



OPINION No 06/2012

OF THE EUROPEAN AVIATION SAFETY AGENCY

of 27 November 2012

for a Commission Regulation amending Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks

and

for a Commission Regulation amending 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

'Alignment of Commission Regulation (EC) No 2042/2003 with Regulation (EC) No 216/2008 and with ICAO Annex 6 requirement for human factor principles to be observed in the design and application of the aircraft maintenance programme'

Executive Summary

The adoption of the Basic Regulation has originated the need to review Regulation (EC) No 2042/2003, which contains the implementing rules for continuing airworthiness, in order to verify consistency between both Regulations and ensure that Commission Regulation (EC) No 2042/2003 contains the appropriate means to implement the essential requirements set forth in the Basic Regulation.

This Opinion contains amendments to the implementing rules for continuing airworthiness management of aircraft registered in an EU Member State (Part-M) and a new set of requirements for continuing airworthiness management of aircraft registered in a third country and used by EU operators (Part-T). Furthermore, this Opinion also contains amendments to Commission Regulation (EU) No 965/2012 on Air Operations.

The amendments to Part-M are related to:

- the replacement of the concept of 'large aircraft' by concept of 'complex motor-powered aircraft'; and
- the introduction of requirements for operation for commercial purposes. With regards to this aspect, the Agency acknowledges the position of the European General Aviation Safety Strategy group and the fact that the actions recommended in its strategy paper may have an impact on the contents of this Opinion.

The requirements contained in Part-T have the objective to ensure that the continuing airworthiness of third country registered aircraft operated by EU operators or by operators residing in the EU complies with the essential requirements of the Basic Regulation. The key characteristics of this new Part-T are:

- The requirements of Part-T apply only to third country registered aircraft used:
 - by operators requiring a certificate under Part-ORO or part-ORA; except for aircraft used under a wet lease-in or code-share agreement, or
 - into, within or out of the EU by operators established or residing in the EU.
- The requirements of Part-T are for each particular aircraft additional to the State of Registry requirements.

The amendments to Commission Regulation (EU) No 965/2012 on Air Operations are necessary to ensure consistency with the changes to Part-M and Part-T. In particular, these amendments affect:

- the provisions for dry lease-in of third country registered aircraft contained both in ARO.OPS.100 and ORO.AOC.110; and
- the contents of the declaration for NCC established in Appendix I to part-ORO

I. General

1. The purpose of this opinion is to suggest the Commission to amend Commission Regulation (EC) No 2042/2003¹, Commission Regulation (EU) 965/2012² on Air Operations. The scope of this rulemaking activity is outlined in Terms of Reference (ToR) RMT.0244 MDM.047 and is described in more detail below.
2. The Opinion has been adopted, following the procedure specified by the European Aviation Safety Agency's (hereafter 'the Agency') Management Board³, in accordance with the provisions of Article 19 of Regulation (EC) No 216/2008⁴ (hereinafter referred to as the Basic Regulation).
3. The proposed rule has taken into account the development of European Union and International law (ICAO), and the harmonisation with the rules of other authorities of the European Union main partners as set out in the objectives of article 2 of the Basic Regulation.

II. Consultation

4. Notice of Proposed Amendment (NPA) 2010-10⁵ that contained the draft opinion for a Commission Regulation amending Commission Regulation (EC) No 2042/2003 was published on the Agency website on 10 August 2010.
5. By the closing date of 10 December 2010, the Agency had received 131 comments from 34 national authorities, professional organisations and private companies.
3. NPA 2010-10 addressed four different issues:
 - Issue 1: The amendment of Commission Regulation (EC) No 2042/2003 to align it with the additional continuing airworthiness requirements of the Basic Regulation, for complex motor-powered aircraft.
 - Issue 2: The amendment of Commission Regulation (EC) No 2042/2003 to align it with the additional continuing airworthiness requirements of the Basic Regulation for operation for commercial purposes.
 - Issue 3: The amendment of Commission Regulation (EC) No 2042/2003 to include requirements for aircraft referred to in Article 4(1)(c) of the Basic Regulation.
 - Issue 4: The amendment of Commission Regulation (EC) No 2042/2003 to include requirements for human factor principles to be observed in the design and application of the aircraft maintenance programme.
4. All comments received have been acknowledged and incorporated into two Comment Response Document (CRD), as follows:

¹ Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 315, 28.11.2003, p. 1). Regulation as last amended by Commission Regulation (EU) No 593/2012 of 5 July 2012 (OJ L 176, 06.07.2012, p. 38)

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.1-148)

³ EASA MB Decision 01-2012 of 13 March 2012 amending and replacing MB Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ('Rulemaking Procedure').

⁴ 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, 19.03.2008, p. 1)

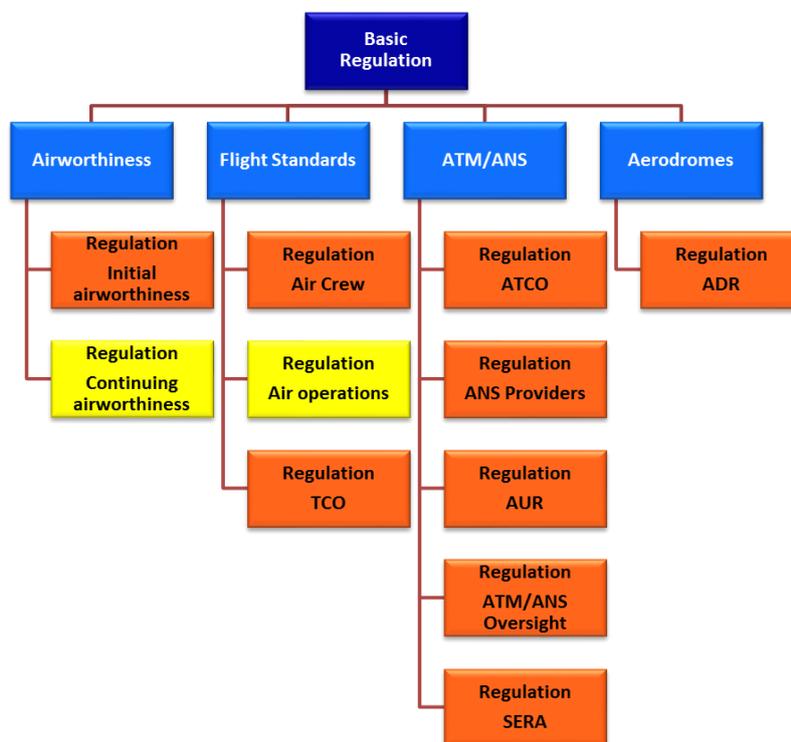
⁵ See Rulemaking Archives at http://www.easa.europa.eu/ws_prod/r/r_archives.php.

- CRD-1 addressed comments linked to issues 1, 2 and 4.
 - CRD-2 addressed comments linked to issue 3.
6. CRD-1 was published on the Agency website on the 15th December 2011 and CRD-2 was published on the 20th March 2012. These CRDs contain a list of all persons and/or organisations that have provided comments and the answers of the Agency.

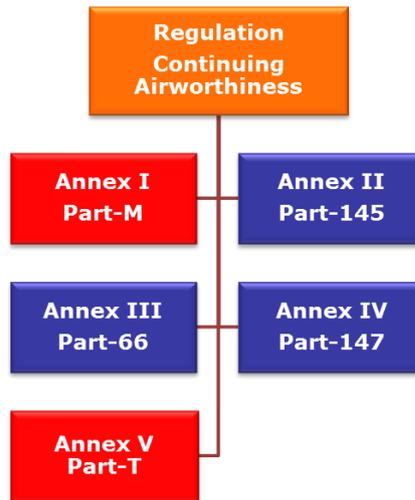
III. Overview of Reactions

a) Introduction

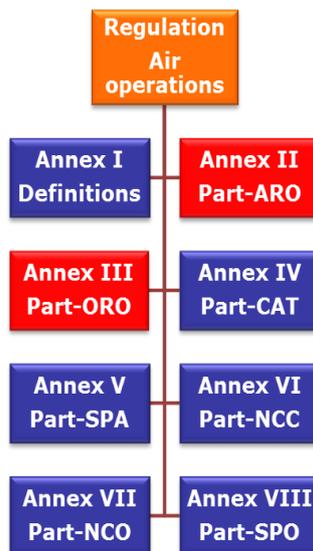
7. The present Opinion proposes amendments to the Commission Regulation (EC) No 2042/2003 on Continuing Airworthiness, on Commission Regulation (EU) 965/2012 on Air Operations.



8. As for regulation for continuing airworthiness, this Opinion includes:
- amendments to Annex I (Part-M), and,
 - a new Annex V (Part-T)



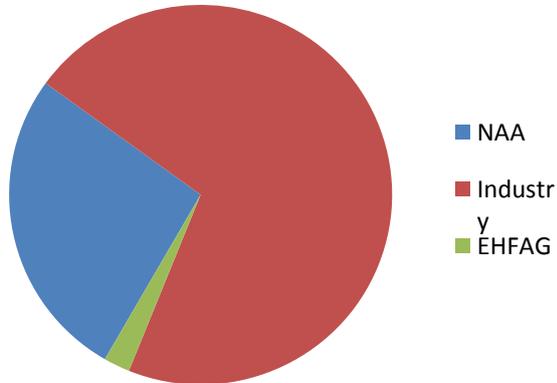
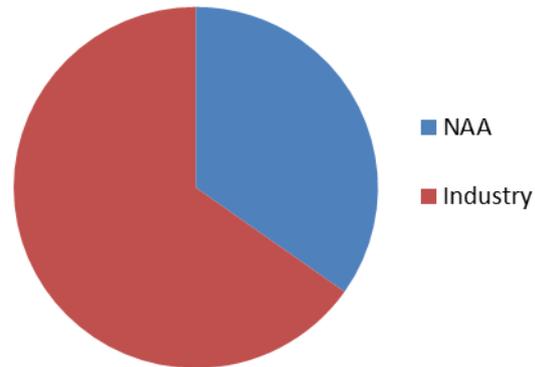
9. As for regulation on Air Operations, this Opinion includes changes to part-ORO and part-ARO.



b) Overview of the Reactions

The Agency has received in total 67 reactions from different stakeholders and competent authorities. In addition to these reactions, the European Human Factors Advisory Group (EHFAG) provided an additional reaction to CRD-1 with regards the human factors requirements introduced in the proposal.

The distribution of the reactions is as follows:

CRD-1 total: 44**CRD-2 total: 23****c) Reactions to CRD-1**

44 reactions were posted in the CRT by the following 14 stakeholders and competent authorities: Aero-Club of Switzerland, European Sailplane Manufacturers, LAMA Europe, Light Aircraft Association of the Czech Republic, Mr Ralf Keil, Europe Air Sports, Mr Graham Hallet, SVFB/ SAMA, Mr Werner Scholz, AOPA Sweden, British Balloon & Airship Club, DGAC-France, Swedish Transport Agency and UK CAA. Additionally, one reaction was provided by the EHFAG.

The reactions have been grouped in the following subjects:

1. Commercial operations and commercial air transport

The majority of the reactions to CRD-1 to NPA 2010-10 affect the definition of commercial operations suggesting that operations with certain categories of aircraft should not be considered commercial operations. Such reactions have been noted but not accepted since this Opinion does not address if an activity should be classified as commercial or non-commercial. The term commercial operation is defined in Article 3 of the Basic Regulation and cannot be altered through a lower ranking implementing rule.

Furthermore, the Agency acknowledges the paper issued by the European General Aviation Safety Strategy group and the actions recommended in this paper. In particular, action A.1 invites Member States to provide their feedback on the activities which they do not classify as commercial operations in their current system, and the Agency and the Commission to consider proposing changes to the definition in the Basic Regulation following such a feedback.

One reaction claims that the definition of commercial air transport included in this proposal should be harmonised with the definition included in the forthcoming regulation for Air Operations. This reaction is noted but not accepted. As it was explained in CRD-1, changing

the definition of commercial air transport would have an impact in the alleviations introduced with Commission Regulation (EC) 1056/2009⁶ for the general aviation sector.

2. Small CAMO quality system.

Several reactions to CRD-1 to NPA 2010-10 affect the requirement to have a quality systems for small Continuing Airworthiness Management Organisations (CAMOs) managing the continuing airworthiness of complex motor-powered aircraft or aircraft engaged in commercial operations. These reactions have been accepted.

The paragraph 8.a.4 of Annex IV to the Basic Regulation requires that organisations controlling the continuing airworthiness or performing maintenance on complex motor powered aircraft or aircraft engaged in commercial operations have a management system. Such management system is not replaceable by a quality system.

The elements of the management system will be introduced in Commission Regulation (EC) 2042/2003 with task MDM.055⁷, for which an NPA is expected to be issued before the end of 2012.

In principle the elements of ORO.GEN section II and in particular ORO.GEN.200 will form the basis for drafting the changes to 2042/2003. This shall ensure that the same approach will be used for implementing SMS for approved pilot training organisations, aero-medical centres, operators, maintenance organisations (Part-M, Subpart F and Part-145, CAMOs and maintenance training organisations approved in accordance with Part-147).

In order to implement the management system requirements proposed with Part-ORO, it will be necessary to review and adapt the existing requirements in the field of management system, quality system, organisational setup, organisational review, etc. This means the introduction of requirements for a management system that encompasses safety management and compliance monitoring, amongst other features. For the particular subject of compliance monitoring in the smallest organisation, the idea is to propose a proportional compliance monitoring programme maintaining the principle of independence (i.e. using external people to perform the audits).

The proposed change to M.A.712 (f) is cancelled.

3. Maintenance contract

Several reactions to CRD-1 to NPA 2010-10 are related to the need to clarify when a contract between the CAMO or operator is required and the requirements for a contract maintenance organisation, in particular they claim that:

- the provisions when it is necessary to establish a written contract with the maintenance organisation should be clarified;
- the approval of the contract between CAMO and maintenance organisation by the competent authority is an unnecessary burden.

Both reactions have been considered and the proposed text has been amended. The technical specifications of the contract between the CAMO and the maintenance organisation should be included in the Continuing Airworthiness Management Exposition (CAME), therefore it is approved together with the CAME and it does not need a separate approval from the competent authority.

4. Technical log

⁶ [Commission Regulation \(EC\) No 1056/2008](#) of 27/10/2008 amending Regulation (EC) No 2042/2003 (*OJ L 283, 28.10.2008, p. 5*)

⁷ <http://easa.europa.eu/rulemaking/terms-of-reference-and-group-composition.php#MDM>

Two reactions to CRD-1 consider that the requirement to have a technical log book represent a burden for some types of commercial operations. However, the Agency considers that the technical log system provides for a systematic means to collect and divulgate certain information which is necessary for the operation and for managing continuing airworthiness, such as utilisation times, release to service and deferred defects. The technical log system does not need to be a complex system and it should be adapted to the type of aircraft and operation.

5. Human factors in the maintenance programme

The EHFAG commented that the introduction of human factors provisions in Part-M should be carried out in a consolidated manner and proposed delaying the introduction of any requirement for human factors to rulemaking task MDM.055. Following those comments the proposed change to M.A.302 (h) is cancelled.

d) Reactions to CRD-2

Twenty three reactions were posted in CRT by the following 5 stakeholders and competent authorities: IACA, CAA-NL, DGAC-France, Swedish Transport Agency and UK CAA. Several of these reactions are comments supporting the proposal included in CRD-2. The main subjects addressed in the reactions are the following:

1. Applicability of the regulation

Two reactions to CRD-2 affect the applicability of the regulation to aircraft registered in a third country operated by operators having its principal place of business in the EU. One reaction supports the proposed rules whereas the other reaction considers that the regulation should not apply to aircraft registered in a third country and operated outside the EU by EU operators, such as pilot training organisations providing training outside the EU with aircraft registered in a third country or commercial air transport operators operating foreign registered aircraft outside the EU.

The later reaction has not been accepted. The applicability of this Regulation is established following the applicability specified in article 4(1)(c) of the Basic Regulation and taking into account the provisions for wet lease-in and code-share established in Annex III (part-ORO) to Regulation (EU) 965/2012. This means that, the scope of the regulation will include:

- aircraft registered in a third country and used by an operator subject to the certification under Annex III (Part-ORO) to Regulation (EU) 965/2012 or Annex VII (Part-ORA) to Regulation (EU) 1178/2011, excluding aircraft used under wet lease-in or code share arrangements, regardless where the aircraft are being operated, and,
- aircraft registered in a third country and used into, within or out of the EU, by an operator established or residing in the EU. This excludes aircraft registered in a third which are used only outside the EU by operators established or residing in the EU.

2. Implementation of the regulation

One reaction to CRD-2 claims that the oversight of the implementation of the regulation for aircraft registered in a third country other than complex motor-powered aircraft will be very difficult since there is no obligation for the operators to declare its activity to the competent authority, and in addition, it will have an economic impact in the competent authorities disproportionate to the safety benefit. The commentator suggest the use of the Safety Assessment of Foreign Aircraft (SAFA) programme for the oversight of those aircraft.

The reaction is partially accepted. This regulation is aimed at fulfilling the need expressed in the Basic Regulation to effectively ensure the safety of aircraft registered in a third country operating in the EU. The SAFA inspections may be used as part of the oversight programme for those aircraft.

3. Dry lease-in of aircraft registered in a third country

Three reactions to CRD-2 have been posted in relation to the dry lease-in of aircraft registered in a third country by EU operators.

One of these reactions expresses the support of the commentator to the fact that the proposal allows the continued possibility to dry lease-in aircraft registered in a third country by EU commercial air transport operators. This reaction has been noted.

The second reaction proposes amending the text of ARO.OPS 110 (c) to preclude the possibility that aircraft registered in a State subject to an operating ban in accordance Commission Regulation (EC) 2111/2005 are dry leased-in by EU operators. This reaction has been accepted.

The third reaction requires clarification to the provisions of T.A.205 (1) for EU commercial air transport operators dry leasing-in aircraft registered in a third country. This reaction is noted and such clarification will be included in the AMC/GM.

4. The operator's declaration

One reaction to CRD-2 is related to the requirement to have a declaration for operators of third country registered complex-motor powered aircraft not used for commercial operations. The commentator considers that this declaration would be a burden for these operators compared to operators of EU registered aircraft. This reaction has been accepted considering that Opinion 04/2011 already included:

- provisions for the declaration of operators of complex motor-powered aircraft not used for commercial operations (ORO.DEC.100); and
- a template for the declaration to the competent authority (Appendix I to part-ORO).

This Opinion 06/2012 proposes an amendment to the template to include the information relevant to continuing airworthiness.

5. Compliance with the mandatory information issued by the Agency

Several reactions to CRD-2 are related to the provisions of T.A.201 (1)(g) requiring third country registered aircraft to comply with any applicable mandatory requirements issued by the State of Registry and mandatory safety information issued by the Agency, including airworthiness directives. The Agency acknowledges that in specific cases there might be conflicts between mandatory requirements issued by the State of Registry and mandatory safety information issued by the Agency. In those cases the operator would need to consider alternative means in order to resolve such conflict.

IV. Main changes introduced to the regulation by this Opinion.

Changes to the cover Commission Regulation (EC) 2042/2003

Article 1 is amended to specify the scope of the regulation in line with the requirements of article 8(1) of the Basic Regulation.

Article 2 is amended to add a definition explaining the meaning of 'commercial air transport' within Commission Regulation (EC) 2042/2003 and to specify that the definitions contained in article 2 are intended to be used within the scope of Commission Regulation (EC) 2042/2003.

Article 3 is amended to ensure consistency with the changes made to article 1 and clarify which provisions are applicable to each category of aircraft. Furthermore, since regulation (EC) 1702/2003 has been repealed by regulation (EU)748/2012 the reference in point 3 is updated.

Article 4(1) is amended to clarify which provisions should be used for the issue of maintenance organisation approvals.

Changes to Part-M

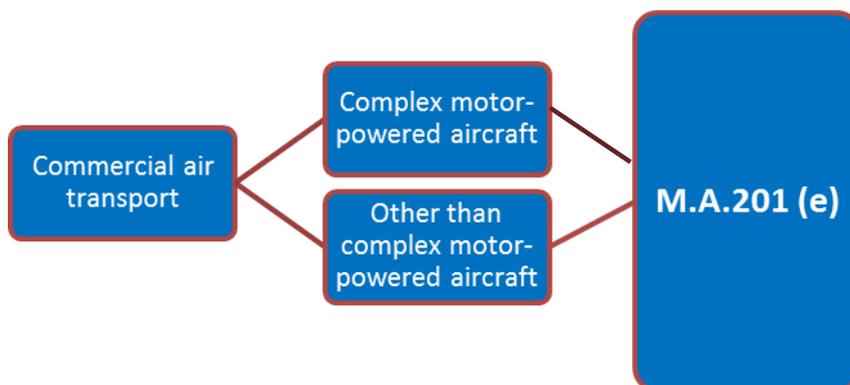
M.1 Competent Authority

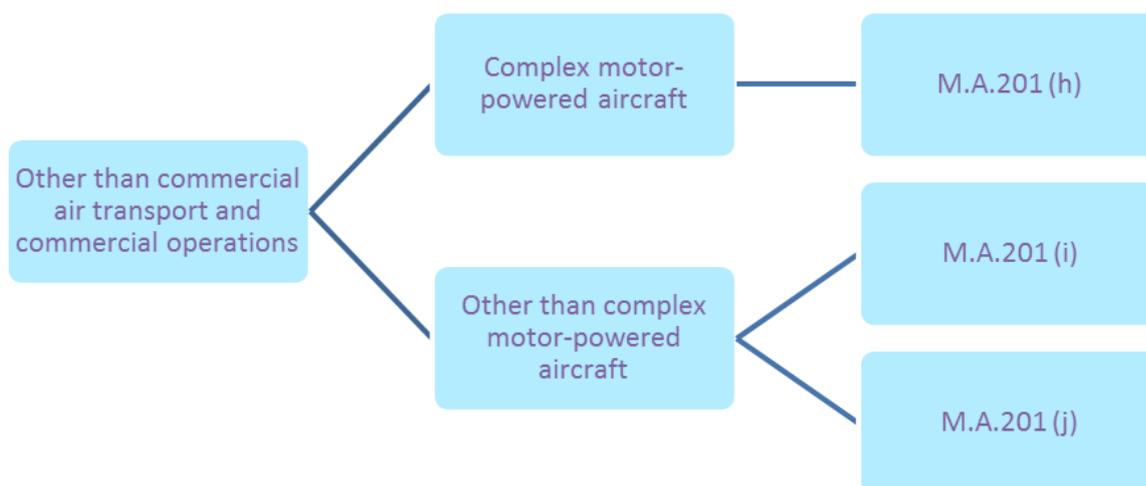
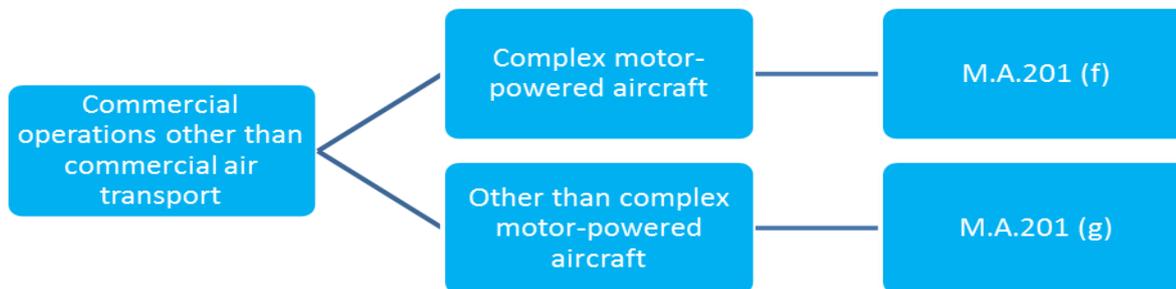
M.1 (4) is amended to simplify the provisions for the designation of the competent authority for the approval of the maintenance programme.

M.A.201 Responsibilities

M.A.201(e)-(k) are amended to:

- replace the term 'large aircraft' by 'complex motor-powered aircraft';
- introduce the concept of 'commercial operations'
- specify for each aircraft category and types of operation , the requirements for the need of a CAMO, a contract between the CAMO and the operator/ owner, the requirements for the need of a maintenance organisation and the contract with such a maintenance organisation





M.A.301 Continuing airworthiness tasks

M.A. 301(2) is amended to align this provision with the possibility of establishing a MEL on a voluntary basis for non-commercial operations of other-than-complex motor-powered aeroplanes that has been also foreseen in the Implementing Rules for Air Operations through the article NCO.GEN.155.

M.A.302(4) and M.A.302(7) are amended to replace 'large aircraft' by 'complex motor-powered aircraft'.

M.A.302 Aircraft maintenance programme

M.A.302(c) is amended to ensure consistency with the amendments made to M.1.

M.A.302(f) is amended to replace 'large aircraft' by 'complex motor-powered aircraft'

M.A.305 Aircraft continuing airworthiness records system

M.A.305(b) is amended to ensure consistency with the amendments made to M.A.306 (a)

M.A.306 Operator's technical log system

The title of this point is changed from 'operator's technical log system' to 'aircraft technical log system' to ensure consistency with the terminology used both in other subparts of this regulation and in regulation for Air Operations.

M.A.306(a) is amended to extend the requirements of the technical log to aircraft used for commercial operations. The Agency considers that for commercial operations the operator shall provide an aircraft technical log in order to collect and divulgate certain information which is necessary for the operation and for managing continuing airworthiness, such as utilisation times, release to service and deferred defects.

M.A.403 Rectification of defects

M.A.403 (b) is amended to align with the provisions of NCO.GEN.155, which foresee the possibility of establishing a MEL on a voluntary basis and which does not require an approval from the competent authority. Furthermore, the text is further amended to:

- clarify that the MEL can be also used by authorised certifying staff to defer defects, and
- remove the provision on 'aircraft defects defined as acceptable by the competent authority'.

M.A.403(c) is amended to clarify that rectification of deferred defects has to take place within the period specified in the maintenance data or the MEL.

M.A.504 Control of unserviceable components

M.A.504(b) is amended to replace 'large aircraft' by 'complex motor-powered aircraft'.

M.A.708 Continuing airworthiness management

M.A.708(c) is amended and the requirements are separated in two paragraphs, namely M.A.708(c) and M.A.708 (d).

M.A.708(c) specifies that for complex motor-powered aircraft and aircraft engaged in commercial operations, including commercial air transport, a contract between the CAMO and an appropriate maintenance organisation shall be established. This change is in line with the amendments introduced to M.A.201.

M.A.708(d) contains a provision which permits deviating from M.A.708(c) in certain cases.

M.A.801 Aircraft Certificate of release to service

M.A.801(c) is amended to replace 'large aircraft' by 'complex motor-powered aircraft'.

M.A.803 Pilot owner authorisation

M.A.803(b) is amended to ensure consistency with the terminology used in through the regulation.

M.A.901(g) Aircraft airworthiness review

M.A.901(g) is amended to align with the changes made to M.A.201

M.B.105 Mutual exchange of information

M.B.105 is amended to update the reference to article 15 of the Basic Regulation.

Appendix I Continuing Airworthiness Contract

The following amendments have been made to Appendix I:

- the term "arrangement" has been replaced by the term "contract"
- the acronym CAMO is introduced to refer to a continuing airworthiness management organisation approved pursuant part-M Subpart-G
- the references to Regulation (EC)1702/2003 are replaced by references to Regulation (EU) 748/2012
- point 3 is amended to require that the type of operation is specified in the contract.
- point 4 is amended to correct the terminology used when referring to the competent authority
- In point 4 the word "certifies" is replaced by "declares" since the use of the concept of certification in this sentence is not consistent with the definition in article 3(e) of the Basic Regulation
- In point 5.1 item 7 has been reworded to clarify the responsibilities of the contracted CAMO with respect to the airworthiness review.

Appendix VI Continuing airworthiness management organisation approval

Page 1 of the approval certificate is amended to make reference to compliance with the requirements of Annex V (Part-T) for those organisations which have procedures approved by the competent authority to manage the continuing airworthiness of aircraft registered in a third country.

Contents of the new Part-T

Part-T is established to include the continuing airworthiness requirements applicable to aircraft registered in a third country and used by EU operators. As it was explained in NPA 2010 -10, the structure Part-T has been kept as similar as possible to the structure of Part-M, whereby it contains section A and section B.

The objective of the main requirements of Part-T and the changes made to the text after the CRD-2 2010-10 are described below.

T.1 Competent Authority

This paragraph is included in Part-T to identify the competent authorities in charge of monitoring the compliance with the requirements of this Part-T.

Section A

Section A contains the technical requirements applicable to aircraft, operators, continuing airworthiness management organisations and maintenance organisations divided in the following subparts:

Subpart-A

This subpart establishes the scope of this annex, which targets aircraft registered in third country operated by EU operators.

Subpart-B

This subpart contains two paragraphs, T.A.201 which establishes the Common requirements to be met by all aircraft within the scope of this Part and T.A.205 which provides the additional requirements for aircraft engaged in commercial operations and operation of complex motor-powered aircraft.

T.A.205 has been amended following a reaction posted to the CRD-2 2012-10 and the requirements for a declaration have been deleted.

Subpart-C Maintenance programme

This subpart establishes the requirements to be complied with by the maintenance programme of the aircraft within the scope of this annex.

Subpart-E Maintenance organisation

This subpart establishes the requirements to be complied with by organisation performing maintenance on complex motor-powered aircraft or aircraft engaged in commercial operations. Paragraph T.A.501 has been amended following some reactions received to CRD-2 2010-10, so as to clarify the provisions on the occurrence reporting system and the elements that need to be verified by the continuing airworthiness management organisation.

Subpart G – Additional requirements for continuing airworthiness management organisations approved pursuant to Annex I (Part-M) Subpart-G

For complex motor-powered aircraft and aircraft engaged in commercial operations, the Basic Regulation requires in Annex IV point 8.g that an organisation is used to manage the continuing airworthiness. Such an organisation will be a CAMO which on top of the requirements of Part-M subpart-G complies with the requirements this subpart-G.

This subpart specifies requirements for specific procedures to be included in the continuing airworthiness management exposition, knowledge requirements for the organisation's personnel, quality system requirements and documentation requirements. It also contains the privileges that an organisation may have if complies with the requirements of Part-T.

Furthermore, it specifies in paragraph T.A.708 the tasks to be performed by the organisation. This paragraph has been amended following some reactions made to the CRD-2 2010-10, to include a provision requiring that a contract in accordance with Annex I to Part-T is established whenever a continuing airworthiness management organisation is contracted to manage the continuing airworthiness of the aircraft.

Section B- Additional procedures for competent authorities

Section B contains the additional administrative requirements for the competent authorities.

Changes to Commission Regulation (EU) 965/2012 on Air Operations

Changes to Annex II (part-ARO)

ARO.OPS.110 Lease Agreements

ARO.OPS.110(c) is amended to include a provision for the competent authority to suspend or revoke a dry lease-in agreement whenever the aircraft is registered in a State subject to an operating ban.

Changes to Annex III (Part-ORO)

ORO.AOC.100(c), ORO.AOC.110(b) and ORO.AOC.110(d) are amended to ensure consistency with the changes to Commission Regulation 2042/2003 with respect aircraft registered in a third country.

ORO.AOC.130 (a) and (b) are amended to replace 'flight data monitoring system' by 'flight data monitoring programme', in order to make this term consistent with the term used in the acceptable means of compliance and guidance material to ORO.AOC.130 and to ORO.FC.A.245. The term "Flight data monitoring programme" was already used in the Annex to Regulation 859/2008 (EU OPS) 1.037 (a)(4) and Temporary Leaflet Guidance n°44 (JAR OPS 1 Section 2).

The term 'flight data monitoring programme' is common in guidance on flight data monitoring, e.g. CAP 739 published by Civil Aviation Authority of the UK, and clear to all stakeholders.

Appendix I 'Operator declaration' is amended to include the information relevant to continuing airworthiness.

V. Entry into force

The entry into force and the application of the amendments to both Commission Regulation (EC) 2042/2003 and Commission Regulation (EU) 965/2012 are proposed taking into account that it is necessary to provide sufficient time for the aeronautical industry and Member States' administrations to adapt to the new regulatory framework and ensure synchronisation with the application of regulation on Air Operations and the already proposed amendments, namely part-NCC. As a result the following scheme for application is proposed:

- the application of the changes to part-M, the application of part-T to aircraft used for commercial air transport and the changes to points ARO.OPS.110(c), ORO.AOC.100, ORO.AOC.110 ORO.AOC.130 of Regulation (EU) 965/2012 is set on 28 October 2014. This is to ensure that those changes are applicable at the time Regulation (EU) 965/2012 is applicable in all the Member States.
- the application of part-T to aircraft not used for commercial air transport is set on 28 October 2015.
- the date of application of the changes to Appendix I to Annex III to Regulation (EU) 965/2012 should be coordinated with the adoption process of regulation on Air Operations for complex motor-powered aircraft not engaged in commercial operations (Opinion 04/2011).

Cologne, 27 November 2012

P. GOUDOU
Executive Director