

EXPLANATORY NOTE¹

I. General

Background

1. On 27 September 2002, Regulation (EC) No 1592/2002 of 15 July 2002 (hereinafter referred to as « Basic Regulation ») entered into force.² In addition the Commission has adopted the necessary rules for the implementation of the Basic Regulation for the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks³.
2. As a body of the European Community, the Agency exercises powers for the implementation of the Basic Regulation. The Agency shall, in accordance with article 13 of the Basic Regulation, « where appropriate, «issue certification specifications (CS), including airworthiness codes and acceptable means of compliance (AMC), as well as guidance material (GM) for the application of the Basic Regulation and its implementing rules ».

Agency measures

3. To facilitate the necessary regulatory uniformity, CSs are used to demonstrate compliance with the Basic Regulation and its implementing rules.

In particular this includes acceptable means of compliance, which are non-exclusive means of demonstrating compliance with implementing rules.

4. AMC have thus roughly the same meaning as under the JAA system. They illustrate a means, but not the only means, by which a specification contained in a requirement of an implementing rule can be met. Satisfactory demonstration of compliance using a published AMC shall provide for presumption of compliance with related requirement.
5. GM is issued by the Agency to assist in the understanding of the Basic Regulation and its implementing rules.

Consultation on the draft proposal

6. The AMC and GM to Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks have been

¹ For information purposes only.

² 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

³ Commission Regulation (EC) No 2042/2003 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 LXXX, 28.11/2003

subject to consultation⁴ in accordance with article 43 of the Basic Regulation and article 15 of the rulemaking process established by the Agency's Management Board⁵.

7. The Agency has addressed and responded to the comments received. The responses are contained in a « Comment Response Document » (CRD), which is available on the Agency's web site.

Publication

8. The full text of the acceptable means of compliance and guidance material to Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks are for the time being only available in PDF format at the Agency's web site. For more information, please contact the Agency at the following address :

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II. AMC and GM to Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks

Content and structure

9. The content of the AMC and GM to Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks is based on the body of existing JAA material, known as Acceptable Means of Compliance and Interpretive Explanatory Material and additional text from Notices of Proposed Amendments and Temporary Guidance Material. The text has been adapted and further reviewed in the light of the final content of Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks. These adaptations were kept to a minimum to ensure maximum continuity and provide for a seamless transition from an industry point of view. This also aimed at facilitating a timely consultation and adoption of the necessary measures.
10. Since these AMC and GM are inextricably bound to Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved

⁴ Available as « Introduction to Opinion on Continuing Airworthiness » at http://www.easa.eu.int/agenmeas_en.html

⁵ Decision concerning the Rulemaking procedure, adopted by the Management Board on 17 June 2003.

in these tasks, they follow the sequential order of Regulation (EC) No 2042/2003. At the present moment no GM to Part-M has been developed but the Agency intends on producing GM to assist with the interpretation of the rule.