



Notice of Proposed Amendment 2025-02(A)

issued in accordance with Article 6 of MB Decision 01-2022

Alignment of Regulation (EU) No 748/2012 and Regulation (EU) No 1321/2014 with Regulation (EU) 2018/1139

Certification and continuing airworthiness of non-installed equipment

RMT.0727 — SUBTASK 3

WHAT THIS NPA IS ABOUT		
<p>This NPA puts forward amendments to Regulation (EU) No 748/2012 (the Initial Airworthiness Regulation) and Regulation (EU) No 1321/2014 (the Continuing Airworthiness Regulation), together with their associated acceptable means of compliance (AMC) and guidance material (GM), in order to align them with Regulation (EU) 2018/1139 (the Basic Regulation) in respect of the certification and continuing airworthiness of non-installed equipment (NIE).</p> <p>The aim of the proposed regulatory material is to clarify the processes applicable for the initial certification and continuing airworthiness of NIE. This will allow the stakeholders concerned to apply to the maximum extent possible the existing certification and continuing airworthiness processes, thus reaping the full benefits of applying well-established industry processes. When and if relevant, in order to increase efficiency, simplifications are proposed with regard to the exemption from the requirement for capability demonstration for the production of NIE that consists of software applications only to allow for adaptations to the specificities of NIE.</p>		
REGULATIONS INTENDED TO BE AMENDED	ED DECISIONS TO BE AMENDED	
<ul style="list-style-type: none">— Regulation (EU) No 748/2012 (Initial Airworthiness)— Regulation (EU) No 1321/2014 (Continuing Airworthiness)	<p>ED Decisions that issue the AMC & GM to support the application of those Regulations</p> <ul style="list-style-type: none">— ED Decision 2012/020/R 'AMC & GM to Part-21 Issue 2'— ED Decision 2015/029/R 'AMC/GM to the Annexes to Regulation (EU) No 1321/2014 — Issue 2'— ED Decision 2020/002/R 'AMC & GM to Commission Regulation (EU) No 1321/2014'	
AFFECTED STAKEHOLDERS		
<p>European Technical Standard Order Authorisation (ETSOA) applicants; aircraft operators; continuing airworthiness management organisations (CAMOs); approved maintenance organisations (AMOs); national competent authorities (NCAs); EASA</p>		
WORKING METHODS		
Development	Impact assessment(s)	Consultation
By EASA	Light	NPA — Public
RELATED DOCUMENTS / INFORMATION		
<p>ToR RMT.0727 - Alignment of Part 21 of Regulation (EU) No 748/2012 with Regulation (EU) 2018/1139 (including simple and proportionate rules for GA) EASA</p> <p>2023 FAA TSO Workshop, 20–21 September 2023</p> <p>2024 TCCA TSO Workshop, 11–12 September 2024</p>		
PLANNING MILESTONES: Refer to the latest edition of the EPAS <i>Volume II</i> .		



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1. About this NPA

1.1. How this regulatory material was developed

The European Union Aviation Safety Agency (EASA) identified a set of issues (as described in Chapter 2), and after having assessed the impacts of a possible intervention, identified rulemaking as the necessary intervention action.

This rulemaking activity is included in the 2025 edition of Volume II of the European Plan for Aviation Safety (EPAS)¹ under Rulemaking Task (RMT).0727, Subtask 3.

EASA developed the regulatory material in question in line with Regulation (EU) 2018/1139² (the Basic Regulation) and the Rulemaking Procedure³, as well as in accordance with the objectives and working methods described in the Terms of Reference (ToR) for this RMT⁴.

1.2. How to comment on this NPA

The draft regulatory material is hereby submitted for public consultation.

NPA 2025-02 is divided in seven parts ((A) to (G)).

NPA 2025-02(A) includes the background information pertaining to the regulatory proposal.

NPAs 2025-02 (B), (C), (D), (E), (F) and (G) include the proposed amendments.

Please submit your comments using the **Comment-Response Tool (CRT)** available at <http://hub.easa.europa.eu/crt/>⁵.

To facilitate the collection and technically support the subsequent review of comments by EASA in an efficient, controlled, and structured manner, stakeholders are kindly requested to submit their comments to the respective predefined segments of the NPAs within the CRT, and refrain from submitting specific comments or all their comments to the 'General Comments' segment.

Further, once all comments are placed to the respective predefined segments, there is no need to submit them (as a pdf attachment) to the 'General Comments' segment.

The deadline for the submission of comments is **7 October 2025**.

¹ [European Plan for Aviation Safety \(EPAS\) 2023-2025 | EASA \(europa.eu\)](#)

² Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<http://data.europa.eu/eli/reg/2018/1139/oj>).

³ EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 ([EASA MB Decision No 01-2022 on the Rulemaking Procedure, repealing MB Decision 18-2015 \(by written procedure\) | EASA \(europa.eu\)](#)).

⁴ [ToR RMT.0727 - Alignment of Part 21 of Regulation \(EU\) No 748/2012 with Regulation \(EU\) 2018/1139 \(including simple and proportionate rules for GA\) | EASA](#)

⁵ In case of technical problems, please send an email with a short description to crt@easa.europa.eu.



1.3. The next steps

Following the public consultation of the draft regulatory material, EASA will review all the comments received and will duly consider them in the subsequent phases of this rulemaking activity.

Considering the above, EASA may issue an Opinion proposing amendments to Regulations (EU) Nos 748/2012 and 1321/2014. The Opinion will be submitted to the European Commission which shall consider its content and decide whether to issue amendments to those Regulations.

Following the amendment of Regulations (EU) Nos 748/2012 and 1321/2014, EASA may issue a Decision amending the AMC and GM to support the application of those Regulations.

When issuing the Opinion and the Decision, EASA will also provide feedback to the commentators and information to the public on who engaged in the process and/or provided comments during the consultation of the draft regulatory material, which comments were received, how such engagement and/or consultation was used in rulemaking, and how the comments were considered.



2. In summary — why and what

2.1. Why we need to act

Regulation (EU) 2018/1139 (the Basic Regulation) introduced the concept of, and defined as well in Article 3(29), ‘non-installed equipment’ (NIE) as ‘any instrument, equipment, mechanism, apparatus, appurtenance, software or accessory carried on board of an aircraft by the aircraft operator, which is not a part, and which is used or intended to be used in operating or controlling an aircraft, supports the occupants’ survivability, or which could impact the safe operation of the aircraft’.

The term ‘appliances’ was removed from the definition. Therefore, in accordance with the Basic Regulation, there are now ‘products’, ‘parts’ and ‘NIE’ that are eligible for certification by EASA.

Action is needed to align the terminology used in Regulation (EU) No 748/2012 (the Initial Airworthiness Regulation) and in Regulation (EU) No 1321/2014 (the Continuing Airworthiness Regulation) with that used in the Basic Regulation, and to define the initial certification and continuing airworthiness processes applicable to NIE, as explained in more detail in the following section.

2.1.1. Description of the issue

EASA currently lacks a regulatory means to approve NIE since the concept of NIE is not currently reflected in Part 21 of Regulation (EU) No 748/2012 nor is it reflected in Regulation (EU) No 1321/2014, which only refers to the continuing airworthiness of components installed on aircraft. This means that EASA does not have a formal process to approve NIE in case there is a need to address a safety issue with a particular article that is carried on board the aircraft by the operator. In addition, the current regulations do not include any provisions regarding how and by whom such NIE should be maintained and controlled on board the aircraft.

Recently, questions have been received by Member States relating to continuing airworthiness and how to maintain or repair certain equipment that would now fall into the NIE definition, including equipment that has been issued with an ETSO authorisation (see also FAQ No 19472 at <https://www.easa.europa.eu/faq/19472>). This has led to a high degree of uncertainty regarding the regulatory requirements for maintaining NIE because the Continuing Airworthiness Regulation only applies to components (i.e. engines, propellers or parts) that are installed on the aircraft.

National law that was in place before the application of the Basic Regulation can still be applied for maintaining NIE, but no new national law can be issued since the Basic Regulation entered into force. Therefore, when there is an ETSO authorisation for equipment, the practice for certain maintenance organisations has been to obtain a Part-145 approval and to perform and certify maintenance of NIE by issuing an EASA Form 1, but at the same time some organisations hesitated whether they can maintain and certify NIE as the Continuing Airworthiness Regulation is not currently applicable to NIE. This impacts the level playing field, as the same article would be maintained using different standards in the EU.

In addition, for an ETSO authorisation applicant for a specific category of NIE which consists only of software applications (e.g. electronic flight bag (EFB) software applications), the production capability demonstration requirement (i.e. the requirement to hold a POA) is found excessive and needs to be reconsidered. For such NIE there are no actual production activities. Software applications are fully



defined, developed and certified within the design environment (design organisation). The same organisation may also distribute the certified software configuration to end users.

2.1.2. Who is affected by the issue

ETSOA applicants, aircraft operators, CAMOs, AMOs, NCAs and EASA.

2.1.3. How could the issue evolve

The use of Part 21 ETSO authorisation process for the certification of NIE could be questioned as lacking the correct legal basis.

In addition, the recurrent questions regarding the clarification of the maintenance standards applicable to NIE will remain unanswered potentially impacting the level playing field, as the same article could be maintained using different standards in the EU. Moreover, in relation to NIE that is required pursuant to Regulations (EU) No 965/2012⁶, 2018/395⁷ and 2018/1976⁸ to be approved in accordance with the applicable airworthiness requirements, this could create potential safety risks.

2.1.4. Conclusion on the need for rulemaking

EASA concluded, as explained further in Chapter 3, that intervention was necessary, and that non-regulatory action cannot effectively address the issue. Therefore, amendments to the Initial and the Continuing Airworthiness Regulations are required.

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. The regulatory material presented here is expected to contribute to achieving these overall objectives by addressing the issues described in Section 2.1.

More specifically, with the regulatory material presented here, EASA intends to implement the provisions of Article 13 of the Basic Regulation by defining in Annex I (Part 21) to the Initial Airworthiness Regulation when NIE shall be, or may be, subject to certification and which process shall be used to issue the respective approval certificate. EASA also intends to implement in Annex I (Part 21) to that Regulation Article 77(1)(h) of the Basic Regulation that relates to the continuing airworthiness of NIE it has certified and in respect of which it performs oversight.

In addition, EASA intends to clarify, in the Continuing Airworthiness Regulation and its annexes, who is responsible for the serviceability of NIE as well as the cases where NIE maintenance release is required or allowed depending on the categories of NIE, and by whom, with a view to implementing Article 17(1)(f) of the Basic Regulation.

⁶ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<http://data.europa.eu/eli/reg/2012/965/oj>).

⁷ Commission Regulation (EU) 2018/395 of 13 March 2018 laying down detailed rules for the operation of balloons pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 71, 14.3.2018, p. 10) (<http://data.europa.eu/eli/reg/2018/395/oj>).

⁸ Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L 326, 20.12.2018, p. 64) (http://data.europa.eu/eli/reg_impl/2018/1976/oj).

2.3. How we want to achieve it — overview of the proposed amendments

2.3.1. Proposed amendments to the Initial Airworthiness Regulation and its AMC and GM

It is proposed to align the terminology used in the Initial Airworthiness Regulation and in its Annex I (Part 21) with that used in the Basic Regulation by removing the term ‘appliances’ or replacing it with the term ‘non-installed equipment’, as the case may be. In particular, in Article 1(2)(f), the definition of ‘article’ is amended to include ‘non-installed equipment’ instead of ‘appliance’.

In Part 21 Subpart K, the following points are proposed to be amended or added:

- 21.A.303 The content is reorganised and new requirements are introduced for defining when NIE shall, or may, be certified under the ETSO authorisation procedures of Subpart O:
1. NIE that is required, pursuant to Regulations (EU) Nos 965/2012, 2018/395 and 2018/1976, to be approved in accordance with the applicable airworthiness requirements; and
 2. NIE that is not required to be approved but for which an applicant has requested certification in compliance with the related certification specifications published by EASA.
- 21.A.305 Point (b) is added to indicate that NIE shall comply with the applicable ETSO published by EASA.
- new 21.A.309 Contains requirements for NIE authorised release certificate (EASA Form 1) and marking. In addition, an exemption is proposed for NIE which consists only of software applications. Such NIE is not required to be accompanied by an authorised release certificate (EASA Form 1).
- new 21.A.602B(a)(2) In Part 21 Subpart O, it is proposed to implement an exemption from the requirement for capability demonstration for production for the case of an applicant for an ETSO authorisation for NIE which consists only of software applications. This is mainly reflected in new point 21.A.602B(a)(2).

In addition, not linked with the introduction of ‘non-installed equipment’ in Part 21, it is proposed to amend point 21.A.3B to better align with the current EASA practice regarding the issuance of airworthiness directives (ADs):

- 21.A.3B(a) Reflects that ADs may also mandate actions on the level of the engine, propeller, part, non-installed equipment or CMU component (not only at aircraft or CMU level).
- At the end of this point, it is proposed to delete ‘UAS or CMU’ because the compromised level of safety is assessed at aircraft level of the operated aircraft (manned or unmanned).
- 21.A.3B(b) Similar to the point above, it is proposed to delete ‘UAS or CMU’. When there is a deficiency (whatever it may be), the unsafe condition (i.e. unacceptable risk) should always be assessed in the context of the



- operation of the aircraft (manned or unmanned). This is consistent with the definition of ‘unsafe condition’ in AMC1 21.A.3B(b).
- 21.A.3B(c) It is proposed to clarify the ways design approval holders and EASA may need to manage AD-related corrective actions or inspections. These actions are either approved, as a type certificate change or a repair, under Part 21 Subparts D, E, M or O, or also possibly accepted by EASA and recorded accordingly when they are expected to have a temporary nature as preventive mitigation measures to unsafe conditions, or not involving any design change or repair.
- 21.A.3B(d) In point (d)(2), it is proposed to delete ‘or CMU’. EASA ADs issued under the AD issuance criteria of point 21.A.3B(b)(1) and (2) are always applicable to at least one affected aircraft. Under this principle, for cases of ADs other than aircraft ADs (i.e. when addressing unsafe conditions in engines, propellers, parts, NIE, CMUs, or CMU components), such ADs apply to any affected aircraft on which the individual unsafe products (i.e. engine or propeller) or parts, NIE, CMUs or CMU components listed in the AD applicability paragraph are installed or used.
- 21.A.3B(e) New point (e) is proposed for clarifying the regulatory framework for the approval of the alternative method of compliance (AMoC) for the required action(s) of an AD. The alternative means of compliance are specified in Article 62(13)(e) of the Basic Regulation:
- ‘(e) the conditions for issuing and disseminating mandatory information by the Agency, [...], and conditions for approval of alternative means of compliance to that mandatory information.’
- However, to date, Part 21 contains no provisions to implement this requirement.

As regards the AMC and GM to Part 21, the following amendments are proposed:

- Align the terminology with that used in the Basic Regulation by removing the term ‘appliance’ or replacing it with the term ‘non-installed equipment’, as the case may be. As this is a straightforward amendment, the respective amendments are not consulted through this NPA.
- Update GM1 21.A.3B(b), sections 1 and 2, and in particular paragraph 2.4, to provide guidance for the establishment of an unsafe condition in case of failure of both installed and non-installed equipment, as well as of UAS-related CMUs and CMU components.
- Provide new guidance material, i.e. GM1 21.A.3B(c), to explain the approval or acceptance of AD-related corrective actions.
- Provide new guidance material, i.e. GM1 21.A.3B(e), to explain the alternative method of compliance (AMoC) with an AD.
- Update GM1 21.A.151 to extend the use of POA rating C1. This rating is now called ‘C1 Equipment’ and is intended for both installed and non-installed equipment, as well as for



CMUs and CMU components (for consistency with the amendments introduced by Delegated Regulation (EU) 2024/1108⁹ to the POA scope of work).

- Provide new guidance material, i.e. GM1 21.A.303(b), to repeat the definition of ‘non-installed equipment’ and provide examples of such equipment together with cross references to the Air Operations Regulation specifying the airworthiness approval status of NIE.
- Provide new guidance material, i.e. GM1 21.A.305(b), to explain the condition under which the voluntary certification of NIE may be applied for.
- Provide new AMC1 21.A.602B(a)(2) for production capability derogation applicability to electronic fly bag (EFB) software applications under ETSO-2C521.
- Add new acceptable means of compliance in AMC1 21.A.602B(b)(2) to extend the scope of the applicant’s design procedures to cover the distribution process for software applications (only relevant for applicants that are subject to the derogation provision of point 21.A.602B(a)(2)).
- Add new acceptable means of compliance in AMC1 21.A.807(a) for electronic marking of NIE that consists of software applications only.

In the related ED Decision (to be issued following the eventual adoption of the amendments to the Initial and Continuing Airworthiness Regulations), further amendments to the AMC and GM will be made to remove the term ‘appliance’ or, depending on the case, replace it with the term ‘non-installed equipment’, with a view to aligning the AMC and GM with the terminology used in the Basic Regulation. These amendments are straightforward and are, therefore, not included in this NPA to allow the reader to focus on the novelties introduced in the rules by the NIE concept.

2.3.2. Proposed amendments to the Continuing Airworthiness Regulation and its AMC and GM

It is proposed to align the terminology used in the Continuing Airworthiness Regulation and in its annexes with that used in the Basic Regulation by removing the term ‘appliance’ or replacing it with the term ‘non-installed equipment’, as the case may be. The NPA proposes to provide the possibility to perform and release maintenance on such NIE that has an ETSO authorisation. Besides, NIE that is required pursuant to Regulation (EU) No 965/2012 (Air Operations) or Regulation (EU) 2018/395 (Detailed rules for the operation of balloons) or Regulation (EU) 2018/1976 (detailed rules for the operation of sailplanes) to be approved in accordance with the applicable airworthiness requirements is proposed to be included in the definition of ‘component’ and by that to impose maintenance and its release by a Part-145 approved organisation or, depending on the type of aircraft and the type of operation in which the NIE is carried on board, by a Part-CAO organisation. When NIE is maintained under Part-145 or Part-CAO, the standards for component maintenance are proposed to be used for its maintenance. Therefore, NIE is not explicitly mentioned throughout the text of the Regulation or the related AMC and GM. Whenever ‘component’ is used in the text, it is deemed that this requirement or provision should be considered for NIE, although certain requirements will not be

⁹ Commission Delegated Regulation (EU) 2024/1108 of 13 March 2024 amending Regulation (EU) No 748/2012 as regards the initial airworthiness of unmanned aircraft systems subject to certification and Delegated Regulation (EU) 2019/945 as regards unmanned aircraft systems and third-country operators of unmanned aircraft systems (OJ L, 2024/1108, 23.5.2024) (http://data.europa.eu/eli/reg_del/2024/1108/oj).



applicable (for example, those referring to the installation of components). For all types of NIE, the serviceability of NIE carried on board the aircraft is proposed to be controlled by the aircraft operator.

The Continuing Airworthiness Regulation is proposed to be amended as follows:

- In the title of the Regulation, it is proposed to replace any reference to ‘parts’ and ‘appliances’ with ‘components’.
- Article 1 is proposed to be amended by adding paragraph (c) that introduces NIE within the scope of the Regulation.
- In Article 2, the definitions ‘certifying staff’ (in point (b)), ‘component’ (in point (c)) and ‘maintenance’ (in point (h)) are proposed to be amended as follows:
 - ‘certifying staff’: to include NIE;
 - ‘component’: to include NIE that is required pursuant to Regulations (EU) No 965/2012, 2018/395 and 2018/1976 to be approved in accordance with the applicable airworthiness requirements in the definition of ‘component’;
 - ‘maintenance’: to include NIE within the scope of the definition of ‘maintenance’ and to improve the alignment of this definition with ICAO Annex 8 ‘Airworthiness of Aircraft’.
- In Article 3, it is proposed to insert paragraph ‘1a’ to require operators to ensure the serviceability of NIE carried on board.
- The notion of certifying staff for NIE is proposed to be introduced in Article 5(6).

Annex I (Part-M) is proposed to be amended as follows:

- In point M.A.201, it is proposed to delete the requirement ‘for installation thereon’ related to components in order to extend the requirement to NIE that is required pursuant to Regulation (EU) No 965/2012 to be approved in accordance with the applicable airworthiness requirements.
- Point M.A.202 is proposed to be amended to introduce requirements imposing the reporting of any condition of NIE that would endanger flight safety.
- Point M.A.301 is proposed to be amended to specify what maintenance should be released in accordance with Subpart H. The objective of this amendment is to exclude NIE that does not fall under the definition of ‘component’.
- In point 1.1 of Appendix II — Authorised Release Certificate — EASA Form 1, it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.

Annex II (Part-145) is proposed to be amended as follows:

- In point 145.A.10, it is proposed to include in the scope of Section A the performance and release of maintenance of NIE for which an ETSO authorisation has been issued and refer to component maintenance standards to be used when performing NIE maintenance.
- Point 145.A.60 is proposed to be amended to mention ‘component for installation or NIE’ in the reporting requirements.

Note: The term ‘component for installation’ is used to designate a component except for NIE.



- In point 145.B.135, it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.
- In Appendix III — Maintenance Organisation Certificate — EASA Form 3-145, it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’, and to update accordingly the issue number of the form.

Annex III (Part-66) is proposed to be amended as follows:

- In point 10.6 of MODULE 10 ‘AVIATION LEGISLATION’ of Appendix I — Basic Knowledge Requirements (except for category L licence), it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.

Annex Vb (Part-ML) is proposed to be amended as follows:

- In point ML.A.201(2), it is proposed to specify what type of maintenance is within the scope of that point.

Annex Vc (Part-CAMO) is proposed to be amended as follows:

- In point CAMO.B.135(b), it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.

Annex Vd (Part-CAO) is proposed to be amended as follows:

- In point CAO.A.10, it is proposed, in respect of components, to delete ‘for installation thereon’ in order to extend the requirement to NIE that is required pursuant to Regulations (EU) No 965/2012, 2018/395 and 2018/1976 to be approved in accordance with the applicable airworthiness requirements and to include in the scope of Section A the performance and release of maintenance of NIE for which an ETSO authorisation has been issued and refer to component maintenance standards to be used when performing NIE maintenance.
- In Appendix I — Combined airworthiness organisation (CAO) certificate — EASA Form 3-CAO, it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’, and to update accordingly the issue number of the form.

As regards the AMC and GM to the Continuing Airworthiness Regulation, the following amendments are proposed:

- GM1 Article 1(c) is added to explain the concept of serviceability of NIE.
- GM1 Article 3(1a) is added to elaborate on the control of NIE by aircraft operators.
- GM1 M.A.201; ML.A.201 is added to summarise the organisations at which the maintenance of NIE should be released with an EASA Form 1 and to provide some examples of NIE.
- GM1 M.A.301 is added to highlight that NIE could be emergency and operational equipment and thus could be subject to the applicable requirements of point M.A.301.
- GM2 145.A.10 is added to explain how the maintenance of NIE should be performed and released by a Part-145 organisation.
- In AMC1 Appendix I — Basic Knowledge Requirements (except for category L licence) Section 2, in point 10.6 of MODULE 10 AVIATION LEGISLATION, it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.



- In AMC1 Appendix II — Basic examination standard (except for category L licence), in point 10.6 of MODULE 10 AVIATION LEGISLATION, it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.
- GM1 ML.A.301 is added to highlight that NIE could be emergency and operational equipment and thus is subject to the applicable requirements of point ML.A.301.
- In GM1 CAMO.A.160(b), it is proposed to replace the term ‘appliances’ with ‘non-installed equipment’.
- GM1 CAO.A.010 is added to elaborate on how maintenance of NIE should be performed and released.

In the related ED Decision (to be issued following the eventual adoption of the amendments to the Initial and Continuing Airworthiness Regulations), further amendments to the AMC and GM will be made to remove the term ‘appliances’ or, depending on the case, replace it with the term ‘non-installed equipment’, or else to complement the term ‘component’ with the term ‘non-installed equipment’, with a view to aligning the AMC and GM with the terminology established in the Basic Regulation. These amendments are straightforward and, therefore, have not been included in this NPA to allow the reader to focus on the novelties introduced in the rules by the NIE concept.

2.3.3. Applicability of the subject regulatory material

The applicability date will depend on the progress of the subject rulemaking task (issue of the related EASA Opinion and Decision respectively).

The amendments to the Initial and Continuing Airworthiness Regulations will become applicable once adopted by the European Commission and published in the *Official Journal of the European Union*.

The related AMC and GM will become applicable afterwards through the issue of the related EASA Decision.

2.3.4. Legal basis

The legal basis for amending Regulation (EU) No 748/2012 and its Annex I (Part 21) is Article 17 of the Basic Regulation.

The legal basis for amending Regulation (EU) No 1321/2014 and its annexes is Article 19 of the Basic Regulation.

2.4. What are the stakeholders’ views

During some events (e.g. TSO Workshop 2023 (USA), TSO Workshop 2024 (Canada)) that were organised by airworthiness authorities for the equipment manufacturers community, EASA presented its well-thought-out approach as regards the alignment of the Initial and Continuing Airworthiness Regulations with the Basic Regulation in respect of the certification and continuing airworthiness of NIE.

Also, through its Advisory Bodies (Design and Manufacturing Technical Committee, Certification Committee, P&CA TeB), EASA presented the draft concept related to the certification and maintenance of NIE and consulted it with industry.



The feedback received indicated that stakeholders are concerned about the direction EASA intends to take regarding NIE. These concerns include the following:

- the classification of NIE and which articles EASA will require to be certified (i.e. concerns that EASA will start looking for new articles to certify);
- EASA will require the approval of all NIE carried on board by aircraft operators (disproportionate application of the definition of ‘NIE’);
- EASA will impose stringent organisational approvals for NIE;
- EASA will impose more stringent requirements (such as a Design Organisation Approval (DOA)) for current ETSO articles, thereby affecting the current status quo.

In addition, national competent authorities (NCAs) have approached EASA several times in the past asking for clarifications about the maintenance standards applicable to ETSO articles (e.g. emergency parachutes, unit load devices) that would fall under the ‘NIE’ definition. At the P&CA TeB 2024-2, NCAs suggested to require maintenance by approved maintenance organisations for NIE that is required pursuant to Regulation (EU) No 965/2012 to be approved in accordance with the applicable airworthiness requirements.

Finally, EASA has presented the main concept of this NPA to the Stakeholders Advisory Bodies (SAB), Certification Strategy Activity Group (AG.005), September–November 2024, and asked for feedback. AG.005 generally welcomed the EASA main concept and made some suggestions regarding the operational regulatory framework (which should not be limited to Regulations (EU) No 965/2012, 2018/395 and 2018/1976) and asked for a proportionate approach in respect of applicable continuing airworthiness requirements. AG.005 also suggested that EASA should clarify the term ‘serviceability’.

EASA has provided the assurance that there will be no additional burden placed on the current practice of maintenance of NIE that is not subject to an airworthiness approval according to the AIR OPS rules, and intends to provide organisations with the option to be formally approved for the maintenance of NIE, which will clarify the regulatory framework for maintaining NIE. For NIE that is subject to an airworthiness approval according to the AIR OPS rules, maintenance by approved organisations is imposed. It is, therefore, considered that the subject NPA effectively addresses stakeholder concerns and expectations.

Note: The proposed amendments to point 21.A.3B have not been specifically communicated to the stakeholders prior to the publication of this NPA. Therefore, EASA is not aware of the stakeholders’ views regarding these particular amendments. Nevertheless, the proposed amendments are only intended to align the regulatory framework with the current way of working and, as such, are not expected to raise major stakeholder concerns.

2.5. Other relevant information

Initially, RMT.0727 Subtask 3 combined the certification of NIE with the review of the ETSO system in relation to the demonstration of design capabilities (please, refer to the 2023–2025 EPAS, Volume II [2023 Edition](#)).

Considering the stakeholders’ views and the need to prioritise its rulemaking activities, EASA decided to separate the two topics. The certification of NIE has been maintained under Subtask 3, and led to this NPA.



The review of the ETSO system in relation to the demonstration of design capabilities is now the subject of a new subtask, namely RMT.0727 Subtask 4. The objective of the review is to make the ETSO authorisation process more proportional to the complexity and criticality of the various ETSO articles that are subject to certification. The rulemaking activity for Subtask 4 has started and an NPA is planned to be published in Q4/2025.



3. Expected benefits and drawbacks of the proposed regulatory material

EASA assessed the proposed regulatory material to ensure that industry will considerably benefit from it without any drawbacks.

The benefits are the following:

- provide industry with much-needed certainty regarding EASA's expectations for NIE and which NIE will be required to be certified;
- address the current misuse of the ETSO authorisation process for the approval of articles that are now classified as NIE, thereby providing a sound legal basis for ETSO authorisations;
- allow EASA to react to any future safety issues relating to NIE by providing a process to certify NIE articles;
- resolve issues that have been identified due to a lack of regulatory means to address the control of serviceability of NIE on board aircraft and provide clarity on the performance and release of NIE maintenance by approved organisations.

The proposed regulatory material has been developed according to the better regulation principles, and in particular the regulatory fitness principles.

In particular, the proposed regulatory material will:

- reduce the regulatory burden created by amended requirements to the minimum by clarifying the use of the ETSO authorisation process for NIE. This process is well known to industry and is already used today for the certification of articles which will be categorised as NIE. Also, the use of a single process for ETSO authorisation, regardless of whether the article is a part or NIE, helps avoid the formal duplication of the certification exercise for certain articles (which might be categorised as both 'part' and 'NIE');
- reduce current regulatory burden by proposing a derogation from production capability demonstration for applicants for ETSO authorisation for software applications only;
- provide the possibility for NIE that has been issued with an ETSO authorisation to be maintained by Part-145 and Part-CAO approved organisations.

No drawbacks have been identified for the proposed regulatory material.



4. Proposed regulatory material

NPA 2025-02(B) Proposed amendments to Regulation (EU) No 748/2012

NPA 2025-02(C) Proposed amendments to Annex I (Part 21) to Regulation (EU) No 748/2012

NPA 2025-02(D) Proposed amendments to the AMC and GM to Annex I (Part 21) to Regulation (EU) No 748/2012

NPA 2025-02(E) Proposed amendments to Regulation (EU) No 1321/2014

NPA 2025-02(F) Proposed amendments to the annexes to Regulation (EU) No 1321/2014

NPA 2025-02(G) Proposed amendments to the AMC and GM to Regulation (EU) No 1321/2014 and its annexes



5. Monitoring and evaluation

No monitoring provisions are considered necessary.



6. Proposed actions to support implementation

No specific actions to support the implementation are considered necessary.



7. References

n/a



Appendix — Quality of the NPA

To continuously improve the quality of its documents, EASA welcomes your feedback on the quality of this document with regard to the following aspects:

Please provide your feedback on the quality of this document as part of the other comments you have on this NPA. We invite you to also provide a brief justification, especially when you disagree or strongly disagree, so that we consider this for improvement. Your comments will be considered for internal quality assurance and management purposes only and will not be published (e.g. as part of the CRD).

1. The regulatory proposal is of technically good/high quality

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

2. The text is clear, readable and understandable

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

3. The regulatory proposal is well substantiated

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

4. The regulatory proposal is fit for purpose (achieving the objectives set)

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

5. The regulatory proposal is proportionate to the size of the issue

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

6. The regulatory proposal applies the ‘better regulation’ principles^[1]

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

7. Any other comments on the quality of this document (please specify)

^[1] For information and guidance, see:

- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how_en
- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en

