope of simpler aircraft for which the regulatory burden is lowered further with the possibility to declare the compliance of the design.

'Part 21 Light' will create progressive steps for organisations into the EU regulatory system which will encourage new entrants into the EU aviation market due to the easing of the initial entry point into the EU regulatory system. It is also foreseen that this will also foster innovation and facilitate safety improvements in this sector by removing some of the more onerous regulatory requirements for simpler aircraft and taking a more risk-based approach to oversight.

In accordance with paragraph (2)(a) of Article 18 of the Basic Regulation (EU) 2018/1139, a restricted certificate of airworthiness must be issued for aircraft that comply with a declaration of design compliance. This restricted certificate of airworthiness is valid and recognised in all EU Member States without further requirements or evaluation. However, the process leading to this restricted certificate of airworthiness does not comply with all of the applicable Standards of Annex 8 to the Convention on International Civil Aviation and therefore may not be valid for international air navigation over non-EU Member States, unless approved by the state(s) being overflown.

The primary reason is that Annex 8 to the Convention on International Civil Aviation requires that the authority issues a type certificate to attest the compliance of the aircraft design with the applicable technical airworthiness requirements. No such certificate is issued by EASA for an aircraft that has been subject to a declaration of design compliance as the declarant has declared compliance and this has not been verified by the Agency. In addition, for the production of aircraft, Annex 8 to the Convention on International Civil Aviation requires that the State of manufacture ensures that each aircraft, engine or propeller is airworthy and conforms to the approved design. Although the production organisations producing aircraft are subject to certain means of oversight, there is no authority approval for each individual aircraft, engine or propeller.

# 3. Impact assessment (IA)

#### 3.1. What is the issue

Today, the design and production of GA aircraft is mostly subject to the same regulatory requirements (Part 21) as large aircraft operated in commercial air transport. This approach is now widely considered to be disproportionate and inefficient.

The background to previous initiatives to introduce proportionality into Part 21 is contained in Section 2.1.

The current limited proportionality in Part 21 results in a reduction in the competitiveness of the European light aircraft industry when compared with other third-country manufacturers that benefit from a more proportionate regulatory system. This reduction in competitiveness stems from higher overheads and the costs of certifying their product to enter the market.

The current non-proportionate rules are preventing new entrants from entering or accessing a wider market due to the regulatory barriers created by Part 21. This results in reduced competition between European light aircraft manufacturers and can even lead to the departure of some existing manufacturers.

It is possible that the high regulatory costs and difficulties in achieving certification could stifle innovation within the European general aviation sector. This could also contribute to a lack of development and subsequent application of safety improvements for light aircraft due to concerns over the regulatory effort and costs incurred to do so.

It is acknowledged that there are European light aircraft manufacturers that are currently not able to enter the European regulatory system and therefore a wider European market and must limit themselves to the national market and stay within the national regulatory system.

#### 3.1.1. Safety risk assessment

There are no safety risks that are addressed by the implementation of Part 21 Light.

#### 3.1.2. Who is affected

The following stakeholders are affected by this regulatory proposal:

- Manufacturers designing and producing light aeroplanes and rotorcraft, sailplanes and powered sailplanes, balloons and airships and manufacturers designing and producing engines and propellers installed on these aircraft;
- EASA and competent authorities.

#### 3.1.3. How could the issue/problem evolve

If the current regulatory requirements of Part 21 keep being applied to aircraft that are used primarily for sports and recreational use, then the following effects could occur:

 Reduced competitiveness of the European light aircraft industry compared with other thirdcountry manufacturers due to disproportionate regulatory requirements and higher overheads;

- Reduced competition between European light aircraft manufacturers due to new entrants not being able to enter the market or the departure of some existing manufacturers;
- Possible reduction in innovation or the application of safety improvements for light aircraft due to high regulatory costs and difficulties in achieving certification;
- Light aircraft manufacturers that are currently in the national regulatory system not being able to enter the European regulatory system and a wider European market.

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

The operational objectives of this proposal are to:

- reduce the current barriers to the entry into the EU regulatory system to enable access to the
   EU (and wider) aviation market;
- provide a streamlined and cost-effective process for the entry into service ('certification') of aircraft primarily used for sport and recreational use whilst ensuring safety;
- foster and cultivate the European light aircraft market through the implementation of more proportionate rules.

### 3.3. How it could be achieved — options

EASA has considered various options to provide proportionality into Part 21 Light and evaluated the balance between ensuring compliance and conformity and the reduced involvement of authorities.

#### Options considered for the scope of Part 21 Light

When establishing the scope of Part 21 Light, EASA took into account the rationale that was used for previous proportionality initiatives in Part 21 such as the introduction of ELA 1 and ELA 2. The risk and potential safety impact of a technical failure resulting from a non-compliance or a safety issue was taken into consideration. From the outset the concept for Part 21 Light was to strive to have less intervention and oversight from the authorities. However, in order to achieve this, it is necessary to bound and limit the scope of products that would be eligible for more proportionate regulatory oversight.

The scope of the recently adopted Part-M Light was considered as the basis for the scope of Part 21 Light. A review of the products that would be within this scope established that the complexity, size and number of occupants of products at the upper end of this scope would not be suitable for more proportionate oversight. The reason is that it would be more difficult to determine design compliance through product-focused oversight in the proportionate approach contained in Part 21 Light; therefore, the risk of non-compliance would be increased.

The original rationale for the introduction of ELA 1 and ELA 2 into Part 21 was reviewed and it was established that the justification for that scope of products was robust. It was determined after this review that the justification for ELA 1 and ELA 2 in Part 21 also fitted the assumptions made for the initial Part 21 Light concept. For this reason, it was used as the original basis for the development of the Part 21 Light concept where the light certified and light declared processes had the same scope. The original envisaged concept was that an aircraft manufacturer could choose between the light certified and light declared processes depending on their business model and intended market.

Based upon feedback from the focused consultation, the scope of the light declared process was reduced and limited. The reason for the more limited scope was the feedback received from industry

that the need for declarations of capability for design or production (to become a declared design or production organisation) would be too onerous for aircraft manufacturers at the lower end of the original scope of Part 21 Light and this would make the light declared process unattractive to these aircraft manufacturers. To address this, for the light declared process, EASA removed the formal design organisational requirements and created alternative production requirements in Subpart R. The resulting scope of the light declared process is limited but reflects the necessary balance between the risk and the level of oversight.

This resulted in the light certified and light declared processes having different scopes, with a more limited scope being provided for the light declared process. The scope for light certified and light declared processes includes upper limits but no lower limits.

#### Options considered for proportionate demonstration of organisational capability

When considering the most appropriate organisational capability requirements for design and production in Part 21 Light, EASA took into account the lessons learnt from the introduction of alternatives to a DOA that were included into Part 21 for ELA 1 and ELA 2 aircraft. In addition, the experience from the development of dedicated AMC to Part 21 under RMT.0689 was evaluated where to a certain degree the limitations of the previous Basic Regulation prevented greater proportionality being offered to the GA sector.

EASA also reviewed the lessons learnt from the introduction of declared training organisations (DTOs) in Annex VIII (Part-DTO) to Regulation (EU) No 1178/2011<sup>6</sup> which allows training organisations that conduct training for certain classes of flight crew licences to declare their training capability. Even though DTOs are in the flight crew licensing domain, EASA considered whether there were any synergies for introducing similar proportionality into Part 21 Light as the process for submitting a declaration and for conducting oversight of the organisation were valid for Part 21 Light.

EASA also evaluated the regulatory possibilities and obligations from the new Basic Regulation including the potential for organisations to declare their design or production capability. The pragmatic use of declarations by organisations for design or production capability offered the possibility to introduce greater proportionality whilst ensuring that the organisation was capable of conducting the necessary functions to achieve compliance of the design and conformity of individual products and parts. However, the means to conduct oversight also needs to be proportionate to avoid the same level of regulatory burden for declared design and production organisations.

The Part 21 Light concept was developed with the intention of being more product-focused when conducting oversight and using an assessment of what has been designed or produced as the initial basis for oversight. The feasibility of using product-focused oversight to ensure the compliance of declared design and production organisations was evaluated. It was determined that for the scope of products within Part 21 Light it would be possible to determine the compliance of an organisation by conducting oversight of products that have been designed and produced by that organisation. It was further established that there was also a need to permit other means of oversight to be applied if an issue was discovered in order to determine the root cause and ensure corrective actions are put in place.

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) (<a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011R1178&qid=1626093045519">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011R1178&qid=1626093045519</a>).



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During the focused consultation, EASA received feedback that the light declared process would not be attractive to manufacturers of aircraft at the lower end of the scope of Part 21 Light due to the fact that the proposed requirements for declarations of capability for design and production would be too onerous for these manufacturers.

In response, EASA evaluated how the organisational requirements for the light declared process could be alleviated and determined that the most appropriate means would be to limit the scope of the light declared process and thereby bound the risk of a possible non-compliance or non-conformity. This resulted in the removal of formal design capability requirements for the light declared process and the development of a set of dedicated production requirements (in Subpart R) for the production of declared aircraft and parts.

Part 21 Light was not only developed to encourage new entrants into the EASA regulatory framework but also to consider existing aircraft manufacturers. For this reason, EASA took into account the fact that existing manufacturers would wish to use Part 21 Light for the certification or release of new products. Existing manufacturers that already have a DOA or a POA are permitted to use these approvals (and the associated privileges) to demonstrate compliance with the design and production capability requirements for Part 21 Light.

EASA evaluated the possibility to use alternative procedures to a DOA (AP to DOA) and the requirements for a certification programme that are permitted to demonstrate design capability in Part 21 for ELA 1 and ELA 2. EASA determined that these means of demonstrating design capability would not be compatible with the Part 21 Light concept and the philosophy of product-focused oversight. Whereas there are synergies between the requirements for a declared design organisation in Part 21 Light and the requirements for a DOA in Part 21, there are no synergies between the requirements for a declared design organisation and an organisation using AP to DOA.

#### Options considered for ensuring initial design compliance

From the start of the development of the Part 21 Light concept the aim was to reduce the involvement of the authority in the process to release a product to the market. However, there is still a need to ensure that the product is safe for its intended use noting the increased acceptability of risk of simpler products used for sports and recreation use compared to commercial operations.

In order to try and find the right balance, EASA evaluated and considered different options to ensure that a product is safe prior to it being released to the market and in service. The possibilities and obligations in the Basic Regulation were reviewed, in particular the possibility for an aircraft manufacturer to declare the compliance of a product or even to issue a certificate themselves. Due to the fact that EASA wanted to provide the possibility to use declarations for design and production capability, the possibility for a manufacturer to issue their own certificate in Part 21 Light was discounted and not considered appropriate. However, the possibility for a manufacturer to declare the compliance of a product was considered to have merit and considered to provide an even more proportionate means to release a product to market compared to type certification.

EASA decided to provide two proportionate processes in Part 21 Light, namely the light certified and the light declared process. It was recognised that under the light declared process the involvement of EASA would be different because the declarant would be responsible for design compliance and the role of EASA would be different from the light certified process where compliance is verified by EASA. Beyond design compliance, EASA retains the obligation to ensure as the first step of conducting oversight the basic safety of the declared product.

For the light certified process, verification of compliance by EASA will lead to the issuance of a type certificate (or supplemental type certificate). As a departure from the existing Part 21 type-certification process, EASA decided to focus the verification of the compliance of the design of the product on two focused visits to the applicant. The first visit is the critical design review that is conducted prior to first flight and prior to the flight conditions being approved for the permit to fly. The second visit is a first article inspection after the applicant has completed the demonstration of compliance and the aircraft is in the final configuration and is representative of a production aircraft. EASA still retains the right to conduct more traditional verification activities if found necessary.

For the light declared process, design compliance is under the sole responsibility of the aircraft manufacturer, without any verification by EASA before the declaration is made. The role of EASA is to ensure as part of the initial oversight that the aircraft is capable of safe flight and environmentally compatible. To achieve this, EASA determined that it would be appropriate to conduct a safety review of the aircraft prior to the first flight and prior to the flight conditions being approved for the permit to fly. This is also an opportunity for the declarant to meet EASA and establish a relationship. Furthermore, EASA would conduct a first article inspection after the declarant has completed the demonstration of compliance and the aircraft is in the final configuration and is representative of a production aircraft. Findings can be raised by EASA in the event that an issue with the design is discovered that could affect the safety of the aircraft. These findings would need to be resolved prior to the registration of the declaration of design compliance by EASA. After that, EASA will oversee the declared design in the same way as it would oversee a design for which it has issued a type certificate following the light certified process.

EASA recognised that there might be a need to provide support to aircraft manufacturers that intend to submit a declaration of design compliance, e.g. when the manufacturer is uncertain whether the intended design is within the scope of Subpart C of Part 21 Light and can be subject to a declaration of design compliance. For this reason, provisions were considered for a declarant to request assistance from EASA on compliance topics to ensure that obvious non-compliance issues can be detected already before the two initial EASA oversight visits in the light declared process. Upon further consideration, it was decided that it would not be appropriate to include such provisions at a regulatory level in Part 21 Light and that it would be more appropriate to develop guidance material to indicate that the declarant has the possibility to approach EASA for clarifications of the scope of the product and the applicability of technical specifications.

#### Options considered for ensuring conformity of products and parts

The proportionality provided by the Part 21 Light concept is not only limited to the design of products. The need to provide greater proportionality also exists for organisations producing products or parts.

In the light certified process, an organisation producing products or parts is permitted to declare their production capability and become a declared production organisation (approved organisations are also permitted). Oversight of the declared production organisation by the competent authority can be achieved during the critical design review and the first article inspection that are intended to be conducted in conjunction with EASA. After the first CofA has been issued for a particular aircraft, opportunities to conduct oversight of the declared production organisation are possible on a risk basis when requests for further CofAs are received. The oversight of the declared production organisation should be product-focused where compliance with the production organisation requirements is primarily determined through an assessment of the product or part that has been produced. Other means of investigation and oversight remain available.

In the light declared process, it was originally proposed that the manufacturer should declare their production capability and become a declared production organisation. However, based upon feedback from the focused consultation, the requirements for the production of declared aircraft and parts were adapted in order to take into account small organisations producing simple products and parts. EASA developed dedicated production requirements for the production of declared aircraft and parts that can be used without a declaration of production capability. However, in order to bound the risk of a non-conformity, the scope of the light declared process was reduced to only permit lower-risk products.

In order to prevent the possibility of parts that are not produced by an approved or declared production organisation being installed on a type-certified product, EASA decided to amend the instructions for the completion of EASA Form 1 to incorporate the use of this form for parts for aircraft that are subject to a declaration of design compliance and are produced by production organisations that use the requirements of Part 21 Light Subpart R.

For the conformity of completed aircraft, EASA has included a dedicated 'Aircraft statement of conformity — EASA Form 52B' for both type-certified products and declared aircraft. The reason for including Aircraft statement of conformity — EASA Form 52B is that declared production organisations and production organisations using the requirements of Part 21 Light Subpart R are not granted the privilege to request a CofA or a RCofA 'without further showing' as per Part 21. The use of an Aircraft statement of conformity — EASA Form 52B will indicate to the competent authority that there may be additional actions to take to ensure conformity of the aircraft prior to issuing a CofA of a RCofA.

#### Visibility and enforcement

During the development of the light certified and light declared processes, the need to ensure visibility by authorities of declarations of design and production capability and declarations of design compliance was identified. For declared design and production organisations, it was determined that the best means of achieving visibility and transparency was through the registration of the declaration of design or production capability and the assignment of a unique registration number by the competent authority.

In a similar manner, the registration of a declaration of design compliance is considered necessary in order to provide the competent authorities with visibility of the status of the declaration of design compliance when issuing RCofAs.

The ability for authorities to raise findings of non-compliance for declared design and production organisations was also considered to be important to ensure that these organisations remain in compliance with the regulatory requirements. Likewise, the possibility for authorities to take enforcement action was considered to be necessary in the event of a continued non-compliance of the organisation. It was decided that the most appropriate means to achieve this would be through the de-registration of a declaration of design or production capability. This would prevent the organisation from conducting further activities until the findings had been resolved.

For declarations of design compliance, it was also considered necessary to include a means of addressing non-compliances and non-conformities of products. Part 21 Light contains the possibility for findings to be raised against declared products and the possibility for enforcement actions to be taken. The most appropriate means of achieving enforcement action was determined to be through the de-registration of a declaration of design compliance. This would prevent the issue of new RCofAs and the release of new products of that design.

#### Permeability between Part 21 and Part 21 Light

The light certified process was originally developed to only consider new applications for a type certificate or a supplemental type certificate as this was considered to provide the required change in proportionality. However, based on considerable feedback during the focused consultation, the philosophy for the light certified process was adapted to permit holders of existing type certificates and supplemental type certificates to elect to migrate their certificate from Part 21 to be managed under Part 21 Light.

Therefore, holders of existing type certificates and supplemental type certificates that migrate their certificate issued under Part 21 to Part 21 Light would be permitted to:

- declare their design capability in accordance with Part 21 Light Subpart J (if they did not hold a DOA issued under Part 21 Subpart J);
- use Part 21 Light Subpart D to manage design changes;
- use Part 21 Light Subpart M to manage repair designs;
- declare their production capability in accordance with Part 21 Light Subpart G and elect to become a declared production organisation.

The following options in Table 1 were considered:

**Table 1: Selected policy options** 

Option No	Short title	Description	
0	No change	No policy change (no change to the rules; risks remain as outlined in the issue analysis.)	
1	Introduce proportionality through Part	This option would develop a dedicated set of regulatory requirements for the initial airworthiness of aircraft used for sports and recreational use which would include:	
	21 Light	<ul> <li>a proportionate and pragmatic process to achieve type certification;</li> <li>organisational requirements for design and production capability that are a viable alternative to approvals;</li> <li>an alternative process to type certification that permits manufacturers to declare compliance of their design.</li> </ul>	

### 3.4. Methodology

#### 3.4.1. Methodology applied

The methodology applied for this impact assessment is the multi-criteria analysis (MCA), which allows all the options to be compared by scoring them against a set of criteria.

The MCA covers a wide range of techniques and combines a range of positive and negative impacts into a single framework to allow scenarios to more easily be compared. Essentially, it applies a costbenefit assessment (CBA) to cases where there is a need to present multiple impacts that represent a

mixture of qualitative, quantitative and monetary data, and where there are varying degrees of certainty. The key steps of an MCA generally include:

- establishing the criteria to be used to compare the options (these criteria must be measurable, or at least comparable in qualitative terms); and
- scoring how well each option meets the criteria; the scoring needs to be relative to the baseline scenario.

The criteria used to compare the options were derived from the Basic Regulation, and the guidelines for the impact assessment were developed by the European Commission. The principal objective of the Basic Regulation is to 'establish and maintain a high uniform level of civil aviation safety in the Union' (as per Article 1(1) of the Basic Regulation). As additional objectives, the Basic Regulation identifies environmental, economic, proportionality and harmonisation aspects, which are reflected below.

The scoring of the impacts uses a scale of -10 to +10 to indicate the negative and positive impacts of each option (i.e. from 'very low' to 'very high' negative/positive impacts). Intermediate levels of benefit are termed 'low', 'medium', and 'high', with also a 'no impact' score possible.

#### 3.5. What are the impacts

#### 3.5.1. Safety impact

Option 0 'No change'

If Regulation (EU) No 748/2012 is not amended, there will be no safety impact.

#### Option 1 'Introduce proportionality through Part 21 Light'

Since the introduction of the alleviations for European Light Aircraft (ELA) in Part 21 in 2012, there has not been a perceivable negative effect on safety and in some respects the safety trend (fatal and nonfatal accidents) for GA has been positive<sup>7</sup>. This may indicate that the application of regulatory requirements which were intended for complex products and large organisations to small organisations that design GA aircraft may not have had the intended positive safety effect for this sector.

It is challenging to make a direct comparison of the safety records of GA products that are regulated within the EASA regulatory system and products that are regulated at a national level, but previous studies<sup>8</sup> have shown that there are no significant differences in the safety records. This may indicate that the heavier regulation of the current EASA regulatory system does not appear to result in a significant safety benefit for GA. The major fatal risks for GA do not relate to design-related failures cases. In addition, human performance, weather and reaction to unusual events are significant contributing factors.

One of the key elements of this proposal is that the stakeholders take a greater responsibility for the products that they design, manufacture, maintain and operate.

The light certified process that results in a type certificate requires the involvement of EASA in the verification of the compliance of the design. This verification is achieved through two main oversight

https://www.easa.europa.eu/sites/default/files/dfu/03%20-%20Final%20Report%2026%20Nov%2010.pdf



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https://www.easa.europa.eu/sites/default/files/dfu/easa\_asr\_2020.pdf

visits (critical design review and first article inspection) to the applicant. This alternative product-focused oversight is considered to provide the necessary verification of the compliance of the design based upon the limited scope and low risk of the products that can use this process.

The outcome of the light declared process is the submission of a declaration of design compliance by the declarant to EASA. In this process, EASA does not verify the compliance of the design as this is the sole responsibility of the declarant. However, EASA conducts oversight of the design of the product through two main oversight visits (safety review prior to first flight and first article inspection). This product-focused oversight is considered to provide the necessary oversight of the product based upon the very limited scope and even lower risk of the products that can use this process.

The proposal for Part 21 Light will provide alleviations from the current design and production capability requirements for organisations that are contained in Part 21. However, organisations that already have an approval issued in accordance with Part 21 will be permitted to use it as a demonstration of their capabilities also under Part 21 Light. In addition, Part 21 Light will provide organisations with the possibility to declare their design and production capabilities and become a 'declared design organisation' or a 'declared production organisation', two new categories of organisations to be introduced by this proposal. These declared organisations will still be subject to oversight by EASA, as regards the declared design organisations, and the competent authorities of Member States, as regards the declared production organisations located in the EU. Due to fact that the requirements for an approved and declared organisation are comparable (but proportionate) and that oversight of declared organisations is possible, and due to the limited scope of the products, this regulatory change is not considered to adversely affect safety.

For the Part 21 Light declared process, manufacturers will not be required to demonstrate their design capabilities by holding a DOA or by declaring their capabilities as a declared design organisation (although this is not excluded). However, there are certain organisational requirements and obligations that the manufacturer will have to satisfy when submitting a declaration of design compliance which will be required in respect of the product itself. Likewise, manufacturers will not be required to hold a POA or to declare their production capabilities. However, similarly as is envisaged for design, a dedicated set of production requirements are established under Part 21 light with which the organisation will have to confirm compliance when signing the individual statement of conformity of the manufactured products and parts with the declared design data. Provisions for oversight by EASA or the competent authority are provided. Due to the very limited scope of the products, the associated low risk of non-compliance or non-conformity and the oversight of the product and individual aircraft, this regulatory change is not considered to adversely affect safety.

Based upon the rationale above, the proposals in this draft Opinion are considered to have a neutral effect on safety.

	Option 0 'No change'	Option 1 'Introduce proportionality through Part 21 Light'
Safety impact	No effect on safety due to no changes being introduced	Neutral safety effect due to the limited scope of products and the ability to conduct oversight 0
	0	

#### 3.5.2. Environmental impact

There are no environmental impacts foreseen with the proposed regulatory changes.

#### 3.5.3. Social impact

There are no social impacts foreseen with the proposed regulatory changes.

#### 3.5.4. Economic impact

Option 0 'No change'

There is no economic impact from not introducing Part 21 Light.

Option 1 'Introduce proportionality through Part 21 Light'

The proposals in this proposed opinion would reduce the regulatory burden for the manufacturers of GA aircraft.

The current costs of obtaining a DOA (or for demonstrating the existence of AP to DOA) and a POA are proportionate to the size of the organisation but still constitute a financial burden for small organisations manufacturing GA aircraft. Furthermore, the difficulty and the lack of willingness to expose the company to the business risk (in case of rejection) of obtaining an approval creates a barrier for manufacturers that would wish to enter the European regulatory system and the wider European (and international) market.

One of the significant alleviations in Part 21 Light is that it will allow organisations to declare their design and production capabilities and become a declared design organisation or a declared production organisation. Currently a DOA holder with 10-49 staff that intends to apply for a type certificate would be required to pay an initial fee of EUR 40 510 and an annual fee of EUR 20 260. An organisation intending to use AP to DOA and apply for a type certificate would be required to pay EUR 7 940. It is expected that the oversight fees for a declared design organisation will be significantly lower. Furthermore, for aircraft that are subject to a declaration of design compliance, the manufacturer will not be required to demonstrate their design or production capabilities by holding an approval or by declaring their capabilities. This will further alleviate the cost burden for manufacturers of very low-risk and simple aircraft.

The new possibility for manufacturers of simple and very low-risk aircraft to be able to declare the compliance of an aircraft design is expected to have a positive effect on the European light aircraft market. This significantly facilitates the entry into the European regulatory system which will enable these manufacturers to market their products within the EU states thereby maximising their potential sales.

Overall, it is expected that Part 21 Light will:

- increase the competitiveness of the European light aircraft industry when compared with other third-country manufacturers thanks to proportionate regulatory requirements and reduced regulatory overheads;
- increase competition between European light aircraft manufacturers and stimulate the competition between European light aircraft manufacturers and new third-country manufacturers by permitting/facilitating new entrants to enter the market thanks to the removal of regulatory burden; and

 promote innovation or the installation of safety-improving equipment and technology for GA aircraft thanks to lower regulatory costs and a pragmatic means to achieving certification.

	Option 0 'No change'	Option 1 'Introduce proportionality through Part 21 Light'
Economic impact	Continued negative economic effect due to disproportionate regulatory costs and barriers to new entrants	Positive economic effect due to alleviation of regulatory cost burden and positive effect on European GA market
	0	+4

#### 3.5.5. General Aviation and proportionality issues

#### Option 0 'No change'

This option would continue the current regulatory system for GA aircraft that provides some regulatory alleviations but is not optimised for GA aircraft. This would have a neutral effect for the GA sector.

#### Option 1 'Introduce proportionality through Part 21 Light'

The introduction of Part 21 Light would provide a dedicated regulatory system for GA aircraft that has been developed for the needs of the GA sector and with the required balance for safety and environmental compatibility from the beginning.

Part 21 Light provides proportionality for the GA sector and is optimised to consider the appropriate means to conduct oversight whilst still permitting the GA sector to develop and grow. It provides steps to enable a new entrant to enter the market and to develop and sell their product and then consider taking the next step to apply for a type certificate and possibly a DOA or POA.

	Option 0 'No change'	Option 1 'Introduce proportionality through Part 21 Light'
General Aviation and proportionality issues	Neutral effect as no further proportionality is provided to the GA sector	Positive effect due to the implementation of a proportionate and optimised regulatory system for the GA
	0	sector +4

#### 3.6. Conclusion

## 3.6.1. Comparison of the options

Table 3 below provides a comparison of the scores of the two options:

**Table 3: Comparison of options** 

Criteria	Option 0 'No change'	Option 1 'Introduce proportionality through
		Part 21 Light'
Safety	No effect on safety due to no changes being introduced	Neutral safety effect due to limited scope of products and the ability to conduct oversight.
Economic	Continued negative economic effect due to disproportionate regulatory costs and barriers to new entrants	Positive economic effect due to alleviation of regulatory cost burden and positive effect on European GA market
	0	+4
General Aviation and proportionality issues	Neutral effect as no further proportionality is provided to the GA sector	Positive effect due to the implementation of a proportionate and optimised regulatory system for the GA sector
Total	0	+8

Based upon the relative assessment of the options, Option 1 would provide the required improvement in the proportionality for aircraft primarily used for sports and recreational use. Option 1 would achieve the objectives in Section 2.2.

Based upon this assessment, Option 1 is selected.

# 4. How we monitor and evaluate the proposed amendments

The effectiveness of the proposed regulatory changes for 'Part 21 Light' will be measured by:

- evaluating the number of new applications for type certification of GA aircraft using Part 21
   Light;
- monitoring the number of requests to transition the management of existing type certificates issued under Part 21 to Part 21 Light;
- monitoring the number of requests to register a declaration of design capability by organisations wishing to become a declared design organisation;
- monitoring the number of requests to register a declaration of design compliance for aircraft within the scope of Part 21 Light Subpart C;
- monitoring the safety level of aircraft within the scope of Part 21 Light Subpart B (type-certified)
   and Subpart C (declared);
- monitoring the number of findings that are raised for declared design organisations during oversight;
- monitoring the number of findings that are raised for declared production organisations and organisations using Part 21 Light Subpart R for production during oversight.

Cologne, 21 October 2021

For the European Union Aviation Safety Agency
The Executive Director

Patrick KY

#### 5. References

### 5.1. Related EU regulations

- 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)
- 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)
- 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)

#### 5.2. Other references

 Decision N° 2012/020/R of the Executive Director of the Agency of 30th October 2012 on Acceptable Means of Compliance and Guidance Material 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 ('AMC and GM to Part 21') repealing Decision No 2003/01/RM of the Executive Director of the Agency of 17 October 2003