

## Executive Director Decision

2016/007/R

of 25 April 2016

**amending acceptable means of compliance and guidance material to Part-21 of Regulation (EU) No 748/2012**

**‘AMC & GM to Part-21 — Issue 2, Amendment 6’  
‘Changes to operational suitability data (OSD)’**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008<sup>1</sup>, and in particular Article 38(3)(a) thereof,

Having regard to Commission Regulation (EU) No 748/2012<sup>2</sup>, and in particular Article 10 thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EC) No 216/2008 and its implementing rules.
- (2) Acceptable means of compliance are non-binding standards adopted by the Agency which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.
- (3) Guidance material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of

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<sup>1</sup> 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/EC (OJ L 79, 19.3.2008, p. 1).

<sup>2</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).



Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.

- (4) With Decision 2012/020/R of 30 October 2012, the Executive Director adopted Acceptable Means of Compliance and Guidance Material to Part-21 of Commission Regulation (EU) No 748/2012.
- (5) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (6) Commission Regulation (EU) No 69/2014<sup>3</sup>, amending Commission Regulation (EU) No 748/2012, was adopted by the Commission and introduces operational suitability data in the type certificate of aircraft and changes thereto.
- (7) The applicability of the operational suitability data regulations related to changes to type certificates was postponed by the European Commission to 19 December 2016 allowing the Agency to develop the necessary acceptable means of compliance and guidance material, thus facilitating a smooth implementation of these implementing rules.
- (8) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure<sup>4</sup>, 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 received<sup>5</sup>.

HAS DECIDED:

#### ***Article 1***

The Annex to Decision 2012/020/R of the Executive Director of the Agency of 30 October 2012 is amended as laid down in the Annex to this Decision.

#### ***Article 2***

This Decision shall enter into force on 19 December 2016.

Done at Cologne, 25.4.2016

*For the European Aviation Safety Agency  
The Executive Director*

Patrick KY

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<sup>3</sup> Commission Regulation (EU) 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).

<sup>4</sup> [EASA MB Decision 01-2012](#) of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure').

<sup>5</sup> [CRD 2008-20 'Flight Testing'](#)

