

Annex IV to ED Decision 2015/024/R

Annex VI (Guidance Material to Part-M) to Decision 2003/19/RM is amended as follows:

The text of the amendment is arranged to show deleted text, new or amended text as shown below:

- (a) deleted text is marked with ~~strikethrough~~;
- (b) new or amended text is highlighted in grey;
- (c) an ellipsis (...) indicates that the remaining text is unchanged in front of or following the reflected amendment.

A new GM M.A.201(e), M.A.302(h) and M.A.901(l) is introduced as follows:

GM M.A.201(e), M.A.302(h) and M.A.901(l)

Maintenance Programme development and approval (for private aircraft other than large *)

* This means aircraft for which M.A.201(f), (g), (h), and (i) do not apply.

The following table provides a summary of the provisions contained in M.A.201(e), AMC M.A.201(e), and GM M.A.201(e):

	OPTION 1 (for private aircraft other than large)	OPTION 2 (for private aircraft other than large)	OPTION 3 (for ELA2 aircraft not involved in commercial operations)
Development and processing of the approval of the maintenance programme	Performed by the owner	Contracted to a CAMO (whether it is done through a full contract for the continuing airworthiness management of the aircraft or through a limited contract for the development and processing of the maintenance programme)	Contracted to a Part-145 or M.A. Subpart F maintenance organisation (see M.A.201(e)(ii))
Approval/Declaration of the maintenance programme	Direct approval by the NAA or Declaration by the owner (only for ELA1 aircraft not involved in commercial operations, see M.A.302(h))	Direct approval by the NAA or Indirect approval by the contracted CAMO or Declaration by the owner (only for ELA1 aircraft not involved in commercial operations, see M.A.302(h))	Direct approval by the NAA or Declaration by the owner (only for ELA1 aircraft not involved in commercial operations, see M.A.302(h))

Maintenance Programme content and airworthiness review (for all aircraft)

The following table provides a summary of the provisions contained in M.A.302 and AMC M.A.901 in relation to the content of the maintenance programme, its approval and its link with the airworthiness review:

	OPTION 1 (for all aircraft)	OPTION 2 (for ELA1 aircraft not involved in commercial operations)
Basic information used for the maintenance programme	Maintenance data from the Design Approval Holder (complying with M.A.302(d) and (e))	'Minimum Inspection Programme' (see M.A.302(h)2 and M.A.302(i)) (not applicable to airships)
Customisation to a particular aircraft registration	Complying with M.A.302(e) or Using the template in AMC M.A.302(e) (only for other-than-complex motor-powered aircraft)	Using the template in AMC M.A.302(e)
Approval/Declaration of the maintenance programme	Direct approval by NAA or Indirect approval by contracted CAMO or Declaration by the owner (see M.A.302(h)) (only for ELA1 aircraft not involved in commercial operations, see M.A.302(h))	Direct approval by NAA or Indirect approval by contracted CAMO or Declaration by the owner (see M.A.302(h)) (only for ELA1 aircraft not involved in commercial operations, see M.A.302(h))
Performance of Airworthiness Review and issue of Airworthiness Review Certificate	CAMO or NAA	NAA or CAMO or Part-145/M.A. Subpart F maintenance organisation (when combined with annual inspection, see M.A.901(l))

A new GM M.A.201(e) is added as follows:

GM M.A.201(e) Aircraft maintenance programme

If an owner decides not to make a contract in accordance with M.A.201(e), the owner is fully responsible for the proper accomplishment of the corresponding tasks. As a consequence, it is

recommended that the owner properly self-assess his/her own competence to accomplish them or otherwise seek the proper expertise.

A new GM M.A.302(h) is added as follows:

GM M.A.302(h) Aircraft maintenance programme

Responsibilities associated to maintenance programmes developed in accordance with M.A.302(h):

- If the owner has contracted an organisation in accordance with M.A.201(e) (whether it covers the full continuing airworthiness management or it is just for the development of the maintenance programme), this organisation is responsible for developing and proposing to the owner a maintenance programme which:
 - indicates whether the maintenance programme is based on the 'Minimum Inspection Programme' described in M.A.302(i);
 - identifies the owner and the specific aircraft, engine, and propeller (as applicable);
 - includes all mandatory maintenance information and any additional tasks derived from the assessment of the recommendations issued by the Design Approval Holder;
 - justifies any deviations from the recommendations issued by the Design Approval Holder;
 - does not go below the requirements of the Minimum Inspection Programme; and
 - is customised to the particular aircraft type, configuration and operation, in accordance with paragraph M.A.302(h)3.

If the maintenance programme is going to be approved by the competent authority, such competent authority is responsible for evaluating the justifications provided in relation to deviations from the recommendations issued by the Design Approval Holder.

However, when issuing a declaration for the maintenance programme, the owner assumes full responsibility for any deviations introduced to the maintenance programme proposed by the contracted organisation. The organisation which developed the maintenance programme is not responsible for such deviations. These deviations do not need to be justified by the owner.

- If the owner has not contracted an organisation in accordance with M.A.201(e) and has decided to develop the maintenance programme himself/herself, when issuing a declaration for the maintenance programme, the owner assumes full responsibility for its content, including any deviations introduced to the recommendations issued by the Design Approval Holder. In this case, these deviations do not need to be justified. However, the maintenance programme still needs to comply with the requirements contained in M.A.302(h), in particular with the obligation to not go below the requirements of the 'Minimum Inspection Programme' and to comply with the mandatory continuing airworthiness information.

If the maintenance programme is going to be approved by the competent authority, the owner needs to provide to such competent authority the justification for the deviations from the Design Approval Holder recommendations.

- The content of the declared (by the owner) maintenance programme cannot be initially challenged either by the competent authority, the contracted CAMO, or the contracted

maintenance organisation. This declared maintenance programme is the basis for adequate planning of maintenance as well as for the airworthiness reviews and the content of the Aircraft Continuing Airworthiness Monitoring (ACAM) inspections in accordance with M.B.303. Nevertheless, the maintenance programme will be subject to periodic reviews at the occasion of the airworthiness review and the competent authority shall be notified in case of discrepancies linked to deficiencies in the content of the maintenance programme, as described in M.A.302(h)5, M.A.710(ga), M.A.710(h), M.A.901(l)5, and M.A.901(l)7. The owner shall amend the maintenance programme accordingly as required by M.A.302(h)5.

- When the competent authority is notified of deficiencies linked to the content of the declared maintenance programme for a particular aircraft, the competent authority should contact the owner, request a copy of the maintenance programme (if it was declared) and use the information received for the adequate planning of the ACAM programme. Based on the reported deficiencies and the risks identified, the competent authority will adapt the ACAM programme accordingly. This notification will also allow that the competent authority agrees on the changes required to the maintenance programme as required by M.A.302(h)5.
- Although there is no requirement for the owner to send a copy of the declared maintenance programme to the competent authority, this does not prevent the competent authority from requesting a copy to the owner at any time, even if deficiencies have not been reported.
- Since the maintenance programme has to identify the deviations introduced to the recommendations issued by the Design Approval Holder, the airworthiness reviews and ACAM inspections should place emphasis on the inspection of those areas affected by those deviations in order to make sure that the maintenance programme is effective.
- Since the competent authority is not responsible for the content of a declared maintenance programme, the competent authority cannot authorise deviations from its content. In such case, the owner can always declare an amended maintenance programme.

A new GM M.A.615 is added as follows:

GM M.A.615 Privileges of the organisation

M.A.615 states that the organisation shall only maintain an aircraft or component for which it is approved when all the necessary facilities, equipment, tooling, material, maintenance data, and certifying staff are available.

This provision is intended to cover the situation where the larger organisation may temporarily not hold all the necessary tools, equipment, etc. for an aircraft type or variant specified in the organisation's approval. This paragraph means that the competent authority need not amend the approval to delete the aircraft type or variants on the basis that it is a temporary situation and there is a commitment from the organisation to re-acquire tools, equipment, etc. before maintenance on the type may recommence.

A new GM M.A.615(a) is added as follows:

GM M.A.615(a) Privileges of the organisation

M.A.615(a) applies also to facilities which may not be individually approved by the competent authority, such as those described in AMC M.A.605(a) for ELA2 aircraft.

A new GM M.A.709 is added as follows:

GM M.A.709 Documentation

Paragraph M.A.709(a) refers to continuing airworthiness tasks referred to in M.A.708. As a consequence, this covers continuing airworthiness management tasks but not airworthiness reviews.

Airworthiness review requirements are established in M.A.710 and the requirements for the corresponding record retention are contained in M.A.714.

A new GM M.A.710 is introduced as follows:

GM M.A.710 Airworthiness review

Responsibilities of airworthiness review staff:

The following is a summary of the requirements contained in M.A.710 as well as the associated AMCs and Appendices, in relation to the responsibilities of the airworthiness review staff:

- Airworthiness review staff are responsible for performing both, the documental and the physical survey.
- Procedures must be established by the CAMO in order to perform the airworthiness review, including the depth of samplings (refer to Appendix V to AMC M.A.704, paragraphs 4.2 and 4.3).
- Procedures must make very clear that the final word about the depth of the inspections (both documental and physical) belongs to the airworthiness review staff, who can go beyond the depth contained in the CAME if they find it necessary. At the end, it is the responsibility of the airworthiness review staff to be satisfied that the aircraft complies with Part-M and is airworthy, and the organisation must ensure that no pressure or restrictions are imposed on the airworthiness review staff when performing their duty.
- A compliance report must be produced by the airworthiness review staff, detailing all items checked and the outcome of the review.
- Airworthiness review staff are responsible for the items checked during the airworthiness review. However, they do not take over the responsibilities of the CAMO, Part-145, DOA, POA or any other organisations, not being responsible for problems not detected during the airworthiness review or for the possibility that the approved or declared maintenance programme may not include certain recommendations from the Design Approval Holder. Obviously, if the airworthiness review staff are not independent of the airworthiness management process and were nominated on the basis of the option of having overall authority on such a process, they will be responsible for the full continuing airworthiness

of such aircraft. Nevertheless, this responsibility will be a consequence of their position related to M.A.706 and not of their position as airworthiness review staff (M.A.707).

- The issuance of the airworthiness review certificate (ARC) by the airworthiness review staff only certifies that the aircraft is considered airworthy in relation to the scope of the airworthiness review performed and the fact that the airworthiness review staff are not aware of instances of non-compliance which endanger flight safety. Furthermore, it only certifies that the aircraft is considered airworthy at the time of the review.

It is the responsibility of the owner or contracted CAMO to ensure that the aircraft is fully airworthy at any time.

A new GM M.A.710(h) is introduced as follows:

GM M.A.710(h) Airworthiness review

The objective of informing the competent authority when the airworthiness review shows discrepancies linked to deficiencies in the content of the maintenance programme is to allow the competent authority to take it into account when planning the ACAM inspections and to make sure that the competent authority agrees on the amendments required in the maintenance programme as required by M.A.302(h)5.

A new GM M.A.901(l)5 is introduced as follows:

GM M.A.901(l)5 Aircraft airworthiness review

The EASA Form 15c is only applicable to ELA1 aircraft not involved in commercial operations. As a consequence, a new EASA Form 15a or 15b has to be issued if the operation of the aircraft changes to commercial. This includes the corresponding approval of the maintenance programme and the performance of an airworthiness review.

A new GM M.A.901(l)7 is introduced as follows:

GM M.A.901(l)7 Aircraft airworthiness review

The objective of informing the competent authority when the airworthiness review shows discrepancies linked to deficiencies in the content of the maintenance programme is to allow the competent authority to take it into account when planning the ACAM inspections and to make sure that the competent authority agrees on the amendments required in the maintenance programme as required by M.A.302(h)5.