

Executive Director Decision

2024/001/R

of 22 March 2024

issuing the following:

Amendment 1 to Issue 1 of the Acceptable Means of Compliance and Guidance Material

to the Articles of Commission Delegated Regulation (EU) 2023/1768

**‘AMC & GM to the Articles of Commission Delegated Regulation (EU) 2023/1768 — Issue 1,
Amendment 1’**

and

Issue 1 of the Acceptable Means of Compliance and Guidance Material

to Annex I (Part-ATM/ANS.EQMT.AR) to Commission Delegated Regulation (EU) 2023/1768

‘AMC & GM to Part-ATM/ANS.EQMT.AR — Issue 1’

and

Issue 1 of the Acceptable Means of Compliance and Guidance Material

to Annex II (Part-ATM/ANS.EQMT.CERT) to Commission Delegated Regulation (EU) 2023/1768

‘AMC & GM to Part-ATM/ANS.EQMT.CERT — Issue 1’

— — —

‘Conformity assessment of ATM/ANS equipment’

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) 2018/1139¹, and in particular Articles 76(3) and 104(3)(a) thereof,

Whereas:

¹ 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) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

- (1) Acceptable means of compliance are non-binding standards issued by EASA, which are used by persons and organisations to show compliance with Regulation (EU) 2018/1139 and with the delegated and implementing acts adopted on the basis thereof.
- (2) Guidance material is non-binding material issued by EASA, which helps to illustrate the meaning of delegated or implementing acts or certification specifications and detailed specifications, and which is used to support the interpretation of Regulation (EU) 2018/1139, of the delegated and implementing acts adopted on the basis thereof, and of certification specifications and detailed specifications.
- (3) With Decision 2023/016/R of 26 October 2023, the Executive Director issued the Acceptable Means of Compliance and Guidance Material to the Articles of Commission Delegated Regulation (EU) 2023/1768².
- (4) Commission Delegated Regulation (EU) 2023/1768 of 14 July 2023 lays down detailed rules for the certification and declaration of air traffic management/air navigation services systems and air traffic management/air navigation services constituents. Annex I (Part-ATM/ANS.EQMT.AR) establishes the requirements for the Agency concerning the conditions for conducting certification and other necessary activities to ensure effective oversight of ATM/ANS equipment and the conditions and procedures for the accreditation of qualified entities by the Agency. Annex II (Part-ATM/ANS.EQMT.CERT) establishes the procedures for the issue of certificates for ATM/ANS equipment in accordance with Article 4, and the rights and obligations of the applicant for, and holder of, those certificates.
- (5) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its Decisions, taking into account worldwide aviation experience and scientific and technical progress in the respective fields.

This Decision amends the Acceptable Means of Compliance and Guidance Material to the Articles of Commission Delegated Regulation (EU) 2023/1768. In addition, it issues the acceptable means of compliance and guidance material to facilitate the application of Commission Delegated Regulation (EU) 2023/1768 especially as regards the certification of ATM/ANS equipment.

- (6) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Article 6 of the EASA Rulemaking Procedure³, widely consulted the interested parties on the content of this Decision, considered the comments received, and provided thereafter a written response to the comments received through the consultation⁴,

² Commission Delegated Regulation (EU) 2023/1768 of 14 July 2023 laying down detailed rules for the certification and declaration of air traffic management/air navigation services systems and air traffic management/air navigation services constituents (OJ L 228, 15.9.2023, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R1768&qid=1696924092642>).

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 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

⁴ <http://easa.europa.eu/document-library/comment-response-documents>

HAS DECIDED:

Article 1

The Annex to Decision 2023/016/R of the Executive Director of the Agency of 26 October 2023 is amended as laid down in Annex I to this Decision.

Article 2

The Acceptable Means of Compliance and Guidance Material to Annex I (Part-ATM/ANS.EQMT.AR) to Commission Delegated Regulation (EU) 2023/1768 are laid down in Annex II to this Decision.

Article 3

The Acceptable Means of Compliance and Guidance Material to Annex II (Part-ATM/ANS.EQMT.CERT) to Commission Delegated Regulation (EU) 2023/1768 are laid down in Annex III to this Decision.

Article 4

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.

Cologne, 22 March 2024

For the European Union Aviation Safety Agency

The Acting Executive Director

Luc TYTGAT

