

Executive Director Decision

2015/030/R

of 17 December 2015

amending Acceptable Means of Compliance and Guidance Material to Part-ORO, Part-CAT, Part-NCC, and Part-SPO of Commission Regulation (EU) No 965/2012

**‘AMC and GM to Part-ORO — Issue 2, Amendment 5;
AMC and GM to Part-CAT — Issue 2, Amendment 4;
AMC and GM to Part-NCC — Amendment 4; and
AMC and GM to Part-SPO — Amendment 4’**

‘AMC and GM to Commission Regulation (EU) 2015/2338¹ on flight recorders, underwater locating devices and aircraft tracking systems (first set)’

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008², and in particular Article 38(3)(a) thereof,

Having regard to Commission Regulation (EU) No 965/2012³ of 5 October 2012 and in particular ARO.GEN.120(a) of Annex II thereto,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EC) No 216/2008 and its implementing rules.

¹ Commission Regulation (EU) 2015/2338 of 11 December 2015 amending Regulation (EU) No 965/2012 as regards requirements for flight recorders, underwater locating devices and aircraft tracking systems (OJ L 330, 16.12.2015, p. 1).

² 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 (OJ L 79, 19.3.2008, p. 1).

³ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EU) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

- (2) Acceptable means of compliance are non-binding standards adopted by the Agency which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.
- (3) Guidance material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.
- (4) With Decision 2014/017/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORO of Regulation (EU) No 965/2012.
- (5) With Decision 2014/015/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-CAT of Regulation (EU) No 965/2012.
- (6) With Decision 2013/021/R of 23 August 2013, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-NCC of Regulation (EU) No 965/2012.
- (7) With Decision 2014/018/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-SPO of Regulation (EU) No 965/2012.
- (8) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (9) The Agency issued on 20 December 2013 Notice of Proposed Amendment (NPA) 2013-26 on 'Amendment of requirements for flight recorders and underwater locating devices'⁴. NPA 2013-26 contains draft amendments to the implementing rules of Part-CAT, Part-NCC and Part-SPO, as well as draft amendments to AMC and GM for the implementing rules of Part-ORO, Part-CAT, Part-NCC and Part-SPO.
- (10) The Agency issued on 5 May 2014 Comment-Response Document (CRD) 2013-26 and Opinion No 01/2014. CRD 2013-26 contains a revised version of the draft AMC and GM presented in NPA 2013-26.
- (11) Based on Opinion No 01/2014, CRD 2013-26 and NPA 2013-26, the European Commission prepared and published Commission Regulation (EU) 2015/2338 amending Regulation (EU) No 965/2012 as regards requirements for flight recorders, underwater locating devices and aircraft tracking systems.
- (12) The Agency, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure⁵, has widely consulted interested parties on the matters which

⁴ See NPA 2013-26 (<http://easa.europa.eu/document-library/notices-of-proposed-amendments/npa-2013-26>).

⁵ EASA Management Board (MB) Decision 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure') (<http://www.easa.europa.eu/the-agency/facts-and-figures/easa-mb-decision-01-2012-amending-and-replacing-mb-decision-08-2007>).



are the subject of the AMC and GM presented in NPA 2013-26 and it has provided thereafter a written response to the comments received⁶.

HAS DECIDED:

Article 1

The Annex to Decision 2014/017/R (AMC and GM to Part-ORO) of the Executive Director of the European Aviation Safety Agency of 24 April 2014 is amended as laid down in Annex I to this Decision.

Article 2

The Annex to Decision 2014/015/R (AMC and GM to Part-CAT) of the Executive Director of the European Aviation Safety Agency of 24 April 2014 is amended as laid down in Annex II to this Decision.

Article 3

The Annex to Decision 2013/021/R (AMC and GM to Part-NCC) of the Executive Director of the European Aviation Safety Agency of 23 August 2013 is amended as laid down in Annex III to this Decision.

Article 4

The Annex to Decision 2014/018/R (AMC and GM to Part-SPO) of the Executive Director of the European Aviation Safety Agency of 24 April 2014 is amended as laid down in Annex IV to this Decision.

Article 5

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

Done at Cologne, 17 December 2015

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

⁶ See CRD 2013-26 (<http://easa.europa.eu/document-library/comment-response-documents/crd-2013-26>). Those AMC and GM which were not presented in CRD 2013-26 or which were significantly changed after the publication of CRD 2013-26 are planned to be issued through a Decision to be published at a later stage, following consultation of interested parties.

