

DECISION No 2006/13/R

OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

of 20 December 2006

amending Decision No 2003/01/R of 17 October 2003 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”)

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency¹ (hereinafter referred to as the Basic Regulation), and in particular Articles 13 and 14 thereof.

Having regard to the Commission Regulation (EC) No 1702/2003 of 24 September 2003 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 organisations².

Whereas:

- (1) Non-required equipment in sailplanes is certified on a non-hazard basis.
- (2) The current explanation of the term “standard part” implies that all equipment in sailplanes must be produced under a Production Organisation Approval, which for non-required equipment is not commensurate with the design approval effort.
- (3) An extension of the Standard Parts definition to include non-required equipment for sailplanes will restore consistency between the design and production requirements for these parts.
- (4) The Agency shall issue certification specifications, including airworthiness codes and acceptable means of compliance, as well as any guidance material for the application of the Basic Regulation and its implementing rules.

¹ OJ L 240, 7.9.2002, p. 1. Regulation as last amended by Regulation (EC) No 1701/2003 (OJ L 243, 27.9.2003, p. 5).

² OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Regulation (EC) No 706/2006 (OJ L 122, 9.5.2006, p. 16).

- (5) The Agency, pursuant to Article 43 of the Basic Regulation and Articles 5(3) and 6 of the rulemaking procedure³, has widely consulted interested parties⁴ 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

Decision N° 2003/01/R is hereby amended as follows.

1. GM No. 1 to 21A.303(c) is replaced by the following:

**~~GM No. 1 to~~ AMC 21A.303(c)
Standard Parts**

In this context a part is considered as a "standard part":

1. Where it is designated as such by the design approval holder responsible for the product, part or appliance, in which the part is intended to be used. In order to be considered a "standard part", all design, manufacturing, inspection data and marking requirements necessary to demonstrate conformity of that part should be in the public domain and published or established as part of officially recognised Standards, or

2. For sailplanes and powered sailplanes, where it is a non-required instrument and/or equipment certified under the provision of CS 22.1301(b), if that instrument or equipment, when installed, functioning, functioning improperly or not functioning at all, does not in itself, or by its effect upon the sailplane and its operation, constitute a safety hazard.

"Required" in the term "non-required" as used above means required by the applicable airworthiness code (CS 22.1303, 22.1305 and 22.1307) or required by the relevant operating regulations and the applicable Rules of the Air or as required by Air Traffic Management (e.g. a transponder in certain controlled airspace).

Examples of equipment which can be considered standard parts are electrical variometers, bank/slip indicators ball type, total energy probes, capacity bottles (for variometers), final glide calculators, navigation computers, data logger / barograph /turnpoint camera, bug-wipers and anti-collision systems.

Equipment which must be approved in accordance to the airworthiness code shall comply with the applicable ETSO or equivalent and is not considered a standard part (e.g. oxygen equipment)."

³ Decision of the Management Board concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ("rulemaking procedure"), EASA MB/7/03, 27.6.2003.

⁴ See: NPA No 20-2005

⁵ See: CRD No 20-2005

2. GM No. 2 to 21A.303(c) is replaced by the following:

**~~“GM No. 2 to 21A.303(c)~~
Officially recognised Standards**

In this context “officially recognised Standards” means:

1. Those standards established or published by an official body whether having legal personality or not, which are widely recognised by the air transport sector as constituting good practice; or
2. The standard used by the manufacturer of the equipment as mentioned in paragraph 2 of AMC 21A.303(c).”

Article 2

This Decision shall enter into force on 27 December 2006.

Done at Cologne, 20 December 2006

P. GOUDOU