



# Explanatory Note to Decision 2017/018/R

## Instructions for continued airworthiness — certification maintenance requirements (Sub-task 5)

### 'CS-25 — Amendment 20'

RELATED NPA/CRD 2016-15 — RMT.0252 (MDM.056)

#### EXECUTIVE SUMMARY

This Decision addresses a regulatory coordination issue related to harmonisation of the current EASA CS-25 and AMC 25-19 with FAA AC 25-19A regarding certification maintenance requirements (CMRs). The specific objective is to mitigate the risks linked to having different CMR documents with different identification means and follow-up procedures because of the lack of harmonisation between the FAA Advisory Circular and the EASA AMC-25-19. It also strengthens the approval of CMRs by EASA by their introduction into the airworthiness limitations section.

This Decision amends CS-25 as follows:

- Amendment of CS 25.1309 and Appendix H, in order to introduce CMRs in the Airworthiness Limitations Section;
- Amendment of AMC 25-19 in order to improve the guidance for the identification, the selection, the approval, and the protection in service of CMRs.

The changes made are expected to ensure better harmonisation of the CMR development process among applicants, and the reduction of the risk of inadequate task identification and follow-up.

<b>Action area:</b>	Manufacturers		
<b>Affected rules:</b>	CS-25 (ED Decision 2003/2/RM)		
<b>Affected stakeholders:</b>	Design Approval holders and manufacturers		
<b>Driver:</b>	Level playing field	<b>Rulemaking group:</b>	Yes
<b>Impact assessment:</b>	None	<b>Rulemaking Procedure:</b>	Standard

#### EASA rulemaking process



15.5.2013 (ToR Issue 4 (first issue of ToR making reference to CMR))  
20.6.2016 (ToR Issue 5)

23.11.2016

24.8.2017



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## 1. About this Decision

The European Aviation Safety Agency (EASA) developed ED Decision 2017/018/R in line with Regulation (EC) No 216/2008<sup>1</sup> (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure<sup>2</sup>.

This rulemaking activity is included in the EASA 5-year Rulemaking Programme<sup>3</sup> under rulemaking task (RMT).0252 (MDM.056). The scope and timescales of the task were defined in the related terms of reference (ToR).

The task was split into five subtasks:

Subtask 1:

- Definition and identification of the instructions for continued airworthiness (ICA) (to be provided during the certification process).
- Completeness of the ICA (during the certification process).
- Level of involvement of the competent authority (during the certification process).

Subtask 2:

- Availability of the ICA (to owners, operators, maintenance organisations, etc.).

Subtask 3:

- Maintenance review board (MRB) scheduling information (task afterwards cancelled).

Subtask 4:

- Acceptance/approval of the ICA by other than the competent authority.

Subtask 5:

- Certification maintenance requirements (CMRs).

This Decision addresses Subtask 5.

The draft text of this Decision has been developed by EASA based on the input of Rulemaking Group (RMG) RMT.0252 (MDM.056). All interested parties were consulted through NPA 2016-15<sup>4</sup>. 159 comments were received from all interested parties, including industry and national aviation authorities.

<sup>1</sup> 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 (OJ L 79, 19.3.2008, p. 1) <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1467719701894&uri=CELEX:32008R0216>.

<sup>2</sup> EASA is bound to follow a structured rulemaking process as required by Article 52(1) of Regulation (EC) No 216/2008. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

<sup>3</sup> See: <http://easa.europa.eu/rulemaking/annual-programme-and-planning.php>

<sup>4</sup> In accordance with Article 52 of Regulation (EC) No 216/2008 and 6(3) and 7 of the Rulemaking Procedure.

See: <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2016-15>



EASA reviewed the comments received during the consultation. The comments received and EASA's responses thereto were presented in comment-response document (CRD) 2016-15<sup>5</sup>.

The final text of this Decision, with the certification specifications and acceptable means of compliance (AMC), has been developed by EASA.

The major milestones of this regulatory activity are presented on the title page.

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<sup>5</sup> See: <https://www.easa.europa.eu/document-library/comment-response-documents>



## 2. In summary — why and what

### 2.1. Why we need to change the CS/AMC/GM

In October 2011, the FAA updated AC 25-19 to version A in relation to CMRs. This has introduced a lack of harmonisation with the current version of EASA AMC 25-19. As a result, applicants could have to issue two different CMR documents, with different identification means and follow-up procedures, which may not be sustainable in the long term. Considering this issue, EASA decided in 2013 to create Subtask 5 of RMT.0252 (MDM.056) with the aim of harmonising the two documents.

### 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2.1.

The specific objective of this proposal is to strengthen the approval of CMRs by EASA by their introduction into the airworthiness limitations section and the harmonisation of EASA AMC 25-19 with FAA guidance material (currently AC 25-19A), and the improvement of instructions and guidance in the AMC, thus ensuring better harmonisation of the CMR development process among applicants, and the reduction of the risk of inadequate task identification and follow-up.

### 2.3. How we want to achieve it — overview of the amendments

This decision introduces amendments to:

- CS 25.1309 and CS-25 Appendix H so that CMRs are included in the airworthiness limitation section;
- AMC 25-19 in order to improve the guidance material in relation to CMRs and harmonise it with FAA guidance material (currently AC 25-19A).

The principles of these amendments were developed on the basis of AC 25-19A and were agreed with the FAA, which was part of the rulemaking working group. While harmonising the guidance material, the group identified aspects, which can be further improved (such as requiring CMRs in the airworthiness limitation section and improving the protection of CMRs in service), also in the guidance material provided by AC 25-19A. The FAA indicated that they will further align their guidance material in this respect.

### 2.4. What are the stakeholders' views

159 comments were submitted by 19 stakeholders during the NPA 2016-15 consultation.

The stakeholders commenting on this NPA included European national aviation authorities (NAAs), the FAA, Transport Canada (TCCA), type certificate holders (EU and non-EU), and others.

The nature of the comments received ranges from specific technical aspects, to comments aiming to improve the wording of the proposed amendments.

Several comments were accepted or partially accepted, thus leading to substantial amendments of the proposed text which, in certain elements, has been significantly improved.



For additional details and individual responses to comments, please refer to CRD 2016-15.

## **2.5. What are the benefits and drawbacks**

This Decision does not create new requirements for applicants. It addresses a regulatory coordination issue related to the harmonisation of the current EASA AMC 25-19 with FAA AC 25-19A for CMRs, and proposes an amendment to CS-25 (which includes a revision of AMC 25-19). It also clarifies the CMR development process.

## **2.6. How do we monitor and evaluate the rules**

This rulemaking task on the update of CS-25 and AMC 25-19 on CMRs is a result of EASA's monitoring and evaluation activities.

EASA continuously monitors the implementation of CS-25, acceptable means of compliance and guidance material through feedback from stakeholders and via the EASA advisory bodies.

It is suggested that different tools should be used to monitor the updated CS-25 and AMC 25-19, e.g. surveys to collect data on the level of consistency and coherence of harmonised CMR requirements between the EASA and FAA systems.

In addition, the updated AMC 25-19 might be subject to an interim/ex-post evaluation. The evaluation would assess the performance of AMC 25-19, taking into account FAA and EASA regulatory harmonisation. The decision as to whether an evaluation is necessary will depend on the monitoring results.



### 3. References

#### 3.1. Affected decisions

- Decision No. 2003/2/RM of the Executive Director of the European Aviation Safety Agency of 17 October 2003 on certification specifications, including airworthiness codes and acceptable means of compliance, for large aeroplanes (« CS-25 »).

#### 3.2. Other reference documents

- FAA Advisory Circular 25-19A, 'Certification Maintenance Requirements'



#### 4. Appendix

Appendix to Decision 2017/018/R 'Instructions for continued airworthiness — certification maintenance requirements' (CS-25 — Amendment 20) — CRD 2016-15

