

**Comment Response Document (CRD)  
to Notice of Proposed Amendment (NPA) 08-2006**

**For a Commission Regulation amending Commission Regulation (EC) No 2042/2003, on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.**

**Entry in force Article 7.3.(c)**

**Certifying staff qualified in accordance with Part 66 (provisions of Annex III) for line and base maintenance (aircraft with a maximum take off mass of more than 5700 kg)**

## Explanatory Note

### I. General

1. The purpose of the Notice of Proposed Amendment (NPA), dated 10 July 2006 was to evaluate the need for an amendment to Article 7.3(c) of Commission Regulation (EC) No 2042/2003<sup>1</sup>.

### II. Consultation

2. The draft Executive Director Opinion was published on the web site ([www.easa.europa.eu](http://www.easa.europa.eu)) on 12 July 2006.

By the closing date of 21 August 2006, the Agency had received 15 comments from 12 national authorities, professional organisations and private persons.

### III. Publication of the CRD

3. All comments received have been acknowledged and incorporated into a Comment Response Document (CRD). This CRD contains a list of all persons and/or organisations that have provided comments and the answers of the Agency.
4. In responding to comments, a standard terminology has been applied to attest EASA's acceptance of the comment. This terminology is as follows:
  - **Accepted** – The comment is agreed by the Agency and any proposed amendment is wholly transferred to the revised text.
  - **Partially Accepted** – Either the comment is only agreed in part by the Agency, or the comment is agreed by the Agency but any proposed amendment is partially transferred to the revised text.
  - **Noted** – The comment is acknowledged by the Agency but no change to the existing text is considered necessary.
  - **Not Accepted** - The comment is not shared by the Agency
5. The Agency's Opinion will follow as soon as possible in order to allow concerned parties to take necessary actions according to the position expressed during consultation.
6. Possible reactions from stakeholders regarding misunderstandings on the comments received and answers provided can be sent to [CRD@easa.europa.eu](mailto:CRD@easa.europa.eu).

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<sup>1</sup> 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 amended by Commission Regulation (EC) No 707/2006 of 8 May 2006 (OJ L 122, 9.5.2006, p. 17)

Com-ment #	Para	Comment provider	Comment/Justification	Response	Resulting text
1.	General comment	Sabena Technics	Regarding the impacts of the both solutions, it is clear and evident that the solution a “Do nothing” seem to be more impacted than the solution b “extend the transition period until 28 September 2007.	Noted	
2.	a) 22	Sabena Technics	<p>Contrary to the opinion of this paragraph, the cost could impact highly some repairs stations, the smallest in particular. If those companies have no sufficient certifying staff and that may subcontract or employ licensed engineer from another country to release aircraft into service, the cost and the associated impact for those companies can be dramatic.</p> <p>The other solution for the concerned companies is to keep their licensed engineers and to plan the work in consequence. That means that check and aircraft delivery can be postponed and affected, with high impact for their customers. That means that those companies can lost markets and be in bankrupt.</p>	<p>Noted</p> <p>It is explained in §22 of the NPA or §15 of the Opinion that significant costs will be induced in case or shortage of licensed engineers.</p>	
3.	D a) 19:	Sabena Technics	<p>I do not think that the fact that to maintain the due date on next September will improve the safety.</p> <p>In fact, maintaining the due date to the 28 September 2006 will push the authorities, actually in late to convert the PART 66 licenses, to rush to be compliant with the European regulation. So, they will convert a lot of internal licenses into PART 66 licenses, to protect their repair stations, and to avoid commercial and financial impacts for their countries.</p> <p>So, the risk is that licenses be issued without a deep control and validation of the rights of the engineers. Then, licensed engineering could potentially be not compliant with the safety objectives of the PART 66.</p> <p>That means that in a near future, engineers will be on the markets, with licenses at the same level and with the same rights than the others, but perhaps without</p>	<p>Noted</p> <p>The NAA’s will have to fully comply with Part 66. They can not deviate from regulation in lowering the level of safety due to the fact they are behind the schedule.</p>	

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			<p>the same competencies than engineers from country that took time to evaluate deeply the qualifications and training of their engineers.</p> <p>It looks contrary to the safety objectives of the PART 66</p> <p>In conclusion, I do not think that to maintain the date of next September will ensure and/or improve safety</p>	<p>The role of the Agency is to conduct standardisation inspections to verify that such practise will not happen or will be immediately followed by appropriate remedial action (§20 of the current NPA).</p>	
4.	General comment	Tyrolean Airways	<p>The present end date of the transition period as 28 Sept. 2006 should <u>not</u> be postponed since it ensures the highest level of safety and standardisation.</p> <p>EASA expert teams (MAST?) should in the mean time “assist” those member states being behind schedule in converting their national into the Pt 66 system to verify proper justification when issuing Pt 66 AML’s and prevent issuing undue qualifications to engineers.</p>	<p>Noted</p> <p>The comment will be considered for the countries behind the schedule.</p>	
5.	General comment	RAeS Licensed Engineering Specialist Group	<p>We fully understand and echo the comments regarding the dangers of racing conversion to meet the deadline, but feel more strongly that the original deadline should be maintained.</p>	Noted	
6.	General comment	RAeS Licensed Engineering Specialist Group	<p>We further feel the brief mention of equality of standards must be rigorously enforced throughout all the EU participant states.</p>	Noted	
7.	General comment	Austro Control	<p>Austro Control supports the Agency’s conclusion</p>	Noted	
8.	Explanatory Note Part V, Sub-part E, Paragraph 30 Part VI, Paragraphs 31, 32 and 33	UK CAA	<p>The UK does not seek any extension to the deadlines for the introduction of Part-66.</p>	Noted	

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9.	Draft Opinion	CAA CZ	CAA CZ experts do not insist to apply for extension of the transition period.	Noted	
10.	Draft Opinion	Air France	<p>Air France fully supports the “do nothing option”</p> <p>Justification:</p> <p>We are against any postponement of Part 66 implementation date for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ Its effect would be counterproductive as on the contrary pressure must be kept on those being late in order to speed up the implementation process.</li> <li>▪ Industry and NAA’s had sufficient time to implement Part 66. Its postponement would be seen as unfair by those who made significant efforts to implement it in time.</li> <li>▪ Changing deadlines would only cause unnecessary confusion at this stage.</li> <li>▪ In the few cases where compliance is not possible, there is a mechanism in regulation 1592/2002 allowing to address such cases on a case by case basis, with all the necessary transparency and visibility.</li> </ul>	<p>Noted</p> <p>The comments reflect the NPA.</p>	
11.	Draft Opinion	Association of European Airlines	<p>The AEA fully supports the “do nothing option”</p> <p>Justification:</p> <p>We are against any postponement of Part 66 implementation date for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ Its effect would be counterproductive as on the contrary pressure must be kept on those being late in order to speed up the implementation process.</li> <li>▪ Industry and NAA’s had sufficient time to</li> </ul>	<p>Noted</p> <p>The comments reflect the NPA.</p>	

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			<p>implement Part 66. Its postponement would be seen as unfair by those who made significant efforts to implement it in time.</p> <ul style="list-style-type: none"> <li>▪ Changing deadlines would only cause unnecessary confusion at this stage.</li> <li>▪ In the few cases where compliance is not possible, there is a mechanism in regulation 1592/2002 allowing to address such cases on a case by case basis, with all the necessary transparency and visibility.</li> </ul>		
12.	General Comment	Mr M. Schwingenheuer	Mr Schwingenheuer strongly recommends keeping the original date.	Noted	
13.	General Comment	FAA	The FAA has reviewed the subject NPA and has no comments.	Noted	
14.	General Comment	ECOGAS	ECOGAS supports the draft opinion. A level playing field within the Community cannot be achieved if deadlines are not adhered to.	Noted	
15.	Draft Opinion	ENAC-IT	<p>proposed changes: none</p> <p>We agree with option a): no delays deemed necessary for the entry into Force of point 7.3c</p> <p>Justification:</p> <p>Enac and Italian organizations invested many resources to meet the date of entry into force; any delay will be interpreted by organizations as unfair competition</p>	Noted	