

European Aviation Safety Agency

DECISION N° 2009/015/R
OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY
OF 01/12/2009

amending the Annex to Decision No 2003/10/RM of the Executive Director of the Agency of 24 October 2003

on

Certification Specifications, including Airworthiness Codes and Acceptable Means of Compliance, for European Technical Standard Orders (« CS-ETSO »)

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to the 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/EC¹ (hereinafter "The Basic Regulation"), and in particular Article 38(3)(a) and (e) thereof,

Having regard to the 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 organisations², as well as for the certification of design and production organisations, in particular 21A.16A of the Annex to Commission Regulation (EC) No 1702/2003 (Part-21) thereof

Whereas:

- (1) The Executive Director issued the certification specifications for European Technical Standard Orders («CS-ETSO») in the Annex to Executive Director Decision No 2003/10/RM of 24 October 2003 (Initial Issue)³.

¹ OJ L 79, 19.03.2008, p. 1.

² OJ L 243, 27.09.2003, p. 6. Regulation as last amended by Regulation (EC) No 1057/2008 of 27 October 2008 (OJ L 283, 28.09.2008, p. 30).

³ Executive Director Decision No 2003/10/RM of 24 October 2003 as last amended by Executive Director Decision No 2009/014/R of 14 October 2009.

01/12/2009

- (2) The Agency shall, pursuant to Article 18 of the Basic Regulation, issue certification specifications, including airworthiness codes and acceptable means of compliance, as well as guidance material for the application of the Basic Regulation and its implementing rules.
- (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 taking into account world wide aircraft experience in service, and scientific and technical progress.
- (4) The Agency has determined a need to update ETSO-C119b Traffic Alert and Collision Avoidance System (TCAS) Airborne Equipment, TCAS II to require the use of the latest standard that eliminate identified deficiencies within the current TCAS II logic and provide better and less ambiguous instruction to flight crew.
- (5) Agency, pursuant to Article 52(1)(c) of the Basic Regulation and articles 5(3) and 6 of the Rulemaking Procedure⁴, 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 received⁵.

HAS DECIDED:

Article 1

The Annex to the Executive Director Decision No 2003/10/RM of 24 October 2003 containing the certification specifications for European Technical Standard Orders («CS-ETSO») is hereby modified in accordance with the Annexes to this Decision.

Article 2

This decision shall enter into force on 8 December 2009. It shall be published in the Official Publication of the Agency.

Done in Cologne, on 1 December 2009.

P. GOUDOU

⁴ 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, 13.06.2007.

⁵ See NPA 2009-03 and CRD 2009-03 on Rulemaking Archives page http://www.easa.europa.eu/ws_prod/r/r_archives.php.