European Union Aviation Safety Agency

FAQ n.21913

FAQs:

Personnel requirements, Part-145, Continuing Airworthiness, Regulations

Question:

What is the meaning of the Protected Rights in the Appendix IV to Part-145?

Answer:

The protected rights mentioned in paragraph 2(a) of the Appendix IV to Part-145 were included in the Regulation 2042/2003 for the persons who were already working in a Part-145 organisation in a location situated outside the EU before the entry into force of Part-66. These protected rights allowed those persons to continue exercising (inside that particular Part-145 organisation) the privileges of the certification authorisation issued by that Part-145 organisation without the need to comply with paragraphs 1(c) to 1(f).

If this person changed the employment to a different Part-145 approved organisation after the entry into force of Part-66 (i.e. 28 November 2003), the previous certification authorisation is not valid and he/she needs to receive a new one from the new Part-145 approved organisation. In this case paragraph 2 of Appendix IV is not applicable anymore.

This implies that any new or extended authorisation granted by AMOs to their C/S after the entry into force of Part-66 must comply with paragraphs 1(c) to 1(f) in particular regarding the type training certificates.

Last updated:

23/01/2017

Link:

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