

Executive Director Decision

2023/018/R

of 26 October 2023

issuing the following:

**Amendment 5 to Issue 1 of the Acceptable Means of Compliance and Guidance Material
to Annex II (Part-ATM/ANS.AR)**

‘AMC and GM to Part-ATM/ANS.AR — Issue 1, Amendment 5’

and

**Amendment 4 to Issue 1 of the Acceptable Means of Compliance and Guidance Material
to Annex III (Part-ATM/ANS.OR) to Commission Implementing Regulation (EU) 2017/373**

AMC and GM to Part-ATM/ANS.OR — Issue 1, Amendment 4’

and

**Amendment 5 to Issue 1 of the Acceptable Means of Compliance and Guidance Material
to Annex IV (Part-ATS) to Commission Implementing Regulation (EU) 2017/373**

AMC and GM to Part-ATS — Issue 1, Amendment 5’

and

**Amendment 2 to Issue 1 of the Acceptable Means of Compliance and Guidance Material
to Annex VIII (Part-CNS) to Commission Implementing Regulation (EU) 2017/373**

AMC and GM to Part-CNS — Issue 1, Amendment 2’

‘Conformity assessment of ATM/ANS equipment’

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) 2018/1139¹, and in particular Articles 76(3) and 104(3)(a) thereof,

Whereas:

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

- (1) Acceptable means of compliance are non-binding standards issued by EASA, which are used by persons and organisations to show compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, or with the certification specifications and detailed specifications.
- (2) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of delegated or implementing acts or certification specifications and detailed specifications, and which is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, and of certification specifications and detailed specifications.
- (3) With Decision 2017/001/R² of 8 March 2017, the Executive Director adopted Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight.
- (4) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its Decisions, taking into account worldwide aviation experience and scientific and technical progress in the respective fields.
- (5) Commission Implementing Regulation (EU) 2017/373 was amended by Commission Implementing Regulation (EU) 2023/1771 of 12 September 2023 as regards air traffic management and air navigation services systems and constituents³.

Following the adoption of the Regulation (EU) 2023/1771, EASA determined the need to amend the Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) 2017/373 to reflect the amendments introduced by the insertion of the new conformity assessment provisions for the air traffic management and air navigation services systems and constituents in that Regulation.

- (6) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Article 6 of the EASA Rulemaking Procedure⁴, widely consulted the interested parties on the content of this Decision, considered the comments received, and provided thereafter a written response to the comments received through the consultation⁵,

HAS DECIDED:

² <https://www.easa.europa.eu/en/document-library/agency-decisions/ed-decision-2017001r>

³ Commission Implementing Regulation (EU) 2023/1771 of 12 September 2023 amending Implementing Regulation (EU) 2017/373 as regards air traffic management and air navigation services systems and constituents and repealing Regulations (EC) No 1032/2006, (EC) No 633/2007 and (EC) No 262/2009 (OJ L 228, 15.9.2023, p. 49) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R1771&qid=1696922261932>).

⁴ EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

⁵ <http://easa.europa.eu/document-library/comment-response-documents>

Article 1

Annex II to Decision 2017/001/R of the Executive Director of the Agency of 8 March 2017 is amended as laid down in Annex I to this Decision.

Article 2

Annex III to Decision 2017/001/R of the Executive Director of the Agency of 8 March 2017 is amended as laid down in Annex II to this Decision.

Article 3

Annex IV to Decision 2017/001/R of the Executive Director of the Agency of 8 March 2017 is amended as laid down in Annex III to this Decision.

Article 4

Annex VIII to Decision 2017/001/R of the Executive Director of the Agency of 8 March 2017 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 EASA.

Cologne,

*For the European Union Aviation Safety Agency
The Acting Executive Director*

Luc TYTGAT

