

**Proposal for a**  
**COMMISSION REGULATION (EC) No .../...**

of [...]

**amending Commission Regulation (EC) No 1702/2003 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 organisations**

**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency<sup>1</sup> ("the Basic Regulation"), and in particular Article 2, 5 and 6 thereof,

Having regard to Commission Regulation (EC) No 1702/2003 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 organisations<sup>2</sup>,

Whereas:

- (1) The Basic Regulation requires the Community to assist the Member states in fulfilling their obligations under the Chicago Convention by providing a common and uniform implementation of its provisions;
- (2) The Basic Regulation requires the Commission to adopt and maintain implementing rules to ensure the uniform application of essential requirements related to environmental protection;
- (3) Article 2(1) of Commission Regulation (EC) No 1702/2003 establishes that products, parts and appliances shall be issued certificates as specified in its Annex (Part 21);
- (4) Appendix VI of the Annex (Part 21) to Commission Regulation (EC) No 1702/2003 specifies EASA Form 45 to be used for issuing Noise Certificates;
- (5) Volume I of Annex 16 to the said convention was amended, including amendments to the standards and guidelines for the administration of Noise Certification Documentation;

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<sup>1</sup> OJ L 240, 7.9.2002, p. 1.

<sup>2</sup> OJ L 243, 27.9.2003, p. 6.

- (6) The Agency has evaluated the amendment and has concluded that some modifications to the provisions of Commission Regulation (EC) No 1702/2003 would be needed to bring its annex in line with the amended Annex 16, Volume I;
- (7) The measures provided by this Regulation are based on the opinion issued by the Agency<sup>3</sup> in accordance with Articles 12(2)(b) and 14(1) of the Basic Regulation;
- (8) The measures provided for in this Regulation are in accordance with the opinion<sup>4</sup> of the European Aviation Safety Agency Committee established by Article 54(3) of the Basic Regulation;
- (9) The Commission Regulation (EC) No 1702/2003 should therefore be amended accordingly;

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The Annex (Part 21) to Commission Regulation (EC) No 1702/2003 is hereby amended as follows:

(a) in Article 21A.204 (b) (1) (ii) the sentence “ This information shall be included in the flight manual, when a flight manual is required by the applicable airworthiness code for the particular aircraft” is deleted.

(b) in Article 21A.204 (b) (2) (i) the sentence “ This information shall be included in the flight manual, when a flight manual is required by the applicable airworthiness code for the particular aircraft” is deleted.

#### *Article 2*

Appendix VI of the Annex (Part 21) to Commission Regulation (EC) No 1702/2003 is replaced by the Annex to this Regulation.

This Regulation shall enter into force on the **[... Date must be coordinated/synchronised with EASA as there are related EASA ED decisions that must become applicable at the same time.....]** day following that of its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*  
*Member of the Commission*

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<sup>3</sup> Opinion 5/2005

<sup>4</sup> [to be issued]

## Annex

For use by State of registry	<b>1. State of Registry</b>	3. Document Number:		
<b>2. NOISE CERTIFICATE</b>				
4. Nationality and Registration Marks: .....	5. Manufacturer and Manufacturer's Designation Of Aircraft: .....	6. Aircraft Serial Number: .....		
7.Engine: .....	8. Propeller: * .....			
9. Maximum Take-Off Mass (kg) .....	10. Maximum Landing Mass(kg)* .....	11. Noise Certification Standard: .....		
12. Additional modifications incorporated for the purpose of compliance with the applicable noise certification standards: .....				
13. Lateral/Full-Power Noise Level: * .....	14. Approach Noise Level* .....	15. Flyover Noise Level* .....	16. Overflight Noise Level* .....	17. Take-off Noise Level* .....
Remarks				
18. This Noise Certificate is issued pursuant to Annex 16, Volume I to the Convention on International Civil Aviation dated Dec. 7, 1944 and Regulation (EC) No. 1592/2002, Article 6 in respect of the above-mentioned aircraft, which is considered to comply with the indicated noise standard when maintained and operated in accordance with the relevant requirements and operating limitations.				
19-. Date of Issue..... 20. Signature.....				

EASA Form 45

\* These boxes may be omitted depending on noise certification standard.