EASA
European Union Aviation Safety Agency

Initial Airworthiness – Update on Rulemaking activities

DM.TEC 02-2019

27 June 2019

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Regulations & Certificaiton Policy Section Manager

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1. Recent regulatory changes and proposals
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3. RMTs planned to start soon
4. Current use of accelerated or direct publication procedure
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Recent regulatory changes and proposals (Part-21)

Regulation amended

Regulation (EU) 2019/897

based on EASA opinions

- 7/2016 (RMT.0262, LOI),
- 9/2017 (RMT.0513, 0514 CAEP/10), and
- 1/2017 (RMT.0393, maintenance check flights)

Decisions published

./.

Decisions coming soon

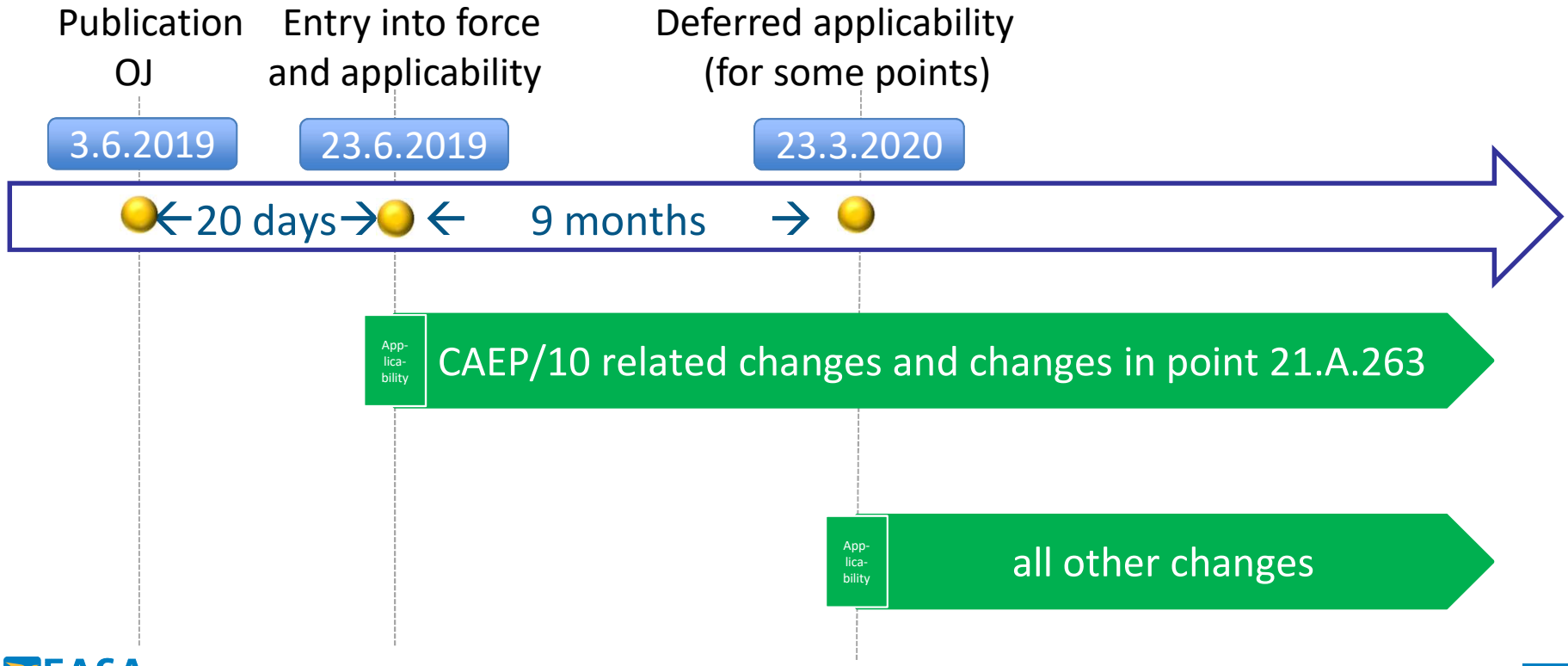
EDD amending AMC/GM to Part 21

based on EASA opinions 7/2016 (RMT.0262, LOI), 9/2017 (RMT.0513, 0514 CAEP/10), and 1/2017 (RMT.0393, maintenance check flights) supporting application of amendments in Reg 2019/897

Consultations ongoing

RMT.0251 SMS

Regulation (EU) 2019/897 - Applicability



Recent regulatory changes and proposals (Part-26)

Regulations amended

./.

EASA opinions pending adoption

Opinion 12/2016 (RMT.0225, ageing aircraft) – still under interservice consultation

Decisions published

./.

Consultations (closed)

RMT.0070 Class D cargo compartment

RMT.0570 reduction of runway excursion

Recent regulatory changes and proposals (UAS)

Regulations adopted

- Regulation (EU) 2019/945 on Unmanned aircraft systems and 3rd country operators of unmanned aircraft (delegated act)
- Regulation (EU) 2019/947 on Rules and procedures for the operation of unmanned aircraft (implementing act)

both based on EASA opinion 1/2018

(EASA decision issuing AMC/GM will be published soon)

Recent changes and proposals affecting CS

CS amended

CS-STAN, issue 3 (RMT.0690)

CS amendments upcoming

CS-25, amendment 23 (RMT.0249 recorders installation, and RMT.0673 regular update)

CS-MMEL, amendment 1 (RMT.0499, regular update)

AMC-20, amendment 18 (RMT.0561 IFE etc., and RMT.0643 regular update)

CS in consultation

NPA 2019-06 regular update CS-ETSO

Consultations upcoming

RMT.0687: AB consultation on AMC to CS-23 (direct publication procedure)

RMT.0713: NPA on human factors rotorcraft

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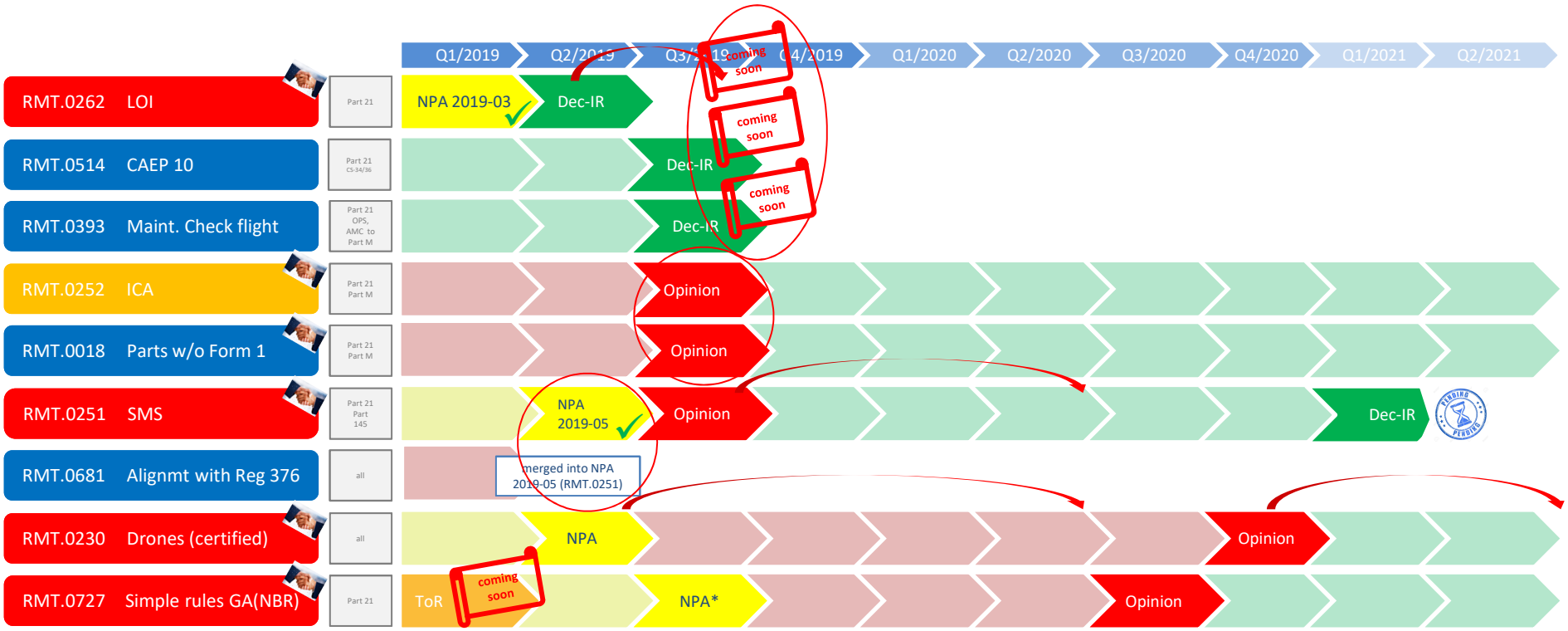
Overview of rulemaking deliverables planned

- Status of rulemaking deliverables based on EPAS 2019-2023 plan (Dec 2018)
- Assorted by rule book
- Signs and abbreviations used:

RMT.xxxx	Strategic task
RMT.xxxx	Important task
RMT.xxxx	Standard task
RMT.xxxx	Regular update task
	Harmonisation with bilateral partners
✓	Delivery completed
	Delivery postponed
	Postponed to free resources for NBR
	Technical work completed, delivery ahead
	Use of Art. 15 or Art. 16 procedure
	Publication pending adoption of the IR
	Delivery cancelled

ToR	Terms of Reference
NPA	Notice of Proposed Amendment
A-NPA	Advanced Notice of Proposed Amendment
ABC	Advisory Body Consultation
Dec-CS	Decision re Certification Specification
Dec-AMC	Decision re Means of Compliance to IR
Dec-IR	Decision pending adoption of Implementing Rule
Opinion	Proposal to European Commission
Dec/O	Combined Decision (CS or AMC) & Opinion
RU	Regular Update

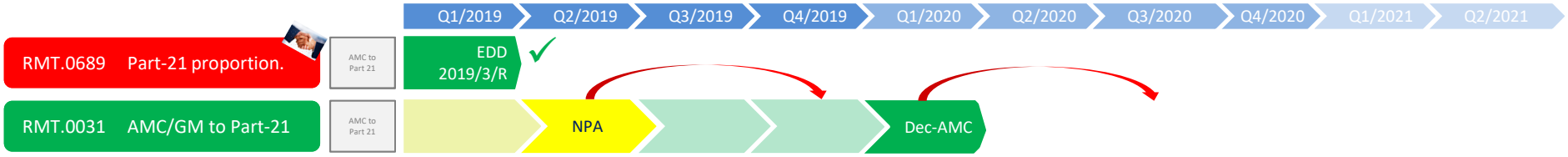
RMTs affecting Part-21



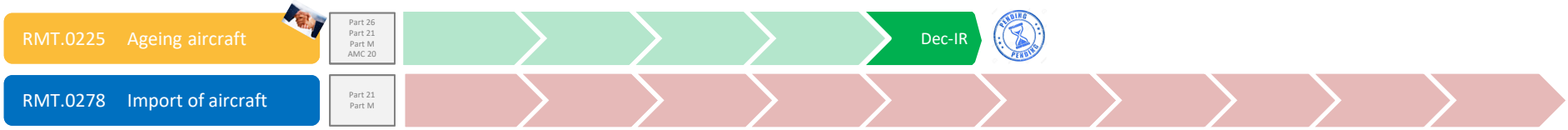
*various different consultation mechanism between Q2/19 and Q2/20

RMTS affecting Part-21 (other)

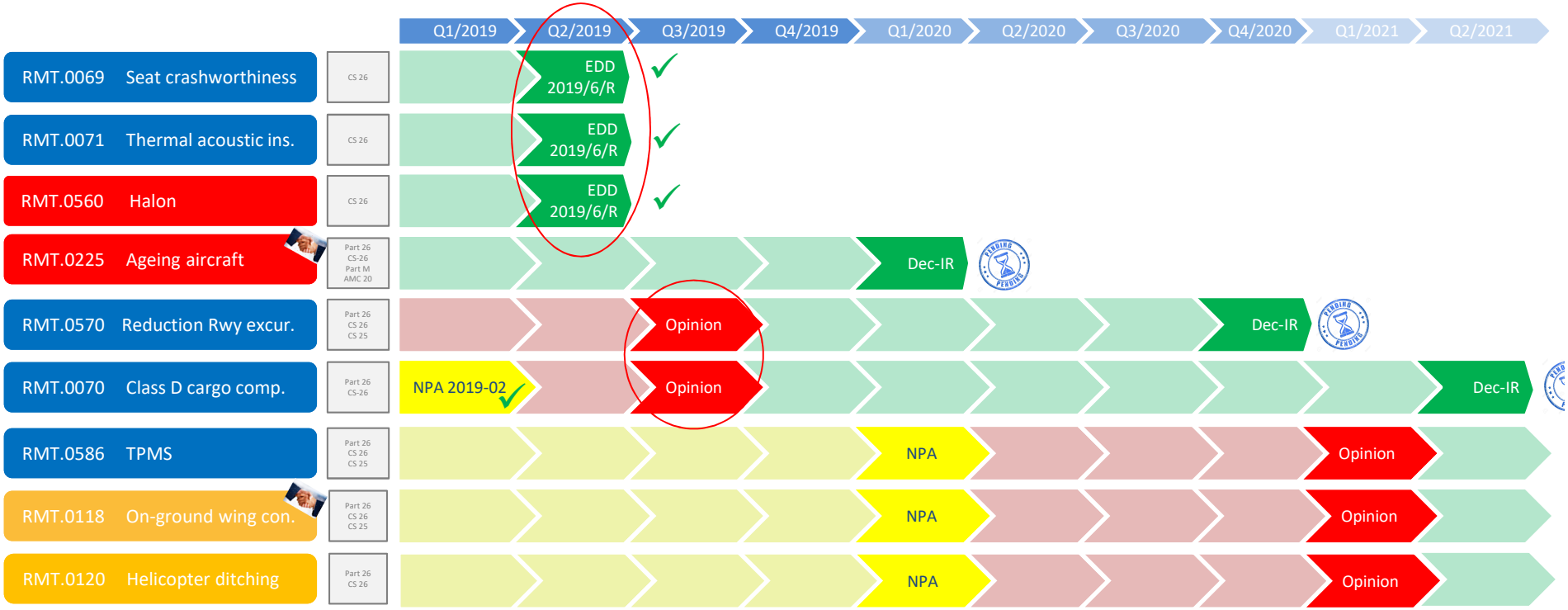
Affecting only AMC/GM to Part-21



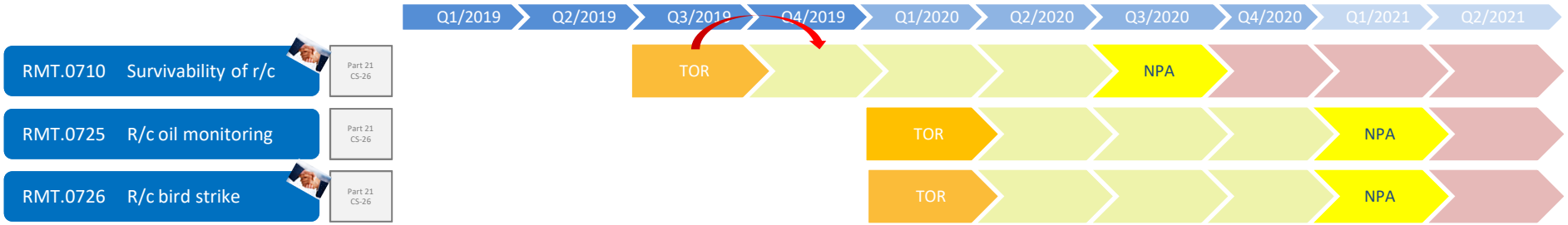
Affecting mainly other Regulations with slight amendments to Part-21



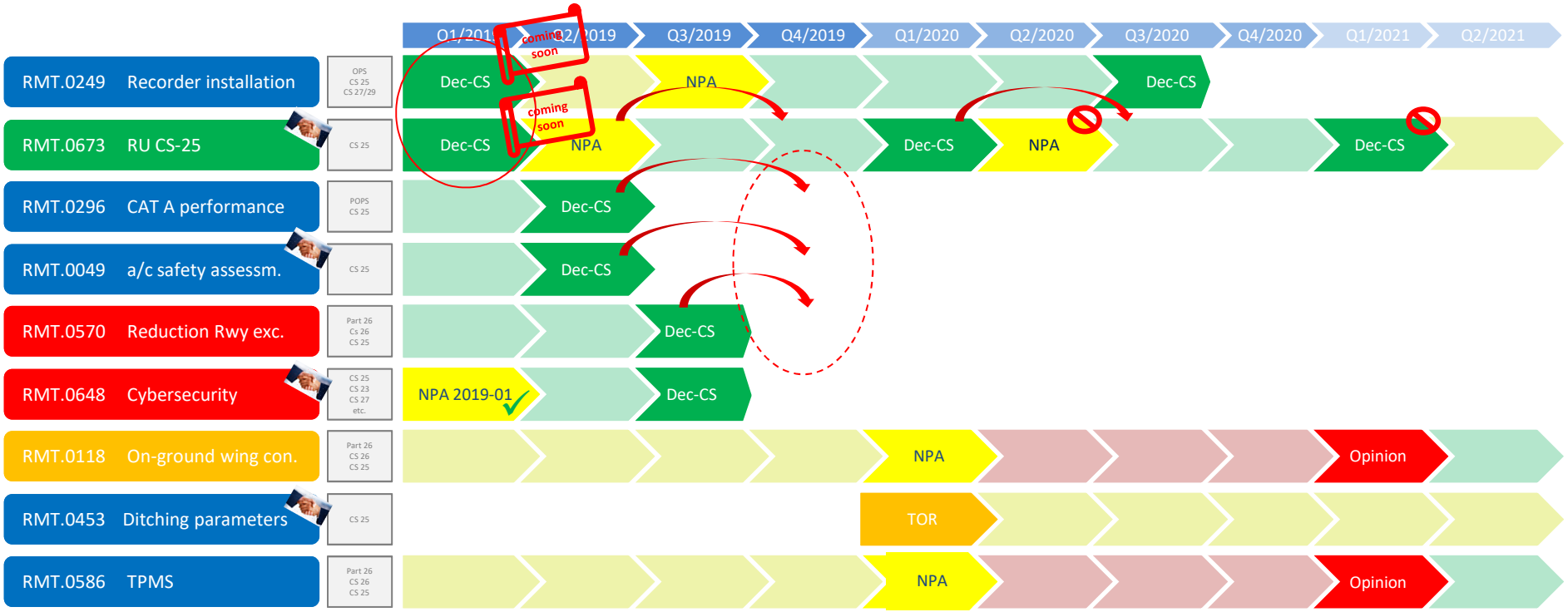
RMTs affecting Part-26 (and CS-26)



RMTs affecting Part-26 (and CS-26)

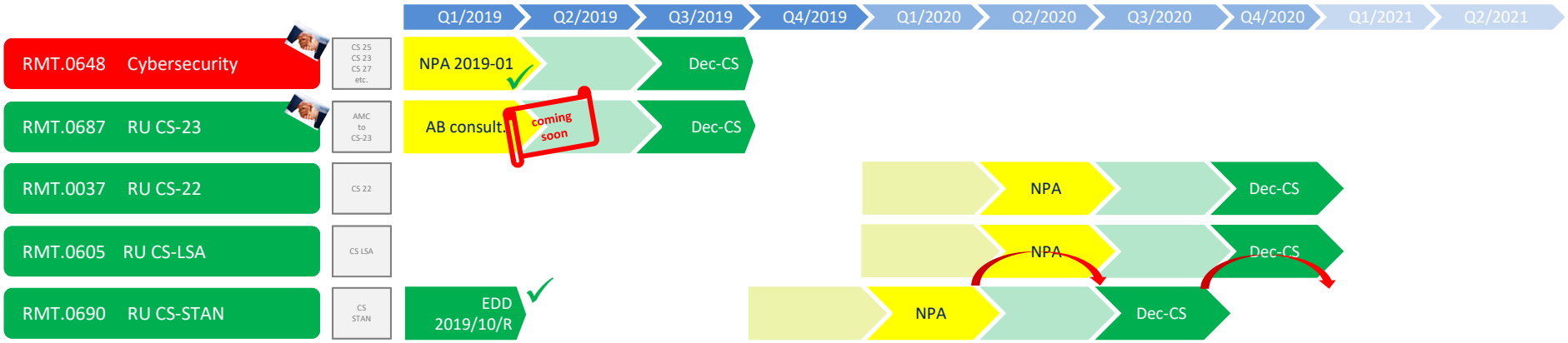


RMTs affecting CS-25

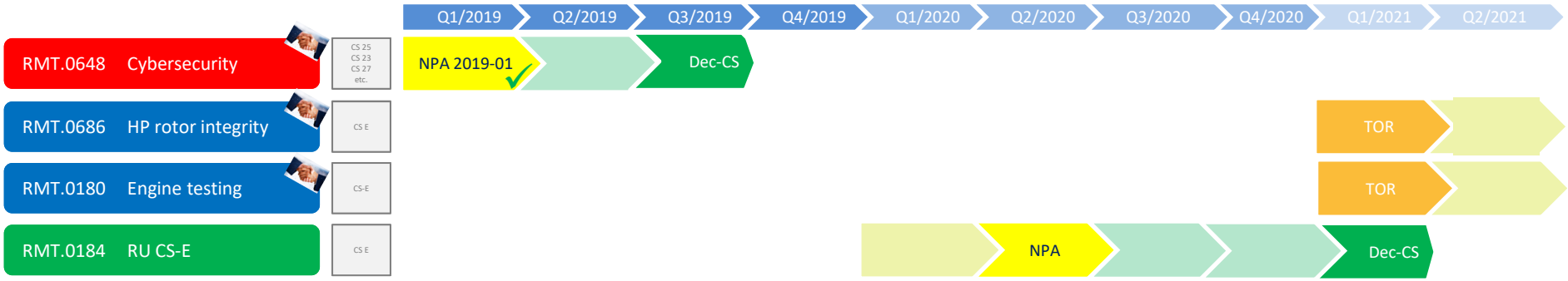


RMT.0116 real weight and balance taken off the programme to conduct a new BIS
RMT.0384 engine open rotor stopped and cancelled

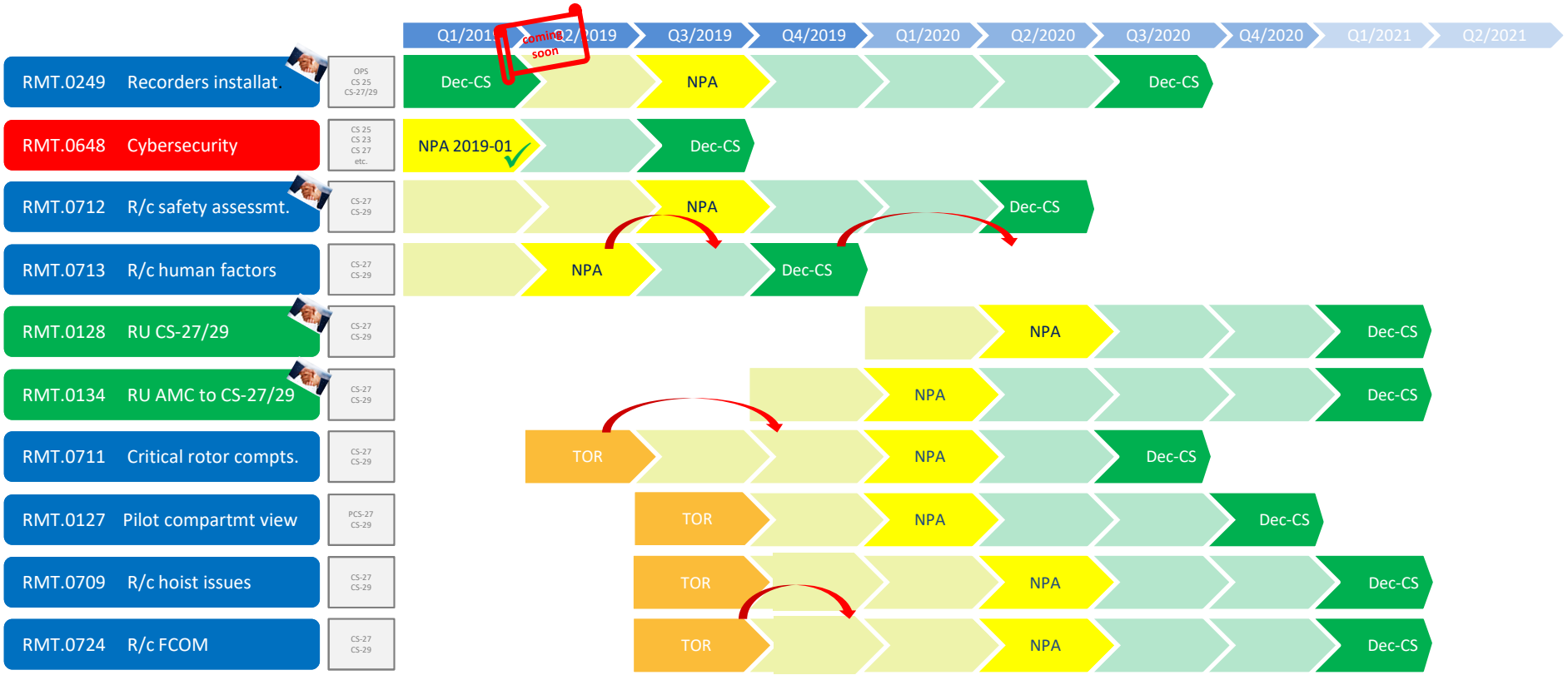
RMTs affecting small aeroplane CS



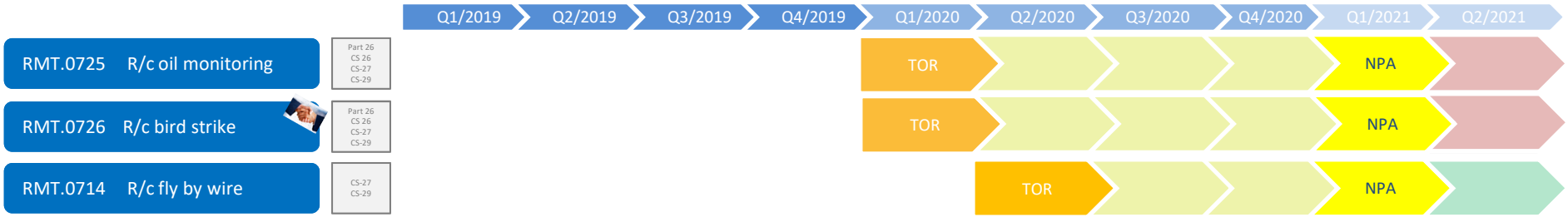
RMTs affecting CS-E



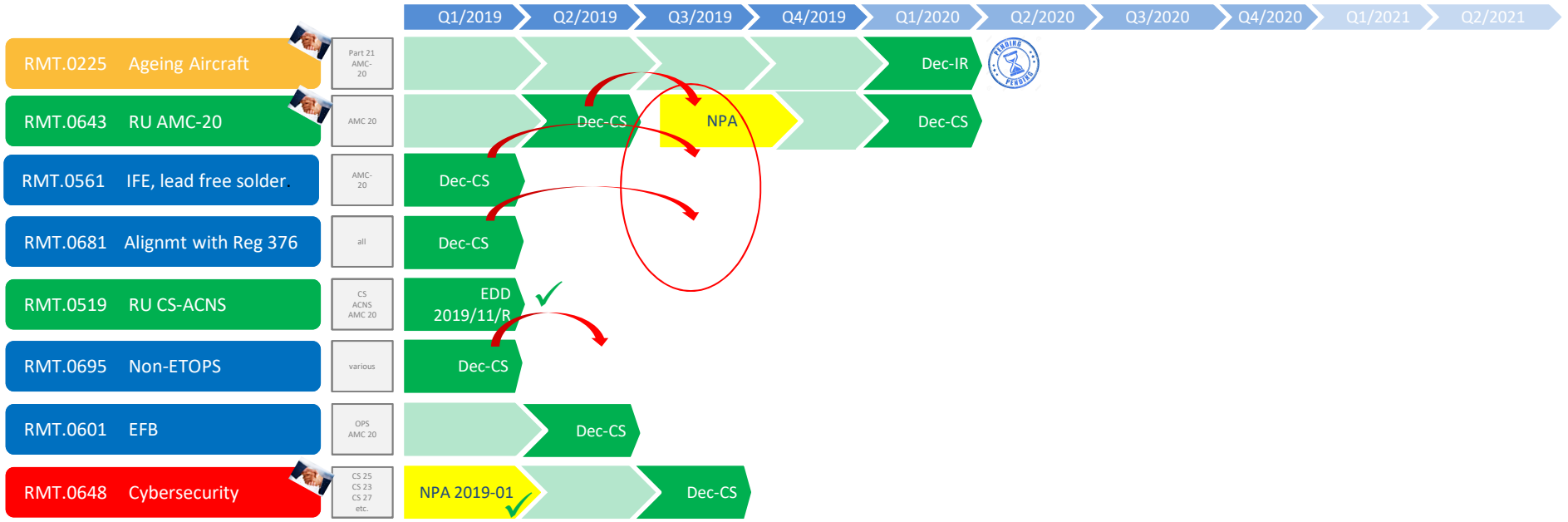
RMTs affecting CS-27/29



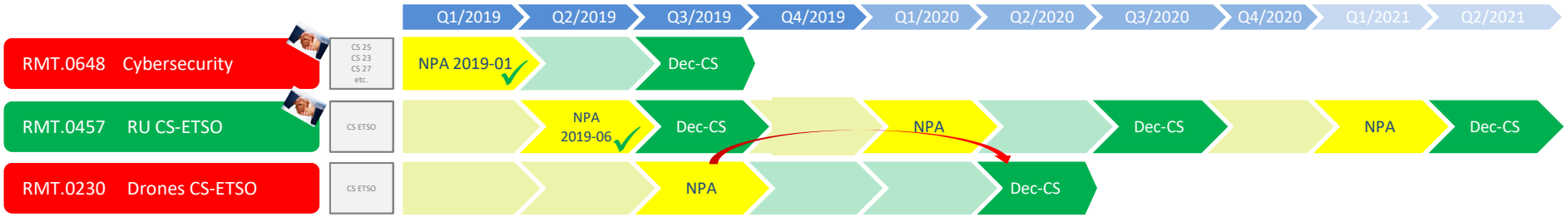
RMTs affecting CS-27/29



RMTs affecting AMC-20

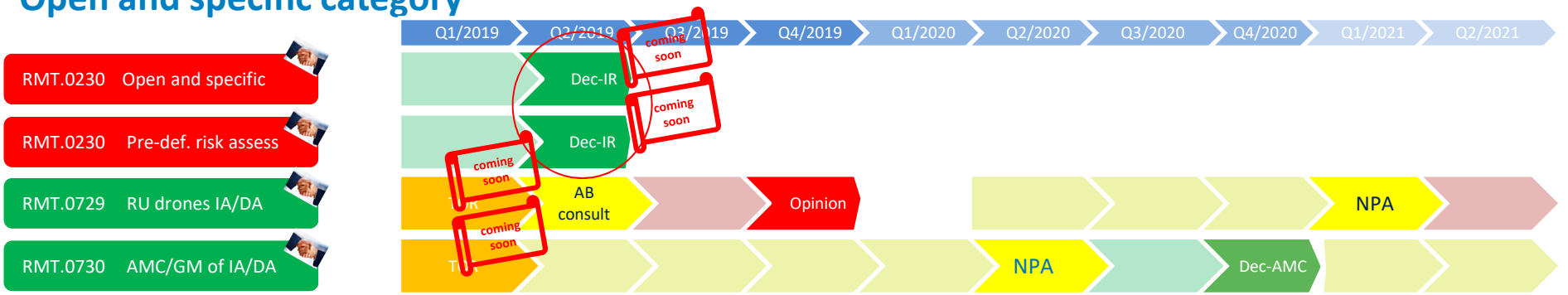


RMTs affecting CS-ETSO

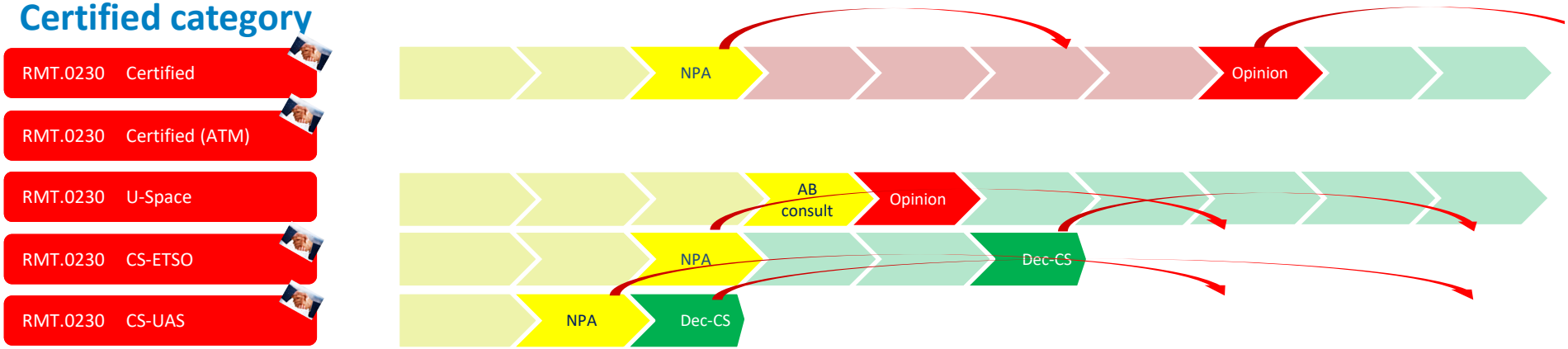


RMTs establishing a regulatory framework for UAS

Open and specific category

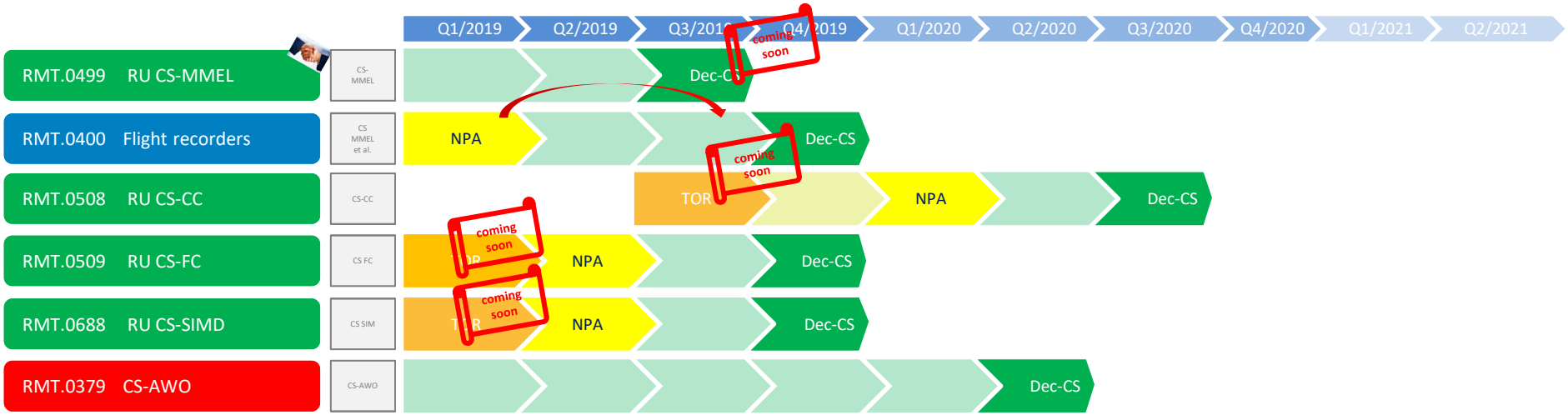


Certified category



EASA

Other RMTs


Q1/2019
Q2/2019
Q3/2019
Q4/2019
Q1/2020
Q2/2020
Q3/2020
Q4/2020
Q1/2021
Q2/2021
RMT.0499 RU CS-MMEL
CS-MMEL
Dec-CS
coming soon
RMT.0400 Flight recorders
CS MMEL et al.
NPA
Dec-CS
coming soon
RMT.0508 RU CS-CC
CS-CC
TOR
NPA
Dec-CS
RMT.0509 RU CS-FC
CS FC
coming soon
NPA
Dec-CS
RMT.0688 RU CS-SIMD
CS SIM
coming soon
NPA
Dec-CS
RMT.0379 CS-AWO
CS-AWO
Dec-CS

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RMTs planned to start soon

- → ToR for RMT.0727 (implementation of the NBR into Part 21) is about to be consulted with the advisory bodies
- → 3 regular update tasks related to OSD
  - → draft ToRs for RMT.0508 (CS-CC), RMT.0509 (CS-FC) and RMT.0688 (CS-SIMD) are about to be consulted with the advisory bodies
- → 2 new regular update tasks created in relation to the new Regulations (EU) 2019/945 and (EU) 2019/947 for the operation of drones in the open and specific category
  - → draft ToRs for RMT.0729 (regular update of the Regulations) and for RMT.0730 (regular update of the AMC/GMs to these Regulations) are about to be consulted with the advisory bodies
- → 4 RMTs starting soon, affecting rotorcraft
  - → RMT.0709 (hoists) and RMT.0127 (pilot compartment view): consultation of the draft ToR with advisory bodies approx. in Q3
  - → RMT.0711 (critical components) and RMT.0724 (FCOM): BIS ongoing; consultation of draft ToR with advisory bodies planned for end of the year

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Current use of Art 15/16 MB procedures

RMT	Title	Procedure	Comment	status
RMT.0687	RU of AMC to CS-23	Art. 15	For current cycle (recognising new ASTM standards)	AB consultation planned Q3
RMT.0230	Drones (open and specific)	Art. 15	For recognition of JARUS predefined risk assessments	Cancelled – no consultation
RMT.0729	Drones (open and specific)	Art. 16	For standard scenario in the Regulation	In preparation

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RMT.0018 Parts without Form 1

Simpler, lighter, better rules for General Aviation

Part-21

CAW Reg.

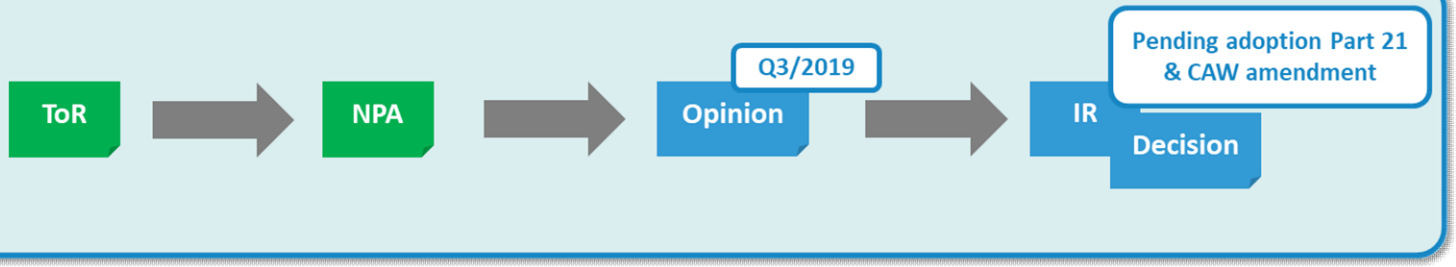
AMC/GM

Objective: Components can only be installed if accompanied with EASA Form 1 or equivalent (except standard parts and raw material). Some parts are not designed or manufactured specifically for aviation use (light bulbs, fire axes, smoke detectors,…). This task assesses a more proportionate and efficient requirements to allow the installation of components based on the safety consequences should the component fail.

The objective is to allow that parts with lower criticality, as identified by the TC holder, would not need an EASA Form 1 when used as spare part for installation during maintenance. In practice, the parts would be classified into different manufacturing criticality levels (MCLs).

Controversial issues: MCL classification (number and definition); relying on TCH to develop the parts' MCL; need of Form 1 as CRS for maintenance; DO/PO missing relation when no POA; impact on bilateral agreements.

AB position: consult stakeholders on conclusions after review of comments



EASA

RMT.0049 aeroplane level safety assessment

CS-25

Objective: Improve safety and standardise system safety assessments

-Standardise criterion for conducting aeroplane-level safety assessment of specific risks that encompasses all critical aeroplane systems on large aeroplanes, while taking into account the latest updates of industry standards (e.g. ED-79A),

-Upgrade flight control systems specifications to further mitigate the risks of systems failures (incl. jams) and malfunctioning, as well as engines failures,

-Amend the aeroelastic stability requirements to address combinations of failures.

For harmonisation purposes the publication of the decision is on hold until the FAA has published its NPRM.

Controversial issues:

Harmonisation with FAA and TCCA

AB position:

Favourable at the time of ToR consultation

RMT.0070 Class D cargo compartment

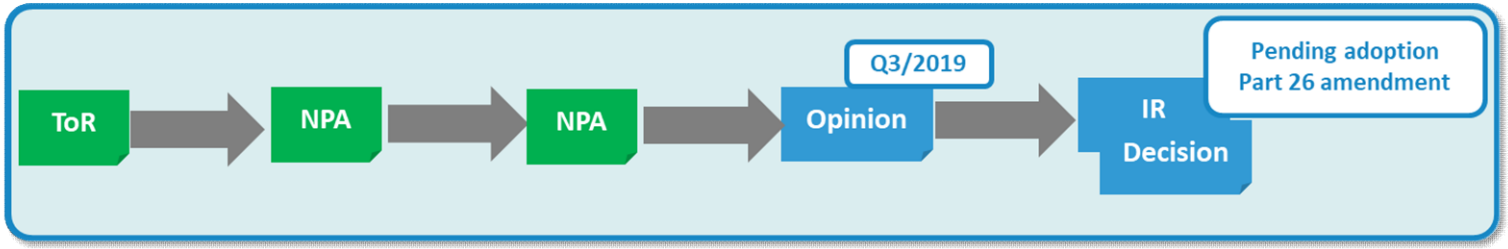
Objective: to consider improving the protection of occupants on board large aeroplanes operated in Commercial Air Transportation (CAT) by eliminating the risk of uncontrollable fire in Class D cargo compartments. This improvement could be achieved by upgrading, on the affected aeroplanes, the existing Class D compartments in order to meet the current CS-25 standards for Class C or Class E cargo compartments (retrofit). The safety issue has evolved since publication NPA 2013-23 (consideration of lithium-ion batteries), therefore there is a need to reconsider the impact assessment

Part-26

CS 26

Controversial issues: need of retrofit (impact assessment)

AB position: consider safety promotion or amendments to the operational rules



RMT.0118 on ground wing contamination

Objective: Establishment of standards to demonstrate that (a) prior to take-off, the a/c aerodynamic surfaces cannot accumulate undetectable hazardous quantities of ice contamination, or provide adequate means of detection; and (b) when the aircraft has been de-iced, that there is no hazardous effect on a/c performance and manoeuvrability or controllability.

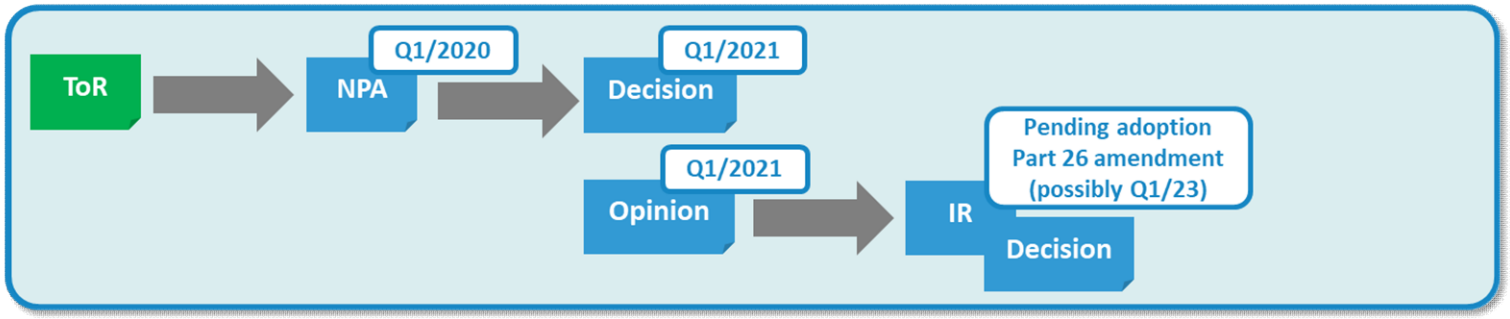
CS-25

Part-26

CS-26

Controversial issues: whether to extend the scope to other surfaces, like winglets

AB position: ./.



RMT.0120 helicopter ditching

Objective: Propose changes to CS-27 and CS-29 to mitigate helicopter design-related risks to new helicopter types. Recommendations for safety improvements in other areas have been made for subsequent action to be taken under this rulemaking task, other rulemaking tasks or through alternative means.

Phase 2 will look into production cut in and retrofit needs. Agency started to discuss with RMG and to develop an impact assessment.

CS-27

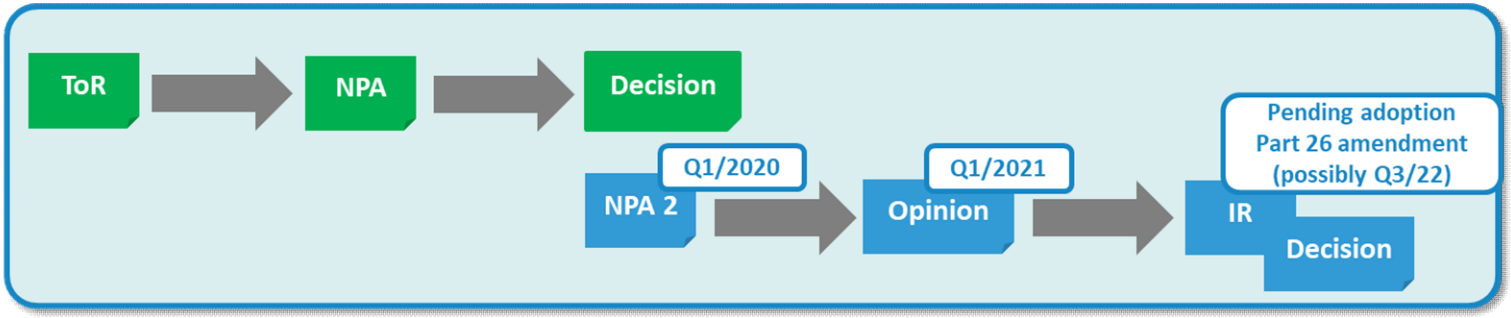
CS-29

Part-26

CS-26

Controversial issues: which subjects require a production cut in or retrofit?

AB position: ./.



RMT.0249 Flight recorders installation

Objective: to improve the availability and quality of data recorded by flight recorders, in order to better support safety investigation of accidents and incidents: CVR power supply; automatic stop of the recording after a crash; combination recorders; deployable recorders; Performance specification for flight recorders.

Phase 2 will consider flight data recordings power supplies, specifications for data link recording, provisions for ensuring the serviceability of flight recorders and the quality of recording of cockpit voice recorders.

Part-CAT

CS-29

CS-25

Controversial issues: ./.

AB position: ./.

RMT.0251 (phase 2) embodiment of SMS

Objective: to amend Part-21 (and Part-145) to include SMS requirements, and related AMC/GM for design, production and maintenance organisations to align with ICAO Annex 19.

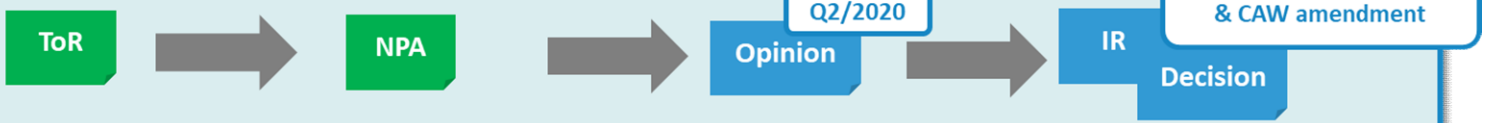
Part-21

CAW Reg.

AMC/GM

Controversial issues: Minimum threshold applicability; level of consistency with other domains; recognition of industry standard

AB position: no major comments during ToR consultation. Advised to recognise industry standard as AMC to Part-21



RMT.0252 Instructions for CAW

Objective: Establish clear requirements and responsibilities for all parties involved in the production of ICAs, their approval and their implementation.

► Definition and completeness of ICA (Subtask 1), availability of ICA (Subtask 2) and acceptance of ICA (Subtask 4).

► Certification maintenance requirements (Subtask 5) has been published.

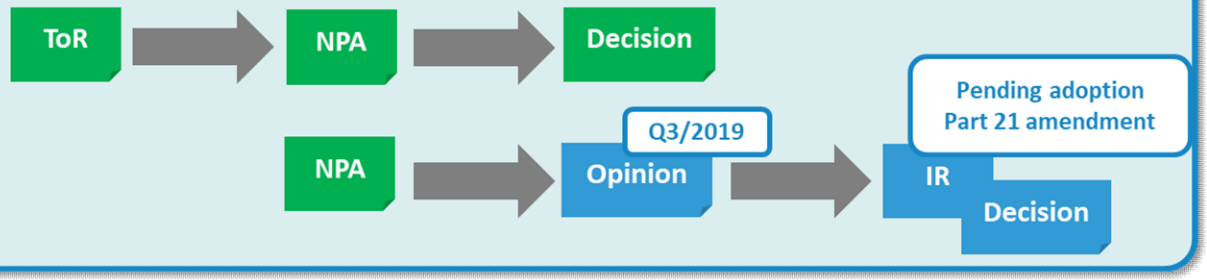
Part-21

AMC/GM

CS-25

Controversial issues: clarify ICA status as part of TC without imposing a cumbersome process and harmonisation with FAA

AB position: supportive of the task and well represented in the working group



RMT.0262 Level of Involvement

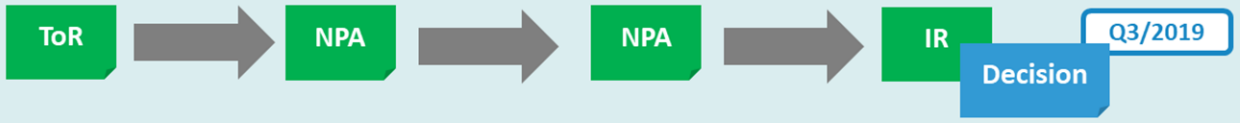
Objective: LOI implementation, Phase II.

More than 60 new or amended AMC/GM have been drafted to support the implementation of the new elements proposed by the Opinion 07/2016 and to reflect the changes proposed by Opinion. Particular attention has been paid to the explanation of the criteria to be considered for EASA LOI determination and to the introduction of the new privilege to approve major changes/repairs or STC.

Part-21

Controversial issues: the new LOI concept is sometimes perceived as an additional burden by the industry. The industry has also expressed some concerns on the process to obtain the new privileges.

AB position: ./.



RMT.0278 import of aircraft

Objective: To eliminate difficulties encountered by the industry and MS in the process of obtaining/issuing a CofA and ARC for aircraft being imported from another regulatory system while ensuring alignment with ICAO. The objective is to amend Part 21 and Part M to eliminate some inconsistencies in the rules and to take into consideration cases not covered by the rule (importing state aircraft, importing without an airworthiness statement).

Part-21

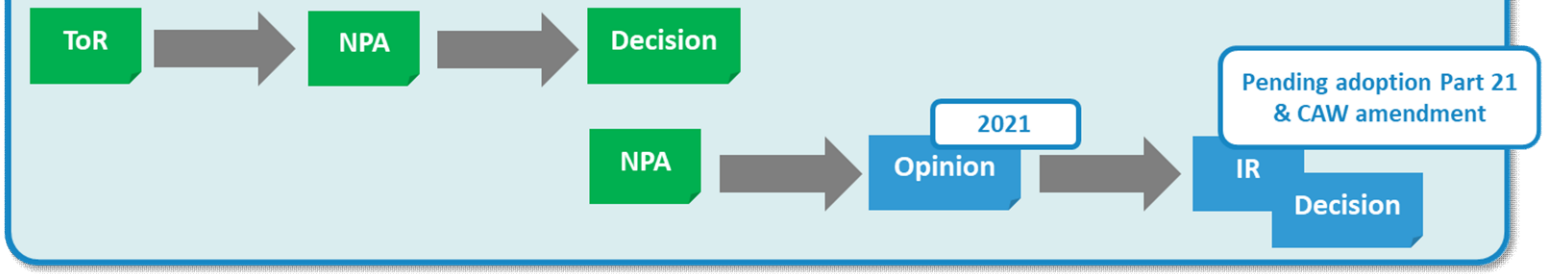
CAW Reg.

AMC/GM

Controversial issue:

Validity of Airworthiness statement issued by a third country; Import without an airworthiness statement; Details of the airworthiness review for import

AB position: ./.



EASA

RMT.0379 All weather operations

Objective: To improve and update the current certification specifications to enable the certification of on-board equipment for All Weathers Operations (AWO). The update will include CAT II, CAT III, Autoland certifications specifications. In addition, the certification specifications for Heads Up Displays (HUD), Enhanced Flight Vision Systems (EFVS), Synthetic Vision Guidance Systems (SVGS), Combined Vision Systems (CVS) will be developed. The certification specifications for a new Special Authorisation Category I (SA CAT I) landing will also be developed. Note: The amendment of CS-AWO is part of a wider scope of related amendments for AWO under this RMT.

CS-AWO

Controversial issues: ./.

AB position: ./.

RMT.0570 Reduction of runway excursion

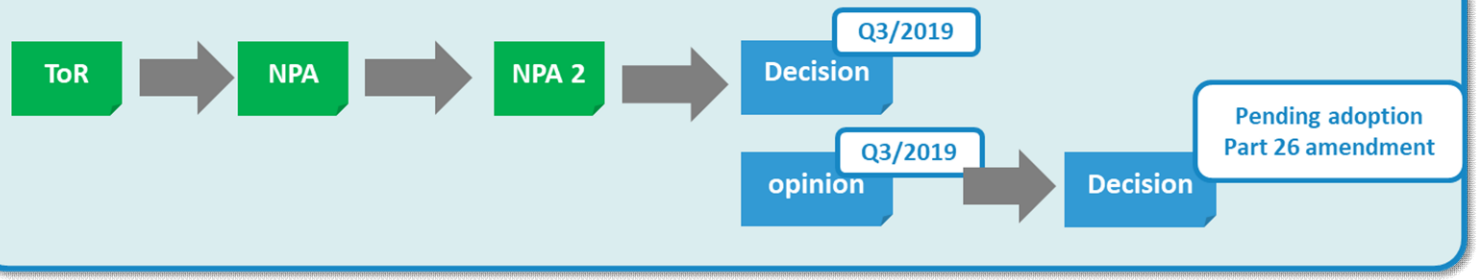
Objective: To allow installation of ROAAS which would put more emphasis on safety objectives against the risk of runway excursions, while providing more flexibility in terms of design solutions.

CS-25

Part 26 / CS-26

Controversial issues: 1st NPA considered too prescriptive. The new NPA should refer to the MOPS developed by interested parties.

AB position: ./.



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RMT.0586 Tyre pressure monitoring

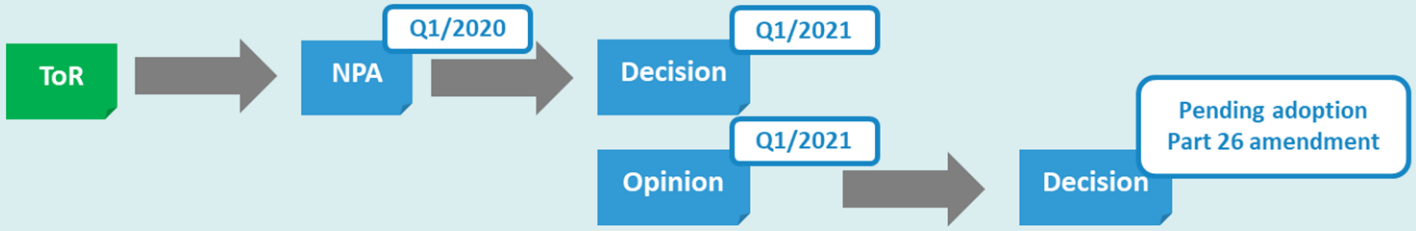
Objective: Ensure that the tyres' inflation pressures of large aeroplanes remain within the pressure specifications defined by the aircraft manufacturer.

CS-25

Part-26 /CS-26

Controversial issues: The question of mandating TPMS on already certified a/c. The ICA requirement for pressure check interval.

AB position: Globally supportive or no comment. 1 airlines association and 1 a/c manufacturer against mandating TPMS.



RMT.0648 Cybersecurity

Objective: Mitigate the impact on safety stemming from cyber-security risks due to acts of unlawful interference with on-board electronic networks and systems.

The intention is to amend all CS (book 1), and the means of compliance will included in one CS book 2 and referred to in all other book 2 (alternative: they will be consistently included in all book 2).

CS-23

CS-25

CS-27

CS-29

CS-E

CS-P

CS-ETSO

Controversial issues: ./.

AB position: ./.

EASA

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