

EASA

TERMS OF REFERENCE

TOR Nr: 21.021
Issue: 1
Date: 19 January 2007
Regulatory reference: AMC and GM to Part 21
Reference documents: Rulemaking task MDM.007

1. Subject:

Ambiguity between AMC/GM and Part 21 in respect of eligibility for Subpart F and G for manufacturers of raw material.

2. Problem / Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

Although the applicability and eligibility paragraphs of Subpart F and G do not include material manufacturers of raw material (not being products, parts and appliances), ambiguity as to the applicability of those parts to manufacturers of raw material exists due to confusing instructions for completion of the EASA FORM 1 in Part 21 and related AMC/GM. Also AMC and GM for subpart F and G in Part 21 and AMC for Part M and Part 145 are confusing in this respect.

To clarify the situation, the Agency conducted a legal analysis of the EASA Regulation and of the applicable Commission Regulation and reached the conclusion that there is no legal basis to regulate manufacturers of raw material. Part 21 and its AMC/GM will have to be amended to reflect this state of law. Consistency with Part M and Part 145 will also have to be checked.

3. Objective:

Remove the ambiguity in AMC/GM for eligibility and applicability of Subpart F and G.

4. Specific tasks and interface issues (Deliverables):

It should be noted that the required change to Part 21 will be addressed by rulemaking task MDM.007 which deals with implementation problems and harmonization issues of Form 1. AMC and GM directly related to Form 1 and the instructions are also covered by that task. That task will also remove ambiguity created by AMC to Part M and Part 145.

The wording in AMC/GM to approval under Subpart G and F that creates ambiguity will be amended by this task.

The scope of the present task is therefore to:

- Review AMC/GM for Part 21 Subpart F and G to identify and amend ambiguous text in respect of eligibility and applicability.
- Amend existing AMC/GM to Subpart F and G by introducing clarification that manufacturers of raw material (not being products, parts and appliances) are not eligible for these approvals.

5. Working Methods (in addition to the applicable EASA procedures):

Agency

6. Time scale, milestones:

NPA to be published 1st quarter 2007, Decision 4th quarter 2007