



TERMS OF REFERENCE

Task Nr:	RMT.0463 and RMT.0547
Issue:	1
Date:	23 October 2012
Regulatory reference:	Regulation (EC) 2042/2003 ¹ Annex I (Part-M)
Reference documents:	None

1. Subject:

Review of Part-M for General Aviation

2. Problem/Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

Amending Regulation (EC) 1056/2008 of 28.10.2008 to Regulation (EC) No 2042/2003 introduced some significant amendments in particular to its Annex I (Part-M) in order to adapt the existing requirements to the complexity of the different categories of aircraft and the types of operations without impairing the level of safety. These amendments provided alleviations for aircraft not involved in commercial air transport other than large aircraft, commonly known as General Aviation aircraft.

Following the requirements of Article 24.3 of the Basic Regulation (EC) 216/2008 of 20.02.2008, the Agency decided to perform an assessment of the impact of the implementation of the amended Part-M requirements in the General Aviation community and collected feedback from competent authorities and affected stakeholders. A dedicated workshop took place in Cologne on 27th October 2011 to take stock of specific implementation issues related to Part-M.

Following this workshop the Agency offered to constitute a Part-M General Aviation task force in order to address the following issues:

- Take immediate regulatory action in areas where high costs have been identified or no real safety benefit has been identified.
- Propose an action plan to further address Part-M implementation and related airworthiness issues, where this should not be limited to rulemaking action only.
- Consider the implications of the definition of commercial operations (Regulation (EC) No 216/2008) in relation to the above and its wider application.

3. Objective:

The objective of this task is to ensure proportionate and cost-efficient rules for General

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 European Union Regulation (EU) No 593/2012 of 5 July 2012 (OJ L 176, 6/07/2012, p.38).

Aviation while maintaining an acceptable level of safety.

4. Specific tasks and interface issues (Deliverables):

The project is split in two phases:

Phase I:

This phase will propose, through a NPA, a first set of alleviations in Part-M for General Aviation. These should address areas where high costs have been identified or no real safety benefit has been identified, introducing alleviations which do not require a full Regulatory Impact Assessment.

In line with the conclusions of the Part-M General Aviation Workshop in October 2011, this NPA to be drafted during Phase I should at least propose amendments on the following subjects:

- Aircraft Maintenance Programmes.
 - Simplify approvals;
 - Clearly function by reference;
 - Launch 'generic' maintenance programmes.
- Airworthiness Review.
 - Increase link between maintenance and airworthiness review;
 - Simplify the functioning of the ARC;

In addition, during Phase I it will be proposed an action plan including further rulemaking action, actions in the area of communication, standardisation, change management etc..., which will be implemented during Phase II.

Finally, during Phase I it will be discussed the definition of 'commercial operations', with the intention to produce a 'position paper' on the matter during Phase II.

Phase II:

This phase will implement the action plan defined during Phase I and produce a position paper on the meaning of 'commercial operations'.

Separate Terms of Reference will be issued for any further rulemaking action proposed by the Task Force for phase II. This will include a separate timescale.

5. Working Methods (in addition to the applicable Agency procedures):

Agency with the support of the Part-M General Aviation Task Force initiated following the Part-M General Aviation Workshop organised by the Agency in October 2011.

The Task Force will:

- provide recommendations to the Agency on the issues to be addressed and their resolution,
- provide direction for the NPA drafting work (and subsequent CRD, Opinion and Decision),
- provide direction and follow-up for the progress of the Phase II.

Task Force members are invited to liaise within their organisations on the issues identified, solutions outlined and the progress of the work.

Regarding the immediate actions to be taken in Phase I to address Part-M regulatory issues in General Aviation where high costs have been identified or no real safety benefit has been identified, this should be limited to issues which do not require a full regulatory impact assessment.

The detailed drafting of the corresponding rule amendments will be done by the Agency.

The Agency shall ensure coordination with the following on-going rulemaking tasks:

- MDM.038 'Guidance on Time between Overhauls'
- MDM.047 'Alignment with the new Basic Regulation'
- MDM.048 'CS for standard changes and repairs'
- MDM.055 'SMS for Regulation (EC) No. 2042/2003'
- MDM.056 'Instructions for Continuing Airworthiness'
- MDM.060 'SMS for Regulation (EC) No. 1702/2003'
- M.027 'Aircraft Continuing Airworthiness Management'

6. Time scale, milestones for Phase I:

Start:	2012/Q1
NPA, action plan and position paper:	2012/Q4
CRD/Opinion (RMT.0463)	2013/Q2
Decision (RMT.0547):	2014/Q4