



**European Aviation Safety Agency
Rulemaking Directorate**

EXPLANATORY NOTE

AMC & GM to Part-21

1. GENERAL

Executive Director Decision 2010/001/R amends Decision No 2003/01/RM of 17 October 2003 (AMC & GM to Part-21 Initial Issue) as last amended by the Executive Director Decision 2009/011/R of 24 August 2009. It represents output from the following EASA rulemaking tasks:

Rulemaking Task No	TITLE	NPA No
21.002/21.003	Miscellaneous Part-21	12/2004
21.023(c)	Permit to Fly privilege for Continuing Airworthiness Management Organisations and Approved Maintenance Organisations	2007-06
MDM.007	Authorised Release Certificate EASA Form 1	2007-13

Each Notice of Proposed Amendment (NPA) has been subject to consultation in accordance with Article 52(1)(c) of the Basic Regulation¹ and articles 5(3) and 6 of the Rulemaking Procedure established by the Management Board².

2. RULEMAKING TASK 21.002/21.003

For detailed information on the proposed change of task 21.002 and 21.003 and the justification please consult the NPA 12/2004 'Miscellaneous Part-21' which is available on the Agency's website. The Agency has addressed and responded to the comments received on this NPA in a comment-response document (CRD 12/2004) which is also available on the Agency's website³.

¹ Regulation (EC) No 690/2009 of the European Parliament and of the Council of 30 July 2009 amending Regulation (EC) No 216/2008 of the European Parliament and of the Council 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 199, 31.7.2009, p. 6).

² 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 08-2007-03, 13.6.2007.

³ http://www.easa.europa.eu/ws_prod/r/r_archives.php.

2.1 CRD REACTIONS

The Agency received the following substantive reaction in response to CRD 12/2004.

CRD Comment No	Commenter	Reaction	EASA Response
5	Airbus	<p>Airbus accept the content of Comment response document with one suggested change to the wording proposed in Item 5, Para IV 7h for the sample form in AMC No 2 to 21A.133 (b) and (c) as follows:</p> <p>"... to enable the POA holder to make the final determination and identification for 'Approved...' or 'Non-Approved...' release and eligibility status.</p> <p>2. JUSTIFICATION:</p> <p>To simply replace the word airworthiness with the phrase proposed does not fit into this sentence. The simple words proposed are considered sufficient for the POA to identify what he has to do on the EASA Form 1.</p>	<p>'Non-approved' release is not defined in the regulations and therefore not supported. It is agreed that the proposed change would over-complicate the statement in the arrangement sample form. The statement is therefore changed to read:</p> <ul style="list-style-type: none"> • achieve adequate configuration control of manufactured parts, to enable the POA holder to make the final determination and identification for conformity. or airworthiness release and eligibility status.

3. RULEMAKING TASK 21.023(c)

For detailed information on the proposed change of task 21.023(c) and the justification please consult the NPA 2007-06 'Permit to Fly privilege for Continuing Airworthiness Management Organisations and Approved Maintenance Organisations' which is available on the Agency's website. The Agency has addressed and responded to the comments received on this NPA in a comment-response document (CRD 2007-06) which is also available on the Agency's website.

3.1 CRD REACTIONS

The Agency received no substantive reactions in response to the CRD 2007-06 that impact on the amendment of AMC & GM to Part-21.

4. RULEMAKING TASK MDM.007

For detailed information on the proposed change of task MDM.007 and the justification please consult the above NPA which is available on the Agency's website. The Agency has addressed and responded to the comments received on this NPA in a comment-response document (CRD 2007-13) which is also available on the Agency's website.

4.1 CRD REACTIONS

The Agency received no substantive reactions in response to the CRD 2007-13 that have impact on the amendment of AMC & GM to Part-21.