

European Aviation Safety Agency

DECISION N° 2011/013/R OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

OF 5TH DECEMBER 2011

**amending Decision No 2009/005/R of the Executive Director of the Agency of
26 February 2009**

on

**Certification Specifications, Including Airworthiness Code and Acceptable Means of
Compliance, for Hot Air Balloons**

'CS-31HB'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹ (hereafter referred to as the 'Basic Regulation'), and in particular Article 38(3)(a) and (e) thereof,

Having regard to Commission Regulation (EC) No 1702/2003² (hereafter referred to as 'Part-21').

Whereas:

- (1) The Executive Director issued Certification Specifications including and Acceptable Means of Compliance, for Hot Air Balloons (CS-31HB) in the Annex to Executive Director Decision No 2009/005/R of 27 February 2009 (Initial Issue).
- (2) The Agency shall, pursuant to Article 18 of the Basic Regulation, issue Certification Specifications and Acceptable Means of Compliance, as well as Guidance Material for the application of the Basic Regulation and its implementing rules.

¹ Regulation (EC) No 216/2008 of the European Parliament and 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). Regulation as last amended by Regulation (EC) No 1108/2009 (OJ L 309, 24.11.2009, p. 51).

² Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (Part-21) (OJ L 243, 27.9.2003, p. 6). Regulation as last amended by Regulation (EC) No 1194/2009 (OJ L 321, 8.12.2009, p. 5).

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- (3) The Agency is obliged, pursuant to Article 19 of the Basic Regulation, to reflect the state of the art and the best practices in the fields concerned and update Certification Specifications and Acceptable Means of Compliance taking into account world wide aircraft experience in service, and scientific and technical progress.
- (4) The Agency has determined the need to reflect the state of the art for approval of Hot Air Balloon design features that are consistent with the newly issued Certification Specifications and Acceptable Means of Compliance, for Gas Balloons (CS-31GB) in the Annex to Executive Director Decision No 2011/012/R of 05 December 2011 (Initial Issue).
- (5) The Agency, pursuant to Article 52(1)(c) of the Basic Regulation and articles 5(3) and 6 of the Rulemaking Procedure³, has widely consulted interested parties on the matters which are the subject of this Decision and has provided thereafter a written response to the comments received⁴,

HAS DECIDED:

Article 1

The Annex to the Executive Director Decision No 2009/005/R of 26 February 2009 containing the Certification Specifications, including Airworthiness Code and Acceptable Means of Compliance, applicable to Hot Air Balloons (CS-31HB) is replaced by the Annex to this Decision.

The Certification Specifications and Acceptable Means of Compliance for Hot Air Balloons (CS-31HB) are those laid down in the Annex to this Decision.

Article 2

This decision shall enter into force on 12th December 2011. It shall be published in the Official Publication of the Agency.

Done in Cologne, on 5th December 2011.

P. GOUDOU

³ Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB/08/07, 13.6.2007.

⁴ See NPA 2011-01 and CRD 2011-01 on Rulemaking Archives page http://www.easa.europa.eu/ws_prod/r/r_archives.php.