

## Executive Director Decision

**2018/013/R**

**of 21 November 2018**

**issuing Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) No 1332/2011 and Commission Implementing Regulation (EU) 2018/1048 and repealing Decision 2012/002/R of the Executive Director of the Agency of 8 March 2012**

**Acceptable Means of Compliance and Guidance Material on common airspace usage requirements and operating procedures 'AMC & GM to AUR'**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) 2018/1139<sup>1</sup>, and in particular Article 104(3)(a) thereof,

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EU) 2018/1139 and its implementing rules.
- (2) Acceptable means of compliance are non-binding standards adopted by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and its implementing rules; when acceptable means of compliance are applied, the related requirements of the implementing rules are met.
- (3) Guidance material is non-binding material developed by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, its implementing rules, certification specifications and acceptable means of compliance.

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

- (4) With Decision 2012/002/R of 8 March 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ACAS of Commission Regulation (EU) No 1332/2011<sup>2</sup>.
- (5) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its decisions taking into account worldwide aviation experience and scientific and technical progress in the respective fields.
- (6) Following the adoption of Commission Implementing Regulation (EU) 2018/1048<sup>3</sup> on 18 July 2018, EASA has determined the need to supplement the existing acceptable means of compliance and guidance material in the 'AMC/GM to AUR' in order to facilitate the implementation of performance-based navigation (PBN) routes and procedures in accordance with a harmonised set of PBN specifications and functionalities. Additionally, International Civil Aviation Organization (ICAO) references included in the existing acceptable means of compliance and guidance material concerning Part-ACAS should be updated.
- (7) Acceptable means of compliance and guidance material to Commission Regulation (EU) No 1332/2011 and Commission Implementing Regulation (EU) 2018/1048 should be provided in a consolidated and single document, as both regulations set out airspace usage requirements and operating procedures. Therefore, Decision 2012/002/R needs to be repealed.
- (8) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure<sup>4</sup>, has widely consulted the interested parties on the matters which are the subject of this Decision, and has provided thereafter a written response to the comments received on Notice of Proposed Amendment (NPA) 2015-01<sup>5</sup>. Taking into account the feedback received during the NPA 2015-01 public consultation as well as the changes introduced to the regulatory text during the committee procedure for the adoption of Commission Implementing Regulation (EU) 2018/1048, EASA identified the need to further develop the acceptable means of compliance and guidance material in coordination with the affected stakeholders and has subsequently consulted its Advisory Bodies on the outcome and considered the comments received,

HAS DECIDED:

### **Article 1**

The Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) No 1332/2011 are those laid down in Annex I to this Decision.

<sup>2</sup> Commission Regulation (EU) No 1332/2011 of 16 December 2011 laying down common airspace usage requirements and operating procedures for airborne collision avoidance (OJ L 336, 20.12.2011, p. 20)

<sup>3</sup> Commission Implementing Regulation (EU) 2018/1048 of 18 July 2018 laying down airspace usage requirements and operating procedures concerning performance-based navigation (OJ L 189, 26.7.2018, p. 3)

<sup>4</sup> EASA Management Board (MB) Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure')

(<http://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>)

<sup>5</sup> <http://easa.europa.eu/document-library/comment-response-documents>



**Article 2**

The Guidance Material to Commission Implementing Regulation (EU) 2018/1048 is that laid down in Annex II to this Decision.

**Article 3**

Decision 2012/002/R of the Executive Director of the Agency of 8 March 2012 is hereby repealed.

**Article 4**

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.

Cologne, 21 November 2018

*For the European Union Aviation Safety Agency  
The Executive Director*

Patrick KY

