#### Draft ANNEX II to draft COMMISSION DELEGATED REGULATION (EU) .../... on the continuing airworthiness of certified unmanned aircraft systems and their components, and on the approval of organisations and personnel involved in these tasks

## ANNEX II

## (Part-CAO.UAS)

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## CAO.UAS.1 General

For the purposes of this Annex:

- (a) 'competent authority' shall be the authority specified in point AR.UAS.GEN.010(b) of Annex I (Part-AR.UAS) to Implementing Regulation (EU) .../... [Competent authority requirements for the certification, oversight and enforcement of the continuing airworthiness of certified UAS];
- (b) 'owner of the UA' shall mean, as the case may be:
  - (1) the registered owner of the UA, which may be the UAS operator itself; or
  - (2) the UAS operator being the lessee of the UA, provided point ML.UAS.201(b) of Annex I (Part-ML.UAS) applies.

#### CAO.UAS.010 Scope

With respect to UAS operated in the 'specific' category, as defined in Article 5 of Implementing Regulation (EU) 2019/947 and for which an airworthiness certificate has been issued to the UA in accordance with Article 7(2) of Regulation (EU) 2019/947, this Annex sets out the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the continuing airworthiness management or maintenance of the UAS and components, or a combination of these activities.

#### CAO.UAS.015 Application

The organisation shall apply for the issue of, or a change to, a Part-CAO.UAS approval to the competent authority in a form and manner established by that authority.

#### CAO.UAS.017 Means of compliance

- (a) An organisation may use any alternative means of compliance to establish compliance with this Regulation.
- (b) If an organisation wishes to use an alternative means of compliance, it shall, prior to using it, provide the competent authority with a full description. The description shall include any revisions to manuals or procedures that may be relevant, as well as an explanation indicating how compliance with this Regulation is achieved.

The organisation may use that alternative means of compliance subject to the prior approval by the competent authority.

## CAO.UAS.020 Scope of work and terms of approval

- (a) For each of the privileges sought, the organisation shall specify the scope of work in its organisation manual, as provided for in point CAO.UAS.025. The scope of work shall be an accurate description of the work performed by the organisation.
- (b) For UA and CMU maintenance, the scope of work shall include:
  - (i) the type or manufacturer of the UA and the CMU;
  - (ii) the type and extent of maintenance work, including specialised tasks and methods, if any.
- (c) For CMU installation, the scope of work shall include the type or manufacturer of the CMU.
- (d) For continuing airworthiness management, the scope of work shall include:
  - (i) the type or manufacturer of the UA and the CMU;
  - (ii) the identification of the UA and the CMU managed;
  - (iii) the specification of which UA is used with which CMU.
- (e) For airworthiness review and permit to fly, the scope of work shall include the type or manufacturer of the UA.
- (f) For the maintenance of components other than complete engines, the scope of work shall be established in accordance with the following classification:
  - (1) C1: UA air conditioning and pressurisation;
  - (2) C2: UA auto flight;
  - (3) C3: UA communications and navigation;
  - (4) C4: UA doors and hatches;
  - (5) C5: UA electrical power and lights;
  - (6) C6: UA equipment;
  - (7) C7: UA engine;
  - (8) C8: UA flight controls;
  - (9) C9: UA fuel systems;
  - (10) C10: UA rotors;
  - (11) C11: UA transmission;
  - (12) C12: UA hydraulic power;
  - (13) C13: UA indicating and recording system;
  - (14) C14: UA landing gear;
  - (15) C15: UA oxygen;
  - (16) C16: UA propellers;

- (17) C17: UA pneumatic and vacuum systems;
- (18) C18: UA protection from ice/rain/fire;
- (19) C19: UA windows;
- (20) C20: UA structural;
- (21) C21: UA water ballast;
- (22) C22: UA propulsion augmentation;
- (23) C23: other UA components;
- (24) C24: CMU components.
- (g) For the maintenance of complete engines, the scope of work shall include the type or manufacturer of the engines.
- (h) For the non-destructive testing (NDT) privilege, when it forms part of the class 'specialised services', the scope of work shall include the NDT methods.
- (i) The organisation shall comply with the terms of approval attached to the organisation certificate issued by the competent authority, and with the scope of work specified in the organisation manual.

#### CAO.UAS.025 Organisation manual

- (a) The organisation shall establish and maintain a manual that specifies the necessary information and procedures for its personnel to perform their duties and for the organisation to show how it complies with this Regulation.
- (b) The manual shall include directly or by reference the following information:
  - (1) a statement signed by the accountable manager confirming that the organisation will at all times work in accordance with the requirements of this Annex and the organisation manual;
  - (2) the detailed scope of work of the organisation for each privilege;
  - (3) an organisation chart identifying the title(s) and name(s) of the person(s) referred to in points (a), (b) and (c) of point CAO.UAS.035, and showing the lines of responsibility between these persons;
  - (4) a general description and location of the facilities;
  - (5) the manual amendment procedure, as specified in point CAO.UAS.105(b),

and where applicable:

- (6) the scope of and procedures for work performed at a location other than the approved facilities;
- (7) a list of certifying staff with their scope of authorisation;
- (8) a list of staff responsible for the approval of the UAS maintenance programme;
- (9) a list of airworthiness review staff with their scope of authorisation;
- (10) a list of staff responsible for the issuance of permits to fly;

- (11) the scope of and procedures for the maintenance on UA performed and certified remotely from the CMU.
- (c) The initial issue of the manual shall be approved by the competent authority.
- (d) Amendments to the manual shall be handled in accordance with point CAO.UAS.105.

#### CAO.UAS.030 Facilities and storage

- (a) The organisation shall ensure that the facilities to be used, including office accommodation, allow it to perform all planned work.
- (b) In addition, where the scope of approval of the organisation includes maintenance activities, the organisation shall ensure that:
  - (1) specialised workshops, hangars and bays provide adequate protection from contamination and environmental conditions;
  - (2) secure storage facilities are provided for components, equipment, tools and materials, while ensuring segregation of components as required by point ML.UAS.504(a).
  - (3) Relevant instructions for component storage are complied with, and access to the storage facilities is restricted only to authorised personnel.

#### **CAO.UAS.035** Personnel requirements

- (a) The organisation shall appoint an accountable manager that has the authority to ensure that all activities of the organisation can be financed and performed in accordance with this Regulation.
- (b) The accountable manager shall nominate a person or group of persons with the responsibility to ensure that the continuing airworthiness activities are performed in accordance with the organisation manual.
- (c) The accountable manager shall nominate a compliance monitoring manager with the responsibility to manage the compliance monitoring function referred to in point CAO.UAS.100.
- (d) The persons nominated in accordance with points (b) and (c) shall have a responsibility to the accountable manager and direct access to him/her. They shall be able to demonstrate appropriate knowledge, background and experience to discharge their responsibilities.
- (e) The organisation shall ensure that all personnel involved in continuing airworthiness activities have the appropriate knowledge, background and experience, and remain competent for the work intended to be performed.
- (f) The organisation shall have sufficient and appropriately qualified staff to allow it to perform the planned work.
- (g) The organisation shall establish initial training for its maintenance staff to ensure they will perform the intended maintenance safely.
- (h) Personnel that perform specialised tasks, such as welding, or non-destructive testing (NDT) inspection other than colour-contrast inspections, shall be qualified in accordance with an officially recognised standard.

## CAO.UAS.040 Certifying staff

- (a) In order to certify the maintenance on UA, CMU and components, or to certify CMU installation, the organisation shall authorise relevant certifying staff for that purpose.
- (b) Certifying staff that are intended to certify the maintenance on UA and CMU, or to certify CMU installation, shall receive initial training relevant to the particular UA and CMU to be stated in the authorisation. The organisation shall ensure that they have acquired a minimum of 3 months of practical maintenance experience with similar aircraft or CMU, or 6 months of practical maintenance experience on aircraft or CMU being operated, before receiving their certification authorisation.
- (c) The organisation shall ensure that certifying staff periodically receive sufficient and adequate recurrent training to ensure that they have up-to-date knowledge of relevant technologies, organisation procedures, and human factors issues.

## CAO.UAS.045 Airworthiness review staff

- (a) In order to perform airworthiness reviews, the organisation shall authorise relevant airworthiness review staff that shall comply with all the following requirements:
  - (1) they have acquired at least 1 year of experience in continuing airworthiness;
  - (2) they are authorised as certifying staff or have acquired at least 2 years of experience in continuing airworthiness in addition to the experience referred to in point (1);
  - (3) they have received appropriate aeronautical-maintenance training.
- (b) Before the organisation issues an airworthiness review staff authorisation to a person, that person shall perform an airworthiness review under the supervision of the competent authority or under the supervision of a person that is already authorised as airworthiness review staff by the organisation. If this airworthiness review performed under supervision is satisfactory, that person shall be authorised as airworthiness review staff by the compliance monitoring manager.

## CAO.UAS.048 Staff issuing permits to fly

A permit to fly shall be issued by airworthiness review staff specifically authorised by the organisation for that purpose.

## CAO.UAS.050 Components, equipment and tools

- (a) The organisation shall have, or shall have access to, equipment and tools that are adequate to discharge its responsibilities.
- (b) The organisation shall ensure that the equipment and tools it uses are controlled and calibrated to an officially recognised standard. It shall keep records of such calibrations and the standards used.
- (c) As regards maintenance, the organisation shall inspect, classify and appropriately segregate all incoming components received in accordance with points ML.UAS.501 and ML.UAS.504 of Annex I (Part-ML.UAS), as applicable.

## CAO.UAS.055 Maintenance data and work orders

(a) The organisation shall have access to and use applicable current maintenance data which is necessary for the performance of maintenance.

- (b) Maintenance data is specified in point ML.UAS.401(b) of Annex I (Part-ML.UAS).
- (c) Before maintenance commences, a written work order shall be agreed between the organisation and the person or organisation requesting the maintenance, in a manner that establishes the maintenance to be performed.

### CAO.UAS.060 Maintenance standards

- (a) All maintenance shall be performed in accordance with the requirements of Subparts D, E and H of Annex I (Part-ML.UAS).
- (b) When performing maintenance, the organisation shall comply with the following requirements:
  - (1) ensure that the area where maintenance is performed is well organised and clean (free of dirt and contaminants);
  - (2) use the methods, techniques, standards and instructions specified in the maintenance data and work orders referred to in point CAO.UAS.055;
  - (3) use the tools, equipment and materials specified in point CAO.UAS.050;
  - (4) ensure that maintenance is performed in accordance with any environmental limitations specified in the maintenance data referred to in point CAO.UAS.055;
  - (5) ensure that proper facilities are used in case of inclement weather or lengthy maintenance;
  - (6) ensure that the risk of errors during maintenance is minimised, in particular the risk of errors repeated in identical maintenance tasks;
  - (7) ensure that an error-capturing method is implemented after the performance of any critical maintenance task;
  - (8) perform a general verification after the completion of maintenance in order to ensure that the UA, the CMU or the component is clear of all tools, equipment and any extraneous parts and materials, and that all access panels removed have been refitted.

## CAO.UAS.065 Certification of UA maintenance

Upon completion of the maintenance performed on an UA in accordance with this Regulation, the organisation shall certify such maintenance in accordance with point ML.UAS.801 of Annex I (Part-ML.UAS).

#### CAO.UAS.070 Certification of component maintenance

- (a) Upon completion of the maintenance carried out on UA components in accordance with this Regulation, the organisation shall certify such maintenance in accordance with point ML.UAS.802 of Annex I (Part-ML.UAS).
- (b) Upon completion of the maintenance performed, in accordance with this Regulation, on CMU components referred to in point ML.UAS.520(d) of Annex I (Part-ML.UAS), the organisation shall certify such maintenance in accordance with point ML.UAS.804 of Annex I (Part-ML.UAS).
- (c) Points (a) and (b) do not apply to components fabricated in accordance with point CAO.UAS.095(a)(5).

## CAO.UAS.071 Certification of CMU maintenance

Upon completion of the maintenance performed on the CMU in accordance with this Regulation, the organisation shall certify such maintenance in accordance with point ML.UAS.803 of Annex I (Part-ML.UAS).

## CAO.UAS.072 Certification of CMU installation

Upon completion of the installation of the CMU in accordance with this Regulation, if so prescribed by the design approval holder, the organisation shall certify such installation in accordance with point ML.UAS.805 of Annex I (Part-ML.UAS).

## CAO.UAS.075 Continuing airworthiness management

- (a) All continuing airworthiness management tasks shall be performed in accordance with the requirements of Subpart C of Annex I (Part-ML.UAS).
- (b) For every UAS managed, the organisation shall:
  - (1) develop and control the UAS maintenance programme, and approve the initial issue and its amendments; deviations pursuant to ML.UAS.302(d) shall be performed in accordance with a procedure approved by the competent authority, and their justifications recorded by the organisation;
  - (2) make that UAS maintenance programme available to the owner of the UA;
  - (3) ensure that modifications and repairs comply with point ML.UAS.304 of Annex I (Part-ML.UAS);
  - (4) ensure that all maintenance is certified in accordance with Subpart H of Annex I (Part-ML.UAS);
  - (5) ensure that all applicable ADs and all operational requirements with a continuing airworthiness impact are applied;
  - (6) ensure that all defects are rectified by an appropriately approved maintenance organisation;
  - (7) ensure that the UAS is made available for maintenance to an appropriately approved maintenance organisation, in accordance with the UAS maintenance programme and whenever necessary;
  - (8) coordinate the scheduled maintenance and the application of ADs in order to ensure the work is performed properly;
  - (9) manage and archive all continuing airworthiness records;
  - (10) ensure that the mass-and-balance statement reflects the current configuration of the UA, when such information is provided by the UA manufacturer.

#### CAO.UAS.080 Continuing airworthiness management data

- (a) The organisation shall have access to and use applicable current continuing airworthiness management data which is necessary for the performance of continuing airworthiness management tasks.
- (b) That data is specified in point ML.UAS.401(b) of Annex I (Part-ML.UAS).

### CAO.UAS.085 Airworthiness review

The organisation shall perform any airworthiness review in accordance with point ML.UAS.903 of Annex I (Part-ML.UAS).

### CAO.UAS.086 Permit to fly

The organisation shall issue any permit to fly in accordance with point 21.A.711(d) of Annex I (Part 21) to Regulation (EU) No 748/2012 when it can attest conformity with the approved flight conditions in accordance with a procedure specified in the organisation manual.

### CAO.UAS.090 Record-keeping

- (a) The organisation shall retain the following records as applicable to the privileges it holds:
  - (1) Maintenance records

Certificates of release to service (CRS) together with all supporting documents necessary to demonstrate that all maintenance requirements have been met; the organisation shall also provide the CRS to the person or organisation requesting the maintenance, together with any record, such as specific repair or modification data, necessary to ensure compliance with point ML.UAS.305 of Annex I (Part-ML.UAS).

(2) CMU installation records

CRS together with all supporting documents necessary to demonstrate that all installation requirements have been met; the organisation shall also provide the CRS to the person or organisation requesting the installation, together with any specific installation data.

(3) Continuing airworthiness management records

The records required by point ML.UAS.305 of Annex I (Part-ML.UAS).

(4) Airworthiness review records

Airworthiness review certificates (ARCs) issued or extended, together with all supporting documents. These records shall also be provided to the organisation managing the UAS continuing airworthiness, if different from the organisation issuing the ARC.

(5) Permit-to-fly records

The permit to fly issued and any document supporting the issuance of that permit to fly, including the flight conditions.

- (b) The organisation shall retain personnel records and authorisations that are necessary to demonstrate the qualification of its personnel. It shall retain the records that are relevant to certifying staff, airworthiness review staff and staff issuing permits to fly for a period of at least 2 years after that staff has left the organisation, or after the authorisation issued to that staff has been withdrawn.
- (c) The organisation shall, upon staff request, grant them access to their personnel records as specified in point (b), and duplicate and provide these records to them when they leave the organisation.
- (d) The organisation shall retain the records:

- referred to in point (a)(1), and any associated maintenance data, for a period of 3 years from the date on which the UA, CMU or component maintenance has been released;
- referred to in point (a)(2), for the organisation installing the CMU, if different from the organisation managing the UAS continuing airworthiness, for a period of 3 years after the CMU installation has been certified;
- referred to in point (a)(3) for the period specified in point ML.UAS.305 of Annex I (Part-ML.UAS);
- (4) referred to in point (a)(4):
  - for the organisation managing the UAS continuing airworthiness, for a period of 2 years after the UA has been permanently withdrawn from service;
  - for the organisation issuing the ARC, if different from the organisation managing the UAS continuing airworthiness, for a period of 4 years after the ARC has been issued;
- (5) referred to in point (a)(5):
  - for the organisation managing the UAS continuing airworthiness, for a period of 2 years after the UA has been permanently withdrawn from service;
  - for the organisation issuing the permit to fly, if different from the organisation managing the UAS continuing airworthiness, for a period of 3 years after the permit to fly has been issued.
- (e) Compliance monitoring records shall be kept for a minimum period of 2 years.
- (f) All records shall be stored in a manner that ensures protection from damage, alteration, and theft.
- (g) Where the continuing airworthiness management of an UAS is transferred to another organisation or person, all the records retained under points (a)(2) to (a)(5) shall be transferred to that organisation or person. If the transfer is made to another Part-CAO.UAS organisation, point (d) shall apply to that organisation from the moment of the transfer.
- (h) When the organisation terminates its operations, all retained records shall be transferred as follows:
  - (1) the records referred to in point (a)(1) shall be transferred to the last owner or customer of the respective UAS or component, or shall be stored as specified by the competent authority;
  - (2) the records referred to in points (a)(2) to (a)(5) shall be transferred to the owner of the UA.

## CAO.UAS.095 Privileges of the organisation

In accordance with the organisation manual, the organisation shall be granted with one or more of the following privileges:

- (a) Maintenance
  - (1) Maintain UA, CMU or components specified in the scope of work and at the locations specified in the organisation manual.

- (2) Arrange for the performance of specialised services by an appropriately qualified subcontracted organisation under the control of the Part-CAO.UAS organisation, in accordance with the appropriate procedures specified in the organisation manual.
- (3) Under the conditions specified in the procedure referred to in point CAO.UAS.025(b)(6), maintain UA, CMU or components specified in the scope of work at a location not listed in the organisation manual.
- (4) Certify maintenance in accordance with points CAO.UAS.065, CAO.UAS.070 or CAO.UAS.071.
- (5) The organisation may fabricate, in conformity with maintenance data, a restricted range of parts for use in the course of ongoing maintenance work at its own facilities, as indicated in the organisation manual.
- (b) CMU installation

An organisation approved for CMU maintenance may perform the installation of a CMU and certify such installation in accordance with point CAO.UAS.072.

- (c) Continuing airworthiness management
  - (1) Manage the continuing airworthiness of any UAS specified in the scope of work.
  - (2) Approve the UAS maintenance programme in accordance with point ML.UAS.302(b) of Annex I (Part-ML.UAS).
  - (3) Arrange for the performance of limited continuing airworthiness tasks by a subcontracted organisation subject to the compliance monitoring function of the Part-CAO.UAS organisation, as listed in the organisation certificate.
  - (4) Extend the validity of an ARC in accordance with point ML.UAS.901(c) of Annex I (Part-ML.UAS).
- (d) Airworthiness review

An organisation whose approval includes the privileges referred to in point (a) or (c), may be approved to perform airworthiness reviews in accordance with point CAO.UAS.085 and issue the related ARC.

(e) Permit to fly

An organisation whose approval includes the privilege referred to in point (d), may be approved to issue a permit to fly in accordance with point CAO.UAS.086 for those UA for which it can issue the ARC.

#### CAO.UAS.100 Compliance monitoring and organisational review

- (a) To ensure that the organisation continuously meets the requirements of this Regulation, the organisation shall establish a compliance monitoring function.
- (b) That function shall independently monitor:
  - (1) the compliance of the organisation manual with this Regulation;
  - (2) the compliance of the organisation's activities with the organisation manual.
- (c) The function shall also monitor the compliance of contracted maintenance with the contract or work orders.

- (d) If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the compliance monitoring function may be integrated into that required under the additional certificate(s) held.
- (e) The organisation may replace the compliance monitoring function by regular organisational reviews not requiring independence, provided that all the following conditions are met and subject to the approval by the competent authority:
  - (1) the organisation's staff does not exceed 10 full-time equivalents involved in maintenance;
  - (2) the organisation's staff does not exceed 5 full-time equivalents involved in continuing airworthiness management.

In that case, the organisation shall not subcontract continuing airworthiness management tasks to other parties.

#### CAO.UAS.102 Protection of information and communication systems and data

- (a) The organisation shall protect information and communication technology systems and data used for continuing airworthiness activities, including relevant software and hardware, and network connections.
- (b) Without prejudice to point CAO.UAS.120, the organisation shall ensure that any information security incident or vulnerability, which may represent a significant risk to aviation safety, is reported to its competent authority.

In addition:

- (1) when such an incident or vulnerability affects an aircraft or associated system or component, the organisation shall also report it to the design approval holder;
- (2) when such an incident or vulnerability affects a system or constituent used by the organisation, the organisation shall report it to the organisation responsible for the design of the system or constituent.
- (c) The reporting referred to in point (b) shall be made as soon as possible, but not exceeding 72 hours from the time the condition has been known to the organisation, unless exceptional circumstances prevent this.

#### CAO.UAS.105 Changes to the organisation

- (a) The following changes to the organisation shall require prior approval by the competent authority:
  - (1) changes to the certificate, including the terms of approval of the organisation;
  - (2) changes of the persons referred to in points (a) to (c) of point CAO.UAS.035;
  - (3) changes to the procedure specified in point (b).
- (b) Any other changes shall be managed by the organisation and notified to the competent authority in accordance with a procedure specified in the organisation manual. The organisation shall submit the description of the changes and the corresponding amendment of the organisation manual to the competent authority within 15 days from the day on which the changes took place.

## CAO.UAS.110 Continued validity of an approval certificate

An approval certificate shall be issued for an unlimited duration, and shall remain valid subject to compliance with all the following conditions:

- (a) the organisation remains in compliance with the requirements of this Annex, taking into account the requirements of point CAO.UAS.115 related to the handling of findings;
- (b) the organisation has ensured that access is granted to the competent authority as specified in point CAO.UAS.112;
- (c) the approval certificate has not been surrendered by the organisation, or suspended or revoked by the competent authority.

## CAO.UAS.112 Access

For the purpose of verifying compliance with the relevant requirements of this Annex, the organisation shall ensure that access to any facility, UAS, document, record, data, procedure or to any other material relevant to its activities subject to certification is granted to any person authorised by the competent authority.

## CAO.UAS.115 Findings and observations

- (a) After receiving a notification of a finding from the competent authority in accordance with point AR.UAS.GEN.350 of Annex I (Part-AR.UAS) to Implementing Regulation (EU) .../... [Competent authority requirements for the certification, oversight and enforcement of the continuing airworthiness of certified UAS], the organisation shall, within the period agreed with the competent authority, define a corrective action plan (to eliminate the finding(s) and prevent its (their) reoccurrence) and demonstrate the implementation of that plan to the competent authority.
- (b) The observations received in accordance with point AR.UAS.GEN.350(f) of Annex I (Part-AR.UAS) to Implementing Regulation (EU) .../... [Competent authority requirements for the certification, oversight and enforcement of the continuing airworthiness of certified UAS] shall be given due consideration by the organisation. The organisation shall record the decisions it has taken in respect of those observations.

# CAO.UAS.120 Occurrence reporting

- (a) The organisation shall establish and maintain an occurrence-reporting system, including mandatory and voluntary reporting. Organisations that have their principal place of business in a Member State shall ensure that their occurrence-reporting system complies with the requirements of Regulation (EU) No 376/2014 and Regulation (EU) 2018/1139, as well as with the delegated and implementing acts adopted on the basis of those Regulations.
- (b) Without prejudice to Article 19 of Implementing Regulation (EU) 2019/947, the organisation shall report to its competent authority and to the design approval holder of the UAS or component any safety-related event or condition of an UAS or component identified by the organisation which endangers or, if not corrected or addressed, could endanger an UAS or any other person, and in particular any accident or serious incident.
- (c) When the organisation is contracted for maintenance, the organisation shall also report any such event or condition that affects an UAS to the organisation responsible for the continuing airworthiness management of that UAS in accordance with point

ML.UAS.201 of Annex I (Part-ML.UAS). For events or conditions that affect components, the organisation shall report to the person or organisation that requested the maintenance.

(d) When the organisation is contracted to perform continuing airworthiness management tasks, it shall also report any such event or condition that affects an UAS to the owner that has contracted the Part-CAO.UAS organisation.