

JAA 2008 Rulemaking Programme State of play

According to the process agreed for the preparation and implementation of the JAA rulemaking activities, the JAAC shall adopt and review from time to time a rulemaking programme on the basis of an EASA (hereinafter referred to as the Agency) proposal. So was done on 3 March 2008, by adopting the JAA 2008 Rulemaking Programme by written procedure. The aim of this note is to present the state of implementation of that programme (see highlighted updates on attached table of rulemaking tasks).

With the entering into force of EC Regulation 216/2008 and the approval of the FUJA II Report, the JAA, to most intents and purposes, no longer has a mandate to develop regulations which affect the EU. In addition, the JAA system, including the JAA Liaison Office (LO), will be closed by 30 June 2009, and the closing-down of JAA activities and resources has already commenced. In view of this, the JAA will cease all activities related to the development of regulations and the JAR-11 processes before the end of 2008. Therefore, as indicated on the updated table of rulemaking tasks, all of the outstanding tasks will be cancelled as JAA tasks and transferred to the Agency for further treatment under the Agency's rulemaking processes. Needless to say, the JAA will continue to extend the JARs to IRs for the non-EASA JAA Member States up until the end of June 2009.

Nevertheless, the JAA LO understands the importance of responding to any urgent safety matters which might arise and need to be addressed and would, of course, be willing to provide technical assistance, to the extent possible, on request of EASA. It is this spirit that one exception to the aforementioned cancellation of JAA rulemaking tasks has been made, which relates to JAA TGL 26 MEL Policy amendments. At the Agency's request, this task will remain on the Rulemaking Programme as an ongoing task, in order to cater for any urgent safety matters that might need to be addressed before the Agency has established the appropriate framework to include TGL 26 into their suite of regulations.

Note should be taken of the fact that a final report of the implementation of the JAA 2007/2008 Business Plan will be presented by the JAA LO at the JAAC/JAAB 09-1 meeting in May 2009.

ACTION REQUIRED BY THE JAAC/JAAB: The JAAC/JAAB is asked to NOTE the state of implementation of the JAA 2008 Rulemaking Programme.

Table of rulemaking tasks to be continued under EASA management in accordance with the agreed “JAA Rulemaking Process during JAA to EASA Transition”¹

Action	State of play at 3 Mar 08	Working method	Deliverable	Comments ²
JAR-OPS 1				
JAR-OPS 1 alignment with EU-OPS – cover note	Draft under preparation	Carried out in co-operation by EASA and JAA LO staff. Carried out by JAA LO, with deliverable agreed by EASA	JAR-OPS 1 cover note. JAR-OPS 1 Amt 14 with cover note	New task. Task closed, as JAR-OPS 1 Amt 14 published 1 May 2008
JAR-OPS 1 alignment with EU-OPS – updated Section 2	Draft under preparation	Carried out in co-operation by EASA and JAA LO staff with support of some national experts. Carried out by JAA LO, with deliverable agreed by EASA	Consolidated Section 2 or table of differences. AGM, Sect 4 Ops, Part 3, TGL 44, with Sect 2 text from JAR-OPS 1 Amt 13, incl text from 7 NPAs incorp'd in EU-OPS Amt 2	New task. Task closed, as TGL 44 published 1 June 2008
TGL 26 MEL policy amendments	Drafting as needed	JIPs JAA MMEL/MEL SG. Carried out by JAA MMEL/MEL SG, with deliverable endorsed by OST. Not JIPs	TGL 26 amendment	Ongoing task.
JAR-FCL 4				

¹ Procedure agreed by the JAAC on 2 May 2007

² State of implementation at 21 October 2008

Action	State of play at 3 Mar 08	Working method	Deliverable	Comments ²
Update of JAR-FCL 4 (NPA-FCL 39) to maintain consistency with JAR-FCL 1 and 2 amendment	Draft under preparation	JAR-11 Work to be finalised by internal means in co-operation by EASA and JAA LO colleagues	JAR-FCL 4 amendment	JAA task - will not be transposed into Community law. Task cancelled, as JAR-FCL 4 text will not be included in the IRs
JAR-26				
NPA-26 2 Type III Exits (Access & ease of operation)	Draft under preparation	Handled by joint EASA-JAA group	OST mid-2008 JAAC Q2 2009	CS-25 (task 25.040) consultation to be taken into account. Finalisation of the task subject to JAR-26 future in the EASA system. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)

Action	State of play at 3 Mar 08	Working method	Deliverable	Comments ²
NPA-26 15 Commercial Air Transport (Aeroplanes) fire protection (Class 'D' & 'C' cargo compartments)	Draft under preparation	Handled by CSSG Ad hoc group	OST mid-2008 JAAC Q2 2009	Finalisation of the task subject to JAR-26 future in the EASA system. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)
NPA-26 17 Thermal/Acoustic Insulation Material	draft under preparation	Handled by CSSG Ad hoc group	OST mid-2008 JAAC Q2 2009	Finalisation of the task subject to JAR-26 future in the EASA system. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)

Action	State of play at 3 Mar 08	Working method	Deliverable	Comments ²
NPA-26 18 Reinforced Cockpit Doors to Enhance Aeroplane Security - Double Pilot Incapacitation	Not adopted by JAAC 05-4 in 2005	Handled by CSSG Ad hoc group	PreRIA to be provided by May 2008	CSSG to address JAAC comments. Finalisation of the task subject to JAR-26 future in the EASA system. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)
NPA-26 XX Class B/C Cargo Compartments (acceptable level of safety for aeroplanes equipped with Class B cargo compartments)	Draft under preparation	Handled by joint EASA-JAA group	OST mid-2008 JAAC Q2 2009	Finalisation of the task subject to JAR-26 future in the EASA system. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)

Action	State of play at 3 Mar 08	Working method	Deliverable	Comments ²
NPA 26-20 Upper Torso Restraint	AD under preparation	EASA	AD or JAR-26	Possible new task. Amendment of JAR-26 if the issue cannot be solved by an EASA AD. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)
JAR-26 Dynamic Seat Testing 16g	draft under preparation	Handled by CSSG Ad hoc group	OST mid-2008 JAR-26 amendment	New task. Task cancelled, due to the entering into force of EC Reg 216/2008 and the approval of the FUJA II Report (task transferred to EASA Rulemaking)
JAR-STD				
NPA-STD 11	Adopted by JAAC 06-4 Nov 2006	Carried out by EASA staff. Assisted by JAA LO staff	Publication of JAR-FSTD (A) & (H)	Awaits printing. Task closed, as published 1 May 2008
NPA-STD 12	Adopted by JAAC 06-4 Nov 2006	Carried out by EASA staff. Assisted by JAA LO staff	Publication of JAR-FSTD (A) & (H)	Awaits printing. Task closed, as published 1 May 2008

Action	State of play at 3 Mar 08	Working method	Deliverable	Comments ²
FSTD TGL # 12 (new)— Guidance notes for Enhanced Vision Systems (EVS) Simulator Qualification	OST adoption November 2007	JIPs FSTD SG. Not JIPS	TGL endorsed by OST. AGM, Sect 6 STDs, Part 3, TGL 12	New task Print target date 1 Feb 2008 Task closed, as TGL 12 published 1 Feb 2008
FSTD TGL # 13 (new)— Old Visual Systems and New Visual Scenes for FSTDs	OST adoption November 2007	JIPs FSTD SG. Not JIPS	TGL endorsed by OST. AGM, Sect 6 STDs, Part 3, TGL 13	New task Print target date 1 Feb 2008 Task closed, as TGL 13 published 1 Feb 2008
FSTD TGL # 14 (new)— Guidance on the qualification of Electrical Motion Systems for FSTDs	OST adoption November 2007	JIPs FSTD SG. Not JIPS	TGL endorsed by OST. AGM, Sect 6 STDs, Part 3, TGL 14	New task Print target date 1 Feb 2008 Task closed, as TGL 14 published 1 Feb 2008
FSTD catch-up process	OST adoption November 2007	JIPs FSTD SG. With deliverable endorsed by OST	JIP amendment. AGM, Sect 6 STDs, Part 2, Procedures, Ch 13	New task Print target date 1 Feb 2008 Task closed, as Ch 13 published 1 Feb 2008