

## ***European Aviation Safety Agency***

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### **DECISION N° 2010/008/R OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY**

**OF 28 SEPTEMBER 2010**

**amending the Annex to Decision No. 2010/07/R of the Executive Director of the  
Agency of 2 September 2010**

**on**

**Certification Specifications, including airworthiness codes and Acceptable Means  
of Compliance, for normal, utility, aerobatic and commuter category aeroplanes**

**(« CS-23 »)**

***‘Composites’***

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to the 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<sup>1</sup> (hereinafter ‘The Basic Regulation’), and in particular Articles 18(c), 38(3)(a) and (e) 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 organisations<sup>2</sup>, in particular 21A.16A of the Annex to Commission Regulation (EC) No 1702/2003 (Part-21) thereof,

Whereas:

- (1) The Executive Director issued Certification Specifications, including airworthiness codes and Acceptable Means of Compliance, for normal, utility, aerobatic and commuter category aeroplanes « CS-23 » in the Annex to Executive Director Decision 2003/14/RM of 14 November 2003 (Initial Issue)<sup>3</sup>.

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<sup>1</sup> OJ L 79, 19.03.2008, p. 1. Regulation as last amended by Regulation (EC) No 1108/2009 of the European Parliament and of the Council of 21 October 2009 (OJ L 309, 24.11.2009, p. 51).

<sup>2</sup> OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Regulation (EC) No 1194/2009 of 30 November 2009 (OJ L 58, 9.3.2010, p. 23).

<sup>3</sup> Executive Director Decision 2003/14/RM of 14 November 2003 as last amended by Executive Director Decision 2010/007/R of 2 September (CS-23 Amendment 2).

28/09/2010

- (2) The Agency shall, pursuant to Article 18 of the Basic Regulation, issue Certification Specifications, including airworthiness codes and Acceptable Means of Compliance, as well as Guidance Material for the application of the Basic Regulation and its Implementing Rules.
- (3) The Agency is obliged, pursuant to Article 19 of the Basic Regulation, to reflect the state of the art and the best practices in the fields concerned and update certification specifications taking into account world wide aircraft experience in service, and scientific and technical progress.
- (4) The Agency has determined the need to develop and promulgate additional guidance material on the certification of composite aircraft structure, for which the Agency considers the use of Acceptable Means of Compliance to be the most appropriate means.
- (5) The Agency, pursuant to Article 52(1) (c) of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure<sup>4</sup>, 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 received<sup>5</sup>.
- (6) Due to a software error, the consolidated version of CS-23 Amendment 2 in the Annex to the Executive Director Decision No 2010/007/R did not include pages 2-26 of the Book 1 Subpart C of CS-23. As a result of this inconsistency, the Annex of Decision No 2010/007/R of the Executive Director should be amended accordingly.

HAS DECIDED:

#### Article 1

The Annex to Decision No. 2010/007/R of the Executive Director of 2 September 2010 containing the Certification Specifications, including airworthiness codes and Acceptable Means of Compliance, for normal, utility, aerobatic and commuter category aeroplanes « CS-23 » is replaced by the Annex to this Decision.

#### Article 2

This Decision shall enter into force on 28 September 2010. It shall be published in the Official Publication of the Agency.

Done in Cologne, on 28 September 2010

P. GOUDOU

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<sup>4</sup> Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB/08/07, 13.6.2007.

<sup>5</sup> See NPA 2009-06 and CRD 2009-06 on Rulemaking Archives page <http://easa.europa.eu/rulemaking/r-archives.php>