

FREQUENTLY ASKED QUESTIONS

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EUROPEAN AVIATION SAFETY AGENCY (EASA)

DISCLAIMER: The following questions and answers do not reflect the decisions or commitment of the FAA, the European Commission, or any other parties involved in or affected by the transition to EASA. They are intended as a service to U.S. industry to keep people informed to the extent possible, given the limited official information at this time, as the European aviation regulatory environment changes. This information will be revised as new information becomes known.

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GENERAL QUESTIONS ABOUT THE EU

What is EASA?

On July 15, 2002, the European Parliament and the Council of the European Union (EU) adopted REGULATION (EC) No 1592/2002 (subsequently replaced by EC No. 216/2008) establishing common rules for the EU in the field of civil aviation and establishing a new European Aviation Safety Agency (EASA). EASA officially opened for business on September 28, 2003. Under the regulation, EASA initially has responsibility for all design approvals, continued airworthiness, design organization approvals and environmental certification. They are also responsible for approving production, maintenance (repair station), and maintenance training organizations

outside the EU. EASA also has a standardization and oversight function for all aviation safety certification activities of Member States. EASA also has responsibilities in the areas of operations, personnel licensing, aerodromes, air traffic management and air navigation services.

- **What countries in Europe are affected by the transition to EASA?**

There are currently 27 EU Member States:

Austria	Finland*	Latvia	Romania
Belgium	France*	Lithuania	Slovak Republic
Bulgaria	Germany*	Luxembourg	Slovenia
Cyprus	Greece	Malta	Spain
Czech Republic	Hungary	Netherlands	Sweden
Denmark	Ireland	Poland	United Kingdom
Estonia	Italy	Portugal	

- **Does EASA represent any other countries on aviation matters when working with the United States and the FAA?**

Yes. The non-EU European countries, Iceland, Liechtenstein, Norway, and Switzerland, are identified as “EASA associated countries.” EASA, as in the case with EU Member States, is the single approval authority for design related activity within the associated countries. Responsibility for production related activity still rests with the individual national aviation authority. While not an EU member, the associated countries retain their sovereignty to conclude international agreements/bilateral agreements with third countries. However, they may not conclude agreements which would contradict the interests of EASA. Since these countries are not in the EU, they are not eligible for the full range of EASA membership entitlements.

The U.S. government has bilateral aviation agreements (BAA) in place addressing airworthiness certification with Norway and Switzerland. For validation projects involving these countries, EASA will act as the technical agent for those BAAs, but the U.S./EU Agreement is not applicable.

What is the role of the National Aviation Authority (NAA) in an EU Member State and an EASA associated country?

Under the EU regulation, NAAs remain responsible for approving production, maintenance, and maintenance training organizations within their country as well as airworthiness certification of individual products coming into their registry. NAAs are required to use EASA procedures and EU implementing rules.

Some products will remain under NAA design oversight as well. EASA has assumed responsibility on behalf of the EU for certification and oversight of all civil aviation products of Member States, including non-EU EASA associated countries, except for

those products excluded by Annex II of the Regulation. The products excluded from EASA's responsibility by Annex II remain the responsibility of each NAA of the respective State of Design to manage on behalf of the EU. Annex II generally covers small fleets of historically relevant aircraft, such as the Concorde, as well as other aircraft such as ultra-lights and amateur-built. Products that have significant usage in the aviation system generally fall under EASA's responsibility.

The table below lists responsibilities for determining that products, appliances, and parts operating in the EU meet the appropriate airworthiness requirements and issuing the appropriate certification. It also lists responsibilities for approving design, production, and maintenance organizations:

Airworthiness Certification Responsibilities	
EASA	<p>Issues type certificates (TC), supplemental type certificates (STC), single serial number STCs, and amendments and other design approvals [repair, European Technical Standard Order (ETSO), replacement parts], design changes and certificate transfers.</p> <p>Determines type certification basis, including special conditions and equivalent safety findings. Accepts or rejects proposed deviations from certification specifications.</p> <p>Determines if a product complies with the type certification basis and issues relevant type certificates and other appropriate approvals.</p> <p>Issues revocations.</p> <p>Grants environmental certifications.</p> <p>Oversees continued airworthiness of approved products, which includes issuing airworthiness directives (AD) related to design.</p> <p>Issues design organisation approvals (DOA).</p> <p>Issues production organisation approvals (POA) and repair station certifications outside the EU. (EASA may issue repair station or production approvals for European organizations at the request of an NAA.)</p> <p>Cooperates with foreign authorities and international institutions, such as ICAO, to assist EU Member States in fulfilling their State of Design obligations.</p> <p style="text-align: center;">Note: EASA may conduct certain tasks through “qualified entities” for which EASA would be responsible</p>
NAA	<p>Issues POAs and repair station certifications in their national boundaries. (An NAA may request EASA to issue a repair station or production approval for an organization in the EU.)</p>

Issues airworthiness certificates for individual aircraft registered in their country.

Issues mandatory corrective actions when unsafe condition relates to production or maintenance.

Issues noise certificates for individual aircraft registered in their country.

Approves and oversees all Annex II aircraft and related parts and appliances not under EASA's authority.

- **Where is EASA Headquarters located?**

Cologne, Germany.

- **What are EASA's certification regulations and requirements?**

On September 24, 2003, the EU issued Commission Regulation (EC) No. 1702/2003 implementing their part 21 certification procedures. Also, EASA issued airworthiness codes based on the Joint Aviation Requirements. The airworthiness codes are called "certification specifications" or CS, e.g. CS 23, 25, etc. These texts are available on the EASA web site. Please check the EASA website for periodic updates to their regulations.

AGREEMENTS WITH THE UNITED STATES

- **Does the United States have a bilateral agreement with the European Union or EASA?**

The U.S. government has a bilateral agreement in place with the European Union, rather than EASA.

- **The U.S./EU Agreement is long. Do I need to read the whole thing?**

The U.S./EU Agreement covers more areas than bilateral agreements the U.S. has with other countries. It is a three tiered agreement. The highest tier is the Executive Agreement, which provides the framework for all cooperation between the U.S. and the EU in the area of aviation safety. The second tier is the annexes. Annex 1 covers airworthiness and environmental certification, and Annex 2 covers maintenance. Additional annexes are currently being negotiated. The annexes cover the scope of acceptance between the United States and each EU Member State. The third tier is the procedures and guidance material. The document supporting Annex 1 is called the

Technical Implementation Procedures (TIP). This document is approved by the FAA and EASA.

- **Can my company continue to apply to an individual NAA, e.g. DGAC France, for a type certificate through our ACO under the individual bilateral agreement?**

No. The NAAs are no longer responsible for type certification, except for Annex II aircraft and miscellaneous items like TSO approval for reserve parachutes. Any design approval activities they undertake will be on behalf of EASA through agreements/contracts with the Agency. All new applications must be sent through your ACO to the EASA Programmes Department for processing/assignment of work.

- **Who is the exporting and importing authority in this new EU environment?**

For U.S. products exported to Member States of the European Union after September 2003, the importing authority is the EASA. For European products exported to the U.S., the exporting authority will remain the individual NAA.

IMPORT OF EUROPEAN PRODUCTS TO THE UNITED STATES

- **What products can be imported from the European Union?**

European products, parts and appliances that can be imported from each EU member state are listed in the Appendix to Annex 1 of the U.S./EU Agreement. The scope for each member state is different and is based on the industry within the country, U.S. market potential, and U.S. familiarity with the NAA. Not all EU member states are in the Appendix.

- **My company would like to import a propeller from Greece. Is this possible?**

No, this propeller would not be eligible for import to the U.S. because Greece is not included in the Appendix to Annex 1 of the U.S./EU Agreement.

- **Will the NAAs continue to issue Export Certificates of Airworthiness for aircraft and airworthiness approval tags (EASA Form 1) for engines, propellers, appliances, and parts?**

Yes, as explained above, the NAAs will continue to export products. After September 28, 2012, an EASA Form 27, Export Certificate of Airworthiness, will be used for the export of new or used aircraft. FAA will continue to recognize Export Certificates of Airworthiness from Member States issued prior to September 28, 2012. On and after September 28, 2012, the FAA will only recognize EASA Form 27. An EASA Form 1 will be used for the export of new engines, propellers, appliances, and parts. FAA will continue to recognize JAA Form One's previously issued prior to September 28, 2005.

- **Will all parts be accompanied by airworthiness approval tags?**

No. EASA Standard Parts can be imported to the U.S. when accompanied by the manufacturer's Certificate of Conformity.

- **Will every EASA-approved design imported to the U.S. have an FAA certificate or approval letter?**

All EASA TCs and STCs, eligible for product and part import, must be validated by the FAA and the FAA will issue its own certificate, as appropriate. Articles approved under an ETSOA must have an FAA Letter of TSO Design Approval before export to the U.S.. The FAA will issue approval letters for major level 1 design changes to TCs and STCs, major design changes to ETSOAs, and repairs to critical parts that were developed by someone other than the TC/STC holder. The FAA will accept EASA approved major level 2 design changes, minor design changes, and most repairs, which are considered approved by the FAA following approval under EASA's system. See the TIP for details.

OBTAINING AN EASA DESIGN APPROVAL

Prior-European approved products

- **What becomes of existing (prior to 2003) aeronautical products operating in Europe?**

Existing products, and their associated parts and appliances, validated and operating in the EU are grandfathered in accordance with Commission Regulation (EC) No. 1702/2003. EASA has identified which TCs were automatically transferred from the NAA's to EASA's responsibility and has published this list on their web site. All products that are not transferred remain under the responsibility of the Member State.

All U.S. products with a TC validated by a Member State prior to September 28, 2003, have been transferred to EASA's responsibility.

- **Will a certification basis established to the JAR prior to September 2003 be accepted as the EASA basis?**

In most cases, yes. The EU has established two scenarios for establishing a common certification basis for the transfer of products:

- 1) the JAA type certification basis for products that have been certified under JAA procedures with a JAA datasheet, or
- 2) for other products, the type certification basis of the State of Design if that State of design is:
 - an EU Member State; or

- a State with which an EU Member State has concluded a bilateral airworthiness agreement under which such products have been certified on the basis of that State's airworthiness codes.

Thus, if a U.S. product was validated by a JAA validation team using JAA procedures, the JAA recommended certification basis will become the EASA certification basis. However, if a U.S. product was certified solely by a Member State NAA who used the JAR as their import requirements, that JAR certification basis would not be the EASA basis. In the case of this NAA validation, the EASA certification basis will be the U.S. certification basis plus ADs. For example, a Cessna aircraft validated by Germany prior to September 2003 but not under JAA procedures would have an EASA type certification basis of the applicable U.S. FARs plus U.S. ADs.

- **Will EASA reissue the TC?**

No, not until an amendment to the TC is applied for at, which time EASA will take the opportunity to translate the TC and TCDS to an EASA format.

- **Will TCs issued by the NAAs be rescinded?**

No, because under the transfer procedures all configurations type certificated/validated by an NAA are acceptable within the EU and any differences to the EASA type certification basis are considered approved optional or alternative configurations.

- **Will FAA STCs accepted by one NAA prior to EASA operations be accepted throughout the system without further demonstration of compliance?**

Yes, validated STCs from the FAA will be recognized by EASA. Existing installed STCs on specific aircraft operating in the EU are accepted along with the TC'ed product. However, if an STC is to be accomplished on another aircraft, it must have some form of documented EU Member State approval. Therefore, it will be reviewed for its applicability and documentation. Some FAA STCs have been accepted in Europe without reciprocal issuance of an NAA STC. Such STCs will be required to be validated by EASA before applying them to other aircraft.

- **If I already have an STC in one EU member State how do I get recognition for my STC in another EU Member State**

A copy of your NAA STC should be provided to any new State of Registry until you receive a new EASA STC.

New applications

- **Where do I submit an application for validation of a FAA design approval?**

Applicants should send all applications for EASA TCs, amended TCs, ETSOA as well as all new STCs and non-OEM major repair design approval to the EASA Programmes Department through their cognizant FAA aircraft certification office (ACO). The address and pertinent information for EASA is available on their website at:

<http://easa.europa.eu>

- **How does the application process work?**

The process of applying to EASA is contained in the TIP. The table below lists further suggestions to keep in mind during the application process:

Application Process	
Applicant	<ol style="list-style-type: none">1) Coordinates with ACO per Order 8130.52.<ul style="list-style-type: none">• Use EASA application form corresponding to the requested design approval (see EASA website).• Must be a separate application for each approval, i.e. DO NOT COMBINE MULTIPLE DESIGN CHANGES ON A SINGLE FORM.2) Forwards technical data package to technical focal point.<ul style="list-style-type: none">• DO NOT SUBMIT ANY DOCUMENTS TO EASA before the ACO has forwarded your application.3) Pays fee for initial EASA work per fees & charges regulation after receipt of the EASA invoice.<ul style="list-style-type: none">• Make sure to make the correct reference to the invoice-number.• Please coordinate with your bank to ensure the correct amount is booked on EASA's bank account (taking into account potential bank fees).4) Pays final invoice after receipt of EASA invoice.<ul style="list-style-type: none">• No EASA certificate will be issued without full payment (see bullet points under 3 above).
FAA ACO	<ol style="list-style-type: none">1) Emails application cover letter to EASA Programmes Department along with company's completed EASA application form. Use the specific product mailbox address (See EASA internet site).

	<p>NOTE: <u>DO NOT</u> send BOTH a paper copy and email, only a single notification should be made.</p> <p>ACO application cover letter (NO DATA) should have specific remarks to help trigger efficient EASA processing actions:</p> <ul style="list-style-type: none"> • Identify if only AFM approval. • Identify if Basic or Non-basic STC per TVP. • Identify if the STC has an Approved Model List, if applicable. • Attach the FAA-approval (if already available). <p>2) Follows Order 8110.52 for guidance on TC and STC validations.</p> <p>3) Once a technical focal point has been identified (see step 3 below) any further FAA or EASA technical communications are with assigned EASA technical contact (EASA PCM or responsible NAA), not Programmes Department.</p>
EASA Programmes Department	<p>1) Receives FAA's notification along with application forms.</p> <p>2) Establishes a project account (p-number), and assigns the work.</p> <p>3) Notifies applicant of acceptance and identifies technical focal point contact for further communication.</p>
APPLICATION PROCESS IS NOW COMPLETE; PROJECT IS UNDERWAY	
EASA Programmes Department	<p>4) When technical validation is completed, EASA Programmes Department will submit final invoice to the applicant, and after payment, will issue the certificate.</p> <ul style="list-style-type: none"> • ACO receives an e-mail notification from the Programmes Department that EASA has issued its certificate (PDF will be attached) with reference to both the FAA and EASA certificate numbers.
PROJECT IS NOW COMPLETE	

- **Will the multi-national team or the Member State NAA that EASA contracts to work my validation program remain the same for all future programs?**

No. EASA has hired technical staff (Project Certification Managers (PCM) and

technical experts) and is capable of conducting many validations solely with EASA personnel. In addition, EASA has the ability to allocate tasks, either entire projects or just one specialty, to accredited NAAs and Qualified Entities. For these allocated tasks, the NAA or Qualified Entity will perform the work and submit a recommendation to EASA, who will issue the approval.

TSO article approvals

- **What does EASA use for article approvals?**

EASA issues ETSOAs as defined in their part 21. Article manufacturers should forward any applications for new approvals through their cognizant FAA ACO to EASA.

- **Will EASA approve an APU as a TSO article?**

APUs have their own standard in the EU, called CS-APU. EASA will issue an ETSOA for APUs but will use a certification process similar to type certification.

Repair design approvals

- **Will EASA recognize repairs accepted by a Member State prior to September 28, 2003?**

Existing products, including all changes and repairs installed on them and accepted by a Member State prior to September 28, 2003, validated and operating in the EU are grandfathered in accordance with Commission Regulation (EC) No. 1702/2003. It is incumbent upon the applicant to furnish appropriate documentation that provides evidence of past NAA approval/acceptance.

- **What is the process for getting new repair designs by the TC or STC Holder approved by EASA?**

All minor and major repair data that are accepted or approved by the FAA from a TC or STC holder, as appropriate, are automatically accepted within the EU.

- **What is the process for getting new repair designs by companies other than the TC or STC Holder approved by EASA?**

EASA will automatically accept all minor repair data by U.S. companies other than the TC or STC Holder. For major repairs to critical components, application for validation must be made through the EASA Applications/Certification Manager. (See the TIP, section 3.3.2)

- **Some European airlines are insisting that they need an FAA Form 8110-3 for each repair. How should I reply?**

Form 8110-3's should not be issued for minor repair data. EASA is aware of FAA's system for accepting data for minor repairs, and the operator should be referred back to EASA's website. Some U.S. companies are now using a standard document to accompany minor repair data and improve traceability. Boeing's Repair Data Record (RDR) form is an example of such an industry best practice. The FAA encourages other companies to work with their certificate managing office to develop a comparable standard document.

Part 26

- **I want to have my FAA STC validated by EASA. It was issued by the FAA in 1995. Will I have to show compliance with the Electrical Wiring Interconnection System (EWIS) Instructions for Continued Airworthiness (ICA) requirements?**

For STCs (and changes) certified or validated by EASA after the 7th of June 2010, the EWIS ICA (for affected products) must form part of the data package submitted for approval of the STC. The impact on EWIS ICA has to be analyzed and updated. EWIS ICA, if needed have to be provided at the time of approval of the STC. (An identical requirement is placed on similar EASA STCs when applying for FAA validation.)

EXPORTING TO EU MEMBER STATES

- **What are the EU Member States' import requirements?**

The European Union has defined common standardized import requirements for new and used aircraft for all EU Member States. All exporters shipping civil aircraft from the United States to a Member State of the EU must comply with these EU special requirements to meet the regulatory requirements identified in 14 CFR Part 21, Subpart L. These EU special import requirements are published in FAA Advisory Circular 21-2, *Complying with the Requirements of Importing Countries or Jurisdictions When Exporting U.S. Products, Articles, or Parts*.

The EU has not defined import requirements for new aircraft engines, propellers, parts and appliances.

- **Will there still be additional national requirements?**

There may be different national requirements for operational equipment. However, per the EU regulation Article 8, there should not be additional national design requirements since all EU airworthiness requirements are defined in Annex 1 to the regulations and the implementing rules and certification specifications.

In rare circumstances, an NAA may impose a design requirement per the EU regulation Article 10(1), such as through issuance of an emergency airworthiness directive, to react to an immediate safety problem. In these instances, the Commission is required

to take action if EASA does not agree with the Member State's action (and therefore, takes similar action to make the design requirement an EU-wide requirement). If the Commission disagrees with the action taken by the Member State, the Member State will be required to revoke or amend the measure in question.

- **Will every FAA-approved design imported to the EU have an EASA certificate or approval?**

All FAA TCs and STCs, eligible for product and part import into the EU, must be validated by EASA and EASA will issue its own certificate. TSOAs must have an EASA ETSO Authorisation. EASA will issue approvals for major level 1 design changes to TCs and STCs, major design changes to TSOAs, and repairs to critical parts that were developed by someone other than the TC/STC holder. Certain PMAs will need an EASA STC before import into the EU. Major level 2 design changes, minor design changes, most PMAs and most repairs are considered approved by EASA following approval under the FAA's system. Most alterations accepted under the FAA's system will be accepted by EASA without review upon import of the used aircraft. See the TIP for details.

- **I have an FAA STC as well as PMA approval for (non-critical) parts. Since PMA'ed parts are accepted by EASA without review, do I need an EASA STC to ship parts to the EU?**

You can ship the parts to the EU, but they can only be installed on an EU-registered airplane when there is an EASA-approved STC that addresses the installation of those parts.

- **Does section 5.1.8 of the TIP apply to those "replacement" parts shipped from a holder of a Production Certificate (PC) and a holder of a Parts Manufacturing Approval (PMA)? Specifically section 5.1.8 (3)? Are exporters required mark parts going to the EU with "model designation of the type certificated product for which the part is eligible for installation"?**

Section 5.1.8 applies to PC and PMA holders when shipping replacement parts. The part does not have to be marked with the installation information, as this is not required by EU part 21A.804. But the information must be included with the part's paperwork.

CONTINUED AIRWORTHINESS

- **What is the authority responsibility for continued airworthiness oversight of approval holders (i.e.; certificate management)?**

EASA is responsible for the continued airworthiness of EU products. As with design approvals, EASA may allocate to the NAA of the State of Design for managing

continued airworthiness, but is assuming more of the day-to-day tasks as their workforce increases.

- **Who will issue Airworthiness Directives?**

EASA is now issuing all ADs related to design, production, or maintenance issues.

Infrequently, EASA may issue “Emergency Conformity Information” (ECI) in situations that would normally be limited to unsafe conditions resulting from manufacturing or maintenance deficiencies where there is a need to inspect and to restore conformity of individual aircraft with the approved design before the next flight.

In rare circumstances associated with urgent safety issues, an NAA may issue an emergency AD using the provisions of Article 10(1) of the EASA Regulation, without obtaining EASA approval. In these instances, the Commission is required to take action in the event EASA does not agree with the action and, therefore, does not issue an EASA AD that mirrors the NAA AD. This may require that the NAA rescind or amend their AD.

TECHNICAL ASSISTANCE

- **Paragraph 6.0.3 discusses how the FAA can use EASA DOAs for technical assistance once the FAA has confirmed with EASA that the DOA is authorized for similar activities. What is the best way to confirm a DOA’s authorization?**

EASA lists all their DOA’s and their authority on their website at <http://www.easa.europa.eu/approvals-and-standardisation/organisation-approvals/design-organisation-approvals.php#lists>