



Brussels, **XXX**  
[...](2020) **XXX** draft

**Annex Ia to EASA Opinion No 04/2020**

**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of **XXX****

**amending Commission Regulation (EU) No 1321/2014 as regards safety management systems in maintenance organisations and correcting that Regulation**

# COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

## **amending Commission Regulation (EU) No 1321/2014 as regards safety management systems in maintenance organisations and correcting that Regulation**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 <sup>(1)</sup>, and in particular Article 17(1) and Article 62(14) and (15) thereof,

Whereas:

- (1) Commission Regulation (EU) No 1321/2014 <sup>(2)</sup> lays down the requirements for the continuing airworthiness of aircraft, including the requirements for maintenance organisations.
- (2) In accordance with Annex II to Regulation (EU) 2018/1139, approved maintenance organisations must, as appropriate for the type of activity undertaken and the size of the organisation, implement and maintain a management system to ensure compliance with the essential requirements set out in that Annex, manage safety risks and aim for the continuous improvement of that system.
- (3) In accordance with Annex 19 to the Convention on International Civil Aviation (hereinafter referred to as the Chicago Convention), competent authorities should require approved maintenance organisations providing services to operators of aeroplanes or helicopters engaged in international commercial air transport to implement a safety management system.
- (4) A management system should be introduced for all Part-145 maintenance organisations and comply with the ICAO International Standards and Recommended Practices established in Annex 19 to the Chicago Convention.
- (5) To account for Part-145 maintenance organisations that are also approved as Part-CAMO organisations, it is appropriate to harmonise the general provisions as well as the requirements for competent authorities of Annex II (Part-145) with those of Annex Vc (Part-CAMO) to Commission Regulation (EU) No 1321/2014.

---

<sup>(1)</sup> OJ L 212, 22.8.2018, p. 1.

<sup>(2)</sup> Commission Regulation (EU) No 1321/2014 of 26 November 2014 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 362, 17.12.2014, p. 1).

- (6) A sufficient transition period should be provided for maintenance organisations to ensure their compliance with the new rules and procedures introduced by this Regulation.
- (7) All Part-145 maintenance organisations should already have established an occurrence reporting system. However, the provisions of Annex II to Commission Regulation (EU) No 1321/2014 should be amended to ensure that the occurrence reporting system is established as part of the organisations' management system and that the requirements are aligned with those of Regulation (EU) No 376/2014.
- (8) Commission Regulation (EU) No 1321/2014 should therefore be amended.
- (9) Point M.A.403(b) of and Appendix VII to Annex I (Part-M) to Commission Regulation (EU) No 1321/2014 contain references to various elements of point M.A.801. Point M.A.801 has been amended by Commission Implementing Regulation (EU) 2019/1383<sup>3</sup>, but point M.A.403(b) and Appendix VII have not been amended accordingly. Therefore, Commission Regulation (EU) No 1321/2014 should be corrected to provide the correct references.
- (10) Point M.A.502(c) of Annex I (Part-M) to Commission Regulation (EU) No 1321/2014 refers to 'B-rated organisation', but for Part-CAO organisations, such 'B rating' does not exist. Therefore, Commission Regulation (EU) No 1321/2014 should be corrected to refer to 'engine maintenance organisation' instead in point M.A.502(c).
- (11) Point M.A.904 of Annex I (Part-M) to Commission Regulation (EU) No 1321/2014 has been amended by Commission Implementing Regulation (EU) 2019/1383 to extend the import provisions to aircraft that come from a regulatory system where Regulation (EU) 2018/1139 does not apply. However, point ML.A.906 of Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014 has not been amended to include this addition. Therefore, Commission Regulation (EU) No 1321/2014 should be corrected to harmonise the scope of the import provisions of Annex Vb (Part-ML) with that of Annex I (Part-M).
- (12) The measures provided for in this Regulation are based on Opinion No 04/2020 <sup>(4)</sup> of the European Union Aviation Safety Agency in accordance with Articles 75(2)(b) and 76(1) of Regulation (EU) 2018/1139.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EU) No 1321/2014 is amended as follows:

- (1) in Article 4, the following paragraph 7 is added:
  - '7. By way of derogation from points (d)(1) and (d)(2) of point 145.B.350 of Annex II (Part-145), a maintenance organisation that holds a valid Part-145

---

(3) Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and alleviations for general aviation aircraft concerning maintenance and continuing airworthiness management (OJ L 228, 4.9.2019, p. 1).

(4) <https://www.easa.europa.eu/document-library/opinions>

approval certificate may correct any findings of non-compliance related to points:

145.A.30(ca) and (e);

145.A.47(b) and (d);

145.A.95(a)(1);

145.A.55(c);

145.A.70(a)(10), (a)(17) and (c);

145.A.85;

145.A.95(c);

145.A.120;

145.A.200, except paragraph (a)(4) and (a)(6);

145.A.202, except paragraph (a);

145.A.205, except paragraph (b),

until [*OP please insert date: 2 years after the applicability date*].

If after [*OP please insert date: 2 years after the applicability date*] the organisation has not closed these findings, the approval certificate shall be revoked, limited or suspended in whole or in part.’;

(2) in Article 5, the following paragraph 7 is added:

‘7. Limited certifying staff authorisations issued to flight engineer licence holders pursuant to point 145.A.30(j)(3) or (j)(4) before [*OP please insert date: 1 year after the date of entry into force*] shall remain valid until they expire or until they are revoked by the maintenance organisation.’.

#### *Article 2*

Commission Regulation (EU) No 1321/2014 is amended as follows:

- (1) Annex I (Part-M) is amended in accordance with Annex I to this Regulation;
- (2) Annex II (Part-145) is amended in accordance with Annex II to this Regulation.

#### *Article 3*

Commission Regulation (EU) No 1321/2014 is corrected as follows:

Annex I (Part-M) and Annex Vb (Part-ML) are corrected in accordance with Annex III to this Regulation.

#### *Article 4*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from [*OP please insert date: 1 year after the date of entry into force*] with the exception of Article 3 which shall apply from [*OP please insert the date of entry into force*].

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

Done at Brussels,

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*