

Executive Director Decision

2015/026/R

of 10 November 2015

**amending acceptable means of compliance and guidance material
to Part 21 of Commission Regulation (EU) No 748/2012**

**‘AMC & GM to Part 21 — Issue 2, Amendment 4’
‘Flight testing’**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Commission Regulation (EU) No 748/2012², and in particular Article 10 thereof,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue certification specifications and acceptable means of compliance, as well as guidance material for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) Acceptable means of compliance are non-binding standards adopted by the Agency which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules, or with the certification specifications; when

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, 19.3.2008, p. 1).

² Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules 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 (OJ L 224, 21.8.2012, p. 1).



acceptable means of compliance are complied with, the related requirements of the implementing rules or certification specifications are met.

- (3) Guidance material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.
- (4) Commission Regulation (EU) 2015/1039³, amending Commission Regulation (EU) No 748/2012, is adopted by the Commission and mandates flight testing requirements.
- (5) It is necessary to support the above amendment to Commission Regulation (EU) No 748/2012 by new AMCs and GMs. The Annex to Decision 2012/020/R of 30 October 2012 shall, therefore, be amended.
- (6) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure⁴, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁵,

HAS DECIDED:

Article 1

The Annex to 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 the Agency.

Done at Cologne, 10 December 2015

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

³ Commission Regulation (EU) 2015/1039 of 30 June 2015 amending Regulation (EU) No 748/2012 as regards flight testing (OJ L 167, 1.7.2015, p. 1).

⁴ EASA Management Board (MB) Decision 01-2012 of 13 March 2012 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') (<http://easa.europa.eu/official-publication/rulemaking-procedure.php>).

⁵ See CRD 2008-20 'Flight Testing' at <http://easa.europa.eu/document-library/comment-response-documents/crd-2008-20>.

