



Purpose, criteria, categories and format of Certification Memoranda

WI.CERT.00154-001

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**DOCUMENT CONTROL SHEET****Reference documents****a) Procedures**

PR.CERT.00001 - Airworthiness of type design

b) Internal documents

WI.CERT.00057 - Publication and Consultation of Certification Memoranda, Special Conditions, Equivalent Safety Findings, Deviations

FO.CERT.00139 – Tracking Sheet to issue a Certification Memorandum

TE.CERT.00141 – Certification Memorandum

Note: Templates are available in “Certification Process Documents” in SEPIAC

Abbreviations/Definitions**a) Abbreviations**

AMC/GM: Acceptable Means of Compliance and Guidance Material

CB: Certification Basis

CEX: Chief Expert

CPCM: Chief Project Certification Manager

CRD: Comment Response Document

CRI: Certification Review Item

CP: Consultation Paper

CPC: Consultation Process Coordinator (Senior PCM Function)

CS: Certification Specification

CM: Certification Memorandum

Dev: Deviation

DOT: Department of Transportation (USA)

EASA: European Union Aviation Safety Agency

ESF: Equivalent Safety Finding

FAA: Federal Aviation Administration

HoD: Head of Department

NAA: National Aviation Authority

NPA: Notice of Proposed Amendment

PCM: Project Certification Manager

QE: Qualified Entity

SC: Special Condition

SenEX: Senior Expert

SenPCM: Senior Project Certification Manager

WI: Work Instruction





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Log of issues

Issue	Issue date	Change description
001	26/03/2024	First issue to transfer the relevant information for Certification Memoranda which was previously included in WI.CERT.00057-002 - Publication and Consultation of Certification Memoranda, Special Conditions, Equivalent Safety Findings, Deviations.





1. Purpose and scope

This Work Instruction provides a standardised format and instructions for drafting of Certification Memoranda (CMs). The process for public consultation of Certification Memoranda is described in WI.CERT.00057 - Publication and Consultation of Certification Memoranda, Special Conditions, Equivalent Safety Findings, Deviations

This Work Instruction describes:

- The purpose of CMs
- EASA Certification Memoranda criteria
- The CM categories
- The CM format

This Work Instruction affects anyone who prepares, reviews, validates and approves draft CMs intended to be released for public consultation.

2. Purpose of CMs

EASA Certification Memoranda clarify the European Union Aviation Safety Agency's general course of action on specific certification items.

CMs are intended to provide interpretative material on a particular subject and, as non-binding material, may provide complementary information, interpretative material and/or means of compliance for compliance demonstration with current standards. Where possible the material instead should be proposed for incorporation in AMC/GM. Where the material is not mature enough for the introduction in AMC/GM, or there is a need for an urgent publication, the text may be captured in a CM.

Certification Memoranda do not constitute any legal obligation. They cannot go beyond what is allowed in Part-21 but they may contain guidance or alternative means of compliance, which are not (yet) mature for rulemaking.

Certification Memoranda must not be misconstrued as formally adopted Acceptable Means of Compliance (AMC) or as Guidance Material (GM).

EASA Certification Memoranda are living documents that might be updated as soon as a need is identified by EASA.

3. EASA Certification Memoranda criteria

Certification Memoranda must adhere the following criteria:

- **EASA Certification Memoranda must not introduce a new or modify an existing regulatory requirement.** The Certification Memoranda should only contain alternative acceptable means of compliance and/or guidance material providing useful interpretations, but it must not contradict the existing regulations, certification specifications and formally adopted AMC and GM. Only the rulemaking process can effect changes to regulations or introduce new certification requirements.
- **EASA Certification Memoranda are non-binding material.** Although they are related to and refer to regulatory requirements, formally adopted AMC or GM, EASA Certification Memoranda may only contain interpretative material including means of compliance for information purposes only and, on their own, are not legally binding. They provide an interpretation of Part-21 or the certification specifications by EASA as the competent authority





applying those rules. They must not be used as a vehicle to upgrade their content or any referenced material of AMC/GM nature to give it a binding status.

- **EASA Certification Memoranda periodic review.** On a yearly basis, their content will be revisited and in case it advantageously complements the regulatory material, it could be scheduled for the inclusion in an NPA of a regular update rulemaking task.
- **EASA Certification Memoranda should not include mandatory language** such as “shall”, “must”, “required” or “requirement”, unless the Agency is using these words to describe a regulatory requirement, certification specification or formally adopted AMC/GM; or the language is addressed to Agency staff and will not foreclose Agency consideration of positions advanced by affected private parties. As a practical matter, EASA Certification Memoranda may also describe technical requirements in mandatory terms as long as it is clear that the EASA Certification Memoranda itself does not impose legally enforceable rights or obligations.
- **EASA Certification Memoranda must not invalidate a method of compliance the EASA previously agreed to, unless:**
 - (1) It was accepted in error.
 - (2) It is no longer in conformance with a change in the regulations.
 - (3) It no longer supports a finding of compliance; in which case, a justification should be included in the EASA Certification Memorandum.

If an EASA Certification Memorandum contains a method of compliance that is more stringent than an already existing one, the EASA Certification Memorandum must make clear that the previously accepted method is still acceptable.

- **EASA Certification Memoranda may be called up in specific projects. However, they cannot become part of the Certification Basis.**

If no controversy with the applicant about their application in the project, their recording in CRI A-01 or in the accepted certification programme including revision status and date (outside the certification basis) is seen as sufficient. In the event there is no consensus with the applicant about their application in the project, a CRI should be raised according to the normal process to record the 'controversial item' or, if necessary, to record a means of compliance different from the material in the CM.

4. Categories of CMs

As a general rule, the subject of a CM can be either of a “generic” or “technical” nature. The subject of the CM determines to which CM Category the CM belongs and the rules to be followed in preparing, reviewing, validating and approving CMs.

Category 1 CM – Subjects of a generic nature (as e.g. Annex Part 21),

Category 2 CM – Subjects of a technical nature related to e.g. any Certification Specification.

5. When to revise or cancel a CM

A revision either modifies an entire CM, adds new information or modifies existing information. The new version has a new issue, date and letter designation in the document number. The modified sections are identified by a vertical line in the right margin or by highlighting them, and the log of issues are updated accordingly. The revised CM shall follow the same preparation, review, validation and approval process as applied for the initial issue.

The review of CMs is scheduled periodically (no later than two years after its publication), in order to ensure its currency with the regulatory material. Following the review, the CM could be revised, cancelled (if no longer valid) or cancelled





and its content included in a rulemaking task if it was concluded that its content advantageously complements the regulatory material.

If there is a need to cancel a CM, the Implementation Support Services Section in the CT directorate must be notified. A brief justification must be provided for the cancellation of the CM, including information on any replacement document. Only the relevant Head of Department has the authority to cancel it and to request withdrawal of its publication.

6. CM format

6.1. CM template

This chapter requires the use of the EASA CM template TE.CERT.00141 when creating CMs. Instructions for completing the CM format are provided below, following the same headings as indicated on EASA template.

6.2. Explanation of the content of the CM

This shall apply both for Proposed CMs and final CMs. The cover page shall contain the following

EASA CM Reference Number

General information about subject numbers

Certification Memoranda numbers relate to the subject or discipline/ panels. The subject/discipline numbers and related subject/discipline areas are defined below. (Category 2 CM).

Consult the Implementation Support Services Section for subjects/ disciplines/ panels not shown in this list or if you don't want to relate your CM to these subjects/ disciplines/ panels.

Reference Number format

All (Proposed and Final) CMs are identified by a unique reference number, allocated by the Implementation Support Services Section. The reference number allows identifying the type of document, and the subject/discipline under which it has been issued.

The reference of the CM shall be "CM-" followed by the 7-digit core number of the SEPIAC Master CRI Repository if the CM is created from an existing IM or MoC master CRI, preceded with "Proposed" or "Final" as applicable. Otherwise, instead of the the 7-digit core number:

a. For Category 1 CMs

The two-letter designator for the CMs shall be followed by a designator indicating the subject category of the CM:

- GEN
- 21.A
- Etc.

Followed by a designator indicating the subject

- (when related to GEN)
 - PROD Product Certification
 - FS Certification Flight Standards
- (when related to PART 21A.)
 - A General
 - B Type Certificates and Restricted Type Certificates
 - C (Not applicable)





- D Changes to Type Certificates and Restricted Type Certificates
- E Supplemental Type Certificates
- F Production without Production Organisation Approval
- G Production Organisation Approval
- H Airworthiness Certificates
- I Noise Certificates
- J Design Organisation Approval
- K Parts and Appliances
- L (Not applicable)
- M Repairs
- N (Not applicable)
- O European Technical Standard Order Authorisations
- P Permit to Fly
- Q Identification of Products, Parts and Appliances

b. For Category 2 CMs

The two-letter designator for the CMs shall be followed by a designator indicating the Panel (technical specialty) with prime ownership of the technical content of the CM:

- FT Flight Test
- P Performance
- S Structures
- HS Hydromechanical Systems
- ES Electrical Systems
- AS Avionic Systems
- PIFS Powerplant Installations and Fuel Systems
- CS Cabin Safety
- ECS Environmental Control Systems
- NFVE Noise, Fuel Venting and Emissions
- SWCEH Software and Complex Electronic Hardware
- RTS Rotorcraft transmission
- HF Human Factors
- FCD Flight Crew Data
- DASA Development Assurance and Safety Assessment
- ICA Instructions for Continued Airworthiness
- MRB Maintenance review Board
- MMEL OSD MMEL disciplines
- FSTD OSD Sim disciplines
- CCD OSD Cabin Crew Data
- MCSD OSD Maintenance Certifying Staff Disciplines
- PROP Propulsion

A numerical designator shall follow the technical designator for the CMs itself. A sequential numbering system should be maintained for the CMs. This would be done on a per project, approval activity or program basis. The Issue number identifies the applicable version.

An example follows: CM.HS.004 Issue 01

This CM is a CM with Hydromechanical Systems being the prime technical specialty, and it is the fourth CM raised by this technical specialty on a particular certification item.





Although one discipline/ panel may have primary responsibility for the CM, other discipline/ panels may be involved in a secondary capacity, and thus will take part in the review and sign-off process. CMs that are particularly multidisciplinary (i.e. likely involving more than three specialties) such as will typically have one discipline taking the lead role. In these cases, the designator of the lead specialty will be used in the CM identifier.

Issue

The Issue of the CM shall always accompany the CM designation (e.g. CM – HS - 004 Issue 01). The Issue is a clear indicator of the number of iterations or stages that the CM has progressed to. The first issuance of the CM shall be designated as Issue 01 (One). Whenever changes to the content of the CM have to be incorporated, the CM is re-issued at the next highest full number. (i.e. Issue index is incremented by 1).

Issue Date

The Issue Date field indicates the date of issuance of the CM at the Issue number indicated. The Issue Date is the Approval Date.

Regulatory Requirement(s):

The Regulatory Requirements field indicates for example the regulation, or the specific numerical reference of the CSs which is/are the subject of the CM. If a range of requirements on a given subject is affected, this can be described as such (e.g. CS 25.855 through CS 25.858). If more than one requirement is affected, all requirements should be listed.

Standard text

The standard text on the CM cover page reflects the “generic” purpose of Certification Memoranda as follows:

“EASA Certification Memoranda are intended to provide interpretative material. Certification Memoranda are provided for information purposes only and must not be misconstrued as formally adopted Acceptable Means of Compliance (AMC) and Guidance Material (GM). Certification Memoranda are not intended to introduce new certification requirements or to modify existing certification requirements and do not constitute any legal obligation.”

Log of Issues

In the event of amendment to previous issue, the Log of Issues field shall be filled-in.

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“Update field” command is recommended after the completion of the document.

