



European Union Aviation Safety Agency

# Notice of Proposed Amendment 2024-04 (B)

in accordance with Article 6 of MB Decision 01-2022

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## Proposed amendments to Commission Regulation (EU) No 748/2012



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## 1. Proposed amendments

The amendments are arranged as follows to show deleted, new and unchanged text:

- deleted text is ~~struck through~~;
- new text is highlighted in **blue**;
- an ellipsis, '[...]', indicates that the rest of the text is unchanged.

### Article 4 Continued validity of supplemental type-certificates

1. [...]
2. [...]
  - (a) [...]
  - (b) point 21.A.113 ~~(a) and (b)~~ of Annex I (Part 21) shall not apply;
  - (c) [...]
  - (d) the compliance findings made under JAA or Member State procedures shall be deemed to have been made by the Agency for the purpose of complying with point 21.A.115~~(a)~~ of Annex I (Part 21).

### Article 7a Operational suitability data

1. The holder of an aircraft type-certificate **or restricted type-certificate** issued before 17 February 2014 intending to deliver a new aircraft to an EU operator on or after 17 February 2014 shall **demonstrate** ~~obtain approval~~ **compliance with the applicable operational suitability data certification basis established and notified** in accordance with point ~~21.B.82~~ **21.A.21(e)** of Annex I (Part 21) except for the minimum syllabus of maintenance certifying staff type rating training and except for aircraft validation source data to support the objective qualification of simulator(s). The ~~approval~~ **demonstration of compliance** shall be ~~obtained~~ **completed** ~~not later than 18 December 2015 or~~ before the aircraft is operated by an EU operator, ~~whichever is the latest~~. The operational suitability data may be limited to the model which is delivered.
2. The applicant for an aircraft type-certificate **or restricted type-certificate** for which the application was filed before 17 February 2014, ~~and~~ for which a type-certificate **or a restricted type-certificate** has not been issued within the time limit provided for in point 21.A.15(e) of Annex I (Part 21) and for which the applicant has submitted a new application or has applied for an extension in accordance with point 21.A.15(f) of Annex I (Part 21) ~~is not issued before 17 February 2014~~ shall ~~obtain approval~~ **demonstrate compliance with the applicable operational suitability data certification basis established and notified in accordance with point 21.B.82** ~~21.A.21(e)~~ of Annex I (Part 21) ~~except for the minimum syllabus of maintenance certifying staff type rating training and for aircraft validation source data to support the objective qualification of simulator(s)~~. The ~~approval shall be obtained~~ **demonstration of compliance shall be completed** ~~not later than 18 December 2015 or~~ before the aircraft is



- operated by an EU operator, ~~whichever is the latest~~. Compliance findings made by the authorities in Operational Evaluation Board processes conducted under the responsibility of the JAA or the Agency before ~~the entry into force of this Regulation~~ 17 February 2014 shall be accepted by the Agency without further verification.
3. Operational Evaluation Board reports and master minimum equipment lists issued in accordance with JAA procedures or by the Agency before ~~the entry into force of this Regulation~~ 17 February 2014 shall be deemed to constitute the operational suitability data approved for the issuance of a type-certificate or restricted type-certificate in accordance with point ~~21.A.21(e)~~ 21.B.103(a) of Annex I (Part 21) and shall be included in the relevant type-certificate or restricted type-certificate. ~~Before 18 June 2014~~ The relevant type-certificate or restricted type-certificate holders shall propose to the Agency a division of the operational suitability data into mandatory data and non-mandatory data.
- ~~4. Holders of a type-certificate including operational suitability data shall be required to obtain approval of an extension of the scope of their design organisation approval or procedures alternative to design organisation approval, as applicable, to include operational suitability aspects before 18 December 2015.~~

## Article 9 Production organisations

[...]

8. The demonstration of capability pursuant to paragraphs 1 or 2 shall not be required where the production organisation or natural or legal person ~~are~~ is involved in the following manufacturing activities:
- (a) the manufacture of parts or appliances that are eligible, in accordance with Annex I (Part 21), for installation in a type-certified product without the need to be accompanied by an authorised release certificate (that is to say EASA Form 1);
  - (b) the manufacture of parts that are eligible, in accordance with Annex Ib (Part 21 Light), for installation in an aircraft that has been subject to a declaration of design compliance without the need to be accompanied by an authorised release certificate (that is to say EASA Form 1);
  - (c) the manufacture of an aircraft that has been subject to a declaration of design compliance referred to in Article 2(3), and of parts that are eligible for installation on such aircraft. In such case, the manufacturing activities shall be conducted in accordance with Subpart R of Section A of Annex Ib (Part 21 Light) by a production organisation or a natural or legal person whose principal place of business is in a Member State.

