



# Explanatory Note to Decision 2021/007/R

## Acceptable Means of Compliance and Guidance Material to Part 21 (Issue 2, Amendment 12) and AMC-20 (Amendment 22)

RELATED NPA/CRD: 2017-19; 2018-01 — OPINION No 07/2019 — RMT.0252 (MDM.056) & RMT.0018  
RELATED NPA/CRD: 2013-07 — OPINION No 12/2016 — RMT.0225 (MDM.028)

### EXECUTIVE SUMMARY

Commission Delegated Regulation (EU) 2021/699 of 21 December 2020 amending and correcting Regulation (EU) No 748/2012 as regards the instructions for continued airworthiness, the production of parts to be used during maintenance and the consideration of ageing aircraft aspects during certification, published on 28 April 2021, amends Commission Regulation (EU) No 748/2012 with respect to the following:

- instructions for continued airworthiness (ICAs);
- installation of parts without an EASA Form 1;
- ageing aircraft structures.

The objective of Decision 2021/007/R is to support the implementation of the amendments introduced in Part 21 through Commission Delegated Regulation (EU) 2021/699.

In order to achieve this objective, the Decision issues amendments to the Acceptable Means of Compliance (AMC) and Guidance Material (GM) to Part 21 (Issue 2, Amendment 12) and to AMC-20 (Amendment 22).

Additionally, this Decision issues new GM for affected stakeholders to perform remotely:

- certain audits, or
- certain tasks for the issuance of an EASA Form 1.

<b>Domains:</b>	Design and production; maintenance and continuing airworthiness management		
<b>Related rules:</b>	AMC and GM to Part 21 and to AMC-20		
<b>Affected stakeholders:</b>	Design approval holders (DAHs); production organisations approval (POA) holders; aircraft operators; aircraft maintenance organisations (AMOs) (Part-145, Part-CAO and Part-M Subpart F) and maintenance personnel		
<b>Drivers:</b>	Efficiency/proportionality (RMT.0018)	<b>Rulemaking group:</b>	Yes
	Safety (RMT.0225 (MDM.028))		
	Level playing field (RMT.0252 (MDM.056))	<b>Rulemaking Procedure:</b>	Standard (RMT.0252 (MDM.056); RMT.0018; RMT.0225 (MDM.028))
<b>Impact assessment:</b>	Yes		Accelerated (RMT.0031 (Regular update of AMC & GM to Part 21))

● EASA rulemaking process



RMT.0252 (MDM.056) 20.6.2016 (Issue 5)	29.1.2018 (NPA 2018-01)	17.12.2019 (Opinion No 07/2019)	21.12.2020	28.5.2021
RMT.0018 6.11.2012	14.12.2017 (NPA 2017-19)			
RMT.0225 (MDM.028) 8.5.2007	23.4.2013 (NPA 2013-07)	10.10.2016 (Opinion No 12/2016)		



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## 1. About this Decision

The European Union Aviation Safety Agency (EASA) developed Decision 2021/007/R in line with Regulation (EU) 2018/1139<sup>1</sup> (the ‘Basic Regulation’) and the Rulemaking Procedure<sup>2</sup>.

### 1.1. Instructions for continued airworthiness (ICAs) (RMT.0252 (MDM.056))

This rulemaking activity is included in the European Plan for Aviation Safety (EPAS) for 2021–2025<sup>3</sup> under rulemaking task RMT.0252 (MDM.056). The scope and timescales of the task were defined in the related Terms of Reference<sup>4</sup>.

The *draft* text of this Decision has been developed by EASA based on the input of Rulemaking Group (RMG) MDM.056 (RMT.0252) Issue 9 — Subtasks 1, 2, 4 and 5. All interested parties were consulted through Notice of Proposed Amendment (NPA) 2018-01<sup>5</sup>. 502 comments were received from all interested parties, including industry and national aviation authorities (NAAs).

EASA reviewed the comments received during the public NPA consultation with the support of Review Group (RG) 2018-01 — MDM.056 (RMT.0252). The comments received and the EASA responses to them are presented in Comment-Response Document (CRD) 2018-01<sup>6</sup>. Based on the comments received, EASA published Opinion No 07/2019 on 17 December 2019 which was addressed to the European Commission. The related Regulation (EU) 2021/699 was published on 28 April 2021<sup>7</sup>.

The *final* text of this Decision, with the AMC and GM, has been developed by EASA based on the input of RG 2018-01 — MDM.056 (RMT.0252).

The major milestones of this rulemaking activity are presented on the title page.

### 1.2. Installation of parts and appliances that are released without an EASA Form 1 or equivalent (RMT.0018)

This rulemaking activity is included in the European Plan for Aviation Safety (EPAS) for 2021–2025<sup>8</sup> under RMT.0018. The scope and timescales of the task were defined in the related Terms of Reference<sup>9</sup>.

<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>).

<sup>2</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the ‘Rulemaking Procedure’. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

<sup>3</sup> <https://www.easa.europa.eu/document-library/general-publications/european-plan-aviation-safety-2021-2025>

<sup>4</sup> ToR MDM.056 (RMT.0252) Issue 5 (<https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-mdm056-rmt0252>).

<sup>5</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2018-01>

<sup>6</sup> <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2018-01>

<sup>7</sup> Commission Delegated Regulation (EU) 2021/699 of 21 December 2020 amending and correcting Regulation (EU) No 748/2012 as regards the instructions for continued airworthiness, the production of parts to be used during maintenance and the consideration of ageing aircraft aspects during certification (OJ L 145, 28.4.2021, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R0699&cid=1619628036>).

<sup>8</sup> <https://www.easa.europa.eu/document-library/general-publications/european-plan-aviation-safety-2021-2025>

<sup>9</sup> ToR 21.026 (RMT.0018 and RMT.0571) Issue 1 (<https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-21026-rmt0018-and-rmt0571>).



The *draft* text of this Decision has been developed by EASA based on the input of RMG 21.026 (RMT.0018 and RMT.0571). All interested parties were consulted through Notice of Proposed Amendment (NPA) 2017-19<sup>10</sup>. 465 comments were received from all interested parties, including industry and NAAs.

EASA reviewed the comments received during the public NPA consultation with the support of RG NPA 2017-19 — RMT. 0018 (21.026) Issue 1. The comments received and the EASA responses to them are presented in Comment-Response Document (CRD) 2017-19<sup>11</sup>. Based on the comments received, EASA published Opinion No 07/2019 ‘Instructions for continued airworthiness | Installation of parts and appliances that are released without an EASA Form 1 or equivalent’<sup>12</sup> on 17 December 2019 which was addressed to the European Commission. The related Regulation (EU) 2021/699<sup>13</sup> was published on 28 April 2021.

The *final* text of this Decision, with the AMC and GM, has been developed by EASA based on the input of RG NPA 2017-19 — RMT. 0018 (21.026) Issue 1.

The major milestones of this rulemaking activity are presented on the title page.

### 1.3. Ageing aircraft structures (RMT.0225 (MDM.028))

This rulemaking activity is included in the European Plan for Aviation Safety (EPAS) for 2021–2025<sup>14</sup> under RMT.0225 (MDM.028). The scope and timescales of the task were defined in the related Terms of Reference<sup>15</sup>.

The *draft* text of this Decision has been developed by EASA. All interested parties were consulted through NPA 2013-07<sup>16</sup>. 674 comments to the NPA and 47 reactions to CRD 2013-07<sup>17</sup> were received respectively from all interested parties, including industry and NAAs.

EASA reviewed the comments received during the public NPA consultation. The comments received and the EASA responses to them are presented in CRD 2013-07. Based on the comments received, EASA published Opinion No 12/2016 ‘Ageing aircraft structures’<sup>18</sup> on 10 October 2016 which was addressed to the European Commission. The related Regulation (EU) 2021/699 was published on 28 April 2021<sup>19</sup>.

The *final* text of this Decision, with the AMC and GM, has been developed by EASA.

The major milestones of this rulemaking activity are presented on the title page.

<sup>10</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2017-19>

<sup>11</sup> <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2017-19>

<sup>12</sup> <https://www.easa.europa.eu/document-library/opinions/opinion-072019>

<sup>13</sup> OJ L 145, 28.4.2021, p. 1 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0699&qid=1619628090966>).

<sup>14</sup> <https://www.easa.europa.eu/document-library/general-publications/european-plan-aviation-safety-2021-2025>

<sup>15</sup> ToR RMT.0570 Issue 2 (<https://www.easa.europa.eu/document-library/terms-of-reference/tor-rmt0570>),

ToR 26.003 (RMT.0070) Issue 1 (<https://www.easa.europa.eu/document-library/terms-of-reference/tor-26003-issue-1>),

ToR MDM.028 (RMT.0225) Issue 1 (<https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-mdm028>).

<sup>16</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendments/npa-2013-07>

<sup>17</sup> <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2013-07>

<sup>18</sup> <https://www.easa.europa.eu/document-library/opinions/opinion-122016>

<sup>19</sup> OJ L 145, 28.4.2021, p. 1 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0699&qid=1619628090966>).



#### 1.4. Adoption of guidance material (GM) for the remote performance of audits or tasks for the purpose of issuing of an EASA Form 1 (RMT.0031)

This rulemaking activity has been conducted by EASA in accordance with Article 16 of the Rulemaking Procedure<sup>20</sup>. The background for this activity is related to the increased need of GM related to the performance of audits and other tasks for the issuance of an EASA Form 1 remotely.

The new information and communication technologies (ICT) tools offer the possibility to increase the flexibility as regards the remote implementation of certain Part 21 requirements. Additionally, travel restrictions imposed by the COVID-19 pandemic further triggered the need for guidance on suitable standards for activities conducted remotely.

Therefore, EASA has prepared two FAQs that were consulted with its Advisory Bodies during Q2/2020 and later on published them on its website (refer to FAQs n. 116561<sup>21</sup> and 116563<sup>22</sup>). These two FAQs have been transposed into GM and issued with this Decision.

<sup>20</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

<sup>21</sup> <https://www.easa.europa.eu/faq/116561>

<sup>22</sup> <https://www.easa.europa.eu/faq/116563>



## 2. In summary — why and what

### 2.1. Why we need to amend the AMC and GM — issue/rationale

Commission Delegated Regulation (EU) 2021/699 was published on 28 April 2021.

It amends Annex I (Part 21) to Commission Regulation (EU) No 748/2012 with respect to the three topics that EASA proposed through Opinions Nos 07/2019 ‘Instructions for continued airworthiness | Installation of parts and appliances that are released without an EASA Form 1 or equivalent’ (RMT.0252 (MDM.056) and RMT.0018), and 12/2016 ‘Ageing aircraft structures’ (RMT.0225 (MDM.028)).

### 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This Decision will contribute to the achievement of the overall objectives by addressing the issues outlined in Section 2.1.

The specific objective of this Decision is to support the implementation of the latest amendments introduced into Part 21.

In addition, two new GM points have been added to reflect the contents of two existing FAQs related to the performance of audits and other tasks remotely.

### 2.3. How we want to achieve it — overview of the amendments

This Decision issues new AMC and GM to Part 21 and to AMC-20 as follows:

#### Instructions for continued airworthiness (ICAs) (RMT.0252 (MDM.056))

- New AMC1 21.A.7(a) providing acceptable means of compliance as regards the ICA contents;
- New AMC2 21.A.7(a) providing acceptable means of compliance as regards the identification of ICAs;
- New GM1 21.A.7(a) providing guidance as regards the scope of the ICAs, their publication format and typical ICA data;
- New GM2 21.A.7(a) providing guidance as regards the determination of which supplier’s data is part of ICAs;
- New AMC3 21.A.7(a) providing acceptable means of compliance as regards the DAH responsibility to check the supplier’s data which is part of the ICAs or referenced in the ICAs;
- New GM3 21.A.7(a) providing guidance on the verification by the DAH of non-ICA supplier’s data (e.g. component maintenance manuals);
- New AMC1 21.A.7(b) providing acceptable means of compliance as regards the identification of the complete set of ICAs;
- New GM1 21.A.7(b) providing guidance on the definition of other persons required to implement ICAs;
- New GM2 21.A.7(b) providing guidance on the ICA format;

- New GM3 21.A.7(b) providing guidance on the formalisation of the approval status of the manual for a component or article;
- New GM4 21.A.7(b) providing guidance on the integration of ICAs between products (aircraft, engines, propellers);
- New AMC1 21.A.7(c) integrating the content of the EASA Certification Memorandum CM-ICA-001 on ‘Completeness and Timely Availability of Instructions for Continued Airworthiness’<sup>23</sup>;
- New GM1 21.A.90C providing guidance on the definition of a stand-alone change.

#### **Installation of parts and appliances that are released without an EASA Form 1 or equivalent (RMT.0018)**

- New AMC1 21.A.307(b)(3) and (b)(4) providing acceptable means of compliance as regards the identification of the verification activities to be conducted by the installer of a part that has been declared as having a negligible safety impact and is, therefore, eligible for installation without an EASA Form 1;
- New GM1 21.A.307(b)(3) and (b)(4) providing guidance on the concept of ‘negligible safety effect’ that needs to be considered when assessing whether an EASA Form 1 is required for a part in order to be eligible for installation on a product;
- New GM1 21.A.307(b)(4) referring to CS-STAN as the standard for changes and repairs referred to in 21.A.307(b)(4);
- New GM1 21.A.307(b)(5) providing references to those provisions of Commission Regulation (EU) No 965/2012 which exempt certain parts from requiring an airworthiness approval for their installation;
- New GM1 21.A.307(b)(6) clarifying that a part does not need an EASA Form 1, if such form is not required for the installation on the aircraft of the higher assembly on which that part is installed.

#### **Ageing aircraft structures (RMT.0225 (MDM.028))**

- New AMC1 21.A.65 describing the overall objectives and the main elements of the process that a holder of a (restricted) type certificate ((R)TC) for a large aeroplane should implement in order to ensure the continuing structural integrity of the aeroplane structures;
- New AMC1 21.A.101(h) describing an acceptable means to demonstrate that the level of safety of large aeroplane structures ensured through compliance with the ageing aircraft requirements introduced by Commission Implementing Regulation (EU) 2020/1159<sup>24</sup>, is achieved also for structural changes when approved in accordance with point 21.101(h) of Part 21;
- New AMC1 21.A.433(a)(5) describing an acceptable means to demonstrate that the level of safety of large aeroplane structures ensured through compliance with the ageing aircraft

<sup>23</sup> <https://www.easa.europa.eu/document-library/product-certification-consultations/easa-cm-ica-001>

<sup>24</sup> Commission Implementing Regulation (EU) 2020/1159 of 5 August 2020 amending Regulations (EU) No 1321/2014 and (EU) No 2015/640 as regards the introduction of new additional airworthiness requirements (OJ L 257, 6.8.2020, p. 14) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020R1159&gid=1612450808687>).



requirements introduced by Commission Implementing Regulation (EU) 2020/1159, is achieved also for structural repairs when approved in accordance with point 21.A.433(a)(5) of Part 21;

- An amendment to AMC 20-20 providing the required links with new points 21.A.65, 21.A.101(h) and 21.A.433(a)(5) of Part 21.

#### **Audits and other tasks performed remotely (RMT.0031 (Regular update of AMC & GM to Part 21))**

- New GM1 21.A.139, 21.A.157, 21.A.239, 21.A.257, 21.B.120, 21.B.140, 21.B.220, 21.B.235 and 21.B.240 providing technical guidance and useful considerations on the use of remote information and communication technologies (ICT) to support:
  - competent authorities when overseeing regulated organisations;
  - the industry when conducting internal audits / monitoring compliance of the organisations with the relevant requirement, and when evaluating third parties.

This GM is based on the EASA FAQ n. 116561.

- New GM1 21.A.130, 21.A.163 and 21.A.165 providing technical guidance and useful considerations on the use of remote ICT to support the issuance of an 'EASA Form 1' for prototype and newly produced parts, appliances and products other than complete aircraft.

This GM is based on the EASA FAQ n. 116563.



### 3. References

#### 3.1. Related regulations

- Commission Delegated Regulation (EU) 2021/699 of 21 December 2020 amending and correcting Regulation (EU) No 748/2012 as regards the instructions for continued airworthiness, the production of parts to be used during maintenance and the consideration of ageing aircraft aspects during certification (OJ L 145, 28.4.2021, p. 1)

#### 3.2. Related decisions

- Decision N° 2012/020/R of the Executive Director of the Agency of 30<sup>th</sup> October 2012 on Acceptable Means of Compliance and Guidance Material for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations ('AMC and GM to Part 21'), as amended
- Decision No. 2003/12/RM of the Executive Director of the Agency of 5 November 2003 on general acceptable means of compliance for airworthiness of products, parts and appliances (« AMC-20 »), as amended

#### 3.3. Other reference documents

n/a



#### 4. Related document

**CRD 2018-01 'Instructions for continued airworthiness' (RMT.0252 (MDM.056))<sup>25</sup>** with replies to the comments related to the Acceptable Means of Compliance and the Guidance Material that were proposed by NPA 2018-01 'Instructions for continued airworthiness' (RMT.0252 (MDM.056))

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<sup>25</sup> <https://www.easa.europa.eu/document-library/comment-response-documents>

