European Union Aviation Safety Agency

Notice of Proposed Amendment 2023-101(#4)

in accordance with Article 6 of MB Decision No 01-2022

Acceptable means of compliance and guidance material to Subparts H, I, K and Q of Annex Ib (Part 21 Light)

Package #4

RMT.0727

EXECUTIVE SUMMARY

The objective of the proposed acceptable means of compliance (AMC) and guidance material (GM) to Subparts H, I, K and Q of Annex Ib (Part 21 Light) is to provide affected stakeholders with cost-efficient and proportionate means to comply with the regulatory requirements in the field of the initial airworthiness of aircraft intended primarily for sports and recreational use.

Compared to Part 21, Part 21 Light provides a lighter approach to the certification of those general aviation aircraft, and introduces the possibility for a declaration of design compliance to be submitted as an alternative to certification. Part 21 Light also provides for the possibility to demonstrate design and production capabilities through a declaration, instead of an approval, and for certain production activities the demonstration of production capabilities is not required at all.

These AMC and GM are expected to support the application of the new requirements and contribute towards reducing the regulatory burden for the designers and manufacturers of aircraft intended primarily for sports and recreational use while continuing to ensure a high level of safety as intended by Part 21 Light.

Domain:	Design and production		
Related rules:	Commission Regulation (EU) No 748/2012		
Affected stakeholders:	Aircraft manufacturers and designers; DOA and POA holders; GA operators; national competent authorities, including EASA		
Driver:	Efficiency and proportionality	**Rulemaking group:**	No
Impact assessment:	Light		

EASA rulemaking procedure milestones

Start Terms of Reference	**Advisory Body consultation** *Package #4*	**Decision** Certification Specifications, Detailed Specifications, Acceptable Means of Compliance, Guidance Material
28.8.2019	30.3.2023	2023/Q2

An agency of the European Union

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

Table of contents

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

1. About this NPA

1.1. How this NPA was developed

The European Union Aviation Safety Agency (EASA) developed this Notice of Proposed Amendment (NPA) in line with Regulation (EU) 2018/1139[1] (the Basic Regulation) and the Rulemaking Procedure[2]. This rulemaking task (RMT) 0727 is included in Volume II of the European Plan for Aviation Safety (EPAS) for 2023–2025[3]. The scope and timescales of the task were defined in the related Terms of Reference (ToR)[4].

The NPA shall be consulted with the EASA Advisory Bodies (ABs) in accordance with Article 6(3) of MB Decision No 01-2022.

The AMC and GM to Part 21 Light will be consulted in thematic packages based upon Part 21 Light subparts in order to allow stakeholders to focus their review based upon their interest in the topics.

Package number	Generic title	AMC and GM to Part 21 Light subparts
#1	Initial Airworthiness	A, B, C and P
#2	Design and Production Organisations	G, J and R
#3	Design changes and repair designs	D, E, F, M and N
#4	Airworthiness and Noise Certificates and Parts and Markings	H, I, K and Q

The major milestones of this RMT are presented on the cover page.

[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).

[2] EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb).

[3] https://www.easa.europa.eu/en/document-library/general-publications/european-plan-aviation-safety-2023-2025

[4] ToR RMT.0727 'Alignment of Part 21 of Regulation (EU) No 748/2012 with Regulation (EU) 2018/1139 (including simple and proportionate rules for GA)' (https://www.easa.europa.eu/en/document-library/terms-of-reference-and-group-compositions/tor-rmt0727).

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

1.2. How to comment on this NPA

Please submit your comments via email to **IAConsultation@easa.europa.eu**.

The deadline for the submission of comments is **5 May 2023**.

1.3. The next steps

Following the consultation of the draft AMC and GM (Package #4), EASA will review all the comments received and will duly consider them in the further progress of this RMT.

When issuing the decision to amend the AMC and GM to Regulation (EU) No 748/2012, EASA will also provide feedback to the commentators that were engaged and/or provided comments during the consultation of the draft regulatory material, which comments were received, how such engagement and/or consultation was used in rulemaking, and how their contributions were considered.

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

2. In summary — why and what

2.1. Why we need to amend the AMC and GM — issue/rationale

The current Part 21 does not provide sufficient proportionality with regard to the nature of and risks associated with certain products and activities, such as aircraft primarily used for sports and recreational purposes. As a consequence, the certification costs and the associated administrative burden are high for the small-aircraft community, that is the least able to bear them.

For this reason, the European Commission adopted Commission Implementing Regulation (EU) 2022/1361[5] and Commission Delegated Regulation (EU) 2022/1358[6] for Part 21 Light based upon EASA's Opinion No 05/2021[7].

The proposed AMC and GM will provide the means of compliance with these simplified requirements for aircraft primarily used for sports and recreational purposes.

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This NPA will contribute to achieving the overall objectives by addressing the issues described in Section 2.1.

The specific objective of this proposal is to introduce AMC and GM to the simplified rules that will enable the application of a proportionate approach for products that are considered to pose less risk when compared to other, more complex products. This proposal intends to achieve an overall reduction in the administrative burden and its associated costs, while at the same time supporting innovation in the GA sector.

2.3. What are the expected benefits and drawbacks of the proposed amendments

The expected benefits and drawbacks of the proposed amendments are summarised below. For the full impact assessment of the amendments to Regulation (EU) No 748/2012 as regards the introduction of Part 21 Light, please refer to Chapter 4 of NPA 2021-102.

There are no additional benefits or drawbacks from the AMC and GM to Part 21 Light compared to the benefits and drawbacks expected in the context of the adoption of the amendments to Regulation (EU) No 748/2012 as regards Part 21 Light.

The AMC and GM contained in Chapter 3 are not expected to have any additional impact to those that were already described in NPA 2021-102, and the only purpose they serve is to provide greater clarity of what is required by the introduction of the new requirements contained in Annex Ib (Part 21 Light) to Regulation (EU) No 748/2012.

---

5 Commission Implementing Regulation (EU) 2022/1361 of 28 July 2022 amending Regulation (EU) No 748/2012 as regards the certification, oversight and enforcement tasks of the competent authorities in the implementation of the rules concerning the organisations involved in the design and production of aircraft used for sport and recreational aviation (OJ L 205, 5.8.2022, p. 127) (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R1361&qid=1678272149669).

6 Commission Delegated Regulation (EU) 2022/1358 of 2 June 2022 amending Regulation (EU) No 748/2012 as regards the implementation of more proportionate requirements for aircraft used for sport and recreational aviation (OJ L 205, 5.8.2022, p. 7) (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R1358&qid=1678272247617).

7 Opinion 05/2021 'Part 21 Light — Certification and declaration of design compliance of aircraft used for sport and recreational aviation and related products and parts, and declaration of design and production capability of organisations' (https://www.easa.europa.eu/en/document-library/opinions/opinion-052021).

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

3. Proposed amendments

The amendment is arranged to show deleted, new and unchanged text as follows:

— deleted text is ~~struck through~~;

— new or amended text is highlighted in blue;

— an ellipsis '[…]' indicates that the rest of the text is unchanged.

Where necessary, the rationale is provided in *italics.*

3.1. Draft acceptable means of compliance and guidance material (draft EASA decision)

SECTION A

TECHNICAL REQUIREMENTS

SUBPART H — CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS

GM1 21L.A.143(c)(1)(ii) Application for a certificate of airworthiness or a restricted certificate of airworthiness

APPROVED PRODUCTION ORGANISATIONS THAT APPLY FOR A CERTIFICATE OF AIRWORTHINESS

The holder of a production organisation approval issued under Subpart G of Annex I (Part 21) to Regulation (EU) No 748/2012 should use EASA Form 52 (and not EASA Form 52B) when it uses its privileges under point 21.A.163(b) and applies for a certificate of airworthiness for an aircraft with a type certificate. This indicates to the competent authority that the production organisation utilises its privileges to apply for a certificate of airworthiness without further showing.

GM1 21L.A.143(d)(1)(iii) Application for a certificate of airworthiness or a restricted certificate of airworthiness

APPROVED PRODUCTION ORGANISATIONS THAT APPLY FOR A RESTRICTED CERTIFICATE OF AIRWORTHINESS

The holder of a production organisation approval issued under Subpart G of Annex I (Part 21) to Regulation (EU) No 748/2012 should use EASA Form 52B (and not EASA Form 52) when it uses its privileges under point 21.A.163(b) and applies for a restricted certificate of airworthiness for an aircraft with a registered declaration of design compliance (declared aircraft). Only EASA Form 52B may be used for declared aircraft because references to the declaration are included in that form. The holder of a production organisation approval should include its approval number on EASA Form 52B and indicate that this is an approved organisation so that the competent authority is made aware that the production organisation utilises its privileges to apply for a restricted certificate of airworthiness without further showing.

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

SUBPART I — NOISE CERTIFICATES AND RESTRICTED NOISE CERTIFICATES

GM1 21L.A.163(b)(2) Application

RESTRICTED NOISE CERTIFICATE

In accordance with Article 18(2)(a) of Regulation (EU) 2018/1139, a restricted noise certificate is issued for individual aircraft for which noise requirements apply and which conform to a design that has been subject to a declaration of design compliance in accordance with Subpart C of Annex Ib (Part 21 Light).

GM1 21L.A.163(c)(1)(ii) Application

NOISE RECORDS FOR A NOISE CERTIFICATE

The applicant for a noise certificate to be issued for an aircraft within the scope of Subpart B of Annex Ib (Part 21 Light) should find the supporting noise data in the EASA database of noise levels[8].

GM2 21L.A.163(c)(1)(ii) Application

NOISE RECORDS FOR A RESTRICTED NOISE CERTIFICATE

The applicant for a restricted noise certificate to be issued for an aircraft within the scope of Subpart C of Annex Ib (Part 21 Light) should find the supporting noise data in the EASA Part 21 Light database of declared noise levels[9].

GM1 21L.A.164(b) Transferability and re-issuance of noise certificates and restricted noise certificates within Member States

When applying for aircraft registration, the aircraft owner should declare to the Member State of registry that the configuration of the individual aircraft serial number has not been changed or should provide the Member State of registry with information about any changes that might influence the certified or declared noise level.

[8] https://www.easa.europa.eu/en/domains/environment/easa-certification-noise-levels

[9] Hyperlink (TBD)

An agency of the European Union

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

SUBPART K — PARTS

AMC1 21L.A.192(a)(4) Showing of compliance

STANDARD PARTS

(a) In this context, a part is considered as a 'standard part' where it is designated as such by the design approval holder or declarant responsible for the product or part in which the part is intended to be used. In order to be considered a 'standard part', all design, manufacturing, inspection data and marking requirements necessary to demonstrate conformity of that part should be in the public domain and published or established as part of officially recognised standards; or

(b) For sailplanes and powered sailplanes, where it is a non-required instrument and/or equipment certified under CS 22.1301(b), if that instrument or equipment, when installed, functioning, functioning improperly or not functioning at all, does not in itself, or by its effect upon the sailplane and its operation, constitute a safety hazard.

'Required' in the term 'non-required' as used in point (b) means required by the applicable certification specifications (CS 22.1303, CS 22.1305 and CS 22.1307) or required by the relevant operating regulations and the applicable rules of the air, or as required by air traffic management (e.g. a transponder in certain controlled airspace).

Examples of equipment which can be considered 'standard parts' are electrical variometers, bank/slip indicators ball type, total energy probes, capacity bottles (for variometers), final glide calculators, navigation computers, data logger / barograph / turnpoint camera, bug wipers and anti-collision systems.

Equipment which must be approved in accordance with the applicable certification specifications shall comply with the applicable ETSO or equivalent, and is not considered a 'standard part' (e.g. oxygen equipment).

GM1 21L.A.192(a)(4) Showing of compliance

OFFICIALLY RECOGNISED STANDARDS

In this context, 'officially recognised standards' means:

(a) those standards established or published by an official body whether having legal personality or not, which are widely recognised by the air transport sector as constituting good practice;

(b) the standards used by the manufacturer of the equipment as mentioned in point (b) of AMC1 21L.A.192(a)(4).

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

AMC1 21L.A.193(b)(3);(b)(4) Verification activities to be conducted on the part or appliance or release documentation prior to installation

To prevent a non-negligible safety effect on the product due to the installation of a part referred to in point 21L.A.193(b)(3) and (b)(4) that could potentially not conform to its design, the design approval holder (DAH), declarant or EASA may identify in the ICAs (in the case of point 21L.A.193(b)(3)) or in CS-STAN (in the case of point 21L.A.193(b)(4)) any specific verification activities to be conducted by the installer on the part or appliance before installing it on the product in accordance with Regulation (EU) No 1321/2014.

When assessing the safety effect of a part identified in point 21L.A.193(b)(3) or (b)(4), the DAH, declarant or EASA should assume that the installer has conducted, in accordance with Regulation (EU) No 1321/2014, any specific verification activities on the part or release documentation, as identified in the ICAs or in CS-STAN.

Example:

Information from the DAH contained in the ICAs: 'Part XXX-YY must comply with flammability requirement JJJ-KKK'.

GM1 21L.A.193(b)(3);(b)(4) Meaning of 'negligible safety effect'

For the purposes of point 21L.A.193(b)(3) and (b)(4), when 'a part or appliance for which the consequences of non-conformity to its design has a negligible safety effect when installed on the product' is mentioned, it means that any non-conformity of the part not identified by the installer that conducted the specific verification activities referred to in point 21L.A.193(c) at worst:

(a) slightly reduces the operational or functional capabilities of the aircraft or its safety margins;

(b) causes some physical discomfort to its occupants; and

(c) slightly increases the workload of the flight crew.

GM1 21L.A.193(b)(4) Certification specifications referred to in point 21L.A.193(b)(4)

The corresponding certification specifications issued by EASA and mentioned in point 21L.A.193(b)(4) are the Certification Specifications for Standard Changes and Standard Repairs (CS-STAN)[10].

[10] https://www.easa.europa.eu/en/certification-specifications/cs-stan-standard-changes-and-standard-repairs

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

GM1 21L.A.193(b)(5) Equipment exempted from an airworthiness approval in accordance with Commission Regulation (EU) No 965/2012

The equipment exempted from an airworthiness approval in accordance with Commission Regulation (EU) No 965/2012[11] that can be installed during maintenance as new equipment on an aircraft under point 21L.A.193(b)(5) is the equipment identified in the following points:

— CAT.IDE.A.100(a),

— CAT.IDE.H.100(a),

— NCC.IDE.A.100(b) and (c),

— NCC.IDE.H.100(b) and (c),

— NCO.IDE.A.100(b) and (c),

— NCO.IDE.H.100(b) and (c),

— NCO.IDE.S.100(b) and (c),

— NCO.IDE.B.100(b) and (c),

— SPO.IDE.A.100(b) and (c),

— SPO.IDE.H.100(b) and (c),

— SPO.IDE.S.100(b) and (c), and

— SPO.IDE.B.100(b) and (c)

of Commission Regulation (EU) No 965/2012.

GM1 21L.A.193(b)(6) Part that is part of a higher-level assembly

An EASA Form 1 is not required for a part when that part is an element of a higher-level assembly for which an EASA Form 1 is not required.

[11] Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0965&qid=1680007544570).

An agency of the European Union

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

SUBPART Q — IDENTIFICATION OF PRODUCTS AND PARTS

GM1 21L.A.252(b)(2) Identification of parts

It is not the intent of point 21L.A.252(b)(2) to introduce an obligation for a production organisation (manufacturer) to mark new parts with information which is not identified by the design approval holder or declarant. Therefore, the physical marking of parts is only required when established by the design approval (TC, STC, ETSO, repair, change) holder or declarant.

GM1 21L.A.252(b)(2)(iii) Identification of critical parts

PARTS TO BE MARKED

For the purposes of point 21L.A.252(b)(2)(iii), a part that requires individual traceability for the management of its continued airworthiness, as identified by the design approval holder or declarant, should be permanently marked with a part number and a serial number.

The need for the design approval holder or declarant to identify and mark parts may be related to specific requirements for critical parts included in a certification specification. For instance, according to point (c) of CS-E 110 *Drawings and Marking of Parts — Assembly of Parts*: 'Certain parts (including Engine Critical Parts; see CS-E 515) as may be required by the Agency must be marked and the constructor must maintain records related to this marking such that it is possible to establish the relevant manufacturing history of the parts.'

Another typical case is for any part subject to an individually specified life limit or inspection requirement when it is also possible for that part to be removed from one serial number of the associated product during maintenance and installed on another serial number of the same product. In this case, the traceability of the part, which is necessary for continued airworthiness management purposes, is not assured through the serial number of the product alone, and it is necessary to maintain records for the part through its serial number.

GM1 21L.A.252(c) Identification of parts produced under Subpart R

The intent of point 21L.A.252(c) is to prevent a part produced for a declared aircraft and produced under Subpart R from being installed on a type-certified aircraft particularly after a part has been maintained and subsequently released on an EASA Form 1.

To achieve this, the letter 'R' is added to the part number. The ICAs and parts catalogue should include an 'R' at the end of the part number that is assigned to the part.

If a part is similar to a part that is normally installed on a type-certified aircraft, it is expected that the ICAs and parts catalogue for the type-certified aircraft will include a part number that does not contain an 'R' at the end. Therefore, an installer would be prevented from installing a part with a part number ending in 'R' because the part number would not match the ICAs and parts catalogue for the type-certified aircraft.

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

SECTION B

PROCEDURES FOR COMPETENT AUTHORITIES

SUBPART H — CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS

GM1 21L.B.161(a)(6) Investigation

CONDITIONS, RESTRICTIONS OR LIMITATIONS TO THE CERTIFICATE

The competent authority of the Member State of registry may issue under its own legislation a document to list and identify all necessary conditions, restrictions and limitations to a certificate that result from the investigation by EASA and/or from the legislation of the competent authority of the Member State of registry. This document could take the form of an addendum to the approved flight manual or operating instructions or comparable document, and should be referenced in Block 5 (limitations/remarks) of the appropriate certificate of airworthiness.

GM1 21L.B.161(c) Investigation

INVESTIGATIONS

In the case that the applicant for a certificate of airworthiness or restricted certificate of airworthiness issues an EASA Form 52 or an EASA Form 52B under the privileges granted as an approved production organisation under points (b) and (d) respectively of point 21.A.163 of Annex I to Regulation (EU) No 748/2012, then no further action (i.e. no further showing) to investigate the conformity of a particular aircraft is required before issuing the certificate.

EVALUATION OF THE NEED TO CONDUCT A PHYSICAL INSPECTION OF THE AIRCRAFT TO ENSURE THE CONFORMITY AND SAFETY OF FLIGHT OF THE AIRCRAFT

In the case where the production organisation has not been granted the privileges under points (b) and (d) of point 21.A.163 of Annex I (Part 21) to Regulation (EU) No 748/2012, the evaluation of the need to conduct a physical inspection of the aircraft prior to issuing a certificate of airworthiness or restricted certificate of airworthiness will depend on the factors detailed in points (1) to (4) of point 21L.B.161(c). Further explanations on how these factors will influence the need to conduct a physical inspection are provided below:

(a) Results of the physical inspection of the first-article inspection by the competent authority of the Member State of manufacture

Under points 21L.B.143(b) and 21L.B.251(b) the competent authority of the Member State of manufacture is required to conduct a first-article inspection of an aircraft that has been produced for the first time by the production organisation or the natural or legal person that has issued an EASA Form 52B. This first-article inspection should be considered to provide sufficient investigation to issue the first certificate of airworthiness or restricted certificate of airworthiness by the competent authority of the Member State of registry provided there are no findings raised during the first-article inspection. If findings are raised, then the competent authority of the Member State of registry, in direct coordination with the competent authority

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

of the Member State of manufacture, should determine whether there is a need to conduct a further physical inspection to ensure that the findings have been resolved to enable the issuance of the first certificate of airworthiness or restricted certificate of airworthiness by the competent authority. It is foreseen that any findings that affect the airworthiness or safety of flight of the aircraft that was inspected should be resolved to the satisfaction of the competent authority of the Member State of registry in direct coordination with the competent authority of the Member State of manufacture before the first certificate of airworthiness or restricted certificate of airworthiness can be issued.

The results of the first-article inspection should be shared by the competent authority of the Member State of manufacture with any other competent authority that has been requested to issue a certificate of airworthiness or restricted certificate of airworthiness in order for them to determine whether there is a need to conduct a physical inspection prior to issuing the certificate.

(b) Time period since the last physical inspection conducted by the competent authority of the Member State of registry

If the production organisation or the natural or legal person that has issued an EASA Form 52B has a low annual production rate (and, therefore, does not often request a certificate of airworthiness or a restricted certificate of airworthiness), then the competent authority of the Member State of registry may wish to conduct a larger number of physical inspections of the aircraft that are produced (e.g. higher sample rate) prior to issuing the certificate.

Conversely, if the production organisation or the natural or legal person that has issued an EASA Form 52B has a high production rate and frequently issues EASA Forms 52B (and, therefore, requests a certificate of airworthiness or a restricted certificate of airworthiness more often from the competent authority of the Member State of registry), and provided there are no issues, then the competent authority of the Member State of registry may decide to conduct a smaller number of physical inspections of the aircraft that are produced (e.g. lower sample rate) prior to issuing the certificate.

If the production organisation or the natural or legal person that has issued an EASA Form 52B has not produced an aircraft and has not issued an EASA Form 52B for a long time or has been dormant (and, therefore, has not requested a certificate of airworthiness or a restricted certificate of airworthiness for a long time), then the competent authority of the Member State of registry may wish to conduct a physical inspection more frequently (e.g. higher sample rate) until sufficient trust can be restored in the production organisation or the natural or legal person.

The exchange of information among the competent authorities of the Member States of registry on the outcome and results of physical inspections that have been conducted prior to issuing a certificate of airworthiness or a restricted certificate of airworthiness will help to facilitate the decision to conduct a physical inspection or not. If the competent authority of a Member State of registry has recently conducted (or is frequently conducting) a physical inspection, then the results may be shared with other competent authorities to avoid duplication or a larger than necessary number of physical inspections (e.g. the overall sample rate among all competent authorities is too high).

(c) Results of oversight activities conducted by the competent authority of the Member State of manufacture

During the evaluation of the need to conduct a physical inspection of an aircraft, the outcome of oversight activities of the production organisation or the natural or legal person that has issued an EASA Form 52B by the competent authority of the Member State of manufacture should be taken into consideration. For example, if level 1 findings or multiple level 2 findings

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

have been raised by the competent authority of the Member State of manufacture in the past, then it is logical that the competent authority of the Member State of registry will want to conduct a physical inspection more frequently (possibility focusing more on the identified weaknesses that resulted in the findings being raised). Likewise, if the production organisation or the natural or legal person that has issued an EASA Form 52B is performing well and no issues have been discovered during oversight by the competent authority of the Member State of manufacture, then this will have an influence and the competent authority of the Member State of registry will decide to conduct physical inspections less frequently (e.g. lower sample rate) prior to issuing a certificate of airworthiness or a restricted certificate of airworthiness.

The competent authority of the Member State of manufacture should provide, upon request, the outcome, results and any findings as a result of oversight activities of the production organisation or the natural or legal person that has issued an EASA Form 52B to the competent authority of the Member State of registry to enable it to determine the need to conduct a physical inspection of an aircraft prior to issuing a certificate of airworthiness or a restricted certificate of airworthiness. This information exchange will help the competent authority of the Member State of registry to avoid a larger than necessary number of physical inspection of manufacturers that perform well during oversight.

(d) Time period since the last oversight visit conducted by the competent authority of the Member State for manufacture

If the competent authority of the Member State of manufacture has recently conducted an oversight of the production organisation or the natural or legal person, and provided no issues have been discovered, then there would be a reduced need for the competent authority of the Member State of registry to conduct a physical inspection of an aircraft shortly afterwards. Conversely, if it has been a while since the last oversight visit conducted by the competent authority of the Member State of manufacture, then there may be a greater need for the competent authority of the Member State of registry to conduct a physical inspection of the aircraft prior to issuing a certificate of airworthiness or a restricted certificate of airworthiness.

The competent authority of the Member State of manufacture should, upon request, provide the time period (and any other relevant information) since the last oversight visit of the production organisation or the natural or legal person that has issued an EASA Form 52B to the competent authority of the Member State of registry in order to allow it to determine the need to conduct a physical inspection prior to issuing a certificate of airworthiness or a restricted certificate of airworthiness. This information exchange will help avoid unnecessary physical inspections of aircraft (e.g. physical inspections conducted of aircraft that have been produced by a production organisation or a natural or legal person that has recently had an oversight visit).

GM1 21L.B.162(b) Issuance or amendment of a certificate of airworthiness or a restricted certificate of airworthiness

In accordance with Article 18(2)(a) of Regulation (EU) 2018/1139, a restricted certificate of airworthiness is issued for individual aircraft that conform to a design that has been subject to a declaration of design compliance in accordance with Subpart C of Annex Ib (Part 21 Light). This should not be confused with a restricted certificate of airworthiness issued under Annex I (Part 21) to Regulation (EU) No 748/2012.

The term 'registered by the Agency in accordance with point 21L.B.63 at the time of application' means that the declaration of design compliance is registered and published on the EASA website, or registered in a repository for declarations of design compliance at the time of the application.

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

The competent authority should ensure that the relevant declaration of design compliance is still registered by EASA prior to issuing a restricted certificate of airworthiness. It is possible that EASA has either temporarily or permanently deregistered the declaration of design compliance in the event of discovering an issue that affects safety in accordance with point 21L.B.22(a)(9).

Following the joint first-article inspection conducted by EASA in accordance with point 21L.B.62(b) and the competent authority of the Member State of manufacture in accordance with either point 21L.B.143(b) or point 21L.B.251(b), it is possible that there could be a short delay in EASA conducting the necessary administrative actions to register the declaration of design compliance. In the interim, and to avoid any delays in issuing the first restricted certificate of airworthiness, the competent authority of the Member State of registry may directly contact EASA to confirm that there are no outstanding actions preventing the registration of the declaration of design compliance thereby enabling the competent authority of the Member State of registry to issue the first restricted certificate of airworthiness.

GM1 21L.B.162(d) Issuance or amendment of a certificate of airworthiness or a restricted certificate of airworthiness

INITIAL AIRWORTHINESS REVIEW CERTIFICATE

In accordance with the applicable continuing airworthiness requirements, a certificate referred to in point 21L.B.162(a) and (b) is valid only if a valid airworthiness review certificate is attached to it. For new aircraft, the competent authority should issue the airworthiness review certificate when issuing the certificate referred to in point 21L.B.162(a) and (b).

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

SUBPART I — NOISE CERTIFICATES AND RESTRICTED NOISE CERTIFICATES

GM1 21L.B.171(c) Investigation

INVESTIGATION

In the case that the applicant for a noise certificate or a restricted noise certificate issues an EASA Form 52 or an EASA Form 52B under the privileges granted as an approved production organisation under point 21.A.163(b) of Annex I (Part 21) to Regulation (EU) No 748/2012, then no further action (i.e. no further showing) during the investigation of the aircraft is required before issuing the relevant certificate.

AMC1 21L.B.172(a) Issuance or amendment of noise certificates

COMPLETION OF EASA FORM 45B

In order to complete and issue a restricted noise certificate, the competent authority should consult the EASA Part 21 Light database of declared noise levels[12], which contains all the noise data that has been provided and declared by the declarant of the declaration of design compliance under Subpart C of Annex Ib (Part 21 Light). The competent authority should frequently review the EASA Part 21 Light database of declared noise levels to ensure that the declared noise data is still valid and has not changed.

This AMC provides recommendations to the competent authority of the Member State of registry that issues restricted noise certificates.

Block 1: Member State of registry

The competent authority should state its name and country, which should be the same as on the certificate of registration and restricted certificate of airworthiness.

Block 2: Restricted noise certificate (declared)

The title of the EASA Form 45B is 'RESTRICTED NOISE CERTIFICATE (DECLARED)'

Block 3: Document No

The competent authority should enter a unique number that identifies each restricted noise certificate in its administration. Such a number facilitates any enquiries with respect to the document.

Block 4: Registration marks

The nationality and registration marks that are the same as on the certificate of registration and restricted certificate of airworthiness should be entered.

Block 5: Manufacturer and designation of aircraft

The type and model of the particular aircraft that are the same as on the certificate of registration and restricted certificate of airworthiness should be entered.

Block 6: Aircraft serial No

[12] Hyperlink (TBD)

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

The aircraft serial number as given by the manufacturer of the aircraft and that is the same as on the certificate of registration and restricted certificate of airworthiness should be entered.

Block 7: Designation of engine

For the identification and verification of the aircraft configuration, the designation (including type and model) of the installed engine(s) in accordance with the applicable design data should be entered.

Block 8: Designation of propeller

For the identification and verification of the aircraft configuration in case of propeller-driven aeroplanes, the designation (including type and model) of the installed propeller(s) in accordance with the applicable design data should be entered.

Block 9: Maximum take-off mass (kg)

The maximum take-off mass (in kilograms) associated with the declared noise levels of the aircraft should be entered. The unit (kg) should be specified explicitly to avoid any misunderstanding. If the primary unit of mass for the Member State of manufacture of the aircraft is different from kilograms, the maximum take-off mass should be converted in kilograms in accordance with Annex 5 to the Chicago Convention.

Block 10: Additional modifications incorporated for the purpose of compliance with the applicable noise certification standards

This item should contain as a minimum all additional modifications to the basic aircraft as defined by Blocks 5, 7 and 8 that are essential in order to ensure that the declared noise levels comply with the noise requirements established and made available by EASA in accordance with point 21L.B.61(c) for the declaration of design compliance. Other modifications that are not essential to ensure compliance with the applicable noise requirements but are needed to attain the declared noise levels as given may also be included at the discretion of the certifying authority. The additional modifications should be given using unambiguous references, such as unique part numbers or type/model designators given by the manufacturer of the modification.

Block 11: Noise certification standard

For the purposes of this form, 'noise certification standard' means the noise requirements established and made available by EASA in accordance with point 21L.B.61(c) for the declaration of design compliance of the aircraft. This block should specify the applicable noise requirement(s) and the related noise limit(s) (e.g. 'ICAO Annex 16, Chapter 10 (10.4b)').

Block 12: Take-off noise level

The take-off noise level determined in accordance with the applicable noise requirements should be entered to the nearest tenth of a dB(A). The unit should be specified.

Block 13: Statement of compliance

Block 14: Date of issue

The date on which the document is issued should be entered.

An agency of the European Union

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

Block 15: Signature

The officer that issues the restricted noise certificate should sign it. Other items may be added, such as seal, stamp, etc.

Additional information:

1. Logo and name of the issuing authority

To improve its identification, the competent authority may add its logo or symbol and its name in the box 'For use by the Member State of registry'.

2. Language

If the competent authority issues a restricted noise certificate in a language other than English, it should provide an English translation of that certificate.

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

4. References

4.1. Related EU regulations

— Commission Regulation (EU) No 748/2012 of 3 August 2012 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 (OJ L 224, 21.8.2012, p. 1)

TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.

An agency of the European Union

5. Quality of the NPA

To continuously improve the quality of its documents, EASA welcomes your feedback on the quality of this NPA with regard to the following aspects:

5.1. The regulatory proposal is of technically good/high quality

Please choose one of the options below and place it as a comment in CRT; if you disagree or strongly disagree, please provide a brief justification.
Fully agree / Agree / Neutral / Disagree / Strongly disagree

5.2. The text is clear, readable and understandable

Please choose one of the options below and place it as a comment in CRT; if you disagree or strongly disagree, please provide a brief justification.
Fully agree / Agree / Neutral / Disagree / Strongly disagree

5.3. The regulatory proposal is well substantiated

Please choose one of the options below and place it as a comment in CRT; if you disagree or strongly disagree, please provide a brief justification.
Fully agree / Agree / Neutral / Disagree / Strongly disagree

5.4. The regulatory proposal is fit for purpose (capable of achieving the objectives set)

Please choose one of the options below and place it as a comment in CRT; if you disagree or strongly disagree, please provide a brief justification.
Fully agree / Agree / Neutral / Disagree / Strongly disagree

5.5. The impact assessment (IA), as well as its qualitative and quantitative data, is of high quality

Please choose one of the options below and place it as a comment in CRT; if you disagree or strongly disagree, please provide a brief justification.
Fully agree / Agree / Neutral / Disagree / Strongly disagree

5.6. The regulatory proposal applies the 'better regulation' principles[1]

Please choose one of the options below and place it as a comment in CRT; if you disagree or strongly disagree, please provide a brief justification.
Fully agree / Agree / Neutral / Disagree / Strongly disagree

5.7. Any other comments on the quality of this NPA (please specify)

Note: Your comments on Chapter 5 will be considered for internal quality assurance and management purposes only and will not be published in the related CRD.

[1] For information and guidance, see:
- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how_en
- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en
- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox/better-regulation-toolbox_en

An agency of the European Union
TE.RPRO.00034-011 © European Union Aviation Safety Agency. All rights reserved. ISO 9001 certified.
Proprietary document. Copies are not controlled. Confirm revision status through the EASA intranet/internet.