

## 1. Commission Regulation (EU) 2015/640

### 1.1. Cover regulation

[...]

### Article 2 Definitions

For the purposes of this Regulation,

[...]

(b) 'large aeroplane' means an aeroplane that has ~~the Certification Specifications for large aeroplanes "CS-25"~~ or equivalent in its certification basis;

**(ba) 'small aeroplane' means an aeroplane that has CS-23 or equivalent in its certification basis;**

(c) 'large helicopter' means a helicopter that has ~~the Certification Specifications for large rotorcraft "CS-29"~~ or equivalent in its certification basis;

(ca) 'small helicopter' means a helicopter that has ~~the Certification Specifications for Small Rotorcraft (CS-27)~~ or equivalent in its certification basis;

[...]

### 1.2. Annex I (Part-26) — Table of contents

ANNEX I

PAR-26

#### ADDITIONAL AIRWORTHINESS SPECIFICATIONS FOR OPERATIONS

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### 1.3. Annex I (Part-26) — Subpart A

## SUBPART A — GENERAL PROVISIONS

### 26.10 Competent authority

- (a) For the purposes of this Annex, the competent authority to which operators need to demonstrate compliance of **their** aircraft, the design of which has already been certified, with the requirements of this Annex shall be the authority designated by the Member State in which the operator has its principal place of business.
- (b) For the purposes of this Annex, the competent authority to which holders of type-certificates (TC), restricted TC, supplemental type-certificates (STC), changes and repair design approvals need to demonstrate compliance ~~of the existing type-certificates (TC), restricted TC, supplemental type-certificates (STC), changes and repair design~~ with the requirements of this Annex shall be the Agency.

[...]

### 1.4. Annex I (Part-26) — Subpart B

## SUBPART B — ~~LARGE AEROPLANES~~

[...]

### 26.100 Location of emergency exits

~~Except for aeroplanes having an emergency exit configuration installed and approved prior to 1 April 1999, o~~Operators of large aeroplanes used in commercial air transport **and that have**ing a maximum operational passenger seating configuration of more than nineteen with one or more emergency exits deactivated shall ensure that the distance(s) between the remaining exits remains (remain) compatible with effective evacuation, **except for large aeroplanes that have an emergency exit configuration installed and approved prior to 1 April 1999.**

[...]

### 26.156 Thermal or acoustic insulation materials

Operators of large aeroplanes used in commercial air transport, **and** type certified on or after 1 January 1958, shall ensure that:

- (a) for **large** aeroplanes for which the first individual certificate of airworthiness is issued before 18 February 2021, when new thermal or acoustic insulation materials are installed as replacements on or after 18 February 2021, those new materials have flame propagation resistance characteristics which prevent or reduce the risk of flame propagation in the aeroplane;

- (b) for **large** aeroplanes for which the first individual certificate of airworthiness is issued on or after 18 February 2021, thermal and acoustic insulation materials have flame propagation resistance characteristics which prevent or reduce the risk of flame propagation in the aeroplane;
- (c) for **large** aeroplanes for which the first individual certificate of airworthiness is issued on or after 18 February 2021 and with a passenger capacity of 20 or more, thermal and acoustic insulation materials (including the means of fastening the materials to the fuselage) installed in the lower half of the aeroplane have flame penetration resistance characteristics which prevent or reduce the risk of flame penetration into the aeroplane after an accident and which ensure survivable conditions in the cabin for a time needed to evacuate the aeroplane.

### 26.157 Conversion of Class D compartments

Operators of large aeroplanes used in commercial air transport, **and** type certified on or after 1 January 1958, except for operators of an aeroplane model listed in Table A.1 of Appendix 1 to this Annex, shall ensure that:

- (a) for **large** aeroplanes, the operation of which involves the transport of passengers, each Class D cargo or baggage compartment, regardless of its volume, complies with the certification specifications applicable to a Class C compartment;
- (b) for **large** aeroplanes, the operation of which involves the transport of cargo only, each Class D cargo compartment, regardless of its volume, complies with the certification specifications applicable to either a Class C or a Class E compartment.

[...]

### 26.170 Fire extinguishers

[...]

### 26.175 Cargo compartment fire protection

- (a) For large aeroplanes, as well as for small aeroplanes with a maximum take-off weight (MTOW) greater than 5 700 kg (12 500 lbs), for which the individual certificate of airworthiness is first issued on or after 1 January 2025, the holders of
  - type-certificates or restricted type-certificates; or
  - supplemental type-certificates, if the change relates to the aeroplane cargo compartment fire protection capabilities,
 shall provide to all operators information on the aeroplane design characteristics associated with the cargo compartment fire protection capabilities demonstrated during the (restricted) type and supplemental type certification.
- (b) For small aeroplanes with a MTOW of 5 700 kg (12 500 lbs) or less and equipped with at least one cargo compartment separated from the flight deck, and for which the individual certificate of airworthiness is first issued on or after 1 January 2025, the holders of
  - type-certificates or restricted type-certificates; or

— supplemental type-certificates, if the change relates to the aeroplane cargo compartment fire protection capabilities,

shall provide to all operators information on the aeroplane design characteristics associated with the cargo compartment fire protection capabilities demonstrated during the (restricted) type and supplemental type certification for all cargo compartments that are separated from the flight deck.

- (c) The information provided in accordance with points (a) and (b) shall be sufficiently detailed to permit operators to conduct a valid risk assessment of the transportation of dangerous goods in accordance with point ORO.GEN.200(a)(3) of Annex III (Part-ORO) to Regulation (EU) No 965/2012.

The information shall be contained in appropriate aeroplane documentation made available to operators and easily identifiable by the operators' personnel responsible for developing the risk assessment.

## 26.200 Landing gear aural warning

[...]

## 26.205 Runway overrun awareness and alerting systems

- (a) Operators of large aeroplanes used in commercial air transport shall ensure that every large aeroplane for which the first individual certificate of airworthiness was issued on or after 1 January 2025, is equipped with a runway overrun awareness and alerting system.

[...]

## 26.300 Continuing structural integrity programme for ageing aeroplanes structures — general requirements

[...]

- (b) Paragraph (a) shall not apply to a large aeroplane model, which was issued with a type-certificate before 26 February 2021 and which meets any of the following conditions:

[...]

- (c) For a large aeroplane model which was issued with a first type-certificate before 26 February 2021 and for which an existing change or repair is not and will not be incorporated in any aeroplane in operation on and after 26 February 2022, paragraphs (a)(ii) and (a)(iii) of point 26.307 and paragraph (a)(ii) of point 26.308 shall not apply if before 26 February 2022 the holder of a type-certificate (TC) or a restricted TC submits to the Agency for the approval the list of all changes and repairs.

[...]

## 26.303 Limit of Validity

- (a) A holder of a type-certificate (TC) or a restricted TC, for a turbine-powered large aeroplane certified on or after 1 January 1958, for which the application for TC was submitted before 1 January 2019, certified with a maximum take-off weight (MTOW) greater than 34 019 kg (75 000 lbs), shall:

- (i) establish a limit of validity (LOV) and include that LOV in an amended ALS;
- (ii) identify existing and new maintenance actions upon which the LOV depends, and develop service information necessary for operators to implement those maintenance actions and submit the service information for the maintenance actions to the Agency in accordance with a binding schedule agreed with the Agency.

The aeroplane structural configurations to be evaluated for the purpose of establishing the LOV shall include all model variations and derivatives approved under the TC before 26 February 2021 and all structural changes and replacements to the structural configurations of those aeroplanes that are required by an airworthiness directive issued before 26 February 2021.

By way of derogation from paragraph (a)(ii), a holder of a type-certificate (TC) or a restricted TC for a turbine-powered large aeroplane shall not be required to develop and submit to the Agency the service information for a maintenance action applicable to a **large** aeroplane model which will not be operated anymore after the scheduled point of **submission** ~~submittal~~ for the service information of that maintenance action. For this exception to take effect, the holder of a type-certificate (TC) or a restricted TC shall inform the Agency not later than the date at which the aeroplane model ceases operation.

[...]

### 26.330 Damage tolerance data for existing supplemental type-certificates (STCs), other existing major changes and existing repairs affecting those changes or STCs

[...]

- (b) Paragraph (a) shall not apply to major changes and repairs to a **large** aeroplane model first certified prior to 26 February 2021 when that aeroplane model meets any of the following conditions:
  - (i) it is listed in Table A.1 of [Appendix 1](#);
  - (ii) it does not operate anymore after 26 February 2021;
  - (iii) it has not been certified to conduct civil operation with a payload or passengers;
  - (iv) it has a restricted TC and **has** ~~have~~ been certified in accordance with damage tolerance requirements, provided that it is not operated beyond 75 % of its design service goal and is primarily operated in support of the restricted TC holders' manufacturing operation;
  - (v) it is certified with a restricted TC and is designed primarily for firefighting;
- (c) Paragraph (a) shall not apply to major changes and repairs to a **large** aeroplane first certified prior to 26 February 2021 when the changes or repairs are not, and will not be, embodied on any **large** aeroplane in operation on or after 26 August 2022.

[...]

### 26.331 Compliance Plan for STC holders

A holder of a **large aeroplane** change approval shall:

- (a) establish a compliance plan that addresses the requirements of points [26.332](#) to [26.334](#);

- (b) submit the compliance plan referred in paragraph (a) to the Agency before 25 August 2021~~7~~ for approval.

### 26.332 Identification of changes affecting fatigue critical structure

- (a) A holder of a **large aeroplane** change approval shall:  
[...]
- (b) The holder of a **large aeroplane** change approval that was issued on or after 1 September 2003~~7~~ shall develop and submit a list of the changes and FCMS identified in accordance with paragraphs (a)(i) and (a)(ii) to the Agency before 26 February 2022~~7~~ for approval~~7~~ and, upon approval by the Agency, make the list available to persons and operators required to comply with paragraph (b)(ii) of point [26.370](#).
- (c) The holder of a **large aeroplane** change approval that was issued before 1 September 2003 shall:  
[...]

### 26.333 Damage tolerance data for STCs and repairs to those STCs approved on or after 1 September 2003

- (a) A holder of a **large aeroplane** change approval that was issued on or after 1 September 2003 shall:  
[...]
- (b) The holder of a **large aeroplane** change approval shall submit the damage tolerance data resulting from the damage tolerance evaluation performed in accordance with paragraph (a)(i) to the Agency before 26 February 2023~~7~~ for approval, unless it is already approved in accordance with point 21.B.111 of Annex I (Part 21) to Regulation (EU) No 748/2012.  
[...]

### 26.334 Damage tolerance data for STCs and other changes and repairs to those changes approved before 1 September 2003

- (a) Upon request of an operator required to comply with point 26.370(a)(ii), a holder of a **large aeroplane** change approval that was issued before 1 September 2003 shall:  
[...]
- (b) The holder of a **large aeroplane** change approval shall submit the damage tolerance data resulting from the evaluation performed in accordance with paragraph (a)(i) to the Agency:  
[...]

### 26.370 Continuing airworthiness tasks and aircraft maintenance programme

- (a) Operators or owners of turbine-powered large aeroplanes certified on or after 1 January 1958 shall ensure the continuing airworthiness of ageing aeroplanes~~s~~ structures by preparing the aircraft

maintenance programme provided for in point M.A.302 of Annex I (Part-M) to Commission Regulation (EU) No 1321/2014<sup>1</sup> that shall include:

- (i) for **large** aeroplanes certified to carry 30 passengers or more, or with a payload capacity greater than 3 402 kg (7 500 lbs), an approved damage-tolerance-based inspection programme;
  - (ii) for **large** aeroplanes operated in accordance with Annex IV (Part-CAT) to Regulation (EU) No 965/2012 and certified to carry 30 passengers or more or with a payload capacity greater than 3 402 kg (7 500 lbs), a means for addressing the adverse effects that repairs and modifications may have on fatigue-critical structure and on inspections provided for in point (a)(i);
  - (iii) for **large** aeroplanes certified with a maximum take-off weight (MTOW) greater than 34 019 kg (75 000 lbs), an approved LOV; [...]
- (c) For a **large** aeroplane model first certified before 26 February 2021 and:  
[...]
- (d) For a **large** aeroplane model with a restricted type certificate issued before 26 February 2021 and the primary purpose of which is firefighting, points (a)(i) and (a)(ii) shall not apply.

## 1.5. Annex I (Part-26) — Subpart C

### SUBPART C — HELICOPTERS

#### 26.400 Fire extinguishers

[...]

#### 26.405 Cargo compartment fire protection

- (a) For small helicopters and large helicopters equipped with at least one cargo compartment separated from the flight deck and for which the individual certificate of airworthiness is first issued on or after 1 January 2025, the holders of
- type-certificates or restricted type-certificates; or
  - supplemental type-certificates, if the change relates to the helicopter cargo compartment fire protection capabilities,
- shall provide to all operators information on the helicopter design characteristics associated with the cargo compartment fire protection capabilities demonstrated during the (restricted) type and supplemental type certification for all cargo compartments that are separated from the flight deck.

<sup>1</sup> Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1).

- (b) The information provided in accordance with point (a) shall be sufficiently detailed to permit operators to conduct a valid risk assessment of the transportation of dangerous goods in accordance with point ORO.GEN.200(a)(3) of Annex III (Part-ORO) to Regulation (EU) No 965/2012.

The information shall be contained in appropriate helicopter documentation made available to operators and be easily identifiable by the operators' personnel responsible for developing the risk assessment.

## 26.410 Emergency controls operated underwater

[...]

### 2. Certification Specifications and Guidance Material for Additional airworthiness specifications for operations (CS-26)

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CS 26.200 Landing gear aural warning

[...]

SUBPART C — HELICOPTERS

26.400 Fire extinguishers

GM1 26.400(b) Fire extinguishers

CS 26.405 Cargo compartment fire protection

GM1 26.405 Cargo compartment fire protection

26.410 Emergency controls operated underwater

[...]

#### 2.2. CS-26 — Subpart B

## SUBPART B — ~~LARGE~~ AEROPLANES

[...]



## CS 26.175 Cargo compartment fire protection

- (a) For large aeroplanes referred to in point 26.175, type-certificate, restricted type-certificate or supplemental type-certificate holders must demonstrate compliance with point 26.175 by providing:
- (1) the reference to the cargo compartment classification in accordance with CS 25.857;
  - (2) information on the aeroplane design characteristics associated with the cargo compartment fire protection capabilities for which the certificate holders had to demonstrate compliance with the certification specifications in the section 'fire protection' of Subpart D of CS-25, and the related acceptable means of compliance, or equivalent, as established in the certification basis;
  - (3) the reference to the demonstrated specifications established in the certification basis.
- (b) For small aeroplanes referred to in point 26.175, type-certificate, restricted type-certificate or supplemental type-certificate holders must demonstrate compliance with point 26.175 by providing:
- (1) information on the aeroplane design characteristics associated with the cargo compartment fire protection capabilities for which the certificate holders had to demonstrate compliance with the certification specifications in the section 'fire protection' of Subpart D of CS-23 up to Amendment 4 or the section 'fire and high energy protection' of Subpart D of CS-23 as from Amendment 5, and the related acceptable means of compliance, or equivalent, as established in the certification basis;
  - (2) the reference to the demonstrated specifications established in the certification basis.

[Issue: 26/5]

## GM1 26.175 Cargo compartment fire protection

### INFORMATION ON AEROPLANE DESIGN CHARACTERISTICS ASSOCIATED WITH CARGO COMPARTMENT FIRE PROTECTION

- (a) Type-certificate (TC), restricted type-certificate or supplemental type-certificate (STC) holders will identify the valuable information on the aeroplane design characteristics associated with the cargo compartment fire protection capabilities that would enable the operator to fully assess the risk before accepting specific items for transport.
- (b) The list below provides examples of the elements of information that the TC, restricted TC and STC holders may provide to operators. Some of the examples may not apply since they depend on the aeroplane types. As deemed necessary, the TC, restricted TC and STC holders may include further detailed information.
- cargo compartment characteristics, e.g.:
    - location
    - accessibility

- available volume
  - smoke and fire detection systems' features and capabilities, e.g.:
    - fire detection temperature
    - class of fire used to assess the ability of the smoke detector
  - fire-extinguishing, suppression and control systems' features and capabilities, e.g.:
    - location
    - quantity
    - handheld or built-in fire extinguisher
    - type and quantity of extinguishing agents
    - fire suppression capability
  - ventilation control systems' features, e.g.:
    - shut-off capability during a fire event
  - cargo compartment, floor, ceiling and sidewall liner panels' features and capability, e.g.:
    - material
    - fire-resistance characteristics
  - means to exclude hazardous quantities of smoke, flames or noxious gases from other compartments, e.g.:
    - air conditioning
- (c) For large aeroplanes, further guidance can be found in ICAO Doc 10102 'Guidance for Safe Operations Involving Aeroplane Cargo Compartments'.

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[...]

## 2.3. CS-26 — Subpart C

**SUBPART C — HELICOPTERS**

[...]

**CS 26.405 Cargo compartment fire protection**

For small helicopters and large helicopters referred to in point 26.405, type-certificate, restricted type-certificate or supplemental type-certificate holders must demonstrate compliance with point 26.405 by providing:

- (a) information on the helicopter design characteristics associated with the cargo compartment fire protection capabilities for which the certificate holders had to demonstrate compliance with the certification specifications in the section 'fire protection' of Subpart D of CS-27 and CS-29 respectively, and the related acceptable means of compliance, or equivalent, as established in the certification basis;
- (b) the reference to the demonstrated specifications established in the certification basis.

[Issue: 26/5]

**GM1 26.405 Cargo compartment fire protection****INFORMATION ON HELICOPTER DESIGN CHARACTERISTICS ASSOCIATED WITH CARGO COMPARTMENT FIRE PROTECTION**

- (a) Type-certificate (TC), restricted type-certificate or supplemental type-certificate (STC) holders will identify the valuable information on the helicopter design characteristics associated with the cargo compartment fire protection capabilities that would enable the operator to fully assess the risk before accepting specific items for transport.
- (b) The list below provides examples of the elements of information that the TC, restricted TC and STC holders may provide to operators. Some of the examples may not apply since they depend on the helicopter types. As deemed necessary, the TC, restricted TC and STC holders may include further detailed information.
  - cargo compartment characteristics, e.g.:
    - location
    - accessibility
    - available volume
  - smoke and fire detection systems' features and capabilities, e.g.:
    - fire detection temperature
  - fire-extinguishing, suppression and control systems' features and capabilities, e.g.:
    - location

- quantity
- handheld or built-in fire extinguisher
- type and quantity of fire-extinguishing agents
- fire suppression capability
- ventilation control systems' features, e.g.:
  - shut-off capability during a fire event
- design characteristics to prevent the accumulation of harmful quantities of smoke, flame, extinguishing agents or noxious gases in other compartments;
- cargo compartment, floor, ceiling and sidewall liner panels features and capability, e.g.:
  - material
  - fire-resistance characteristics
- design and sealing of inaccessible compartments' characteristics.

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[...]

### **3. AMC and GM to Annex I (Part 21) to Commission Regulation (EU) No 748/2012**

[...]

#### **GM1 21.2 Scope**

##### **PROVISIONS OF REGULATION (EU) 2015/640 THAT ARE APPLICABLE TO DESIGN APPROVAL HOLDERS**

Regulation (EU) 2015/640 includes provisions that apply to design approval holders once the certificates or approvals they have applied for are issued in accordance with Annex I (Part 21) to Regulation (EU) No 748/2012.

The applicants for certificates or approvals issued under this Annex should be aware of the provisions of Regulation (EU) 2015/640 that may apply to them once certificates or approvals are issued.

[...]