

European Aviation Safety Agency

DECISION N° 2009/001/R OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

OF 5 FEBRUARY 2009

**amending Decision No 2003/14/RM of the Executive Director of the Agency of 14
November 2003**

on

**Certification Specifications, Including Airworthiness Code and Acceptable Means of
Compliance, for normal, utility, aerobatic and commuter category aeroplanes**

"CS-23"

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 18(c) 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 organizations², 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 normal, utility, aerobatic and commuter aeroplanes (« CS-23 ») in the Annex to Executive Director Decision No 2003/14/RM of 14 November 2003 (Initial Issue).
- (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.

² OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Regulation (EC) No 1057/2008 of 28 October 2008 (OJ L 283, 28.10.2008, p. 30).

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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 that there is a need to introduce the possibility to accept a higher maximum stall speed provided that protection of occupants is maintained by compensating requirements.
- (5) The Agency, pursuant to Article 52(1)(c) of the Basic Regulation and articles 5(3) and 6 of the Rulemaking Procedure³, 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 received⁴,

HAS DECIDED:

Article 1

The Annex to the Executive Director Decision No 2003/14/RM of 14 November 2003 containing the certification specifications, including airworthiness code and acceptable means of compliance for normal, utility, aerobatic and commuter aeroplanes (« CS-23 ») is replaced by the Annex to this Decision.

Article 2

This decision shall enter into force on 12 February 2009. It shall be published in the Official Publication of the Agency.

Done in Cologne, on 05 February 2009.

P. GOUDOU

³ 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, 13.6.2007.

⁴ See NPA 2008-08 and CRD 2008-08 on Rulemaking Archives page http://www.easa.europa.eu/ws_prod/r/r_archives.php.