



**European Aviation Safety Agency
Rulemaking Directorate**

EXPLANATORY NOTE

CS-ETSO Amendment 5

Executive Director Decision 2009/015/R amends Executive Director Decision No. 2003/10/RM of 24 October 2003 on Certification Specifications, Including Airworthiness Codes and Acceptable Means of Compliance, for European Technical Standard Orders "CS-ETSO" as last amended by Executive Director Decision No. 2009/014/R of 14 October 2009.

This Amendment 5 of CS-ETSO: European Technical Standard Orders incorporates the output from the following EASA rulemaking task:

Rulemaking Task No.	TITLE	NPA No.
ETSO.007b	Update to European Technical Standard Order ETSO-C119b	2009-03

The Notice of Proposed Amendment (NPA) has been subject to consultation in accordance with Article 52(1)(c) of the Basic Regulation¹ and articles 5(3) and 6 of the Rulemaking Procedure². The Agency has addressed and responded to the comments received on each NPA. The responses are contained in a comment-response document CRD 2009-03 which has been produced for the NPA and which is available on the Agency's web site.

Detailed changes incorporated in the NPA are summarised in the following pages for ease of reference.

¹ 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, 19/03/2008, p. 1).

² Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB/08/07, 13.6.2007.

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Rulemaking Task No.:

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ETSO.007b

Update to European Technical Standard Order ETSO-C119b

NPA No.:

NPA 2009-03

CRD No.:

CRD 2009-03

LIST OF PARAGRAPHS AFFECTED

CS ETSO SUBPART B LIST OF ETSOs (INDEX 1 AND 2)

INDEX 1 (table) is amended to replace the ETSO as indicated below

In INDEX 1 ETSO-C119b is replaced by:

ETSO-C119c Traffic Alert and Collision Avoidance System (TCAS) Airborne Equipment,
TCAS II

In response to CRD 2009-03, the Agency received the following reaction, which is reproduced below together with the Agency's responses:

Commenter/Reference	Reaction	EASA Response
<p>Roland Mallwitz comment #3 on segment "B. DRAFT DECISION - ETSO-C119c - Appendix 2"</p>	<p>ICAO and RTCA have adopted and published the proposed change. ICAO distributed state letter 057e_PfA_A10_ACAS "Proposals for the amendment of Annex 10, Volume IV, concerning the airborne collision avoidance system (ACAS)."</p> <p>RTCA has published Change 1 to DO-300 (see attachment). To avoid confusion, it is proposed to suppress appendix 2 and adapt the ETSO text accordingly, e.g.</p> <p>"The optional functionality set forth in RTCA, Inc. Document DO-300, Minimum Operational Performance Standards for Traffic Alert and Collision Avoidance System II (TCAS II) Hybrid Surveillance, dated December 13, 2006, Sections 2 and 3, as modified by Appendix 2 of the ETSO as modified with Change 1 to DO-300 may be included."</p> <p>Note that no EUROCAE document comparable to RTCA DO-300 is planned.</p>	<p>Accepted</p> <p>The Text has been modified accordingly.</p>