

European Aviation Safety Agency

DECISION 2012/009/R OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

OF 28TH JUNE 2012

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 »)

'Systematic review and transposition of existing FAA TSO standards for parts and appliances into EASA ETSO'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

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/EC¹ (hereinafter referred to as the 'Basic Regulation'), and in particular Articles 18(c), 38(3)(a) and (e) thereof,

Having regard to 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, in particular 21A.16A of the Annex (Part-21) thereof.

Whereas:

- (1) The Executive Director issued Certification Specifications including Airworthiness Code and Acceptable Means of Compliance, 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.
- (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.

¹ OJ L 79, 19.03.2008, p. 1. Regulation as last amended by Regulation 1108/2009 of the European Parliament and of the Council of 21 October 2009 (OJ L 309, 24.11.2009, p. 51).

² OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Regulation (EC) No 1194/2009 of 30 November 2009 (OJ L 321, 6.12.2009, p. 5).

³ Executive Director Decision No 2003/10/RM of 24 October 2003. Decision as last amended by Executive Director Decision 2010/010/R of 21 December 2010 (CS-ETSO Amendment 6).

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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 taking into account world wide aircraft experience in service, and scientific and technical progress.
- (4) The Agency has determined a need to improve the Certification Specifications with respect to equipment approval either by updating the existing, or introducing new ETSOs to account for changes in technology and industry expectations.
- (5) The Agency, pursuant to Article 52(1)(c) of the Basic Regulation and articles 5(3), 6 and 7(2) 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 AS FOLLOWS:

Article 1

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

Article 2

1. This Decision shall enter into force on 5th July 2012. It shall be published in the Official Publication of the Agency.
2. By way of derogation from Article 2(1.), this Decision shall not apply to applications received until 31 December 2012, if so requested by the applicant and providing that in such a case the applicant can demonstrate that the process of development of the relevant part or appliance started before the entry into force of this Decision, in accordance with the specifications applicable at that time.

Done at Cologne, on 28th June 2012.

P. GOUDOU

⁴ EASA MB Decision 01-2012 of 13 March 2012 amending and replacing MB Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure').

⁵ See NPA 2011-12 on page: http://www.easa.europa.eu/ws_prod/r/r_archives.php and CRD 2011-12 on page: http://www.easa.europa.eu/ws_prod/r/r_crd.php .