



European Aviation Safety Agency

Summary of rulemaking proposals 2005 – 2007 and guidance on the rulemaking proposal process



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1. Abstract.

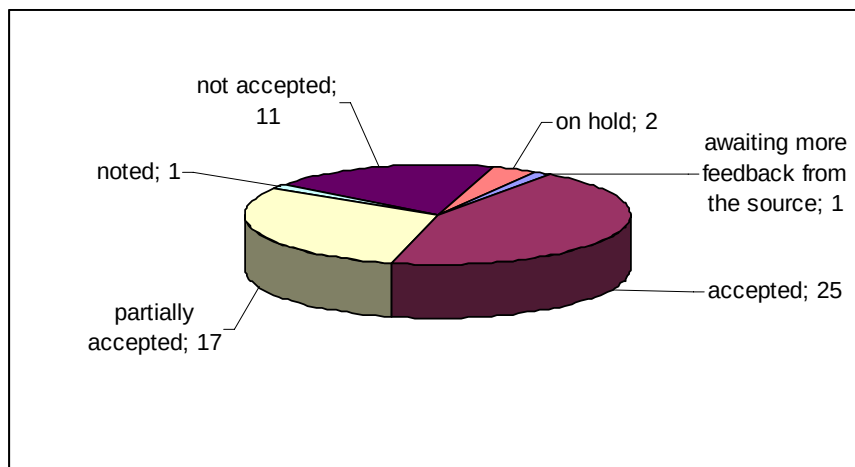
Management Board Decision 8/2007 concerning the Rulemaking Procedure and more particularly article 3.3 thereof, provides interested parties with the possibility to submit proposals for the development or amendment of a rule. These proposals are considered by the Agency during the setting of priorities and selection of the rulemaking items to be included in the future rulemaking programmes. The current document aims at presenting how this is being done consistent with Agency's principles of openness and transparency towards our stakeholders.

This executive summary is published for the first time on the Agency's official website. It contains statistics on all proposals received by the Agency up to 30 September 2007, including the Agency's position. A new report containing all new proposals received since October 2007 onwards will be published on a yearly basis around this period of time.

2. Overall statistics.

Over the period of three years the number of tasks proposed in the RWPD was 57 in total. Some of these proposals are interrelated.

The following graph shows a summary of the per Agency's positions as regards RWPD proposals:

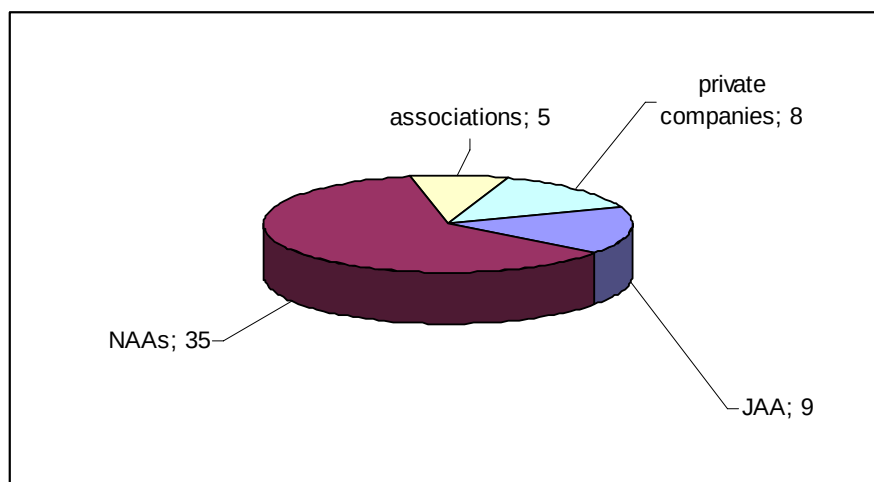




The following graph shows the number of proposals per regulation or code:

	No. of proposals
Basic Regulation	1
Extension of Basic Regulation to Operations/Flight Crew Licensing	11
CS 22	1
CS 23 & 25	2
CS 25	5
CS 27&29	1
CS 30	2
CS ETSO	2
CS VLA	10
Part 21	1
Part M	6
Part 145	2
Part 66	2
Proposals of a generic nature	11

The following table shows the source of RWPD proposals:



This report was last time updated in September 2007



3. Guidance on the rulemaking proposal process

What is the meaning of the abbreviation RWPD?

This is the Agency's Rulemaking Working Proposals Document (RWPD hereafter). The explanatory procedure on how to submit proposals and how they are processed is described here below.

Who can propose rulemaking tasks through the RWPD mailbox?

Any person or organisation is invited to propose the development of a new rule or the amendment of an existing rule preferably using the form available on the Agency's website.

When and how to make a rulemaking proposal?

Rulemaking proposals can be sent to the Agency using the dedicated e-mail address: RWPD@easa.europa.eu

However, in order for the proposals to be eligible for consideration towards the rulemaking inventory and thereafter when developing and / or revising of following year's rulemaking programmes, it must be received by the Agency in the aforementioned RWPD mailbox not later than 30 September.

Any proposal should be submitted using the proposal form added at the bottom of the following page link: http://www.easa.europa.eu/home/rm_app_en.html). This form has been designed to obtain sufficient information to facilitate its assessment and further assist in the preparation of rulemaking documentation once the proposal is accepted into the rulemaking programme. This process will be facilitated by submitting as much information as possible, including references to any supporting documents. Failure to complete the form in full is not a justification for rejecting the proposal, although it may delay the proposal's acceptance. Please use individual forms for each rulemaking proposal.

Who decides how proposals are considered, and with what criteria?

Every proposal is forwarded to the competent operational department in the Rulemaking Directorate for an initial assessment. Agency staff checks in particular the justification given for the development of a new rule or an amendment of an existing rule.

The conclusions of that analysis can be:

- **Accepted:** the proposal has been accepted as a task to be included in the inventory or to be used as an input to a task in the current rulemaking programmes.
- **Partially Accepted:** the proposal is worth doing rulemaking in the future but it is not yet very clear how or when. The proposal will be added to the rulemaking inventory.
- **Noted:** the proposal is not accepted as a task for rulemaking but is an interesting point worth considering by other means in the future.
- **Not Accepted:** the proposal has not been accepted and will not be pursued further as far as rulemaking is concerned.
- **On hold:** The analysis of the proposal is on going.



The addition in the inventory of a RWPD proposal does not constitute a guarantee that the proposal will be accepted formally for rulemaking. The rulemaking inventory is a repository of tasks, which will be considered together with the Agency's rulemaking advisory as input for the preparation of the rulemaking programmes.

What happens after a proposal is analysed?

If a rulemaking proposal is considered for inclusion in the Agency's rulemaking inventory and/or the proposal constitutes a valuable input for an existing rulemaking task, this fact will simply be acknowledged to the source of the proposal.

If however a proposal is not accepted for inclusion in the Agency's rulemaking inventory, the Agency will justify its decision in a letter to the source of the proposal.