

European Aviation Safety Agency

Amendment 2 of the 2008 Rulemaking Programme

THIS PROGRAMME CONTAINS the rules, which are expected to be issued in 2008. Such rules include:

- Opinions of the Agency on amendments of the Basic regulation and its implementing rules it considers necessary to meet the objectives assigned by the legislator to the EASA system;
- Decisions of the Agency issuing certifications specifications, including airworthiness codes and acceptable means of compliance, as well as guidance material, it recommends to be used to ensure compliance with the Basic Regulation and its implementing rules.

The nature of the deliverable is specified in the description for each rulemaking task contained in this programme.

For each task the working method is specified, indicating whether the Agency will make use of its own resources (Agency) or seek support from experts involved with their implementation (group), to execute the task. When a task is linked to another and requires either a co-ordination or an appropriate sequencing, this is indicated in the working method.

It is also mentioned whether the task is identified as a subject for co-operation with one or several of our main foreign regulatory partners.

The estimated quarter during which the final deliverable is expected is indicated. When the deliverable is a decision linked to the formal adoption of an opinion through the appropriate legislative/comitology process, such information is only indicative as the outcome of the legislative process can hardly be evaluated.

This 2008 Rulemaking Programme is the result of the Agency's consultation with its advisory bodies on rulemaking priorities for 2008. The programme was finalised during the SSCC meeting on the 13 June 2007 and AGNA meeting on the 20 June 2007.

The 2008 Rulemaking Programme was amended in December 2007, following a consultation of the advisory bodies at their November 2007 meetings, to include the following tasks:

- 21.024(a) on "Subpart J DOA", 20.006(a) on "AMC 20 for ADS-B in NRA" and 66.004 on "validity of exams for the Part 66 license" that were deliberately delayed in 2007 to help reaching consensus;
- Addition of M.007 on "rule amendment for non-complex aircraft not engaged in commercial activities" to avoid making several modifications to Part-M in a short period of time; and,

The task 66.022(b) on "License for non complex aircraft maintenance engineers" was deleted to take into account the comitology process as outlined above.

The 2008 Rulemaking Programme was amended for the second time in July 2008 to include the following unforeseen tasks:

- MDM.022(b) on Fuel tank safety training issues – AMC/GM;
- 25.045 on Access through bulkheads.

The tasks BR.004, OPS.001, OPS.004, FCL.001, 20.002, 21.039(a) and MDM.003(b) were transferred to the 2009 Rulemaking Programme.

For some tasks the mention "FAA¹ cooperation" may be found in the column "working method". This means that the task has been identified by FAA and the Agency as an issue of common interest under the FAA-EASA Rulemaking Co-operation agreement concluded in June 2007.

For some tasks the mention "TCCA² cooperation" may be found in the column "working method". This means that the task has been identified informally by TCCA as tasks of interest for information exchange.

¹ US Federal Aviation Administration
Amendment 2 of the 2008 Rulemaking Programme

Basic Regulation

Task No.	Description	Work method	Final planned date of deliverable
BR.003	<p>Extension of the EASA system to the regulation of air traffic management and air navigation services. Envisaged deliverable: Opinion recommending essential requirements and basic principles to be included in the Basic Regulation.</p>	Agency	2008.02
BR.006	<p>Transposition of Annex 16 to the Chicago Convention, Volume I, Amendment 9 and Volume II, Amendment 6 Envisaged deliverable: Opinion recommending the adaptation of Article 6 of the Basic Regulation to maintain currency with the latest amendments of Annex 16, Volumes I and II as recommended by ICAO/CAEP/7 when adopted by ICAO.</p>	Agency	2008.04

² Transport Canada Civil Aviation

Multi-Disciplinary Measures (MDM)

Task No.	Description	Work method	Final planned date of deliverable
MDM.001 (a)	<p>Revisions of current requirements for extended twin engines aircraft operations (ETOPS). Envisaged deliverables: decisions amending CS-Definitions, CS-25, CS-E, AMC-20 and the related AMC/GM to Part M and Part 145.</p> <p>Another task is conducted in parallel on Long Range Operations by any type of aircraft (LROPS).</p>	<p>Agency With review group if needed in light of comments</p> <p>FAA co-operation</p>	2008.04
MDM.002 (a)	<p>Electrical Wiring Interconnection System Developing necessary standards and guidance intended to mitigate the risks of ageing electrical cables by appropriate design and maintenance measures</p> <p>Envisaged deliverable: an opinion proposing amendment to Part-M.</p>	<p>Group</p> <p>FAA co-operation</p>	2008.02
MDM.002 (b)	<p>Electrical Wiring Interconnection System Envisaged deliverables: decisions amending CS-25 and AMC-20.</p>	<p>Group</p> <p>FAA co-operation</p>	2008.02
MDM.002 (c)	<p>Electrical Wiring Interconnection System Envisaged deliverable: decision amending AMC/GM to Part-M (subject to amendment of Part M in accordance with MDM.002(a)).</p>	<p>Group</p> <p>FAA co-operation</p>	2008.04
MDM.003 (a)	<p>Flight testing The objective is to establish , using material developed by the JAA, common rules applicable to design flight testing for certification purposes (e.g.: to obtain approval for TC, change to TC, STC, repair design, etc.).</p> <p>Envisaged deliverable: an opinion proposing amendment to Part-21.</p>	<p>Agency With a review group if needed in light of comments</p> <p>FAA co-operation</p>	2008.04

Multi-Disciplinary Measures (MDM)

Task No.	Description	Work method	Final planned date of deliverable
MDM.007 (a)	<p>EASA Form 1 simplification The objective is to delete block 9 "Eligibility", which is considered having no added value. This assumption needs to be verified before affected Parts and related AMC/GM are amended.</p> <p>Envisaged deliverables: an opinion proposing amendments to Part-21, Part-M and Part-145.</p>	<p>Group</p> <p>FAA co-operation TCCA co-operation</p>	2008.03
MDM.022 (b)	<p>Fuel tank safety training issues – AMC/GM Issue new decisions superseding the current 2007/001/R, 2007/002/R and 2007/003/R. These new decisions will introduce a simplified training plan consisting of a Phase 1 (Awareness training) and a Phase 2 (Detailed training), and will recommend dates of implementation for each phase.</p>	Agency	2008.02
MDM.032	<p>Regulation of aircraft other than complex motor powered aircraft, used in non-commercial activities The objective is to simplify the certification process of aircraft below 2000 kg and create European light aircraft categories below 1000 kg.</p> <p>Envisaged deliverable: Opinion to amend Part-21.</p>	Group	2008.04

PART-21

Task No.	Description	Work method	Final planned date of deliverable
<p>21.023 (b)</p>	<p>Restricted CoA The objective is to clarify what a restricted CoA is, taking into account provisions of the Basic Regulation as well as previous work on Permit to Fly under task 21.023(a). Envisaged deliverable: an opinion proposing amendments to Part-21 and Part-M.</p>	<p>Agency With review group if needed in light of comments</p>	<p>2008.04</p>
<p>21.024 (a)</p>	<p>Subpart J DOA The objective is to better describe the privileges under 21A.263(b) and to review the related Agency obligations / responsibilities; Envisaged deliverable: an opinion proposing amendments to Part 21 The task will be finalized as 21.024 (b) with the production of the related AMC/GM after amendment of Part-21.</p>	<p>Group</p>	<p>2008.04</p>
<p>21.027 (a)</p>	<p>21A.431(d) Changes and repair to ETSO article The objective is to make possible changes and repairs to ETSO articles outside ETSO authorizations. Envisaged deliverable: an opinion proposing amendments to Part-21. The task will be finalised as 21.027(b) with the production of the related AMC/GM in 2009 after amendment of Part-21.</p>	<p>Agency</p>	<p>2008.04</p>

PART-21

Task No.	Description	Work method	Final planned date of deliverable
21.038	<p>“Exemption” possibility for STCs and changes to TCs During the drafting of Part 21 the possibility to deviate from applicable airworthiness codes in case of a change to TC or STC has been omitted. The intended rulemaking action should correct this oversight.</p> <p>Envisaged deliverable: an opinion proposing amendments to Part-21.</p>	Agency	2008.04

CS-22

Task No.	Description	Work method	Final planned date of deliverable
22.004	<p>Cockpit crashworthiness: The aim is to improve crashworthiness characteristics of sailplanes.</p> <p>Envisaged deliverable: a decision amending CS-22.</p>	Agency	2008.04

CS-23

Task No.	Description	Work method	Final planned date of deliverable
23.001	<p>Single engine stall speed Harmonisation of single engine stall speed in CS-23 with FAR-23.</p> <p>Envisaged deliverable: a decision amending CS-23.</p>	<p>Agency</p> <p>FAA co-operation</p>	2008.04

CS-25

Task No.	Description	Work method	Final planned date of deliverable
25.006	<p>Thermal/ Acoustic insulation material Amend several requirements to improve resistance to fire of insulation material and harmonise with FAR-25.</p> <p>Envisaged deliverable: a decision amending CS-25.</p>	<p>Agency FAA co-operation</p>	2008.04
25.008 (c)	<p>Flight in Icing Conditions This task aims at finalising task 25.008 after the first Agency proposal for paragraph 25.21(g) "speed margin between VSW and VSR" raised significant comments, which required re-launching a public consultation on a revised draft.</p> <p>Envisaged deliverable: a decision amending CS-25.</p>	<p>Agency FAA co-operation</p>	2008.04
25.040	<p>Type III exits The objective is to increase evacuation performance by improving access to, and automatic operation of, Type III exit hatches.</p> <p>Envisaged deliverable: a decision amending CS-25.</p>	<p>Group FAA co-operation</p>	2008.04
25.045	<p>Access through bulkheads</p>	<p>Group</p>	2008.04
25.056	<p>Flammability reduction / fuel tank safety The objective is to amend CS-25 to improve safety of new designs and harmonise with FAA amended FAR-25 following FAA NPRM 2005/22997.</p> <p>Envisaged deliverable: a decision amending CS-25.</p>	<p>Agency FAA co-operation</p>	2008.04

CS 27&29

Task No.	Description	Work method	Final planned date of deliverable
27& 29.012	<p>Update of applicable AMC Non-significant/ non-controversial update of AMC taking into account related FAA AC. Envisaged deliverable: decisions amending AMCs in CS-27 and CS-29.</p>	<p>Agency With review group if needed in light of comments FAA co-operation</p>	2008.04

CS-31

Task No.	Description	Work method	Final planned date of deliverable
31.001	<p>Balloons Development of the Certification Specifications for hot-air balloons. Envisaged deliverable: a decision issuing CS-31HB.</p>	Agency	2008.03

CS-ETSO

Task No.	Description	Work method	Final planned date of deliverable
ETSO.001	<p>Validation of existing national equipment specifications Based on Member States input, the objective is to review existing national specifications and transform them, when appropriate, into ETSOs.</p> <p>Envisaged deliverable: a decision amending CS-ETSO.</p>	Agency	2008.04
ETSO.002	<p>CS-ETSO Update After proper review, adopt as CS ETSO identified FAA TSOs and technical specifications developed by standardization bodies (e.g. EUROCAE, SAE).</p> <p>Envisaged deliverable: a decision amending CS-ETSO.</p>	Agency.	2008.04

CS-VLA

Task No.	Description	Work method	Final planned date of deliverable
VLA.004	<p>Exits The objective is to review the design of exit, with a view to ensuring that rapid escape is possible from such aircraft in any normal and crash attitude, including the case of turnover.</p> <p>Envisaged deliverable: a decision amending CS-VLA.</p>	<p>Group</p> <p>FAA co-operation</p>	2008.04

AMC – 20

Task No.	Description	Work method	Final planned date of deliverable
20.003	<p>Airworthiness and Operational Approval of on board equipment required for RNP-RNAV (Required Navigation Performance/ Area navigation) Approach Operations Update of AMC 20 to incorporate draft JAA TGL XY and XZ taking into account technological developments.</p> <p>Envisaged deliverable: a decision amending AMC-20.</p>	<p>Group</p> <p>FAA co-operation</p>	2008.04
20.006 (a)	AMC 20 for ADS-B in NRA	<p>Agency</p> <p>FAA co-operation</p>	2008.02

Part-M

Task No.	Description	Work method	Final planned date of deliverable
M.005 (a)	<p>Complex tasks and Pilot owner authorisation Appendices VII and VIII of Part M address the issue of pilot owner maintenance and complex maintenance. The regulatory impact assessment of, as well as consultation on possible changes to, Part M clearly showed the need to extend these appendices.</p> <p>Envisaged deliverable: An Opinion amending Part-M.</p>	<p>Group</p> <p>Task coordinated with M.017.</p> <p>FAA co-operation</p>	2008.02
M.005 (b)	<p>Complex tasks and Pilot owner authorization Envisaged deliverable: A decision amending Part M AMC/GM following adoption of the amendment to Part-M .</p>	<p>Group</p> <p>Task coordinated with M.017.</p> <p>FAA co-operation</p>	2008.04

Part-M

Task No.	Description	Work method	Final planned date of deliverable
M.007	<p>Rule amendment for non-complex aircraft not engaged in commercial activities Envisaged deliverable: An opinion proposing amendments to Part M Related AMC/GM amendments are covered by task M.017 to be finished in 2008.</p>	Agency	2008.02
M.017 (a)	<p>Adaptation of regulatory maintenance requirements for to non-complex aircraft not engaged in commercial activities The regulatory impact assessment of Part-M and further discussions with the affected persons show a need to review the current text before its entry into force. Envisaged deliverable: An Opinion proposing amendments to Part-M and Part-21.</p>	Group Task coordinated with M.005	2008.02
M.017 (b)	<p>Adaptation of regulatory maintenance requirements for non-complex aircraft not engaged in commercial activities Envisaged deliverable: A Decision amending AMC to Part-M after its amendment.</p>	Group Task coordinated with M.005	2008.04

Part-145

Task No.	Description	Work method	Final planned date of deliverable
<p>145.012 (a)</p>	<p>Release to service The objective is to eliminate the risks linked with the co-existence in Europe of two different types of release to service, single release and multiple releases, which can lead to misunderstandings and affect safety in a single system where products can circulate freely.</p> <p>Envisaged deliverable: An Opinion proposing amendments to Part-M, Part-145 and Part-66.</p>	<p>Group FAA co-operation</p>	<p>2008.04</p>
<p>145.012 (b)</p>	<p>Release to service Envisaged deliverable: A Decision amending AMC/GM to Part-M, Part-145 and Part-66 after amendment of these parts.</p>	<p>Group FAA co-operation</p>	<p>2008.04</p>

Part-66

Task No.	Description	Work method	Final planned date of deliverable
66.004	<p>66.A.10 Most authorities feel that the period during which compliance with knowledge and experience requirements must be shown, should be limited. The objective of the task is to examine if and how the time a person may take to pass all the modules, should be limited. Envisaged deliverable: An Opinion amending Part-66.</p> <p>The task will be complemented by the adoption in 2009 of a Decision amending AMC/GM to Part-66 when they have been amended.</p>	Group	2008.03
66.006 (a)	<p>Privileges of B1 and B2 licenses The objective is to provide for clarity as regards the privileges of B1 and B2 license holders for electrical/instrument systems.</p> <p>Envisaged deliverable: An Opinion proposing amendments to Part-145, Part-66 and Part-147.</p> <p>The task will be complemented by the adoption in 2009 of a Decision amending AMC/GM to Part-145, Part-66 and Part-147 when they have been amended.</p>	Group Task coordinated with 66.009 & 66.011	2008.04
66.009 (a)	<p>Type and group ratings The objective is to review experience requirements for the issue of group ratings for light aircraft, as well as the definition of simple and complex aircraft</p> <p>Envisaged deliverable: An Opinion proposing amendments to Part-66.</p> <p>The task will be complemented by the adoption in 2009 of a Decision amending AMC/GM to Part-66 when it has been amended.</p>	Group Task coordinated with 66.006 & 66.011	2008.04

Part-66

Task No.	Description	Work method	Final planned date of deliverable
<p>66.011 (a)</p>	<p>Type training The objective is to harmonize practices and avoid unjustified differences in type training duration.</p> <p>Envisaged deliverable: An Opinion proposing amendments to Part-66.</p> <p>The task will be complemented by the adoption in 2009 of a Decision amending AMC/GM to Part-66 when it has been amended.</p>	<p>Group Task coordinated with 66.006 & 66.009</p>	<p>2008.04</p>
<p>66.022 (a)</p>	<p>License for non complex aircraft maintenance engineers The regulatory impact assessment of Part-M and further discussions with the affected persons show a need to create a new type of license more adapted to these types of aircraft.</p> <p>Envisaged deliverable: An Opinion proposing amendments to Part-145, Part-66 and Part-145.</p>	<p>Group Task coordinated with M.017 and MDM.032</p>	<p>2008.04</p>
<p>66.023</p>	<p>List of type ratings This task has for objective to regularly update this living AMC, which is used as a reference for issuing type ratings.</p> <p>Envisaged deliverable: A decision updating Appendix I of AMC to Part-66.</p>	<p>Agency</p>	<p>2008.04</p>