



# Terms of Reference

for a rulemaking task

## Regular update of CS-ETSO

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| Applicability                       |  | Process map                                 |          |
|-------------------------------------|--|---|----------|
| Affected regulations and decisions: | ED Decision 2003/010/RM (CS-ETSO)  | Concept Paper:                              | No       |
| Affected stakeholders:              | Manufacturers of parts and appliances  | Rulemaking group:                           | No       |
| Driver/origin:                      | Level playing field;<br>Article 3.5. on 'systematic tasks' of the EASA Rulemaking Procedure (EASA MB Decision 01-2012) | RIA type:                                   | Light    |
| Reference:                          | Article 5.6(b) of Regulation (EC) No 216/2008  | Technical consultation during NPA drafting: | No       |
|                                     |  | Publication date of the NPA:                | 20XX/QX  |
|                                     |  | Duration of NPA consultation:               | 2 months |
|                                     |  | Review group:                               | No       |
|                                     |  | Focussed consultation:                      | TBD      |
|                                     |  | Publication date of the Opinion:            | N/A      |
|                                     |  | Publication date of the Decision:           | 20XX/QX  |



## 1. Issue and reasoning for regulatory change

Article 5.6(b) of Regulation (EC) 216/2008 requires EASA (hereinafter referred to as the 'Agency') to periodically update its rules by taking into account worldwide aircraft experience in service, and scientific and technical progress. This also applies to the series of European Technical Standard Orders (ETSOs) for parts and appliances, which need to be regularly updated in order:

- to be harmonised with the corresponding Federal Aviation Administration (FAA) Technical Standard Orders (TSOs);
- for latest industry standards to be recognised (e.g. EUROCAE Documents (EDs), Radio Technical Commission for Aeronautics Documents (RTCA DOs), or other);
- to incorporate new ETSOs as required;
- to incorporate editorial changes;
- to incorporate specific topics, including those stemming from Safety Recommendations (SRs).

In order to increase the efficiency of the rulemaking process, it has been decided to group some subjects that are considered as non-complex, non-controversial, and mature. This concept was introduced in the revised EASA Management Board Decision 01-2012 of 13 March 2012; see Article 3.5. on 'systematic tasks'.

The Agency shall review regularly the availability of such eligible items and shall publish a Notice of Proposed Amendment (NPA) proposing amendments to CS-ETSO. Such updates may affect Subpart A and/or Subpart B of CS-ETSO.

To further increase the efficiency of the rulemaking process, the NPA public consultation may be replaced by a focussed consultation. In certain well-defined cases, direct publication of the amendments to CS-ETSO may be chosen with a short consultation with the Advisory Bodies.

## 2. Objectives

The purpose of this rulemaking task is to regularly update CS-ETSO based on the selection of non-complex, non-controversial and mature subjects in order to reflect the state of the art and best practices. The ultimate goal is to increase safety.

Due to the generic nature of this rulemaking task, the Terms of Reference (ToR) should remain valid and the task should remain open over the years. Each individual NPA will, however, provide the specific planning and planned dates for the issue of the related ED Decisions.

## 3. Activities

- Selection on an annually basis of subjects meeting the criteria of the above objectives.
- Whenever enough subjects are available, publication of an NPA proposing amendments to CS-ETSO.
- Preparation of a Comment-Response Document (CRD).
- Publication of the CRD together with the ED Decision amending CS-ETSO.

*Note:* Depending on the consultation option, the NPA and the corresponding CRD may not need to be issued.



## 4. Deliverables

- NPA describing the subjects that have been selected, and proposing amendments to CS-ETSO.
- CRD to the above-mentioned NPA.
- ED Decision amending CS-ETSO.

*Note:* Depending on the consultation option, the NPA and the corresponding CRD may not need to be issued.

## 5. Annex I: Reference documents

### 5.1. Affected regulations

N/A

### 5.2. Affected decisions

- Decision 2003/010/RM of the Executive Director of the European Aviation Safety Agency of 24 October 2003 on certification specifications, including airworthiness codes and acceptable means of compliance, for European Technical Standard Orders (CS-ETSO)

### 5.3. Reference documents

- 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)
- Decision 01-2012 of the Management Board 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')

