



CONSULTING AND ENGINEERING

PMA Parts, the European regulatory constraints

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- **EASA;**
 - Changes in the regulations
 - Future changes
 - International cooperation
- **EASA / FAA**
 - Order 8100-14A
- **Questions**

Changes to the regulations:

- Basic regulation
- Airworthiness & Environmental Certification
- Continuing Airworthiness
- AMC & GM
- CS amendments

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Changes to the regulations

- **To understand the rationale behind any amendment, read the ‘Whereas’ paragraphs of the NPA and CRD documents**
 - NPA = Notice of Proposed Amendment
the term “NPA” is used for both new as well as amended regulations
 - CRD = Comment Response Document
- **Amendments to Annexes of Implementing Rules (Parts, e.g. Part-21, Part-145) usually also generate amendments to Acceptable Means of Compliance (AMC) and Guidance Material (GM)**

Changes to EC 216/2008: Basic Regulation

(see http://www.easa.europa.eu/ws_prod/g/rg_regulations.php#BR)

- **EC 690/2009** (30 July 2009)
 - Products, parts and appliances to comply with the environmental protection requirements (**noise**) of:
 - Amendment 9 of ICAO Annex 16, volume I
 - Amendment 6 of ICAO Annex 16, volume II
- **EC 1108/2009** (21 October 2009)
 - Inclusion in the BR of essential requirements to:
 - The design, maintenance and operation of **aerodromes**, as well as personnel and organizations involved therein
 - The design, production and maintenance of **aerodrome equipment**, as well as personnel and organizations involved therein
 - The design, production and maintenance of **ATM/ANS equipment**, as well as personnel and organizations involved therein
 - **ATM/ANS** as well as personnel and organizations involved therein+

Philosophy is to bring the Total Aviation System within the scope of safety oversight by one Agency: EASA

Changes to EC 1702 / 2003:

Airworthiness & Environmental Certification Implementing Rules

See: http://www.easa.europa.eu/ws_prod/g/rg_regulation_1702_2003.php

- **EC 1194/2009** (30 November 2009)

- In Article 1(2), the following points (e), (f), (g) and (h) are added:

- (e) “principal place of business” means the head office or registered office of the undertaking within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised;

- (f) “article” means any part and appliance to be used on civil aircraft;

- (g) “ETSO” means European Technical Standard Order. The European Technical Standard Order is a detailed airworthiness specification issued by the Agency to ensure compliance with the requirements of this Regulation as a minimum performance standard for specified articles;

- (h) “EPA” means European Part Approval. The European part Approval means the article has been produced in accordance with approved design data not belonging to the type-certificate holder of the related product, except for ETSO articles.

Recent changes to the regulations

IR Certification (Initial Airworthiness)

- **EC 1194/2009** (continued)
 - In Article 3, paragraph 5, the reference to ‘21A.112’ is replaced by ‘21A.112A’;
 - in Article 5, **Revision of EASA Form 1** (now at issue 2) and completion instructions following harmonization efforts with FAA, Transport Canada and other authorities on their Authorized Release Certificates
 - Removal of block 9 ‘Eligibility’ eliminates possible inconsistencies with approved installation data
 - Introduces possibility of electronic EASA Form 1
 - Transition period: initial issue of EASA Form 1 may be issued until 28 September 2010
 - This revision also affects Part-M and Part-145

Changes to EC 2042 / 2003

Continuing Airworthiness - Implementing Rules

See: http://www.easa.europa.eu/ws_prod/g/rg_regulation_2042_2003.php

- **EC 127/2010** (5 February 2010)
 - Introduces similar changes as EC 1194/2009 (revision of EASA Form 1)
 - **Revision of EASA Form 1** (now at issue 2) and completion instructions following harmonization efforts with FAA, Transport Canada and other authorities on their Authorized Release Certificates
 - Removal of block 9 'Eligibility' eliminates possible inconsistencies with approved installation data
 - Introduces possibility of electronic EASA Form 1
 - Transition period: initial issue of EASA Form 1 may be issued until 28 September 2010

EASA regulations How to read amendments?

- Amendments to Essential Requirements and Implementing Rules are not published as **consolidated versions**
 - Due to EU Regulation publication procedures
- Amendments are “cumulative”:
 - Original issue of regulation
 - All subsequent amendments of that regulation +
 - Current version of a regulations
- Example: IR “Certification” (Part 21):

EC 1702/2003
EC 381/2005
EC 706/2006
EC 335/2007
EC 375/2007
EC 287/2008
EC 1057/2008
EC 1194/2009 +



In this order to account for
“amendments to amendments”

Current version of IR “Certification” (Part 21)

AMC & GM to the Parts:

- **2009 / 006 / R** **AMC Part M**
- **2009 / 007 / R** **AMC Part 145**
- **2009 / 008 / R** **AMC Part 66**
- **2009 / 011 / R** **AMC & GM Part 21**
- **2009 / 016 / R** **AMC Part 66**

Changes to the regulations (continued)

CS amendments:

- **2009 / 009 / R** **CS 22** Amendment 2
- **2009 / 001 / R** **CS 23** Amendment 1
- **2009 / 010 / R** **CS 25** Amendment 6
- **2009 / 013 / R** **CS 25** Amendment 7
- **2009 / 017 / R** **CS 25** Amendment 8
- **2009 / 005 / R** **CS 31HB** Hot Air Balloons (original issue)
- **2009 / 012 / R** **CS 36** Amendment 2

Changes to the regulations (continued)

CS amendments (continued):

- **2009 / 018 / R** **CS E** Amendment 2
- **2009 / 014 / R** **CS ETSO** Amendment 4
- **2009 / 015 / R** **CS ETSO** Amendment 5
- **2009 / 003 / R** **CS VLA** Amendment 1
- **2009 / 019 / R** **AMC 20** Amendment 5

Changes to the regulations (continued)

- **2009 / 018 / R** **CS E Amendment 2**
 - Engine & Auxiliary Power Unit (APU) Failure Loads and Sustained Engine Windmilling
 - Editorial corrections

Book 1

Subpart A

- CS-E 15

Editorial change

Subpart D

- CS-E 520

Amended (NPA 2007-15)

Book 2

Subpart A

- AMC E 140

Editorial change

Subpart D

- AMC E 520(c)(2)

Created (NPA 2007-15)



Future changes

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EASA has published the 2010 – 2013 rulemaking program

Task #	Title	Driver	Work Method	Final Deliverable	Start	Delivery	2010 FTE	2011 FTE	2012 FTE	2013 FTE
21.039 (k)	Elaboration and adoption in the Community framework, of additional airworthiness specifications for a given type of aircraft and type of operation. Envisaged deliverable: First issue of to CS-26. Depending on outcome of opinion on task 21.039(a)	Safety related Legal obligation	Group	Decision	2007,03	2012,01	0,035	0,038	0,017	
21.041	Part 21 Subpart H review The objective is to improve the drafting of current provisions and to establish guidance material to avoid recurrence of identified implementation problems.	MS Request	Group	Opinion	2010,01	2013,03	0,110	0,121	0,132	0,033
21.042	Part 21 Third party supplier control	Industry Request	Group	Decision	2007,04	2010,03	0,110			
21.046	Replacement parts. Introduction of provisions allowing approval of replacement parts taking into account acceptance of PMA parts under the bilateral agreement with the US	Industry Request	Agency	Opinion	2009,04	2012,01	0,110	0,110	0,041	

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Rulemaking directorate

The Agency's Rulemaking Directorate contributes to the production of all EU legislation and implementation material related to the regulation of civil aviation safety and environmental compatibility. It submits opinions to the European Commission and must be consulted by the Commission on any technical question in its field of competence. It is also in charge of the related international co-operation. Experts within the Rulemaking Directorate have direct contact with all relevant stakeholders, and make use of the knowledge available within industry and national administrations across the European Union. The Agency's team of experts is composed of persons with a recognised background in aviation and Community regulation, and is led by Mr. Jules Kneepkens.

[Rulemaking Director](#)

[Jules KNEEPKENS, Rulemaking Director](#)

The Scope of Competence

Currently the Basic Regulation establishes Community competence for the regulation of the airworthiness and environmental compatibility of aeronautical products, parts and appliances, pilot licensing, air operations and third country aircraft. Work is underway to extend the scope of the Basic Regulation to the safety regulation of airport operations and air traffic control services.

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J. Kneepkens"] --- Office["Director's Office"]
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http://www.easa.europa.eu/ws_prod/r/r_int_main.php

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provide the Agency with a forum for consultation of interested parties and national authorities on all aspects of the rulemaking process.

Agency Rulemaking process

1	Determination and approval of the Rulemaking programme	6-24 months
2	Initiation of the rule by defining the Terms Of Reference	
3	The drafting of the rule	3 months
4	Consultation phase	
5	Comments and review period	3 months
6	Adoption and publication	2 months

The Results - Agency Rules

Agency rules are texts which provide advice on aviation safety and environmental protection regulations and on best implementation means to the European Commission, to the competent authorities in charge of enforcement and to the regulated persons.

↗ Agency Rules include:

- **Opinions for Community legislation**
An opinion is a draft of legislation which is sent to the European Commission. It is further processed either by the European legislator (The Council of Ministers and the European Parliament) or the European Commission before legislation is enacted. Examples include amendments to the EASA Basic Regulation and its implementing rules.
- **Certification specifications and guidance material for the application of Community law**
These items do not constitute mandatory requirements, and are simply the Agency's technical interpretation of Community legislation. These items aim to assist in the implementation of the law and they are frequently referred to as 'soft law'. The regulated persons are not obliged to comply with these items, but certificates shall be issued and maintained if they are complied with. They take the form of ↗ Executive Director Decisions.

Current activities

The Agency has adopted its ↗ 4-Year Rulemaking Programme for 2010-2013

The drafting of rules requires that appropriate risk and regulatory impact assessments are made to justify any change. The Agency contracts therefore ↗ dedicated studies and research activities to external consultants when it does not have the necessary in-house expertise. These studies are published under ↗ Rulemaking Studies and Research Activities page.

The Agency has reached an agreement with the U.S Federal Aviation Administration (FAA) and Transport Canada (TCCA) to promote Rulemaking Co-operation amongst the organisations. The full text of these agreements can be accessed here:

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International Cooperation

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- 30 June 2009: dissolution of JAA-LO
- Full competence of EASA on operations and licensing in 2012
- EASA staff currently at ~ 500, to grow to 600
- International cooperation
 - Working arrangements have been concluded with Australia, Brazil, Canada, China, Israel, Japan, New Zealand, Russia, Saudi Arabia, Singapore, the Inter-States Aviation Committee of the Community of Independent States and UAE
 - 29 Working Arrangements with Chinese Authorities
 - International Cooperation Forum
 - Preparation of Working Arrangements with 13 ECAC countries to ensure pan-European cooperation for aviation safety after dissolution of JAA



Order 8100-14A

EASA - FAA

Order 8100-14A Change 2

Effective since September 07 2008

No new changes / amendments

Questions?

Information:
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or
www.adse.nl





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