

EASA

TERMS OF REFERENCE

TOR Nr: 21.039
Issue: 2
Date: 9 July 2007
Regulatory reference: Part 21
Reference documents:

1. Subject:

Elaboration and adoption in the Community framework, of additional airworthiness specifications for a given type of aircraft and type of operation.

2. Problem / Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

Currently the specifications for operation of a given type of aircraft, such as the minimum syllabus of pilot type rating training and the master minimum equipment list (known as Aircraft Operational Qualification) are approved by the National Aviation Authorities following a recommendation of the Joint Operational Evaluation Board (JOEB). At present, a minimum syllabus of maintenance certifying staff type rating is not established by the TC holder and therefore the syllabi are approved locally by the NAA or established by Part-147 approved organisations

Additional airworthiness requirements that are necessary for certain kind of operations (e.g. use of recent airworthiness standards for cabin material and seat cushions) are incorporated in either operational rules or JAR-26 or airworthiness notices.

Opinion 3/2004, after a full consultation process, recommended that additional airworthiness specifications for a given type of aircraft and type of operation, such as the outputs of the JOEB process, become mandatory for all aircraft registered in Member States through a decision of the Agency. The intention when doing so was to set common requirements within the EU. The Commission, however, considered that such a decision could only be adopted by the Agency if it was directly linked to the product it is related to (individual decision with a clear addressee) as agencies cannot set binding standards of general application. Hence the need to approve these additional specifications by linking them to the TC they complement, without necessarily binding the moment of issuing of these specifications to that of the TC. Last but not least it must be clear that the intention is to maintain the current JOEB concept which would remain independent of the type certification process, to elaborate this decision. The conditions under which the Agency would issue such a decision shall be specified in Regulation 1702/2003.

Though the legislative process for introducing the legal basis that would allow the Agency to make such decisions is not yet finished, it is necessary to initiate work, both to be able to show how the new system would work in practice and be ready when the Basic Regulation is amended to launch an open consultation on the related changes in regulation 1702/2003.

3. Objective:

3.1 To create in Part 21 the appropriate provisions describing how the Agency will approve the following additional airworthiness specifications for a given aircraft type, making them the reference standards that all European operators must use when developing their own training programmes, minimum equipment lists etc.

- minimum syllabus of maintenance certifying staff type rating training
- minimum syllabus of pilot type rating training;
- master minimum equipment list;
- basic data necessary for designing simulators
- determination of variant or type for cabin crew qualification;
- minimum number and composition of cabin crew;
- minimum syllabus of cabin crew type rating training;
- conditions for mixed fleet flying operations by flight crew and cabin crew;
- use of Electronic Flight bag;
- use of Head-up displays;
- use of Enhanced Vision Systems
- special operations (e.g.. ETOPS, Ultra Long Range);

For all of the above points the following will have to be determined;

- the responsible entity;
- the appropriate application, review and approval procedural requirements ;
- the moment in the operational life of the aircraft type when the above additional airworthiness specifications must be approved.

3.2 To determine the applicability of the developed Part 21 provisions with regard to aircraft categories, and or types of operations.

Propose a simpler approach to obtain the same results for “simple” aircraft

3.3 To consider the establishment of EASA certification specifications for the above issues.

3.4 To create in Part 21 the appropriate provisions allowing the Agency to adopt additional airworthiness specifications for a given type of operation (such as specifications coming from JAR-26);

3.5 To establish the appropriate provisions for grandfathering as well as for possible and adequate “catch-up” of older models. In addition to propose possible transition mechanisms.

4. Specific tasks and interface issues (Deliverables):

- To review/complete the list of additional airworthiness specifications to be approved;
- To clarify the concept of “minimum syllabus”
- To identify and review options for modifying Part-21 evaluating them using RIA;
- To produce an NPA that will contain the concept and the associated draft rules.

5. Working Methods (in addition to the applicable EASA procedures):

Rulemaking group

6. Time scale, milestones:

The NPA shall be ready December 2007.