European Union Aviation Safety Agency

FAQ n.19121

FAQs:

General, Regulations

Question:

What is the legal status of documents published during the EASA Rulemaking process such as Notice of Proposed Amendment (NPA), Comment Response Document (CRD) or an Opinion? Can they be used if there is no EU rule available?

Answer:

The proposed draft rules published during the EASA Rulemaking process are not binding documents as they are still subject to change. This may occur either during the EASA rulemaking process or through the Commission's comitology process. Consequently, NPAs, CRDs and Opinions cannot be used in place of an EU rule.

NPAs and CRDs are part of the Agency's rulemaking process, at different stages. They inform and consult stakeholders on possible rule changes or new rules. The NPAs include an explanatory note, the proposed draft rules, a regulatory impact assessment (RIA) — if applicable, and proposed actions to support implementation. They are published on the Agency’s website to allow any person or organisation with an interest in or being affected by the draft proposed rule to submit their comments.

The CRD to a particular NPA is published after the comments have been reviewed and contains a summary of the comments received, along with all the comments submitted by stakeholders on that particular NPA and EASA’s responses to those comments.

Most of the times, the EASA rulemaking process also leads to the issuance of Opinions, which contain proposals of implementing and delegated acts. They are submitted to the European Commission, as a proposal to change existing regulations or create new ones.

More information on EASA rulemaking.

Last updated:

02/09/2019

Link:

https://www.easa.europa.eu/en/faq/19121