



JAAC (Note)
Date: 3 March 2008

Note to JAAC about the JAA 2008 Rulemaking Programme

Following the "JAA Rulemaking Process during JAA to EASA Transition", it is the Agency's task to establish the JAA Rulemaking Programme on an annual basis, taking into account the Rulemaking Planning which was adopted by the JAAC in June 2007.

The Agency provided a WP on the implementation of the JAA Rulemaking Programme at the JAAC meeting in November 2007 indicating:

- the tasks that were finalised;
- those that were transferred to the EASA process when they could not be finalised in the JAA system; and
- some additional tasks not foreseen in the JAA Business Plan, which need to be finalised urgently.

The attached proposed JAA 2008 Rulemaking Programme is built on this document and takes into consideration the revised Business Plan adopted by the JAAB in December 2007. However, four FSTD TGLs were added to the revised Business Plan:

- Transfer of FSTDs from 3rd Countries to JAA MSs (AGM Section 6 STDs);
- Qualification of New Visual Systems (e.g. LCOS & Laser) (AGM Section 6 STDs);
- Mass Properties (AGM Section 6 STDs); and
- Use of Engineering Simulator Validation Data (AGM Section 6 STDs).

The above-noted FSTD TGLs are only at a preliminary draft stage and have no chance of being finalised before the adoption of the related EASA implementing rules (IRs), and should be transferred to the EASA inventory for further work under EASA procedures. They are therefore not included in the proposed JAA 2008 Rulemaking Programme.

JAR-OPS 1

As decided at the JAAC meeting in November 2007, the main task addresses the harmonisation of JAR-OPS 1 with EU-OPS (Council Regulation [EEC] No 3922/91 Annex III).

A cover note with the appropriate reference to Regulation 3922/91 as amended will be introduced into JAR-OPS 1. Following the principles applied for airworthiness regulations, both Section 1 and Section 2 of JAR-OPS 1 would be replaced by a copy of the current EU-OPS.

As EU-OPS, itself, does not incorporate guidance material, the problem of the lack of the equivalent of Section 2 of JAR-OPS 1 needs to be addressed, not least, in order to

provide the basis for standardisation until the EASA IRs and related AMCs are adopted and entered into force in 2009.

The Agency and the JAA LO will continue to work together on this issue, be it to produce consolidated Section 2 material (taking into account the two EU-OPS amendments) or to produce a table of differences. Until then, the seven additional NPAs will be published to assist the Member States.

The only other task in that field is TGL 26; MEL policy is an ongoing rulemaking task carried over from the JAA Rulemaking Planning. It is carried out as the need arises.

JAR-FCL 4

NPA-FCL 39, which was part of the JAA Rulemaking Planning, is being continued and will be finalised in 2008.

JAR-26

The JAR-26 tasks will continue under the JAR-11 procedure. Five tasks were part of the JAA Rulemaking Planning; two tasks have been added, one due to a safety recommendation, and one due to technical developments. Some will only be finalised in 2009. It can nevertheless happen that such tasks are finalised under the EASA system if the related IRs so permit.

The safety enhancement task Upper torso restraint will be addressed through EASA airworthiness directives, but may lead to a later amendment of JAR-26.

JAR-STD

NPA-STD 11 and 12 were part of the JAA Rulemaking Planning. They are awaiting publication only.

FSTD TGL 12, 13 and 14 were adopted at the November OST Meeting and are expected to be published on 1 February 2008.

The FSTD catch-up process was adopted at the November OST Meeting as well and is expected to be published on 1 February 2008.

Table of rulemaking tasks to be continued under EASA management in accordance with the agreed “JAA Rulemaking Process during JAA to EASA Transition”¹

Action	State of play	Working method	Deliverable	Comments
JAR-OPS 1				
JAR-OPS 1 alignment with EU-OPS – cover note	Draft under preparation	Carried out in co-operation by EASA and JAA LO staff	JAR-OPS 1 cover note	New task
JAR-OPS 1 alignment with EU-OPS – updated Section 2	Draft under preparation	Carried out in co-operation by EASA and JAA LO staff with support of some national experts	Consolidated Section 2 or table of differences	New task
TGL 26 MEL policy amendments	Drafting as needed	JIPs JAA MMEL/MEL SG	TGL 26 amendment	Ongoing task
JAR-FCL 4				
Update of JAR-FCL 4 (NPA-FCL 39) to maintain consistency with JAR-FCL 1 and 2 amendment	Draft under preparation	JAR 11 Work to be finalised by internal means in co-operation by EASA and JAA LO colleagues	JAR-FCL 4 amendment	JAA task Will not be transposed into Community law

¹ Procedure agreed by the JAAC on 2 May 2007

Action	State of play	Working method	Deliverable	Comments
JAR-26				
NPA-26 2 Type III Exits (access & ease of operation)	Draft under preparation	Handled by joint EASA- JAA group	OST mid 2008 JAAC Q2 2009	CS-25 consultation to be taken into account Finalisation of the task subject to JAR- 26 future in the EASA system.
NPA-26 15 Commercial Air Transport (Aeroplanes) fire protection (Class 'D' & 'C' cargo compartments)	Draft under preparation	Handled by CSSG Ad hoc group	OST mid 2008 JAAC Q2 2009	Finalisation of the task subject to JAR- 26 future in the EASA system.
NPA-26 17 Thermal/Acoustic Insulation Material	Draft under preparation	Handled by CSSG Ad hoc group	OST mid 2008 JAAC Q2 2009	Finalisation of the task subject to JAR- 26 future in the EASA system.
NPA-26 18 Reinforced Cockpit Doors to Enhance Aeroplane Security – Double Pilot Incapacitation	Not adopted by JAAC 05-4 in 2005	Handled by CSSG Ad hoc group	PreRIA to be provided by May 2008	CSSG to address JAAC comments Finalisation of the task subject to JAR- 26 future in the EASA system.

Action	State of play	Working method	Deliverable	Comments
NPA-26 XX Class B/C cargo Compartments (acceptable level of safety for aeroplanes equipped with class B cargo compartments)	Draft under preparation	Handled by joint EASA- JAA group	OST mid 2008 JAAC Q2 2009	Finalisation of the task subject to JAR- 26 future in the EASA system.
NPA 26-20 Upper Torso Restraint	AD under preparation	EASA	AD or JAR-26	Possible new task Amendment of JAR- 26 if the issue cannot be solved by an EASA AD
JAR-26 Dynamic Seat Testing 16g	Draft under preparation	Handled by CSSG Ad hoc group	OST mid 2008 JAR-26 amendment	New task
JAR-STD				
NPA-STD 11	Adopted by JAAC 06-4 November 2006	Carried out by EASA staff	Publication of JAR- FSTD (A) & (H)	Awaits printing Print target date 1 April 2008
NPA-STD 12	Adopted by JAAC 06-4 November 2006	Carried out by EASA staff	Publication of JAR- FSTD (A) & (H)	Awaits printing Print target date 1 April 2008

Action	State of play	Working method	Deliverable	Comments
FSTD TGL # 12 (new) — Guidance notes for Enhanced Vision Systems (EVS) Simulator Qualification	OST adoption November 2007	JIPs FSTD SG	TGL endorsed by OST	New task Print target date 1 February 2008
FSTD TGL # 13 (new) — Old Visual Systems and New Visual Scenes for FSTDs	OST adoption November 2007	JIPs FSTD SG	TGL endorsed by OST	New task Print target date 1 February 2008
FSTD TGL # 14 (new) — Guidance on the qualification of Electrical Motion Systems for FSTDs	OST adoption November 2007	JIPs FSTD SG	TGL endorsed by OST	New task Print target date 1 February 2008
FSTD catch-up process	OST adoption November 2007	JIPs FSTD SG	JIP amendment	New task Print target date 1 February 2008