



Terms of Reference

for a rulemaking task

AMC/GM to Part-21 for changes to operational suitability data (OSD) *Subtask from RMT.0103 (21.039(b))*

RMT.0607 (21.039(b)) — Issue 1 — 08/08/2013

Applicability		Process map	
Affected regulations and decisions:	AMC/GM to Part-21	Rulemaking lead:	R4
Affected stakeholders:	TC/STC holders/applicants	Concept Paper:	No
Driver/origin:	Legal obligation	Rulemaking group:	Yes
Reference:	CRD 2009-01 of 13 May 2011; Opinion No 7/2011 of 13 December 2011.	RIA type:	None
		Technical consultation during NPA drafting:	No
		Publication date of the NPA:	2015/Q3
		Duration of NPA consultation:	3 months
		Review group:	TBD
		Focussed consultation:	TBD
		Publication date of the Opinion:	n/a
		Publication date of the Decision:	2016/Q3

1. Issue and reasoning for regulatory change

On 13 December 2011 the Agency published Opinion No 7/2011 relating to operational suitability data (OSD), which proposes the necessary changes to Regulation (EU) No 748/2012 (Part-21) and the implementing rules for OPS, FCL and Part-66 to implement the OSD concept.

The OSD concept was introduced in Regulation (EC) No 216/2008 (the Basic Regulation) as part of the first extension package. The purpose was to transpose the existing Operational Evaluation Board (OEB) process into the EU regulatory framework. At the same time the new rules were expected to contribute to safety enhancement.

The OSD objective is to ensure that certain data, necessary for safe operation, is available to and used by the operators. This data is considered specific to an aircraft type and should therefore be produced by the designer of that type. It consists of:

- minimum syllabus of pilot type rating training;
- aircraft reference data to support the qualification of simulators;
- minimum syllabus of maintenance certifying staff type rating training;
- type-specific data for cabin crew training; and
- master minimum equipment list (MMEL).

The OSD proposed by the designer will be approved by EASA as part of the airworthiness certification.

Once approved, the core of the OSD must be used by operators and training organisations when establishing their customised training courses and MEL.

The OSD is expected to contribute to bridging the gap between airworthiness and operations and therefore improving safety. Furthermore, it will provide the basis to enable greater standardisation in the EU for type training and MEL.

The European Commission has stated that the timescale for adoption of the Opinion is end of 2013 or early 2014. The first batch of accompanying AMC/GM has already been developed together with the rule and is ready for publication. It will be published as soon as the amending regulations are issued.

The proposed rule includes the requirement that someone who is proposing a change to design also has to assess the impact of that change on the OSD. It also contains requirements on how to handle stand-alone changes to OSD. However, the details on how these requirements should be implemented were not fully clear. Therefore, a transition period of three years for these requirements is foreseen. This transition period was included to allow time for the development of dedicated AMC/GM that would clarify all the issues related to changes to OSD.

2. Objectives

To facilitate the implementation of the OSD requirements related to changes, once these requirements become mandatory, there is a need to provide AMC and GM for the new requirements in Part-21.

3. Specific tasks and deliverables

3.1. Tasks

Establish new AMC/GM for the provisions in Subparts D and E as proposed to be amended by Opinion No 7/2011. This will clarify all the issues related to:

- (1) the approval of changes to OSD,
- (2) as well as the requirement to assess the impact on OSD of design changes.

Consider the need for tailoring the AMC/GM to the various products affected by the new rule taking into account their typical kind of operation and the related organisations dealing with them.

3.2. Deliverables

Draft an NPA with new AMC/GM for the provisions in Subparts D and E as proposed to be amended by Opinion No 7/2011.

4. Profile and contribution of the rulemaking group

The Agency envisages to set up a rulemaking group.

Profile of potential rulemaking group and its members:

The group should comprise TC and STC holders representatives, as well as certification experts from EASA.

Members should have knowledge of and experience in both technical and procedural issues used in the establishment of one (or preferably more) OSD elements and/or in airworthiness certification.

5. Annex I: Reference documents

5.1. Affected regulations

None.

5.2. Affected decisions

Decision 2012/020/R of the Executive Director of the Agency of 30 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')

5.3. Reference documents

- CRD 2009-01 of 13 May 2011,
- Opinion No 7/2011 of 13 December 2011.