

Executive Director Decision

2016/004/R

of 22 January 2016

**amending Acceptable Means of Compliance and Guidance Material to Commission Regulation
(EU) No 965/2012**

**‘AMC to Part-ORO — Issue 2, Amendment 6’
‘AMC/GM to Part-CAT — Issue 2, Amendment 5’**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Commission Regulation (EU) No 965/2012² and in particular paragraph ARO.GEN.120(a) of Annex II thereto,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Certification Specifications and Acceptable Means of Compliance as well as Guidance Material for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) Acceptable means of compliance are non-binding standards adopted by the Agency which may be used by persons and organisations to demonstrate compliance with Regulation (EC) No 216/2008 and its implementing rules; when acceptable means of compliance are complied with, the related requirements of the implementing rules are met.
- (3) Guidance material is non-binding material developed by the Agency which helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of Regulation (EC) No 216/2008, its implementing rules, certification specifications and acceptable means of compliance.
- (4) With Decision 2014/017/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-ORO of Commission Regulation (EU) No 965/2012.
- (5) With Decision 2014/015/R of 24 April 2014, the Executive Director issued Acceptable Means of Compliance and Guidance Material to Part-CAT of Regulation (EU) No 965/2012.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

² Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

- (4) The Agency shall, pursuant to Article 19(2) of Regulation (EC) No 216/2008, reflect the state of the art and the best practices in the fields concerned and update its decisions taking into account worldwide aircraft experience in service, and scientific and technical progress.
- (5) The Agency has determined the need to issue acceptable means of compliance and guidance material to ensure safe carriage of special categories of passengers (SCPs).
- (6) The Agency has, pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure³, widely consulted interested parties on the matters which are the subject of this Decision⁴ and has provided thereafter a written response to the comments received⁵,

HAS DECIDED:

Article 1

The Annex to Decision 2014/017/R (AMC and GM to Part-ORO) of the Executive Director of the European Aviation Safety Agency of 24 April 2014 is amended as laid down in Annex I to this Decision.

Article 2

The Annex to Decision 2014/015/R (AMC and GM to Part-CAT) of the Executive Director of the European Aviation Safety Agency of 24 April 2014 is amended as laid down in Annex II to this Decision.

Article 3

Article 1 shall enter into force 48 months following the day of its publication in the Official Publication of the Agency.

Article 4

Article 2 shall enter into force 18 months following the day of its publication in the Official Publication of the Agency.

Done at Cologne, 22 January 2016

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

³ EASA MB Decision 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure'), (<http://www.easa.europa.eu/the-agency/facts-and-figures/easa-mb-decision-01-2012-amending-and-replacing-mb-decision-08-2007>).

⁴ See NPA 2014-01, available at <http://easa.europa.eu/document-library/notices-of-proposed-amendments/npa-2014-01>.

⁵ See CRD 2014-01, available at <http://easa.europa.eu/document-library/comment-response-documents/crd-2014-01>.

