



**European Aviation Safety Agency
Rulemaking Directorate**

EXPLANATORY NOTE

AMC & GM to Part-M and Part-145

1. General

Background

On 8 April 2008, Regulation (EC) No 216/2008 of 20 February 2008¹ (The Basic Regulation) entered into force. In addition, the European Commission has adopted the necessary rules (Commission Regulations) for the implementation of the Basic Regulation on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks².

Pursuant to Article 18 of the Basic Regulation, the European Aviation Safety Agency (the Agency) shall, where appropriate, 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. The Commission Regulations specify which Certification Specifications shall be issued.

Agency measures

Certification Specifications (CS) are used to demonstrate compliance with the Basic Regulation and its implementing rules. These include, in particular:

- airworthiness codes, which are standard technical interpretations of the airworthiness essential requirements contained in Annex I to the Basic Regulation; and
- Acceptable Means of Compliance (AMC), which are non-exclusive means of demonstrating compliance with the airworthiness codes or implementing rules.

AMC illustrate a means, but not the only means, by which a specification contained in the airworthiness code or a requirement of an implementing rule, can be met. Satisfactory demonstration of compliance using a published AMC shall provide for presumption of compliance with the related specification or requirement; it is a way to facilitate certification tasks for the applicant and the competent authority.

Guidance material (GM) is issued by the Agency to assist in the understanding of the Basic Regulation, its Implementing Rules and CSs.

General structure and format

This Decision implements changes to AMC to Part-M and AMC and GM to Part-145 as described in its Annex.

¹ Regulation (EC) No 216/2008 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 (OJ L 79, 19.03.2008, p. 1). Regulation as last amended by Regulation (EC) No 1108/2009 of the European Parliament and of the Council of 21 October 2009 (OJ L 309, 24.11.2009, p. 51).

² Commission Regulation (EC) 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 315, 28.11.2003, p. 1). Regulation as last amended by Regulation (EU) No 127/2010 of 5 February 2010 (OJ L 40, 13.02.2010, p. 4).

Publication

The full text of certification specifications, including airworthiness codes and Acceptable Means of Compliance as well as guidance material are available on the [website](#) of the European Aviation Safety Agency. For more information, please contact the Agency at: RPS@easa.europa.eu.

2. Consultation on draft proposals

This Decision has been developed by the Agency, following a structured process as required by article 52.1 of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as "The Rulemaking Procedure"³.

Executive Director Decision 2010/006/R adopts changes to AMC to Part-M and AMC and GM to Part-145, which is the output from the following Agency's rulemaking task:

Rulemaking Task No.	TITLE	NPA No.
MDM.054	De-Icing/Anti-Icing/AMC and GM following A-NPA 2007-11	2009-09

The Notice of Proposed Amendment (NPA) has been subject to consultation in accordance with Article 52 of the Basic Regulation and Article 15 of the Rulemaking Procedure established by the Management Board. For detailed information on the proposed changes and their justification, please consult the above NPA 2009-09⁴ which is available on the Agency's website.

The Agency has addressed and responded to the comments received on the NPA. The responses are contained in a comment-response document (CRD) which has been produced for this NPA (CRD 2009-09⁵) and which is also available on the Agency's website.

In response to the CRD 2009-09, the Agency received the following reaction, which is reproduced below together with the Agency's response:

Commentor/ Reference	Reaction	EASA Response
UK CAA	Please be advised that the UK CAA have no comments to make on CRD to NPA 2009-09.	Noted.

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 08-2007, 13.6.2007.

⁴ See Rulemaking Archive page: <http://easa.europa.eu/rulemaking/r-archives.php>

⁵ See Rulemaking Archive page: <http://easa.europa.eu/rulemaking/r-archives.php#crd>