



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

ANNEX TO EASA OPINION No 04/2016

COMMISSION REGULATION (EU) No .../..

of **XXX**

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

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amending Commission Regulation (EU) 2015/640 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 ⁽¹⁾, and in particular Article 5(5)(d) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 216/2008, the Commission, assisted by the European Aviation Safety Agency (hereinafter referred to as the 'Agency'), is required to adopt the necessary implementing rules for common airworthiness requirements throughout the Union.
- (2) Such requirements, covering the entire life cycle of aeronautical products, may include in the interest of safety additional requirements for a given type of operations to be implemented after the initial issuing of an airworthiness approval.
- (3) Improvements to flammability standards for thermal/acoustic insulation materials were introduced in the design requirements for large aeroplanes in 2009. This is reflected in the certification specifications for large aeroplanes (CS-25), in paragraph CS 25.856, but said improvements are only applicable to newly type-certified large aeroplanes.
- (4) There are still new aeroplanes produced, the initial design of which was approved before the applicability of the new thermal/acoustic insulation materials flammability standards, thus not subject to the new standards in CS-25.
- (5) The US Federal Aviation Administration has mandated the new thermal/acoustic insulation materials flammability standards for all transport aeroplanes operated by US carriers and manufactured after 2 September 2003.
- (6) Considering the remaining risk to newly produced aeroplanes, which do not have to comply with CS 25.856 in the EU, this Regulation introduces requirements according to which also those aeroplanes have to comply with the new thermal/acoustic insulation materials flammability standards.
- (7) The measures provided for in this Regulation are based on the opinion issued by the Agency in accordance with Article 19(1) of Regulation (EC) No 216/2008.
- (8) 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⁾ OJ L 143, 30.4.2004, p. 76.

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) 2015/640

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