

European Aviation Safety Agency

2006 Rulemaking Programme

Foreword

THE RULEMAKING PROGRAMME 2006 CONTAINS ONLY the deliverables that are expected to be issued in 2006 (i.e. changes to certification specifications, NEW or changed Acceptable means of Compliance to Implementing Rules and Opinions). The inventory 2006-2009 gives an indication of all foreseeable tasks that are expected to produce deliverables the coming years

The approach for the development of the 2006 Rulemaking programme and the advance planning is briefly explained here:

1. The 2006-2009 inventory was used as a basis for discussions at the first AGNA (Advisory Group of National Authorities) and SSCC (Safety Standards Consultative Committee) meetings held in February 2005.
2. The inventory, including members' comments, has been split into two documents
 - the 2006 Rulemaking programme
 - 2007-2009 advance planning. This document contains all the planned deliverables for the years 2007, 2008 and 2009

A similar work approach for discussion and adoption of the rulemaking programme and the advance planning will be used for the future planning exercises.

Note 1:

For some tasks the mention “cooperation with FAA” may be found in the column “working method”. This means that the task has been identified by FAA and EASA as an issue of common interest.

There are several options for the FAA and EASA to cooperate:

- Internal coordination between EASA and FAA: this means that FAA and EASA will exchange information on the task such as content of respective NPA and NPRM and draft final rule.
- FAA (respectively EASA) takes the lead: this means that FAA (respectively EASA) develops and issues the rulemaking document. Such task may have originated in an advisory committee and/or JAA working group. EASA (respectively FAA) will initiate rulemaking at a later time using the FAA (respectively EASA) document as a basis for its rulemaking.
- FAA Advisory Committee or EASA Working Group: the FAA and EASA see value in seeking technical assistance through an advisory committee (FAA) or drafting Group (EASA). Rather than expend resources to support both groups for a single task, as was the case for the JAA/FAA harmonisation, FAA and EASA will decide whether to use the EASA working group or the FAA Advisory Committee.
- FAA focal point: the FAA would assign an individual to work with the EASA drafting group on an issue of interest to FAA although FAA would not have initiated a project.

Whenever possible the option chosen has been indicated.

Note 2:

For some tasks the description contains a reference to the JAA/FAA harmonisation work programme. This was mentioned to recall the origin of the proposal. For these tasks the JAA already issued an NPA and therefore the EASA task is to finalise the work. These items are not identified as items of common interest between EASA and FAA because FAA may have already developed its own rulemaking process or intends to use other means to publish the technical contents of the NPA

Basic Regulation

Task number	Description	Justification	Working method	Start	Finish
BR. 02	Develop essential requirements and basic principles for the interoperability and safety regulation of airports	Total system's approach as proposed by the Commission in its communication on the future of EASA	Group in co-operation with the Group of Airport safety regulators (GASR).	NPA 4q 2005	Agency opinion 4q 2006
BR. 03	Develop essential requirements and basic principles for the interoperability and safety regulation of air traffic management and air navigation services	Total system's approach as proposed by the Commission in its communication on the future of EASA	Group in co-operation with Eurocontrol	NPA 4q 2005	Agency opinion 4q 2006

Part-21

Task number	Description	Justification	Working method	Start	Finish
21.021	<p>Subpart F and POA eligibility for material manufacturers Although the applicability and eligibility paragraphs of Subpart F and G do not include material manufacturers they are mentioned in the instructions for filling Form One and in GM 21A124(b)(1) and GM 21A.133(a). This inconsistency should be removed by either “legalising” completely the eligibility of material manufacturers or vice versa. JAA Production Sub-Certification Sectorial Team / CRD Clarify extend of current legislation to avoid unnecessary burden.</p>	Requested by the industry during the consultation on the future Part 21 and related AMC/GM	Agency	NPA 4q 2005	AMC 4q 2006

Part-21

Task number	Description	Justification	Working method	Start	Finish
21.023	<p>Permit to Fly</p> <ul style="list-style-type: none"> • Need to: assure validity of the PTF in all EASA Member States; • define conditions for issuance; • add requirements for issuance; • reconsider Agency and NAA involvement in issuance procedure; • clarify interaction between Agency and NAA; • define the term “a basic flight”; • delegate to MOA/POA/DOA, Various possible options will be reviewed to amend Part 21 and/or its AMC/GM. 	Commitment taken at the time of adoption of Part 21 to comply with the Basic regulation.	Group	3q 2005 NPA 1q 2006	Opinion or AMC 3q 2006
21.026	<p>21A.307 Mandatory Form One for installation of parts & appliances / Definition of Standard Part (21A.303(c))</p> <p>The proposal to exclude non mandatory equipment from the above obligation will be reviewed and may lead to amendment of Part 21 and/or its AMC/GM.</p> <p>To allow simpler certification and production of non-required equipment in gliders the definition of Standard Part could be extended.</p>	Gliders owners and operators' strong demand for simpler processes more in line with current practices. Moreover there is no justification to require the full Part-21 for this kind of equipment	Agency Cooperation with FAA.	NPA 3q 2005	Opinion 4q 2006

CS-22

Task number	Description	Justification	Working method	Start	Finish
22.001	<p>Fatigue Substantiation</p> <p>The aim is to define a simple method to substantiate airworthiness of composite structures based on the present experience</p>	Significant implementation issues including improvement of certification process. Limited amount of work.	Group Reduced consultation period based on JAA draft final rule for NPA 22C-72 and CRD.	Work initiated in 2004 NPA 2q 2005	CS 2q 2006

CS-VLA

Task number	Description	Justification	Working method	Start	Finish
VLA.001	<p>Approval for Night VFR (Visual Flight Rules)</p> <p>Applicability of CS-VLA is limited to day VFR only. Additional airworthiness requirements should be developed to allow certification to night VFR.</p>	Incorporation of new concepts; Deferred comment from CS-VLA	Group Cooperation with FAA.	Work initiated in 2004 NPA 2q 2005	CS 1q 2006

CS-23

Task number	Description	Justification	Working method	Start	Finish
23.001 Carried over from 2004 and 2005	<p>Single engine stall speed</p> <p>CS-23 limits the single engine stall speed to 61kts. It is proposed to increase this limit to 65 kts under certain conditions</p>	Incorporation of new concepts (new design features). JAA-NPA already available	Agency, using existing Draft JAA NPA Cooperation with FAA	NPA 3q 2005	CS 2q 2006

CS-25

Task number	Description	Justification	Working method	Start	Finish
25.005	<p>Flight Crew Error/Flight Crew Performance Considerations in the Flight Deck Certification Process :</p> <p>As result of a JAA/FAA harmonization program, develop or update CS-25 to consistently address design-related flight crew performance vulnerabilities, and prevention and management of flight crew error.</p>	Significant Safety issue	Group Cooperation with FAA: EASA to take the lead	NPA 4q 2004	CS 4q 2006
25.006	<p>Thermal/ Acoustic insulation material</p> <p>Amend several requirements to improve resistance to fire of such material, in a similar way to FAR Amendment 25.111.</p>	Significant safety issue; JAA NPA almost ready.	Group	NPA 3q 2005	CS 3q 2006
25.008(b)	<p>Flight Test Guide</p> <p>Publish a CS-25 Flight Test Guide which is a compilation of acceptable means of compliance for performance and handling qualities requirements</p>	Result of a JAA/FAA harmonization programme. Significant Safety Issue. JAA process complete. Limited amount of technical work, however need to adapt to differences between CS-25 and latest version of JAR-25	Reduced consultation period based on JAA draft final rule for NPA 25B-335 and CRD	Work initiated in 2004 NPA 4q 2005	CS 4q 2006

CS-25

Task number	Description	Justification	Working method	Start	Finish
25.010	<p>Doors and mechanical systems</p> <p>As result of a JAA/FAA harmonization programme, amend several requirements relative to</p> <ul style="list-style-type: none"> • Doors (JAA NPA 25-316) • Mechanical Systems (JAA NPA 25D-301) 	<p>JAA process complete. Limited amount of work</p>	<p>Agency</p> <p>Reduced consultation period based on JAA NPAs and respective CRDs</p>	<p>NPA: 3q 2005</p>	<p>CS 3q 2006</p>
25.059 (25.044)	<p>Symbolic exit signs and Revised standards for cargo compartments (“D to C”)</p> <p>Amend requirements related to</p> <ul style="list-style-type: none"> • “Graphical exit signs as an alternative to red exit signs for passenger aircraft” (JAA NPA 25D-327) • Upgrade of the Class D cargo compartments to include smoke detection and fire suppression systems (JAA NPA 25D-320). 	<p>Significant Safety issue on revised standards for cargo compartments. JAA process complete. Limited amount of work</p>	<p>Agency</p> <p>Reduced consultation period based on JAA NPAs and their respective CRDs.</p>	<p>NPA 3q 2005</p>	<p>CS: 3q 2006</p>

CS-AWO

Task number	Description	Justification	Working method	Start	Finish
AWO.002 Carried over from 2004 and 2005	Automatic pilot super Fail-Passive criteria Clarification of requirements to resolve comments submitted by industry against CS-AWO.	Not a significant work item but would assist industry greatly.	Group	NPA 3q 2005	CS 3q 2006

CS-27 and CS-29

Task number	Description	Justification	Working method	Start	Finish
27&29.001 Carried over from 2004 and 2005 Item of common interest with FAA	Performance & Handling Qualities: As result of a JAA/FAA harmonization program, review and update FAR/CS-27/29 Section B performance and handling qualities requirements and associated AC/AMC	Significant implementation issues. JAA NPAs circulated. Limited amount of work	Group EASA to take the lead	NPA 3q 2005	CS 3q 2006

CS-27 and CS-29

Task number	Description	Justification	Working method	Start	Finish
<p>27&29.002</p> <p>Item of common interest with FAA</p>	<p>Damage Tolerance & Fatigue Evaluation</p> <p>As result of a JAA/FAA harmonization program:</p> <ul style="list-style-type: none"> • Development of design methodologies for fatigue evaluation of metallic components. Amends 27/29.571. • Development of design methodologies for fatigue evaluation of composite components. Creates a new 27/29.573. 	<p>Significant safety issue.</p>	<p>Group</p> <p>EASA to take the lead</p>	<p>NPA 3q 2005</p>	<p>CS 3q 2006</p>
<p>27&29.012</p>	<p>AC Revision:</p> <p>Non-significant/ non-controversial AC/AMC changes run on a 2-year cycle. 2006 revision cycle commenced Spring 2003.</p>	<p>Significant implementation issues including improvement of certification process.</p> <p>Harmonization with FAA</p>	<p>Group</p> <p>Cooperation with FAA: FAA to take the lead</p>	<p>1q 2005</p> <p>NPA 3q 2005</p>	<p>CS 3q 2006</p>

CS-E

Task number	Description	Justification	Working method	Start	Finish
<p>E.001 Carried over from 2004 and 2005</p>	<p>Miscellaneous improvements to CS-E</p> <ul style="list-style-type: none"> - Resolution of conflict between paragraphs relative to Maximum Engine Over-speed, Over-Temperature and Over-Torque on Engines with a 30 Second/2 Minute Rating (JAA NPA E-51) - Clarification of Time Limited Dispatch Criteria (JAA draft NPA E-55) - New paragraph to CS-E - reintroducing previous texts relative to Electrical Bonding (JAA NPA-E-56) - Improve the wording of requirements relative to Air Ducts for clarification and consistency purposes. 	<p>Improvement of Certification process and of consistency</p>	<p>Group</p>	<p>NPA 2q 2005 NPA published 2-3-05</p>	<p>CS 2q 2006</p>

CS-ETSO

Task number	Description	Justification	Working method	Start	Finish
ETSO.001	Validation of existing national equipment specifications: Based on Member States input, review using appropriate criteria and transform national specifications into ETSO	Grand-fathering of already issued national approvals	Agency, probably in co-operation with EUROCAE	NPA 4q 2005	CS 4q 2006

CS-ETSO

Task number	Description	Justification	Working method	Start	Finish
<p>ETSO.004 Carried over from 2004 and 2005</p>	<p>Miscellaneous ETSO: Add/ update as appropriate: - 2C123a Cockpit Voice Recorder Systems - 2C124a Flight Data Recorder Systems - C145a Airborne Navigation Sensor using GPS augmented by the WAAS, - C146a Stand alone airborne navigation equipment using the GPS augmented by WAAS, - C151b TAWS - 2C507 In Flight Icing Detection System - 2C508 Ground Icing Detection System - 2C509 Light Aviation Secondary Surveillance Transponders - 2C510 Crash Protected Airborne Recorder Systems-Image Recorder - 2C511 Crash Protected Airborne Recorder Systems-CNS/ATM Recorder - 2C112a to -2C112b by introducing ED-73b as MOPS</p>	<p>Update and complement CS-ETSO to facilitate free movement of goods</p>	<p>Agency</p>	<p>NPA 3q 2005</p>	<p>CS 3q 2006</p>

Balloons (to become CS-31)

Task number	Description	Justification	Working method	Start	Finish
31.001 Carried over from 2004 and 2005	Balloons Development of the Certification Specifications for balloons (CS-31)	Missing CS Strong demand from several quarters	Agency using existing material Cooperation with FAA	NPA 3q 2005	CS 3q 2006

AMC-20

Task number	Description	Justification	Working method	Start	Finish
20.001 Carried over from 2004 and 2005	Certification of Aircraft Propulsion Systems Equipped with Electronic Engine Control Systems: Revision of existing Acceptable Means of Compliance (AMC 20-1) applicable to Electronic Engine Controls (See NPA E-33 2 nd round)	NPA E-33 2 nd round incorporated in CS-E; JAA NPA circulated; Limited amount of work	Group	NPA 2q 2005 NPA issued 2-3-05	AMC 2q 2006
20.002 Carried over from 2004 and 2005	AMC – Airworthiness and Operational Approval of Electronic Flight Bags: Originally planned as JAA Operations Temporary Guidance Leaflet, but containing airworthiness criteria.	strong demand from industry.	Group Cooperation with FAA	NPA q 2005	AMC 2q 2006

AMC-20

Task number	Description	Justification	Working method	Start	Finish
20.003 Carried over from 2004 and 2005	Airworthiness and Operational Approval for on board equipment related to RNP-RNAV (Required Navigation Performance/ Area navigation) Approach Operations: Guidance Material for Airworthiness and Operational Approval for RNAV Approach Operations in Designated European Airspace (Originally referred to as JAA Temporary Guidance Leaflets XY and XZ).	Implementation of Eurocontrol EATMP. Draft finalised ready for circulation. Limited amount of work	Group	NPA q 2005	AMC 3q 2006
20.005	Ageing Aircraft Structures Omnibus Guidance Material in support of JAR-OPS 1 (NPA-OPS 28) and CS-25. Parallel "harmonised" activity with USA based Airworthiness Assurance Working Group	Harmonisation issue. JAA process complete. Limited amount of work	Agency Reduced consultation period based on JAA draft final rule for NPA 20-10 and CRD Interaction with JAA Operations	NPA 3q 2005	AMC 2q 2006
20.006 Carried over from 2004 and 2005	Miscellaneous improvement to AMC 20 - Recognition of Eurocae ED-12B / RTCA DO-178B (JAA NPA 20-14) - Incorporation of TGLs remaining in JAA Administrative and Guidance material section 1 (e.g. TGL relative to airworthiness and operational approval for on-board equipment related to RVSM; VHF 8.33 kHz)	Improvement to Software design Assurance (Eurocae ED 12B) & Implementation of Eurocontrol EATMP	Agency	NPA 3q 2005	AMC 3q 2006

CS-36

Task number	Description	Justification	Working method	Start	Finish
36.003	<p>Noise requirements for tilt-rotor aircraft Consider noise certification requirements for tilt-rotor aircraft based on guidelines in Attachment F to ICAO Annex 16, Volume I. This may imply a revision to 21A.18(a).</p>	Industry need and public interest in light of development of civil tilt-rotor aircraft.	Agency In executing this task, the Agency will evaluate the appropriateness of the current essential requirements as defined in Article 6 of the Basic regulation and consider new options as necessary.	NPA 3q 2005	CS 3q 2006

Part 147

Task number	Description	Justification	Working method	Start	Finish
147.005	<p>147.A.110 In the same way Part-145 requires a list of certifying staff that release aircraft after maintenance, Part-147 organisations should be required to have a list of examiners/instructors that evaluate students after training; AMC to be developed based upon Part-145 certifying staff list.</p>	Improve quality of regulations and provide for more transparency as there is currently no requirement for such a list	Agency	NPA 4q 2005	AMC 4q 2006

Multi-Disciplinary Measures

Task number	Description	Justification	Working method	Start	Finish
MDM.002	<p>Ageing Wiring</p> <p>Developing necessary rules and guidance intended to set the standards for mitigating the risks of ageing electrical cables, by appropriate design and maintenance measures</p>	Significant Safety issue; report from ATSRAC	Group Cooperation with FAA: Internal coordination between FAA and EASA.	Work initiated in 2004 NPA 4q 2005	Opinion/AMC 4q 2006
MDM.004 Carried over from 2004 and 2005	<p>Implementation of CorA in all Organisation Approval requirements</p> <p>The Consistency of Organisation Approvals group report gives recommendations how to improve consistency between organisation approvals; the intent is to implement these recommendations wherever practical, leading to amendment of Part 21, M, 145, 147 and/or its AMC/GM</p>	Recommendations were accepted by JAA and implementation will lead to higher efficiency of industry and authorities	Agency	NPA 3q 2005	Opinion or AMC 3q 2006

Multi-Disciplinary Measures

Task number	Description	Justification	Working method	Start	Finish
MDM.013	<p>Officially recognised standard</p> <p>Part-M/-145/-147 talk about “officially recognised standard”. This term was designed to replace “acceptable to the National Aviation Authority” widely used by the JAA. The need has been expressed by stakeholders to develop this concept that is new in the community. The object of the work will be to develop AMC/GM.</p>	Clarification	Agency	NPA 4q 2005	AMC 4q 2006
MDM.014	<p>Principle place of business (PPB) Part-M/-145/-147</p> <p>The concept of PPB needs to be developed through AMC/GM in order to lift doubts that exist in this field. This is especially true for organisations that exercise their activity in several Member States.</p>	Clarification for multiple site activities/ location of accountable manager/PPB	Agency Cooperation with FAA; FAA to nominate a focal point	NPA 4q 2005	Opinion 4q 2006
MDM.031	<p>Commercial Air Transportation by single engine aircraft in IMC</p> <p>Develop the necessary guidance material for the airworthiness approval elements of the concept</p>	Support to the introduction of this now widely accepted operational concept	Agency Using already developed JAA material	NPA 4q 2005	AMC 2q 2006

Abstract: This is the 2006 rulemaking programme following the consultation of Advisory Group of National Authorities and the Safety Standards Consultative Committee meeting, respectively held on the 21 June and 29 June 2005.

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