



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 03.05.1996
COM(96) 186 final

96/0119 (SYN)

Proposal for a

COUNCIL REGULATION (EC)

**amending Council Regulation (EEC) n° 3922/91,
on the harmonisation of technical requirements and
administrative procedures in the field of civil aviation.**

(presented by the Commission)

Explanatory Memorandum

Introduction

Pursuant to Article 4 of Council Regulation 3922/91¹ on harmonisation of technical requirements and administrative procedures in the field of civil aviation, the Commission has committed itself to propose, where appropriate, further measures to harmonise technical requirements and procedures in the field of civil aviation.

It was agreed at the same time that the basis for these proposals should be found in the cooperative work of the member States in developing "Joint Aviation Rules" within the framework of their association called Joint Aviation Authorities (JAA).

The present Annex II of Regulation 3922/91 covers the common requirements for type certification of sailplanes and powered sailplanes, large aeroplanes, engines, propellers, auxiliary power units and very light aeroplanes. As well as approval of maintenance organisations, All Weather operations and certification of equipment intended to be fitted into an aeroplanes.

The JAA has now elaborated common requirements for the type certification of small aircraft (JAR 23) in the category normal, utility, aerobatic and commuter aircraft and small and large rotorcraft (JAR 27 and JAR 29). These fields were not covered in present Annex II of Regulation 3922/91. Including these harmonised requirements into Annex II of regulation 3922/91 will ensure a common level of safety for the operation of these aircraft and will facilitate the free movement of small commercial aircraft and of small and large rotorcraft and free access within the Community market through automatic recognition of type certificates under art.6 par 1 of the Regulation.

Our manufacturing Industry has cooperated in the work of JAA and is fully supporting incorporation of the JARs 23, 27 and 29 in Community law as they stand.

¹

OJ L373 of 31.12.91, P.4

Proposal for a
COUNCIL REGULATION (EC)

amending Council Regulation (EEC) n° 3922/91 on the harmonisation of technical requirements and administrative procedures in field of civil aviation.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 84(2) thereof;

Having regard to the proposal of the Commission¹ in cooperation with the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³;

Whereas common airworthiness standards for large aircraft are harmonised in the European Community under Annex II of Regulation (EEC) No 3922/91⁴,

Whereas the present Annex II of Regulation (EEC) No 3922/91 covers the common requirements for type certification of sailplanes and powered sailplanes, large aeroplanes, approved maintenance organisations, all weather operations, engines, propellers, auxiliary power units, very light aeroplanes as well as technical standards for the approval of equipment and apparatus to be fitted on board aeroplanes.

Whereas Council Regulation 3922/91, shall be completed by adoption of new technical requirements and administrative procedures in the fields covered by this Regulation

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4 OJ L 373 of 31.12.91,p.4

Whereas the JAA have elaborated common requirements for type certification of small commercial aircraft (JAR 23) and small and large rotorcraft (JAR 27 and JAR 29)

Whereas the Member States , associated in the JAA, have notified the Commission, in conformity with Article 10 of Regulation 3922/91, of: the development and adoption of new technical requirements for the issue of type certificates and changes to those certificates for aeroplanes in the normal, utility and aerobatic category and for propeller driven twin-engined aeroplanes in the commuter category (JAR 23), the development and adoption of new technical requirements for the issue of airworthiness type certificates and changes to airworthiness type certificates for small rotorcraft (JAR 27) and the development and adoption of new technical requirements for the issue of airworthiness type certificates and changes to airworthiness type certificates for large rotorcraft (JAR 29),

HAS ADOPTED THIS REGULATION :

Sole Article

Point 2 of Annex II of Regulation No: 3922/91 on harmonisation of technical requirements and administrative procedures in the field of civil aviation is extended by the addition of;

JAR 23 Normal, Utility, Aerobatic and Commuter Category Aeroplanes

JAR 27 Small Rotorcraft

JAR 29 Large Rotorcraft

This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Communities

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done in,

For the Council

Assessment form for the impact on competitiveness and employment.

Proposal for a Council Regulation amending Annex II of Council Regulation 3922/91 on harmonisation of technical requirements and administrative procedures in the field of civil aviation by including airworthiness Requirements for small commercial aeroplanes and small and large rotorcraft.

1. What is the main justification for this measure?
 - ensuring a true single Market for aircraft and aviation products
 - while maintaining a high level of safety in civil aviation in Europe
2. Characteristics of the enterprises concerned:
Aircraft Manufacturers, Manufacturers of aircraft products and parts, Aircraft operators and rotorcraft operators.

In particular

- are a great number of SME's concerned ? Yes
 - are there concentrations in certain regions ? No
 - eligibility for regional aids in Member States ? No
 - eligible for ERDF ? No
3. What constraints are imposed on the enterprises?
None extra. These common requirements will have a cost advantage, since there will be only one certification process, instead of multiple national processes which are more time-consuming and more costly.
 4. What constraints are likely to be imposed directly on the enterprises by way of local authorities ?
None.
 5. Are there special measures of SME's ? NO
 6. What is the foreseeable impact on :
 - The competitiveness of the enterprises?
They will be diminishing their certification cost and achieving more flexibility for their aircraft fleet and for their products,
 - employment ?
No foreseeable impact.
 7. Have the Social partners been consulted ?
No, it was not considered necessary.
Support for these proposals from Industry
Yes, strong support.

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DOCUMENTS

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