

European Aviation Safety Agency

DECISION 2013/034/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 19 December 2013

amending Acceptable Means of Compliance to Part M of Commission Regulation (EC) 2042/2003

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹, and in particular Article 38(3)(a) thereof,

Having regard to Commission Regulation (EC) No 2042/2003²,

Whereas:

- (1) The Agency shall, pursuant to Article 18(c) of Regulation (EC) No 216/2008, issue Acceptable Means of Compliance for the application of Regulation (EC) No 216/2008 and its Implementing Rules.
- (2) Acceptable Means of Compliance are non-binding standards adopted by the Agency which illustrate the means to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules.
- (3) With ED Decision 2013/025/R of 11 September 2013, the Executive Director adopted Acceptable Means of Compliance on 'Recommended practice for TBO extension', which amended Annex I 'Acceptable Means of Compliance to Part M' of ED Decision No 2003/19/RM³.
- (4) Some Member States have encountered difficulties implementing ED Decision 2013/025/R, which has led to the preventable grounding of several aircraft and, consequently, a negative impact on general aviation.
- (5) The objective of ED Decision 2013/025/R was to assist competent authorities and stakeholders in taking the proper technical and timely

¹ 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, 19.3.2008, p. 1), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

² 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).

³ Decision No 2003/19/RM of the Executive Director of the European Aviation Safety Agency of 28 November 2003 on acceptable means of compliance and guidance material to 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. Decision as last amended by Decision 2013/025/R of the Executive Director of the Agency of 20 September 2013.

decisions, which will not be met unless there is a clear understanding by all of its purpose.

- (6) Feedback received from competent authorities and stakeholders after the publication of ED Decision 2013/025/R has shown that:
 - (a) there is a need to further evaluate which are the current policies applied by Member States in order to allow TBO extensions; and
 - (b) there is a need to further review the technical content of its Annex, including, but not limited to, which aircraft categories and operations are covered by the Decision and which organisations are entitled to extend the Time Between Overhaul (TBO).
- (7) The intended objectives of the ED Decision 2013/025/R will not be met unless the issues described above are addressed.
- (8) The present ED Decision is, therefore, exceptionally adopted without consulting interested parties pursuant to Article 52(1)(c) of Regulation (EC) No 216/2008 and Articles 5(3), 6 and 7 of the Agency's Rulemaking Procedure⁴, due to the urgency.
- (9) The Agency will review the content of ED Decision 2013/025/R with the help of competent authorities and stakeholders with a view to reach a better understanding.

HAS DECIDED:

Article 1

AMC2 M.A.302 (d), AMC M.B.301(b) and Appendix XIV to AMC2 M.A.302(d), as introduced by Decision 2013/025/R of the Executive Director of the Agency of 11 September 2013 on 'Recommended practice for TBO extension', are hereby withdrawn.

Article 2

This Decision shall enter into force the day following that of its publication in the Official Publication of the Agency.

Done at Cologne, 19 December 2013

*For the European Aviation Safety Agency
The Executive Director*

Patrick KY

⁴ EASA MB Decision No 01-2012 of 13 March 2012 amending and replacing Decision 08-2007 concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material ('Rulemaking Procedure') (<http://easa.europa.eu/official-publication/rulemaking-procedure.php>).