

## Executive Director Decision

**2023/014/R**

**of 20 October 2023**

**issuing the following:**

**Amendment 16 to Issue 2 of the Acceptable Means of Compliance and Guidance Material to Annex<sup>o</sup> I (Part 21) to Commission Regulation (EU) No 748/2012**

***‘Embodiment of safety management system and occurrence-reporting requirements into Annex I (Part 21) to Regulation (EU) No 748/2012’***

THE EXECUTIVE DIRECTOR OF THE EUROPEAN UNION AVIATION SAFETY AGENCY (EASA),

Having regard to Regulation (EU) 2018/1139<sup>1</sup>, and in particular Articles 76(3) and 104(3)(a) thereof,

Whereas:

- (1) Acceptable means of compliance are non-binding standards issued by EASA, which are used by persons and organisations to show compliance with Regulation (EU) 2018/1139 and with the delegated and implementing acts adopted on the basis thereof, or with the certification specifications and detailed specifications.
- (2) Guidance material is non-binding material issued by EASA, which helps to illustrate the meaning of delegated or implementing acts or certification specifications and detailed specifications, and which is used to support the interpretation of Regulation (EU) 2018/1139, of the delegated and implementing acts adopted on the basis thereof, and of certification specifications and detailed specifications.
- (3) With Decision 2012/020/R of 30 October 2012, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part 21 (Issue 2) of Regulation (EU) No 748/2012<sup>2</sup>.

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<sup>1</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

<sup>2</sup> Commission Regulation (EU) No 748/2012 of 3 August 2012 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 organisations (recast) (OJ L 224, 21.8.2012, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R0748>).

- (4) EASA shall, pursuant to Article 4(1)(a) of Regulation (EU) 2018/1139, reflect the state of the art and the best practices in the field of aviation and update its Decisions, taking into account worldwide aviation experience and scientific and technical progress in the respective fields.

Commission Delegated Regulation (EU) 2022/201<sup>3</sup> and Commission Implementing Regulation (EU) 2022/203<sup>4</sup>, amending Regulation (EU) No 748/2012, introduce safety management system requirements into Part 21, thereby incorporating the related International Civil Aviation Organization (ICAO) Annex 19 Standards and Recommended Practices (SARPs), and harmonise Part 21 with Regulation (EU) No 376/2014 as regards the occurrence-reporting requirements. Therefore, EASA determined the need to amend the Acceptable Means of Compliance and Guidance Material to Part 21 to facilitate the application of the amendments that were introduced by the above-mentioned Regulations.

- (5) With Decision 2022/021/R of 16 December 2022, the Executive Director issued a first set of Acceptable Means of Compliance and Guidance Material associated with the amendments introduced by Commission Delegated Regulation (EU) 2022/201 and Commission Implementing Regulation (EU) 2022/203. With this present Decision, the Executive Director is issuing the second set of Acceptable Means of Compliance and Guidance Material associated with said amendments.
- (6) EASA, pursuant to Article 115(1)(c) of Regulation (EU) 2018/1139 and Article 6 of the EASA Rulemaking Procedure<sup>5</sup>, widely consulted the interested parties on the content of this Decision, and provided thereafter a written response to the comments received through the consultation<sup>6</sup>,

HAS DECIDED:

### **Article 1**

Annex I to Decision 2012/020/R of the Executive Director of the Agency of 30 October 2012 is amended as laid down in the Annex to this Decision.

<sup>3</sup> Commission Delegated Regulation (EU) 2022/201 of 10 December 2021 amending Regulation (EU) No 748/2012 as regards management systems and occurrence-reporting systems to be established by design and production organisations, as well as procedures applied by the Agency, and correcting that Regulation (OJ L 33, 15.2.2022, p. 7) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0201>).

<sup>4</sup> Commission Implementing Regulation (EU) 2022/203 of 14 February 2022 amending Regulation (EU) No 748/2012 as regards management systems and occurrence-reporting systems to be established by competent authorities, and correcting Regulation (EU) No 748/2012 as regards the issuance of airworthiness review certificates (OJ L 33, 15.2.2022, p. 46) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0203>).

<sup>5</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

<sup>6</sup> <http://easa.europa.eu/document-library/comment-response-documents>

**Article 2**

This Decision shall enter into force on the day following that of its publication in the Official Publication of EASA.

Cologne, 20 October 2023

*For the European Union Aviation Safety Agency*

*The Acting Executive Director*

Luc TYTGAT

