

Executive Director Decision

2023/017/R

of 26 October 2023

issuing the following:

Issue 1 of the Acceptable Means of Compliance and Guidance Material

to Part-AUR.COM and Part-AUR.SUR of Commission Implementing Regulation (EU) 2023/1770

‘AMC & GM to Part-AUR.COM — Issue 1’ and ‘AMC & GM to Part-AUR.SUR — Issue 1’

‘Conformity assessment of ATM/ANS equipment’

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

Having regard to Regulation (EU) 2018/1139¹, and in particular Articles 76(3) and 104(3)(a) thereof,

Whereas:

- (1) Acceptable means of compliance are non-binding standards issued by EASA, which are used by persons and organisations to show compliance with Regulation (EU) 2018/1139 and with the delegated and implementing acts adopted on the basis thereof, or with the certification specifications and detailed specifications.
- (2) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of delegated or implementing acts or certification specifications and detailed specifications, and which is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, and of certification specifications and detailed specifications.
- (3) Commission Implementing Regulation (EU) 2023/1770² of 12 September 2023 lays down provisions on aircraft equipment required for the use of the Single European Sky airspace and

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>).

² Commission Implementing Regulation (EU) 2023/1770 of 12 September 2023 laying down provisions on aircraft equipment required for the use of the Single European Sky airspace and operating rules related to the use of the Single European Sky airspace and repealing Regulation (EC) No 29/2009 and Implementing Regulations (EU) No 1206/2011, (EU) No 1207/2011 and (EU) No 1079/2012 (OJ L 228, 15.9.2023, p. 39) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R1770&qid=1697455922313>).

operating rules related to the use of the Single European Sky airspace and repealing Regulation (EC) No 29/2009 and Implementing Regulations (EU) No 1206/2011, (EU) No 1207/2011 and (EU) No 1079/2012.

- (4) EASA should, 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, taking into account worldwide aviation experience and scientific and technical progress in the respective fields.

This Decision issues, in accordance with Article 4 of Regulation (EU) 2023/1770, the acceptable means of compliance and guidance material to facilitate the application of that Regulation.

- (5) Commission Implementing Regulation (EU) No 1207/2011 is repealed by Commission Implementing Regulation (EU) 2023/1770, therefore, ED Decision 2020/014/R with the associated acceptable means of compliance and guidance material should be repealed as well.
- (6) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Article 6 of the EASA Rulemaking Procedure³, widely consulted the interested parties on the content of this Decision, considered the comments received, and provided thereafter a written response to the comments received through the consultation⁴,

HAS DECIDED:

Article 1

The Acceptable Means of Compliance and Guidance Material to Part-AUR.COM of Commission Implementing Regulation (EU) 2023/1770 are laid down in Annex I to this Decision.

Article 2

The Acceptable Means of Compliance and Guidance Material to Part-AUR.SUR of Commission Implementing Regulation (EU) 2023/1770 are laid down in Annex II to this Decision.

Article 3

ED Decision 2020/014/R is repealed.

Article 4

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.

Cologne,

For the European Union Aviation Safety Agency

³ 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 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

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

The Acting Executive Director

Luc TYTGAT

