

European Aviation Safety Agency

Amendment 2 of 2006 Rulemaking Programme

Foreword

THE 2006 RULEMAKING PROGRAMME CONTAINS ONLY the deliverables that are expected to be issued in 2006 (i.e. changes to certification specifications, new or changed Acceptable means of Compliance to Implementing Rules and Opinions). The 2007-2010 advance planning gives an indication of all foreseeable tasks that are expected to produce deliverables the coming years.

The general approach for the development of Year N Rulemaking programme and the advance planning is briefly explained here:

1. The Year N to Year N+3 inventory is used as a basis for discussions at the AGNA (Advisory Group of National Authorities) and SSCC (Safety Standards Consultative Committee) meetings held in November Year N-2.
2. The Year N programme is adopted in July of Year N-1 and the inventory, including members' comments, is then split into two documents
 - the Year N Rulemaking programme
 - Year N+1 to Year N+2 advance planning. This document contains all the planned deliverables for the years N+1 to N+2

The 2006 rulemaking programme was adopted on 22 July 2005 and later amended on 22 December 2005 to take into account the knock-on effect of the 2005 rulemaking programme, using a comparable process to this general approach.

The amendment 2 of the 2006 rulemaking programme consists of the addition of two tasks:

- Task 21.037 which was omitted from amendment 1.
- Task MDM.36 to urgently address a rulemaking demand.

The Agency informed its consultative bodies (AGNA, SSCC) on its intentions to issue amendment 2 of the 2006 Rulemaking Programme, as provided for in point 3.6 of the Management Board decision 07/2003 "The rulemaking procedure".

Note 1:

For some tasks the mention “cooperation with FAA” may be found in the column “working method”. This means that the task has been identified by FAA and EASA as an issue of common interest.

There are several options for the FAA and EASA to cooperate:

- Internal coordination between EASA and FAA: this means that FAA and EASA will exchange information on the task such as content of respective NPA and NPRM and draft final rule.
- FAA (respectively EASA) takes the lead: this means that FAA (respectively EASA) develops and issues the rulemaking document. Such task may have originated in an advisory committee and/or JAA working group. EASA (respectively FAA) will initiate rulemaking at a later time using the FAA (respectively EASA) document as a basis for its rulemaking.
- FAA Advisory Committee or EASA Working Group: the FAA and EASA see value in seeking technical assistance through an advisory committee (FAA) or drafting Group (EASA). Rather than expend resources to support both groups for a single task, as was the case for the JAA/FAA harmonisation, FAA and EASA will decide whether to use the EASA working group or the FAA Advisory Committee.
- FAA focal point: the FAA would assign an individual to work with the EASA drafting group on an issue of interest to FAA although FAA would not have initiated a project.

Whenever possible the option chosen has been indicated.

Note 2:

For some tasks the description contains a reference to the JAA/FAA harmonisation work programme. This was mentioned to recall the origin of the proposal. For these tasks the JAA already issued an NPA and therefore the EASA task is to finalise the work. These items are not identified as items of common interest between EASA and FAA because FAA may have already developed its own rulemaking process or intends to use other means to publish the technical contents of the NPA.

Note 3:

Codes used in date fields:

2006.01	1 st quarter 2006
2006.02	2 nd quarter 2006
2006.03	3 rd quarter 2006
2006.04	4 th quarter 2006

Basic regulation

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
BR.002	<p>Extension of the scope of the Basic Regulation to safety and interoperability regulation of airports As invited by the Commission, the Agency shall issue an opinion to initiate the extension of the Basic Regulation in this field.</p>	Agency in co-operation with the Group of Airport safety regulators (GASR).	On going	2006.02	2006.04
BR.004	<p>Essential requirements for environment and related issues. Current ERs, as specified in Article 6 of the Basic Regulation are not in line with the philosophy supported by all stakeholders for airworthiness, operations and licensing. This creates inconsistencies, rigidities and voids for certain categories of aircraft. It is envisaged to produce a set of dedicated ERs for environmental protection.</p>	Agency	2006.01	2006.02	2006.04

Multi-Disciplinary Measures

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
MDM.013	Officially recognised standard Part-M/-145/-147 talk about “officially recognised standard”. This term was designed to replace “acceptable to the National Aviation Authority” widely used by the JAA. The need has been expressed by stakeholders to develop this concept that is new in the community. The object of the work will be to develop AMC/GM.	Agency	On going	2006.01	2006.04
MDM.014	Principle place of business (PPB) Part-M/-145/-147 The concept of PPB needs to be developed through AMC/GM in order to lift doubts that exist in this field. This is especially true for organisations that exercise their activity in several Member States.	Agency	On going	On going	2006.03
MDM.022	Fuel tank safety issues -AMC/GM Work has been going on for several years now on fuel tank safety. The first results should be published soon. If necessary, these results should be integrated into Part-M/-145/-66/-147 AMC/GM material.	Agency	On going	On going	2006.03
MDM.036	Modify Article 7. 3 (c) of 2042/2003 regulation date of entry into force of Part 66 for aircraft with maximum take off mass of above 5700 kg	Agency	2006.02	2006.02	2006.03

PART 21

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
21.002	Approved organisations certificate number Amend EASA Form 55 and 65, AMC 2 to 21B.230 in line with the Agency numbering decision	Agency	On going	On going	2006.01
21.003	Cleaning up of Part 21 and AMC/GM Correct errors and make small improvements	Agency	On going	On going	2006.01
21.021	Subpart F and POA eligibility for material manufacturers Although the applicability and eligibility paragraphs of Subpart F and G do not include material manufacturers they are mentioned in the instructions for filling Form One and in GM 21A124(b)(1) and GM 21A.133(a)). This inconsistency will be removed. This task was a request from the PSCST and comments deferred during the consultation on Part 21 and its AMC/GM.	Agency	2006.01	2006.01	2006.04
21.023	Permit to Fly Need to: assure validity of the PTF in all EASA Member States; define conditions for issuance; add requirements for issuance; reconsider Agency and NAA involvement in issuance procedure; clarify interaction between Agency and NAA; define the term “a basic flight”; delegate to MOA/POA/DOA, Various possible options will be reviewed to amend Part 21 and/or its AMC/GM.	Group	2006.01	2006.02	2006.04

PART 21

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
21.026	21A.307 Mandatory Form One for installation of parts & appliances / Definition of Standard Part (21A.303(c)) The proposal to exclude non mandatory equipment from the above obligation will be reviewed and may lead to amendment of Part 21 and/or its AMC/GM. To allow simpler certification and production of non-required equipment in gliders. the definition of Standard Part could be extended.	Agency	2006.01	2006.01	2006.04
21.034	UAV: un-inhabited aerial vehicles Development of civil UAV safety regulation based on the recommendations of the JAA/ EUROCONTROL UAV Task Force.	Agency	On going	On going	2006.03
21.035	AMC to 21A.303(c) Standard Parts To allow simpler certification and production of non-required equipment in gliders. The definition of Standard Part should be extended.	Agency	On going	On going	2006.03
21.036	Noise Certificate Correct the block-numbering of EASA Form 45 to comply with ICAO standard.	Agency	On going	On going	2006.01
21.037	Flight Manual Delete the obligation to include the noise information in the flight manual from 21A.204 (b) 1 (ii) and 21A.204 (b) 2 (i).	Agency	On going	On going	2006.01

PART 21

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
21.038	<p>“Exemption” possibility for STCs and changes to TCs During the drafting of Part 21 the possibility to deviate from applicable airworthiness codes in case of a change to TC or STC has been omitted by accident. The intended rulemaking action should correct this oversight.</p>	Agency	2006.01	2006.01	2006.04
21.040	<p>Part 21, Appendix VI, EASA Form 45, Noise certificate A-NPA. Agency seeking opinions on the appropriateness of the current system for issuing noise documentation. Based on this agency will consider if it is warranted to propose a change to the administrative system for noise certification.</p>	Agency	2006.01	2006.02	2006.04

CS-23

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
23.001	Single engine stall speed CS-23 limits the single engine stall speed to 61kts. It is proposed to increase this limit to 65 kts under certain conditions.	Agency	2006.01	2006.01	2006.04

CS-25

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
25.001	Operation on Contaminated Runways Amendment to CS 25 on operation on contaminated runways.	Agency	On going	On going	2006.01
25.002	Fuel Tank Structural Integrity / Fuel Tank Access Covers As result of a JAA/FAA harmonization program, amend several requirements related to fuel tanks, and associated AMC.	Group	On going	2006.01	2006.04
25.004	Flight Guidance Systems As result of a JAA/FAA harmonization program, amend CS 25.1329 (Automatic pilot systems) and 25.1335 (Flight director system). (linked to AWO)	Group	On going	2006.01	2006.04

CS-25

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
25.005	Flight Crew Error/Flight Crew Performance Considerations in the Flight Deck Certification Process As result of a JAA/FAA harmonization program, develop or update CS-25 to consistently address design-related flight crew performance vulnerabilities, and prevention and management of flight crew error.	Group	On going	On going	2006.04
25.008(a)	Flight in Icing Conditions Improve requirements on performance and handling characteristics in the icing conditions of CS-25 Appendix C.	Agency	On going	On going	2006.01
25.010	Doors and mechanical systems As result of a JAA/FAA harmonization programme, amend several requirements relative to -Doors (JAA NPA 25-316) -Mechanical Systems (JAA NPA 25D-301)	Agency	2006.01	2006.01	2006.04
25.059	Symbolic exit signs and Revised standards for cargo compartments ("D to C") Amend requirements related to -"Graphical exit signs as an alternative to red exit signs for passenger aircraft" (JAA NPA 25D-327) -Upgrade of the Class D cargo compartments to include smoke detection and fire suppression systems (JAA NPA 25D-320).	Agency	2006.01	2006.01	2006.04

CS 27&29

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
27&29.001	Performance & Handling Qualities As result of a JAA/FAA harmonization program, review and update FAR/CS-27/29 Section B performance and handling qualities requirements and associated AC/AMC	Group	On going	On going	2006.04

CS 34

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
34.001	ICAO Annex 16, Volume II, Amendment 5 Revision, as appropriate, to maintain currency with latest amendment of ICAO Annex 16, Volume II as recommended by ICAO CAEP/6 and adopted by ICAO.	Agency	On going	On going	2006.01

CS 36

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
36.001	ICAO Annex 16, Volume I, Amendment 8 Revision, as appropriate, to maintain currency with latest amendment of ICAO Annex 16, Volume I as recommended by ICAO CAEP/6 and adopted by ICAO.	Agency	On going	On going	2006.01
36.002	ICAO Environmental Technical Manual, Doc. 9501, 3rd Edition Revision, as appropriate, to maintain currency with latest CAEP approved revision of Environmental Technical Manual to be published as 3rd edition of ICAO Doc. 9501	Agency	On going	On going	2006.01

CS - ETSO

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
ETSO.003	Offshore safety and survivability equipment Introduction of ETSO's -C13f, -C70a, -2C502, -2C503, -2C504, -2C505, all dealing with offshore safety and survivability equipment	Agency	On going	On going	2006.01
ETSO.004(a)	Miscellaneous ETSO -2C112b by introducing ED-73b as MOPS	Agency	On going	On going	2006.02
ETSO.004(b)	Miscellaneous ETSO Add/ update as appropriate:- 2C123a Cockpit Voice Recorder Systems- 2C124a Flight Data Recorder Systems- C145a Airborne Navigation Sensor using GPS augmented by the WAAS, - C146a Stand alone airborne navigation equipment using the GPS augmented by WAAS,- C151b TAWS- 2C507 In Flight Icing Detection System- 2C508 Ground Icing Detection System- 2C509 Light Aviation Secondary Surveillance Transponders- 2C510 Crash Protected Airborne Recorder Systems-Image Recorder- 2C511 Crash Protected Airborne Recorder Systems- CNS/ATM Recorder	Agency	On going	On going	2006.03

CS-E

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
E.001	<p>Miscellaneous improvements to CS-E</p> <ul style="list-style-type: none"> - Resolution of conflict between paragraphs relative to Maximum Engine Over-speed, Over-Temperature and Over-Torque on Engines with a 30 Second/2 Minute Rating (JAA NPA E-51) - Clarification of Time Limited Dispatch Criteria (JAA draft NPA E-55) - New paragraph to CS-E - reintroducing previous texts relative to Electrical Bonding (JAA NPA-E-56) - Improve the wording of requirements relative to Air Ducts for clarification and consistency purposes. 	Group	On going	On going	2006.02

CS-P

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
P.001	<p>Major Revision to CS-P</p> <ul style="list-style-type: none"> - Incorporation of various definitions into CS-P 15 (JAA NPA P-5) - Propeller Control System (JAA NPA P-6) - Safety Analysis (JAA NPA P-7) - Fire Requirements (JAA NPA P-8) - Critical Parts (JAA NPA P-9) - Creation of a complete set of AMC (JAA NPA P-4) 	Agency	On going	On going	2006.02

AMC - 20

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
20.001	<p>Certification of Aircraft Propulsion Systems Equipped with Electronic Engine Control Systems Revision of existing Acceptable Means of Compliance (AMC 20-1) applicable to Electronic Engine Controls (See NPA E-33 2nd round)</p>	Group	On going	On going	2006.02
20.004	<p>Airworthiness and operational approval for on-board equipment related to ATM Programmes These airworthiness and operational approval for on-board equipment are necessary for the smooth implementation of the following ATM Programmes: - Approval of Departure Clearance via Data Communications over ACARS (JAA NPA 20-7) - Digital ATIS via Data Link over ACARS (JAA NPA 20-13) - Approval for use of Initial Services for Air-Ground (JAA NPA 20-11) - Data Link in Continental Airspace Recognition Of FAA Order 8400.12a for RNP10 Operations (JAA NPA 20-8) - Enhanced Surveillance With SSR Mode S (JAA NPA 20-12)</p>	Agency	On going	On going	2006.03
20.005	<p>Ageing Aircraft Structures Omnibus Guidance Material in support of JAR-OPS 1 (NPA-OPS 28) and CS-25. Parallel "harmonised" activity with USA based Airworthiness Assurance Working Group</p>	Agency	2006.01	2006.01	2006.04

Part 66

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
66.003	AMC Appendix I Updating list of type ratings – Recurring every 4 months	Agency	On going	2006.01 2006.03	2006.02 2006.04

Part 147

Task No.	Description	Work method	Planned Start	Planned NPA issue	End date
147.005	147.A.110 In the same way Part-145 requires a list of certifying staff that release aircraft after maintenance, Part-147 organisations should be required to have a list of examiners/instructors that evaluate students after training; AMC to be developed based upon Part-145 certifying staff list.	Agency	On going	On going	2006.01