

**NOTICE OF PROPOSED AMENDMENT (NPA) No 12/2005  
DRAFT DECISION OF THE EXECUTIVE DIRECTOR,**

**AMENDING  
DECISION NO 2003/10/RM OF THE EXECUTIVE DIRECTOR,**

**of 24 October 2003, ON**

**Certification Specifications, Including Airworthiness Codes And Acceptable Means Of  
Compliance, For European Technical Standard Orders (CS-ETSO)**

**Miscellaneous ETSO.  
Revision of ETSO-2C112( ).**

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**A     Explanatory Note**

**I.     General**

1.     The purpose of this Notice of Proposed Amendment (NPA) is to envisage amending Decision N° 2003/10/RM of the Executive Director of the Agency of 24 October 2003 on certification specifications, including airworthiness codes and acceptable means of compliance, for European Technical Standard Orders (CS-ETSO). This NPA introduces a modification of ETSO-2C112a Air Traffic Control Radar Beacon System/Mode Select (ATCRBS/MODE S) Airborne Equipment.  
The scope of this rulemaking activity is outlined in ToR CS-ETSO/004. and is described in more detail below.
2.     The Agency is directly involved in the rule-shaping process. It assists the Commission in its executive tasks by preparing draft regulations, and amendments thereof, for the implementation of the Basic Regulation<sup>1</sup> which are adopted as “Opinions” (Article 14.1). The Agency also adopts Certification Specifications, including Airworthiness Codes and Acceptable Means of Compliance and Guidance Material to be used in the certification process (Article 14.2(a) and (b)).
3.     This rulemaking activity is included in the Agency’s rulemaking programme for 2005. It implements the rulemaking task ETSO.004 Miscellaneous ETSO.  
The rulemaking task ETSO.004 has been divided in to two NPAs to accommodate for the difference in timeframe for consultation. One NPA will deal with changes to CS-ETSO prepared under the JAA NPA TSO-11 but not published before and for which a three month consultation period is necessary. The other NPA, this one, deals with amendments published before and for which a consultation period of six weeks was agreed with the Agency’s consultative bodies (SSCC and AGNA).
4.     The text of this NPA is based on the JAA NPA TSO-10 which was developed by the Joint Aviation Authorities (JAA). It was adapted to the EASA regulatory context by the Agency. It is now submitted for consultation of all interested parties in accordance with Article 43 of the Basic Regulation and Articles 5(3) of the EASA rulemaking procedure<sup>2</sup>.

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<sup>1</sup> Regulation (EC) No 1592/2002. OJ L 240, 7.9.2002, p.1.

<sup>2</sup> Decision of the Management Board concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (“rulemaking procedure”), EASA MB/7/03, 27.6.2003.

## II. Consultation

5. To achieve optimal consultation, the Agency is publishing the draft decision on its internet site. Because the content of this NPA was already the subject of a full worldwide consultation through JAA NPA TSO-10, the transitional arrangements of article 15 of the EASA rulemaking procedure apply. They allow for a shorter consultation period of six weeks instead of the standard three months and also exempt from the requirement to produce a full Regulatory Impact Assessment. Comments on this proposal may be forwarded (*preferably by e-mail*), using the attached comment form, to:

**By e-mail:** [NPA@easa.eu.int](mailto:NPA@easa.eu.int)

**By Fax:** +49(221) 89990 5508

**By correspondence:** Process Support Unit  
Rulemaking Directorate  
EASA  
Ref: NPA 08-2005  
Postfach 10 12 53  
D-50452 Köln  
Germany

Comments should be received by the Agency **before 01-11-2005**. If received after this deadline they might not be treated. Comments may not be considered if the form provided for this purpose is not used.

## III. Comment response document

6. All comments received will be responded to and incorporated in a Comment Response Document (CRD). This may contain a list of all persons and/or organisations that have provided comments. The CRD will be widely available ultimately before the Agency adopts its final decision.

#### **IV. Content of the draft decision**

7. The JAA NPA-TSO-10 was published by the JAA Headquarters in August 2003 and proposed the modification of one JTTSO in order to incorporate the update of EUROCAE standard ED-73b. The JAA NPA TSO-10 was reviewed by the JAA Equipment Steering Group and has been circulated for comment to the Regulation Sectorial Team (RST), the Joint Steering Assembly (JSA) and to NPA subscribers. The comments were reviewed, and their response is reflected in appendix II. The Equipment Steering Group has agreed to the proposed amendments. As in the meantime the European Aviation Safety Agency (EASA) became responsible for the rulemaking process, the proposed JTTSO has been transferred to the ETSO format.

#### **V. Regulatory Impact Assessment**

8. The proposals contained in this NPA are intended to achieve a common international standard with regard to the approval of equipment. Harmonisation of CS-ETSO and FAR-TSO would yield cost savings by minimising any duplication of certification and maintenance activities.

## B. DRAFT DECISION

The text of the amendment is arranged to show deleted text, new text or new paragraph as shown below:

1. ~~Text to be deleted is shown with a line through it.~~
2. New text to be inserted is highlighted with grey shading.
3. New paragraph or parts are not highlighted with grey shading, but are accompanied by the following box text:

Insert new paragraph / part (*Include N° and title*), ore replace existing paragraph/ part

4. ....  
in front of or following the reflected amendment indicates that remaining text is unchanged  
....

## I Draft Decision CS-ETSO

### SUBPART B

#### INDEX 2

....  
ETSO-2C112ab      Air Traffic Control Radar Beacon System/Mode Select  
                                 (ATCRBS/MODES) Airborne Equipment  
....

replace existing ETSO-2C112a with the following ETSO-2C112b

**ETSO-2C112b**

**Date : xx.xx.xx**

**European  
Aviation  
Safety  
Agency**

## European Technical Standard Order

**Subject: AIR TRAFFIC CONTROL RADAR BEACON SYSTEM/MODE  
SELECT (ATCRBS/MODE S) AIRBORNE EQUIPMENT**

### **1 - Applicability**

This ETSO gives the requirements which airborne Mode S air traffic control (ATC) transponder equipment that is manufactured on or after the date of this ETSO, must meet in order to be identified with the applicable ETSO marking.

### **2 - Procedures**

#### **2.1 - General**

Applicable procedures are detailed in CS-ETSO Subpart O.

#### **2.2 - Specific**

None.

### **3 - Technical Conditions**

#### **3.1 - General**

##### **3.1.1 - Minimum Performance Standard**

Standards set forth in EUROCAE document ED-73B, 'MOPS for SSR Mode S Transponders', dated January 2003.

##### **3.1.2 - Environmental Standard**

See CS-ETSO Subpart A paragraph 2.1

##### **3.1.3 - Computer Software**

See CS-ETSO Subpart A paragraph 2.2

#### **3.2 - Specific**

None

### **4 - Marking**

#### **4.1 - General**

Marking is detailed in CS-ETSO Subpart A paragraph 1.2

#### **4.2 - Specific**

None.

### **5 - Availability of Referenced Document**

See CS-ETSO Subpart A paragraph 3

**I- Original Justification For JAA NPA TSO-10**

The text of the originally JAA NPA TSO-10 was developed by the Equipment Steering Group of the JAA and consisted of the following JTSO:

**JTSO-2C112b : Air Traffic Control Radar Beacon System/Mode Select  
(ATCRBS/MODE S) Airborne Equipment**

Update of JTSO-2C112a: The Minimum Performance Standard is updated from EUROCAE ED-73A dated February 1999 (JTSO-2C112a) to EUROCAE ED-73B dated January 2003 (JTSO-2C112b).

The inclusion of optional provision for operation under hijack condition was the major reason to update this document.

This a new JTSO based on FAA TSO-C13f dated 24 September 1992.

## II Original JAA NPA TSO-10 Comment-Response Document

The DGAC France, Dassault Aviation and the CAA UK have informed the JAA that they agree with the proposed amendment or have no comment.

Comments demanding alterations to the proposed text were received from Austrocontrol.

The following table summarizes the entries and the JAA responses:

Nr	Requirement paragraph	Position	Proposed text/comment	Organization	Response
1	JTSO-2C112b § 3.1.3 (ii)	Agreement	Delete (ii) and keep the former (i) without numbering	Austrocontrol	It was decided to take the new EASA format
2	JTSO-2C112b		No Comments	CAA-UK	
3	JTSO-2C112b		No Comments	Dassault Aviation	
4	NPA 20-11	Mistake		LFV Sweden	.
5	JTSO-2C112b		No Comments	DGAC France	

Based on the conclusions outlined above, CS-ETSO Subpart B Index II is amended by the following ETSO:

ETSO-2C112b: Air Traffic Control Radar Beacon System/Mode Select  
(ATCRBS/MODE S) Airborne Equipment

That amendment has been agreed by the Equipment Steering Group.

This Section summarizes the comments made on the JAA NPA TSO-10 and the responses to those comments.