

Executive Director Decision

2019/022/R

of 29 October 2019

amending Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 2017/373

'AMC and GM to ATM/ANS rules — Issue 1, Amendment 1'

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

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

Whereas:

- (1) EASA shall, pursuant to Article 76(3) of Regulation (EU) 2018/1139, issue certification specifications and acceptable means of compliance, as well as guidance material, for the application of Regulation (EU) 2018/1139 and of the delegated and implementing acts adopted on the basis thereof.
- (2) Acceptable means of compliance are non-binding standards issued by EASA which may be used by persons and organisations to demonstrate compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (3) Guidance material is non-binding material issued by EASA which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EU) 2018/1139, the delegated and implementing acts adopted on the basis thereof, certification specifications and acceptable means of compliance.

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>).

- (4) With Decision 2017/001/R of 8 March 2017, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Regulation (EU) No 2017/373.
- (5) 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. In this context, EASA has determined the need to issue this set of acceptable means of compliance, as well as guidance material to enable the ATM/ANS providers to continue with their existing software assurance level (SWAL) systems based on Regulation (EC) No 482/2008 as part of the safety (support) assessments.
- (8) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Articles 6(3), 7 and 8 of the EASA Rulemaking Procedure², has widely consulted the interested parties on the matters which are the subject of this Decision, and has provided thereafter a written response to the comments received³,

HAS DECIDED:

Article 1

Annex I 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 II 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 III 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 IV 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.

² EASA Management Board (MB) Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure') (<http://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2018-2015%20on%20Rulemaking%20Procedure.pdf>).

³ <http://easa.europa.eu/document-library/comment-response-documents>



Article 5

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.

Cologne, 29 October 2019

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

Patrick KY

