

Executive Director Decision

2017/013/R

of 29 March 2017

**amending Certification Specifications for normal, utility, aerobatic and commuter category
aeroplanes
'CS-23 — Amendment 5
Reorganised CS-23 for normal-category aeroplanes'**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Regulation (EU) No 748/2012², and in particular point 21.A.16A of Annex I (Part-21) thereto,

Whereas:

- (1) EASA 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.
- (2) Certification specifications are non-binding technical standards adopted by EASA which indicate the means to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules and which can be used by organisations for the purpose of certification.
- (3) With Decision No. 2003/14/RM of 14 November 2003, the Executive Director issued certification specifications for normal, utility, aerobatic and commuter category aeroplanes.
- (4) EASA 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.

¹ 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).

² Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).

- (5) EASA has developed a European General Aviation Safety Strategy³ and the EASA Road Map for the Regulation of General Aviation⁴ in order to support a sustainable and healthy General Aviation (GA). Innovation in aeroplane designs plays an important part in this. EASA has determined that the certification specifications for normal, utility, aerobatic and commuter category aeroplanes (CS-23) need to be reorganised in order to introduce objective-based requirements supported by appropriate acceptable means of compliance (AMC). These AMC can be amended in a timely manner reflecting the industry state-of-the-art and the introduction of future technologies. In addition, this CS-23 reorganisation follows a more proportionate and risk-based approach to aeroplane standards and removes the arbitrary weight-driven separation of technical standards that are no longer appropriate for modern technology. CS-23 — Amendment 5, therefore, introduces a newly defined single ‘Normal category’, into which CS-23 with its current scope (Normal, Utility, Aerobatic and Commuter Category Aeroplanes) and CS-VLA (Very Light Aeroplanes) are merged, creating a single technical standard.
- (6) EASA has determined that future changes due to developments in the state-of-the-art and introduction of future technologies in the scope of CS-VLA will only be incorporated in CS-23. CS-VLA will not be amended and remain at the current amendment level (CS-VLA — Amendment 1). CS-23 — Amendment 5 replaces CS-VLA as the applicable certification specifications.
- (7) Reorganisation of CS-23 is performed in coordination with a similar change in the United States of America (USA), introduced with Amendment 64 to the Federal Aviation Administration (FAA) 14 Code of Federal Regulations (CFR) Part 23. Consequently, this Decision will further improve the harmonisation of the certification process between EASA and FAA, reduce the certification burden and support the implementation of the objectives of the European General Aviation Safety Strategy and the EASA Road Map for the Regulation of General Aviation.
- (8) Acceptable Means of Compliance to CS-23 — Amendment 5 will be issued as an annex to a subsequent decision and will be updated in due time to reflect the industry state-of-the-art and future technologies.
- (9) EASA, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure⁵, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁶.

HAS DECIDED:

Article 1

The Annex to this Decision is issued as Amendment 5 to the Certification Specifications for normal, utility, aerobatic and commuter category aeroplanes (CS-23).

³ <https://www.easa.europa.eu/system/files/dfu/European%20GA%20Safety%20Strategy.pdf>

⁴ <http://easa.europa.eu/easa-and-you/aviation-domain/general-aviation?page=general-aviation-road-map>

⁵ EASA Management Board Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material (‘Rulemaking Procedure’) (<http://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>)

⁶ <http://easa.europa.eu/document-library/comment-response-documents>



Article 2

This Decision shall be published in the Official Publication of EASA and shall enter into force on 15 August 2017.

Cologne, 29 March 2017

For the European Aviation Safety Agency
The Executive Director
[signed by]
Patrick KY

