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**Abstract** 

This document serves as a guide for the regulatory needs to implement KAIROS Solution 2 AI MET Applications. The document will cover a brief introduction of the AI MET Applications technology and provide an overview of the regulatory landscape related to AI and aviation. The document will examine various aspects of the technology when determining the regulatory needs. These technology characteristics include certification, data, aviation safety, human-machine interactions, and liability and risk management. The goal of this document is to identify the current relevant regulations impacting the AI Convection Forecast solution and suggest amendments or new regulations that must be considered to successfully deploy the solution. Analysis of the regulatory needs will be dome in collaboration with the relevant regulatory bodies to the greatest extent possible. This document will be updated regularly during the project execution.





# **Authoring & Approval**

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 $<sup>^{\</sup>rm 1}$  Representatives of all the beneficiaries involved in the project.

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 $<sup>^{\</sup>rm 2}$  Representatives of the beneficiaries involved in the project.



# **Copyright Statement**

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# **KAIROS**

UNLOCKING THE POTENTIAL OF AI-BASED WEATHER FORECASTS FOR OPERATIONAL BENEFITS

# KAIROS

This document is part of a project that has received funding from the SESAR 3 Joint Undertaking under grant agreement No 101114701 under European Union's Horizon Europe research and innovation programme.







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# 1 Executive summary

This document is the regulatory deliverable for KAIROS Solution 2, AI MET Applications. This solution will extend the approach from KAIROS Solution 1 and use artificial intelligence to provide improved forecast capability for a variety of aviation hazards including turbulence, low visibility, high altitude ice crystals,  $SO_2$  and dust. Forecast for these events will be provided in a variety of formats, i.e., TAF, in order to meet the needs of specific aviation stakeholders.

In this initial version of the regulatory deliverable, a plan is presented for the consideration of regulatory needs of the AI MET Applications technology and acceptable means of compliance. This document will provide a brief overview of the proposed technology as well as an overview of the regulatory landscape providing perspectives from both the realm of AI and aviation specific regulations that may impact the AI Convection Forecast technology.

An assessment will of the identified regulations will be performed to suggest potential mean of compliance for the AI Convection Forecast. The document will also suggest amendments to existing regulations or propose new regulations that would facilitate the transition of the AI MET Applications technology.

The aim of this document is to identify regulations impacting the AI MET Applications technology and suggesting acceptable means of compliance. The document will consider multiple aspects of the technology that will require regulatory compliance. Areas to consider include:

- Certification
- Data
- Aviation Safety
- Human-machine interactions
- Liability and risk management

The process of identifying the regulatory considerations of the technology will be performed in collaboration the regulatory bodies and authoritative agencies to the greatest extent possible. This activity will also leverage other ongoing efforts, particularly around artificial intelligence, to increase the quality of regulatory material regarding the technology. Lastly, the work presented here will be supported by parallel efforts considering the standardisation needs of the technology, captured within deliverable D2.3.

Progress of activities relating to the regulatory compliance of the technology will be presented in future versions of this document. The regulatory considerations for both KAIROS solutions will continuously be assessed during project meeting and technical assessments. The next version of this document is expected to be submitted in August 2024.

Comentado [JF1]: added i.e. TAF, to underline the need for





# 2 Introduction

# 2.1 Purpose of the document

The purpose of this document is to identify existing regulations as well as propose acceptable means of compliance for the implementation of an artificial intelligence—based weather prediction systlems to be utilized by aviation. This document will provide a complete look at the multiple regulations that need to be considered when transitioning the technology to an operational use.

# 2.2 Intended readership

Intended readership of this document includes the European Union Aviation Safety Agency, and other aviation and weather stakeholders, such as ANSPs and Nation MET Agencies, that may be interested in the implementation of the Al Convection Forecast technology.

# 2.3 Background

The KAIROS project aims at transforming the way weather information is created and shared with aviation stakeholders. The project will leverage artificial intelligence technology to improve the quality of forecast. This technology will also help to automate the creation of forecasts and digitalize the dissemination of the information for end users. This document focuses on KAIROS Solution 2, AI MET Applications.

The AI MET Applications technology will train ML algorithms to predict several types of weather phenomena impacting aviation including turbulence, low visibility, high altitude ice crystals, SO<sub>2</sub>, and dust. Algorithms will be trained with historical forecast and several types of weather observation data, including satellite observations, weather reports, and sensor data from aircraft and ground weather stations. Like solution 1, solution 2 will also ingest live weather data in an online learning architecture for continuous improvement of its weather forecasts.

This document will also provide an overview of the regulatory landscape of aviation and AI systems. Creating regulations around artificial intelligence is a challenge for society at large as the technology begins to seep into a wide range of services and industries. The European Union is making massive investments in AI and data to ensure the technology is developed in a way that is human-centric, trustworthy, and safe. The European Commission has already proposed AI regulations such as the EU AI Act and the EU AI Liability Directive. Similarly, at the aviation level, the European Aviation Safety Agency (EASA) is committed to ensuring that the aviation industry benefits from the potential of AI while maintaining the highest levels of safety, security, and environmental protection. EASA has published multiple AI concept papers and AI Roadmaps to support the approval and deployment of aviation AI systems. During the KAIROS project, the need for regulations of the KAIROS solutions will be examined, with the goal of laying out a pathway of the necessary measures that need to be in place to transition the technology to operational use. Additionally, the project will monitor other ongoing efforts relating to AI regulation to see how their findings can inform the regulatory process and provide benefit to the KAIROS project.

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Apart from the AI perspective, the KAIROS solutions must also comply with existing regulations relating to the use of weather in aviation. This information is well documented and available in publications such as ICAO's Annex 3 Meteorological Service for International Air Navigation [3] or EASA's Annex V to ED Decision 2017/001/R covering Specific requirements for providers of meteorological services [2].

## 2.4 Structure of the document

This document will start by first surveying the regulatory landscape of AI technology as well as identifying the current regulations in use today for aviation weather products. Analyses of the current regulations will be done to see how these currently meet or can be adapted to meet the needs of the AI forecasting for convection.

The aim of this document is to provide a comprehensive view of the regulatory implications to implementing the Al Convection Forecast solution. This document is organized into four sections.

Section 1 of the document is the Executive Summary, this section will provide a general overview of the document, highlighting the major advancements regarding the identification of regulatory material since the previous submission.

Section 2 of the document will provide the introduction and background of the technology and current regulatory landscape of AI and aviation technology. A brief overview of the AI MET Applications technology is provided as well as information regarding to ongoing effort by the EU Commission and EASA to regulate the use of AI within the aviation sector. Section 2 will also contain a glossary of terms and list of acronyms utilized throughout the document.

Section 3 will provide the technical details the document. The section will identify several characteristics of the technology that will need to be addressed with regulations. For each aspect, the applicable regulations will be identified as well as proposed means of compliance. References to deliverable D3.3 and supporting material relating the development of standards the technology will also be provided in this section.

Lastly, Section 4 of the document will provide a list of related documents referenced within the document.

# Glossary of terms

This section identifies terms and their definition and shall include the reference to the source of the definition. The table can also include terms that are not available in any referenced documents, and a proposed definition. However, new definitions shall not be proposed for terms already defined elsewhere.

Term	Definition	Source definition	of	the
Regulation	It covers soft and hard laws (i.e. IA (implementing acts), DA (delegated acts), CS (certification specification) AMC (acceptable means of compliance)/GM (guidance	EASA		

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	material)) that can be needed to enable implementation and are within the scope of EASA.	
Regulatory material		

Table 1: Glossary of terms

# 2.5 List of acronyms

# To be completed / updated.

Acronym	Definition
Al	Artificial Intelligence
ATM	Air Traffic Management
EASA	European Aviation Safety Agency
FTI&U	Fast Track Innovation and Uptake
ICAO	International Civil Aviation Organization
ML	Machine Learning
SPR-INTEROP/OSED	Safety Performance Requirement and Interoperability Requirements/Operational Service Environment Description
REG	Regulatory deliverable
SESAR 3 JU	SESAR 3 Joint Undertaking
TAF	Terminal Aerodrome Forecast
TS/IRS	Technical Specification/Interface Requirement Specification
WMO	World Meteorological Organization

Table 2: List of acronyms





# 3 Regulation needs capture

KAIROS Solution 2: AI MET Applications will create AI-based forecast for multiple aviation weather hazards. AI MET Application will use artificial intelligence to improve the forecast of turbulence, low visibility, high altitude ice crystals,  $SO_2$ , and dust. The technology will develop forecast at various spatial and temporal resolutions and formats to meet the needs of multiple aviation end users. KAIROS solution 2 will be matured to TRL 6.

The following regulatory aspects of the technology have been identified:

# 1. Certification

Certification of the technology is an important aspect that is yet to be answered. Most of the existing EASA regulations defer to the "competent authority" as having the final say when it comes to weather related products. The national MET provider for each state is understood as the "competent authority" and they play a critical role in certifying the technology for use by aviation end users.

#### 2. Data

There are various characteristics of the data that must be examined to ensure it is compliant with AI regulations. These include data privacy and data protection, as well non-discriminatory and ethical implications. Given the technology does not require personal data, it is anticipated that many regulations will not apply, however regulations dealing with the quality and accuracy of the data will need to be considered.

## 3. Aviation Safety

Maintaining the proper levels safety is perhaps the most important objective of applying the regulations. EASA has outlined strategies for ensuring safety and trustworthiness of AI applications.

# 4. Human-machine interactions

EASA is committed to a human-centric approach to AI in aviation. Understanding how the technology will interact with the human will be a key aspect of the regulatory process. EASA has defined various three levels to classify the complexity of the interaction; Level 1 AI: Assistance to humans, Level 2: human-AI teams, and Level 3: advanced automation. Initial assessment of the technology points to Level 1 classification of the KAIROS solutions, however a more detailed assessment is still required.

### 5. Liability and risk management

Addressing the risk of AI technology, a main theme in the European Commission and EASA guidelines that have been published so far. The EU AI Act distinguishes AI systems into three categories according to the level of risk they pose: (i) unacceptable risk, (ii) high risk, and (iii) low or minimal risk. EASA has also defined the AI safety risk mitigation building block strategy to deal with the inherent uncertainties of AI.



Certification



# 3.1 Need for a new or amended rule(s)

The five regulatory aspects of the technology mentioned in the previous section will help to identify the current regulations that apply to the AI MET Applications solution. For each aspect, the existing regulations will be identified, as well as suggested approached for finding an acceptable means of compliance.

Existing regulations:			
TBD			
Acceptable Means of C	ompliance:		
TBD			
Data			
Existing regulations:			
TBD			
Acceptable Means of C	ompliance:		
TBD			
Aviation Safety			
Existing regulations:			
TBD			
Acceptable Means of C	ompliance:		
TBD			
Human-machine intera	ctions		
Existing regulations:			
TBD			
Acceptable Means of C	ompliance:		
TBD			
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Liability and risk management

**Existing regulations:** 

TBD

**Acceptable Means of Compliance:** 

TBD

# 3.2 Objectives to be achieved

KAIROS Solution 2, AI MET Applications aims leverage artificial intelligence, and the developments under KAIROS Solution 1, to create forecasts for various aviation weather hazards. The technology will provide a improve weather predictions at various temporal and spatial resolutions to meet the specific need of aviation end users. The technology will also be able to have a live feed of forecast and observation data to create forecast, validate predictions and regularly update the algorithm. The technology must also provide the forecast in the adequate format and make it widely accessible to stakeholders.

# 3.3 Expected benefits

Expected benefits from the technology are timely, precise, and digital forecast of convective weather. This improved weather information will allow aviation stakeholders such as ANSPs, airports and aircraft operator take better informed operation decisions.

# 3.4 Identify new or amended regulatory material

Identification of new and amended regulatory material is still ongoing.

Considering the scope of the SESAR solution, provide a list of EASA framework rules (see section 4.1) you consider that may need to be amended. If amendments are considered not suitable, define the scope of a new regulation.

For FTI&U SESAR solutions, provide a description of the regulatory activities to secure the demonstration and as necessary (and where possible) any annexes with the documents developed and agreed to support the approach.

# 3.5 Standard development support

Standardisation activities for the AI MET Applications solution will be carried out in parallel to the regulatory activities. The standardisation activities will focus on data quality, model development and validation, performance metrics, data interoperability and data security. Results from these activities will be collected in the Standards deliverable, D3.3.

Comentado [JF3]: This yellow text is a "place holder"(c&p) from the SQL1 document 12. It shall refer to SQL2 etc...

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# 4 References

Reference to main documentation.

This section identifies the documents (name, reference, source project) the REG deliverable has to comply to or to be used as additional inputs.

Note: before the deliverable is submitted to the SESAR 3 JU, please make sure that you list the latest applicable version of the relevant references as in the programme library.

# 4.1 Applicable documents

**SESAR** solution pack

[1]

## **EASA** regulations

[2] (EU) 2017/373 Annex V Specific Requirements for Providers of Meteorological Services (Part – MET)

## **ICAO** documents

[3] ICAO Annex 3 Meteorological Service for International Air Navigation

# Other documents

- [4] EU Commission, 'EU Commission Proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislative acts, COM/2021/206final', 2021
- [5] EU Commission, 'EU Commission Proposal for a Directive of the European Parliament and of the Council on adapting non-contractual civil liability rules to artificial intelligence (Al Liability Directive)', 2022
- [6] EASA, 'Concept Paper: Guidance for Level 1 & 2 machine learning applications Proposed Issue 02', European Union Aviation Safety Agency (EASA), Cologne, 2023.
- [7] EASA, 'EASA Artificial Intelligence Roadmap 2.0', European Union Aviation Safety Agency (EASA), Cologne, 2023.
- [8] 101114701 KAIROS Grant Agreement, 26/05/2023
- [9] SESAR 3 execution framework

## 4.2 Reference documents

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The following documents were used to provide input / guidance / further information / other:

ED-78A GUIDELINES FOR APPROVAL OF THE PROVISION AND USE OF AIR TRAFFIC SERVICES SUPPORTED BY DATA COMMUNICATIONS.





# Appendix A EASA regulations

The following table lists existing EASA regulations at the date of creation of the template and is provided as an initial reference. Please consider the latest up-to-date information available via <a href="https://www.easa.europa.eu/regulations">https://www.easa.europa.eu/regulations</a>.





A proj	Latest information is available via https://www. of Compliance, duidance Moterial (AMC/GM) and Cen View our FAQ's via https://www.easa.europa.es	easa.europa.eu/regulations (including Acceptable Me offication Specifications (CS)) //the-agency/fags	s	EASA European Union Autorion Salvey Agreny	Latest information is available via https://www.ei of Compliance, Guidence Material (AMC/GM) and Certy View our FAQ's via https://www.easa.europa.eu/	asa.europa.eu/regulations (including Acceptable Means Section Specifications (CS)) the-agency/fags
	IR: Implementing Regulation DR: Delegated Regulation	Annexes				Annex XI: Part-ASD Annex XII: Part-NM Annex XIII: Part-PERS
ic Regulation ial Airworthiness	(EU) 2018/1139 IR: (EU) No 748/2012	Annex I: Part 21 Annex II: Repealed Regulation – list of amendments Annex III: Correlation table		AICO	IR: (EU) 2015/340	Annex I: Part ATCO Annex II: Part ATCO.AR Annex III: Part ATCO.OR Annex IV: Part ATCO.MED
Additional airworthiness specifications for	IR- (EI I) 2015/640	Annex III: Correlation table  Annex I: Part-26		Airspace usage requirements (ACAS II)	IR: (EU) No 1332/2011	Annex: ACAS
operations	111 (20) 2025/010	THIRD IT OF LO		Airspace usage requirements (PBN)	IR: (EU) 2018/1048	Annex: Subpart PBN
Continuing airworthiness	IR: (EU) No 1321/2014	Annex I: Part-M Annex II: Part-145		SERA	IR: (EU) No 923/2012	Annex: Standardised European rules of the air
		Annex III: Part-66 Annex IV: Part-147 Annex Va: Part-T Annex Vb: Part-ML Annex Vb: Part-GAMO		Aerodromes	IR: (EU) No 139/2014	Annex I: Definitions Annex II: Part-ADR.AR Annex III: Part-ADR.OR Annex IV: Part-ADR.OPS
		Annex Vd: Part-CAO		SKPI - Safety Key Performance Indicators	IR: (EU) 2019/317	
Aircrew	IR: (EU) No 1178/2011	Annex I: Part-FCL Annex II: Conversion of non-EU licences Annex III: Licences of non-EU states		Sailplanes – Air Operations	IR: (EU) 2018/1976	Annex I: Part-DEF Annex II: Part-SAO Annex III: Part-SFCL
		Annex IV: Part-MED Annex V: Part-CC				
		Annex VII: Part-ARA Annex VII: Part-ORA Annex VIII: Part-DTO		Unmanned Aircraft Systems (UAS) (Rules and procedures for the operation of unmanned aircraft)	IR: (EU) 2019/947	Annex: UAS ops in the 'Open' and 'Specific' categories
Air operations	IR: (EU) No 965/2012	Annex I: Definitions Annex II: Part-ARO Annex III: Part-ORO Annex IV: Part-CAT		Unmanned Aircraft Systems (UAS) (Unmanned aircraft systems and third- country operators of unmanned aircraft systems)	DR: (EU) 2019/945	Annex: Annex
		Annex V: Part-SPA		Occurrence Reporting		
		Annex VI: Part-NCC Annex VII: Part-NCO		Board of Appeal		
		Annex VIII: Part-SPO		Fees and Charges		
Balloons - Air Operations	IR: (EU) 2018/395	Annex II: Part-DEF Annex II: Part-BOP		Fines and Penalties		
		Annex III: Part-BFCL		Standardisation Inspections		
Third country operators	IR: (EU) No 452/2014	Annex I: Part-TCO Annex II: Part-ART		Other	Regulation (EU) No 996/2010 Commission Regulation (EC) No 768/2006 Directive 2006/23/EC	
ATM/ANS	IR: (EU) 2017/373	Annex II: Definitions Annex II: Part-ATM/ANS.AR Annex III: Part-ATM/ANS.OR Annex IV: Part-ATS			Directive 2004/36/CE Council Regulation (EEC) No 3922/91 Council Directive 91/670/EEC	
		Annex VI: Part-ATS Annex VI: Part-MET Annex VII: Part-AIS Annex VIII: Part-DAT Annex VIII: Part-CNS Annex XII: Part-ATFM Annex XI: Part-ATFM Annex XI: Part-ASM		Last updated: 23.4.2021		An agency of the European Union
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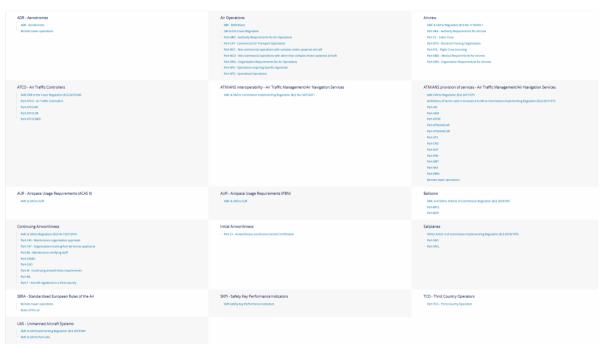
# Appendix B Acceptable means of compliance (AMC) and guidance material (GM)

The following table lists the existing AMC and GM at the date of creation of the template and is provided as an initial reference.

Please consider the latest up to date view available via the EASA website: <a href="https://www.easa.europa.eu/document-library/acceptable-means-of-compliance-and-guidance-materials">https://www.easa.europa.eu/document-library/acceptable-means-of-compliance-and-guidance-materials</a>







# **Certification specifications (CSs)**

The following table lists the existing CSs at the date of creation of the template and is provided as an initial reference; Please consider the latest up to date view available via EASA website: <a href="https://www.easa.europa.eu/document-library/certification-specifications">https://www.easa.europa.eu/document-library/certification-specifications</a>

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Additional Airworthiness Specifications	ADR - Aerodromes	Air Operations
CS-26 Additional airworthiness specifications for operations	CS-ADR-DSN Aerodromes Design	CS-FSTD(A) Aeroplane Flight Simulation Training Devices
	CS-HPT-DSN Heliports Design	CS-FSTD(H) Helicopter Flight Simulation Training Devices
		CS-FTL.1 Commercial Air Transport by Aeroplane - Scheduled and Charter Operations
Aircrew	ATM/ANS interoperability - Air Traffic Management/Air Navigation Services	Initial Airworthiness
CS-FSTD(A) Aeroplane Flight Simulation Training Devices	CS-ACNS Airborne Communications, Navigation and Surveillance	<ul> <li>AMC-20 General Acceptable Means of Compliance for Airworthiness of Products, Parts and Appliances</li> </ul>
CS 55TD9 9 Helicopter Flight Simulation Training Devices		CS-22 Saliplanes and Powered Saliplanes
		CS-23 Normal, Utility, Aerobatic and Commuter Aeroplanes
		- CS-25 Large Aeroplanes
		CS-26 Additional ainworthiness specifications for operations
		- CS-27 Small Rotorcraft
		- CS-29 Large Rotorcraft
		CS-31GB Gas Balloons
		- CS-31HB Hot Air Balloons
		- CS-31TGB Tethered Gas Balloons
		CS-34 Aircraft Engine Emissions and Fuel Venting
		CS-36 Aircraft Noise
		- CS-APU Auxiliary Power Units
		- CS-AWO All Weather Operations
		- CS-CCD Cabin Crew Data
		<ul> <li>CS-CO2 Certification Specifications, Acceptable Means of Compliance and Guidance Material for Aeroplane Emissions (CS-CO2)</li> </ul>
		CS-Definitions on Definitions and Abbreviations
		- CS-E Engines
		- CS-ETSO European Technical Standard Orders
		- CS-FCD Right Crew Data
		CS-GEN-MMEL Generic Master Minimum Equipment List
		- CS-LSA Light Sport Aeroplanes
		CS-MCSD Certification Specifications for Maintenance Certifying Staff Data
		- CS-MMEL Master Minimum Equipment List
		- CS-P Propellers
		- CS-SIMD Simulator Data
		CS-STAN Standard Changes and Standard Repairs
		- CS-VLA Very Light Aeroplanes
		CS-VLR Very Light Rotorcraft

