



Brussels, **XXX**
[...](2014) **XXX** draft

ANNEX TO EASA OPINION No 08/2016

DRAFT COMMISSION REGULATION (EU) .../...

of **XXX**

amending Regulation (EU) 2015/640 ⁽¹⁾ of 23 April 2015 on additional airworthiness specifications for a given type of operations

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DRAFT COMMISSION REGULATION (EU) .../...

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amending Regulation (EU) 2015/640 ⁽¹⁾ of 23 April 2015 on additional airworthiness specifications for a given type of operations

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽²⁾, and in particular Article 5(5)(e)(vi) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 216/2008, the European Commission, assisted by the European Aviation Safety Agency, is required to adopt the necessary implementing rules for common airworthiness requirements throughout the European Union.
- (2) Such requirements, covering the entire life cycle of aeronautical products, may include additional requirements for a given type of operations to be implemented after the initial issuance of an airworthiness approval in the interest of safety.
- (3) By State Letters AN 11/1.3.24-11/44, AN 11/6.3.24-11/45 and AN 11/32.3.8-11/46 of 11 July 2011, the International Civil Aviation Organization has informed Contracting States of the Chicago Convention of the adoption of Amendment 35 to Part I (International Commercial Air Transport — Aeroplanes), Amendment 30 to Part II (International General Aviation — Aeroplanes), and Amendment 16 to Part III (International Operations — Helicopters) of Annex 6 to ICAO Doc 7300 - Convention on International Civil Aviation ⁽³⁾, all applicable as from 15 December 2011.
- (4) The Standards introduced by said amendments require equipping newly produced aircraft with halon-free fire extinguishers used in lavatory waste receptacles, cabins and crew compartments (handheld fire extinguishers).
- (5) The measures provided for in this Regulation are based on Opinion No 08/2016 issued by the European Aviation Safety Agency in accordance with Article 19(1) of Regulation (EC) No 216/2008.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the European Aviation Safety Agency Committee established by Article 65 of Regulation (EC) No 216/2008,

⁽¹⁾ Commission Regulation (EU) 2015/640 of 23 April 2015 on additional airworthiness specifications for a given type of operations and amending Regulation (EU) No 965/2012 (OJ L 106, 24.4.2015, p. 18).

⁽²⁾ OJ L 079, 19.3.2008, p. 1.

⁽³⁾ See <http://www.icao.int/publications/pages/doc7300.aspx>

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) 2015/640

1. In Article 2 — Definitions, paragraph (d) is added as follows:
‘(d) “large helicopter” shall mean a helicopter that has the Certification Specifications for Large Rotorcraft “CS-29” or equivalent in its certification basis.’
2. Annex I (Part-26) to Regulation (EU) 2015/640 is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

[...]