

Executive Director Decision

2019/018/R

of 28 August 2019

**amending the Acceptable Means of Compliance and Guidance Material to Annex I
(Part 21) to Commission Regulation (EU) No 748/2012**

‘AMC and GM to Part 21 — Issue 2, Amendment 9’

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

Having regard to Regulation (EU) 2018/1139¹, and in particular Article 104(3)(a) thereof,

Having regard to Commission Regulation (EU) No 748/2012, and in particular Article 10 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 of the delegated and implementing acts adopted on the basis thereof.
- (2) Acceptable means of compliance are non-binding standards issued by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (3) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of a requirement and is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, certification specifications and acceptable means of compliance.
- (4) With Decision 2012/020/R of 30 October 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material (Issue 2) to Part 21 of Regulation (EU) No 748/2012.

¹ 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>).

- (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) Commission Delegated Regulation (EU) 2019/897², amending Commission Regulation (EU) No 748/2012, was adopted by the European Commission on 12 March 2019. This amendment introduces risk-based criteria for the determination of the EASA involvement in the certification of products and parts and changes thereto, clarifies some aspects in the procedure for the certification of products and parts and changes thereto, provides the possibility for new privileges to approved design organisations, clarifies that certain maintenance check flights should not be conducted under a certificate of airworthiness (or a restricted certificate of airworthiness), but should require a permit to fly, increases the environmental protection level by requesting compliance with the latest amendment of ICAO Annex 16, and introduces some other changes to Part 21.
- (7) EASA has determined the need to amend the acceptable means of compliance and guidance material to support the implementation of the amendments introduced by Commission Delegated Regulation (EU) 2019/897.
- (8) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure³, 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 received⁴,

HAS DECIDED:

Article 1

The Annex to ED 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 the day following that of its publication in the Official Publication of EASA.

Cologne, 28 August 2019

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

Patrick KY

² Commission Delegated Regulation (EU) 2019/897 of 12 March 2019 amending Regulation (EU) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection (OJ L 144, 3.6.2019, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0897&qid=1565266691100&from=EN>).

³ 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>).

⁴ <http://easa.europa.eu/document-library/comment-response-documents>

