

European Aviation Safety Agency

**DECISION 2013/003/R
OF THE EXECUTIVE DIRECTOR OF THE AGENCY**

of 23 January 2013

**amending Decision 2003/04/RM of the Executive Director of the Agency
of 17 October 2003**

on

**certification specifications providing for acceptable means of compliance
for aircraft noise ('CS-36')**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to the Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC¹ ('the Basic Regulation'), and in particular Articles 18(c), 38(3)(a) and (e) thereof,

Having regard to the 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 organisations², in particular 21A.16A and 21A.18 of the Annex to Commission Regulation (EU) No 748/2012 ('Part-21') thereof,

WHEREAS:

- (1) The Executive Director issued on certification specifications providing for acceptable means of compliance for aircraft noise ('CS-36') in the Annex to Executive Director Decision 2003/04/RM of 17 October 2003 (Initial Issue)³.
- (2) The Agency shall, pursuant to Article 18 of the Basic Regulation, issue certification specifications and acceptable means of compliance, as well as guidance material for the application of the Basic Regulation and its implementing rules.
- (3) The Agency is obliged, pursuant to Article 19 of the Basic Regulation, to reflect the state of the art and the best practices in the fields concerned and to update certification specifications and acceptable means of compliance taking into account worldwide aircraft experience in service, and scientific and technical progress.

¹ OJ L 79, 19.3.2008, p. 1. Regulation as last amended by Regulation (EU) No 6/2013 of 8.1.2013 (OJ L 4, 9.1.2013, p. 34).

² OJ L 224, 21.8.2012, p. 1. Regulation as last amended by Regulation (EU) No 7/2013 of 8.1.2013 (OJ L 4, 9.1.2013, p. 36).

³ Executive Director Decision 2003/04/RM of 17 October 2003 as last amended by Executive Director Decision 2009/012/R of 7 September 2009 (CS-36 Amendment 2).

- (4) The Agency, pursuant to Article 52(1)(c) of the Basic Regulation and Articles 5(3), 6 and 7(2) of the Rulemaking Procedure⁴, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁵.

HAS DECIDED AS FOLLOWS:

Article 1

The Annex 'Certification Specifications for Aircraft Noise (CS-36)' to Decision ED/2003/04/RM of 17 October 2003 is hereby amended in accordance to the annex to this Decision.

Article 2

This Decision shall be published in the Official Publication of the Agency, and shall enter into force on 29 January 2013.

Done at Cologne, on 23/01/2013.

P. GOUDOU

⁴ Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB 01/2012, 13.3.2012.

⁵ See NPA 2011-08 and CRD 2011-08; documents available on the Agency's website, under the Rulemaking Archives page: <http://easa.europa.eu/rulemaking/r-archives.php>.