

Proposal for a
COMMISSION REGULATION (EC) No .../...
of [...]

**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**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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/EC¹ ("the Basic Regulation"), and in particular Articles 5 and 6 thereof,

Having regard 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 tasks²,

Whereas:

- (1) Commission Regulation (EC) No 2042/2003, in Article 7(6), requires the European Aviation Safety Agency (hereinafter referred to as "the Agency") to make an evaluation of the implication of the provisions of Annex I (Part-M) to this Regulation;
- (2) The Agency has determined, after the appropriate impact assessments, that the provisions of Annex I (Part-M) are too stringent for aircraft not involved in commercial air transport and, in particular, aircraft not classified as "complex motor-powered aircraft";
- (3) The Agency has found it necessary to make significant amendments to Commission Regulation (EC) No 2042/2003, and in particular Annex I (Part-M), in order to adapt it to the different complexity of the different categories of aircraft and types of operation;
- (4) The Agency has found it necessary to introduce appropriate transitional measures for those provisions that can not be reasonably implemented before the end of the current opt-out period (28 September 2008) established in Article 7(3)(a) of Commission Regulation (EC) No 2042/2003 for aircraft not involved in commercial air transport;
- (5) The measures provided for in this Regulation are based on the opinion issued by the Agency³ in accordance with Articles 17(2)(b) and 19(1) of the Basic Regulation;
- (6) The measures provided for in this Regulation are in accordance with the opinion⁴ of the European Aviation Safety Agency Committee established by Article 65(3) of the Basic Regulation;

¹ OJ L 79, 19.03.2008, p.1

² OJ L 315, 28.11.2003, p. 1. Regulation as last amended by Regulation (EC) No 376/2007 (OJ L 94, 4.4.2007, p. 18)

³ Opinion 02/2008

⁴ (To be issued)

- (7) The Commission Regulation (EC) No 2042/2003 should therefore be amended accordingly;

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EC) 2042/2003 is hereby amended as follows:

1) In Article 2, the following points (k) and (l) are added:

- (k) 'ELA1 aircraft' means any of the following aircraft (ELA meaning "European Light Aircraft"):
- an aeroplane, sailplane or powered sailplane with a Maximum Take-off Mass (MTOM) less than 1000 kg that is not classified as complex motor-powered aircraft.
 - a balloon with a maximum design lifting gas or hot air volume of not more than:
 - 3400 m³ for hot-air balloons
 - 1050 m³ for gas balloons
 - 300 m³ for tethered gas balloons
 - an airship designed for not more than two occupants and a maximum design lifting gas or hot-air volume of not more than:
 - 2500 m³ for hot-air airships
 - 1000 m³ for gas airships
- (l) 'LSA aircraft' means any aeroplane with (LSA meaning "Light Sport Aeroplane"):
- a Maximum Take-off Mass (MTOM) of not more than 600 kg, and
 - a maximum stalling speed in the landing configuration (VS0) of not more than 45 knots Calibrated Airspeed (CAS) at the aircraft's maximum certificated takeoff mass and most critical centre of gravity, and
 - a maximum seating capacity of no more than two persons, including the pilot, and
 - a single, non-turbine engine fitted with a propeller, and
 - a non-pressurised cabin.

2) In Article 3, the following points 4, 5 and 6 are added:

4. By derogation from M.A.201(e), M.A.201(i)1, M.A.901 and M.A.904(a)2, for aircraft not used in commercial air transport other than large aircraft, and only until 28 September 2009, continuing airworthiness management tasks, airworthiness reviews and issuance and extension of airworthiness review certificates may be performed by a continuing airworthiness management organisation appropriately approved in accordance with the Member State requirements.
5. By derogation from M.A.901, for aircraft not used in commercial air transport, any airworthiness review certificate or equivalent document issued in accordance with the Member State requirements and valid on 28 September 2008 shall be valid until its expiration date or until 28 September 2009, whichever comes first. After the expiration of its validity, the competent authority or a continuing airworthiness management organisation appropriately approved under the Member State requirements may further re-issue or extend one time the airworthiness review certificate or equivalent document for one year, if allowed by the Member State requirements. Upon further expiration, the competent authority may further re-issue or extend one more time the airworthiness review certificate or equivalent document for one year, if allowed by the Member State requirements. No further re-issuance or extension is allowed. By derogation from M.A.903(b), when transferring within the EU an aircraft not used in commercial air transport, the Member State in which the aircraft will be

registered may not accept the former airworthiness review certificate or equivalent document when it has been issued in accordance with the derogation from M.A.901 indicated above. In such a case, a new airworthiness review certificate shall be issued in accordance with M.A.904.

6. By derogation from M.A.302(b) through (e), for aircraft not involved in commercial air transport other than large aircraft, and only until 28 September 2009, the following documents are also deemed as approved maintenance programmes when they comply with the relevant Member State requirements:
 1. A maintenance programme approved or accepted by the competent authority, or
 2. A recommended schedule issued by the Type Certificate holder, or
 3. A maintenance programme issued by the competent authority.These documents shall be supplemented by the corresponding M.A.803 Pilot-owner maintenance tasks.

3) In Article 4, the following point 4 is added:

4. By derogation from M.A.201(i)2, M.A.502 and M.A.801(b)1, for aircraft not involved in commercial air transport other than large aircraft, and only until 28 September 2009, maintenance and release to service of aircraft and components may be performed by a maintenance organisation appropriately approved in accordance with the Member State requirements.
Certificates of release to service and authorised release certificates issued on or before 28 September 2009 by a maintenance organisation approved under the Member State requirements shall be deemed equivalent to those required under M.A.801 and M.A.802, as applicable.

4) Point 1 of Article 5 is replaced by the following:

1. Certifying staff shall be qualified in accordance with the provisions of Annex III, except as provided for in M.A.606(h), M.A.607(b), M.A.801(d) and M.A.803 of Annex I and in 145.A.30(j) of Annex II and Appendix IV to Annex II.
In addition, for aircraft not involved in commercial air transport other than large aircraft, certifying staff may be qualified in accordance with the relevant Member State requirements until 28 September 2009.

5) Point 3(a) of Article 7 is replaced by the following:

- 3(a) the provisions of Annex I to aircraft not involved in commercial air transport, until 28 September 2008, except for:
 - M.A.201(f) as applicable to large aircraft used by a third country operator, until 28 September 2009,
 - M.A.201(i) paragraphs 1 and 2, until 28 September 2009;

Article 2

Annex I (Part-M) of Commission Regulation (EC) 2042/2003 is hereby amended as follows:

1) In M.1, the following point 4(iii) is added:

- 4(iii) By derogation from paragraph 4(i), when an aircraft not used in commercial air transport is managed by an M.A. Subpart G organisation not subject to the oversight of the Member State of registry, and only if agreed with the Member State of registry prior to the approval of the maintenance programme:
 - the authority designated by the Member State responsible for the oversight of the M.A. Subpart G organisation, or
 - the Agency if the M.A. Subpart G organisation is located in a third country.

2) Point (e) of M.A.201 is replaced by the following:

- (e) In order to satisfy the responsibilities of paragraph (a) the owner of an aircraft may contract the tasks associated with continuing airworthiness to an approved continuing airworthiness management organisation as specified in M.A. Subpart G in accordance with Appendix I. In this case, the continuing airworthiness management organisation assumes responsibility for the proper accomplishment of these tasks. An owner who decides to manage the continuing airworthiness of the aircraft under its own responsibility, without a contract in accordance with Appendix I, may nevertheless make a limited contract with an M.A. Subpart G organisation for the development of the maintenance programme and, if the organisation holds the appropriate approved procedures, its approval through an indirect approval procedure as described in M.A.302(c). This limited contract transfers the responsibility for the development and approval of the maintenance programme to the contracted M.A. Subpart G organisation.

- 3) In point (i) of M.A.201, "its operational activities" is replaced by "commercial operations".
- 4) In point (a) of M.A.202, "shall report to the State of Registry" is replaced by "shall report to the competent authority of the State of Registry".
- 5) M.A.302 is replaced by the following:

M.A.302 Maintenance programme

- (a) The maintenance of the aircraft shall be organized in accordance with a maintenance programme.
- (b) The maintenance programme and any subsequent amendments shall be approved by the competent authority defined in M.1, paragraph 4.
- (c) When the aircraft continuing airworthiness is managed by an M.A. Subpart G organisation the maintenance programme and its amendments may be approved through an approval procedure (hereinafter called "indirect approval procedure"). This procedure shall be established by the M.A. Subpart G organisation, included in the Continuing Airworthiness Management Exposition, and approved by the competent authority responsible for that M.A. Subpart G organisation. The M.A. Subpart G organisation shall not use the indirect approval procedure when this organisation is not under the oversight of the Member State of Registry, unless an agreement exists in accordance with M.1, paragraph 4(ii) or 4(iii), as applicable, transferring the responsibility for the approval of the maintenance programme to the Member State of the M.A. Subpart G organisation.
- (d) The maintenance programme must establish compliance with:
1. instructions for continuing airworthiness issued by the type certificate and supplementary type certificate holders and any other organisation that publishes such data in accordance with Part-21, or
 2. instructions issued by the competent authority, if they differ from subparagraph 1 or in the absence of specific recommendations.
- The owner or the operator may propose to the competent authority alternate and/or additional instructions to those defined in paragraphs 1 and 2. These alternate and/or additional instructions may be included in the maintenance programme once they have been approved in accordance with M.A.302(b) or M.A.302(c).
- (e) The maintenance programme shall contain details, including frequency, of all maintenance to be carried out, including any specific tasks linked to specific operations.
- (f) For large aircraft, when the maintenance programme is based on:
1. Maintenance Steering Group logic, or,
 2. mainly on condition monitoring
- the programme must include a reliability programme.
- (g) The maintenance programme must be subject to periodic reviews and amended when necessary. The reviews will ensure that the programme continues to be valid in light of operating experience whilst taking into account new and/or modified maintenance instructions promulgated by the type certificate and supplementary

type certificate holders and any other organisation that publishes such data in accordance with Part-21.

- (h) The maintenance programme must reflect applicable mandatory regulatory requirements addressed in documents issued by the holder of the type certificate, restricted type-certificate, supplemental type-certificate, major repair design approval, ETSO authorisation or any other relevant approval deemed to have been issued under Commission Regulation 1702/2003 to comply with the requirements for issuance of instructions for continued airworthiness in Part-21.

6) Point (b) of M.A.305 is replaced by the following:

- (b) The aircraft continuing airworthiness records shall consist of, as appropriate, an aircraft logbook, engine logbook(s) or engine module log cards, propeller logbook(s) and log cards for any service life limited component and, when required by M.A.306 for commercial air transport or by the Member State for commercial operations other than commercial air transport, the operator's technical log.

7) In point (b) of M.A.401, the word "and" is added at the end of items 1, 2 and 3.

8) In point (b) of M.A.403, "according to M.A.801(b)1, M.A.801(b)2 or Part-145" is replaced by "according to M.A.801(b)1, M.A.801(b)2, M.A.801(c), M.A.801(d) or Part-145".

9) In point (a) of M.A.501, "specified in Part-145 and Subpart F" is replaced by "specified in Part-21, Part-145 or M.A. Subpart F".

10) M.A.502 is replaced by the following:

M.A.502 Component maintenance

- (a) The maintenance of components shall be performed by appropriately approved M.A. Subpart F or Part-145 maintenance organisations.
- (b) By derogation from M.A.502(a), maintenance on a component in accordance with aircraft maintenance data or, if specifically agreed by the competent authority, in accordance with component maintenance data, may be performed by an A rated M.A. Subpart F or Part-145 organisation as well as by M.A.801(b)2 certifying staff only whilst such components are fitted to the aircraft. Nevertheless, such A rated M.A. Subpart F or Part-145 organisation or M.A.801(b)2 certifying staff may temporarily remove this component for maintenance, in order to improve access to the component, except when such removal generates the need for additional maintenance not eligible for the provisions of this subparagraph. Component maintenance performed in accordance with this subparagraph is not eligible for the issuance of an EASA Form 1 and shall be subject to the aircraft release requirements under M.A.801.
- (c) By derogation from M.A.502(a), maintenance on an engine/APU component in accordance with engine/APU maintenance data or, if specifically agreed by the competent authority, in accordance with component maintenance data, may be performed by a B rated M.A. Subpart F or Part-145 organisation only whilst such components are fitted to the engine/APU. Nevertheless, such B rated M.A. Subpart F or Part-145 organisation may temporarily remove this component for maintenance, in order to improve access to the component, except when such removal generates the need for additional maintenance not eligible for the provisions of this subparagraph.
- (d) By derogation from M.A.502(a), maintenance on a component while installed or temporarily removed from an ELA1 aircraft not used in commercial air transport, and performed in accordance with component maintenance data, may be performed by M.A.801(b)2 certifying staff except for:
 1. overhaul of components other than engines and propellers.
 2. overhaul of engines and propellers for aircraft other than CS-VLA, CS-22 and LSA.
 3. overhaul of engines and propellers on CS-VLA, CS-22 and LSA aircraft and component complex maintenance tasks listed in Appendix VII, unless the

aircraft owner has agreed a programme of work with the competent authority prior to commencement of these tasks and the competent authority is satisfied that the M.A.801(b)2 certifying staff holds appropriate qualifications and recent experience, the applicable component maintenance data, tools, equipment and materials and has access to proper facilities.

Component maintenance performed in accordance with this paragraph M.A.502(d) is not eligible for the issuance of an EASA Form 1 and shall be subject to the aircraft release requirements under M.A.801.

11) M.A.503 is replaced by the following:

M.A.503 Service life limited components

Installed service life limited components shall not exceed the approved service life limit as specified in the approved maintenance programme and airworthiness directives, except as provided by M.A.504(c).

12) Point (b) of M.A.504 is replaced by the following:

(b) Unserviceable components shall be identified and stored in a secure location under the control of an approved maintenance organisation until a decision is made on the future status of such component. Nevertheless, for aircraft not used in commercial air transport, other than large aircraft, the person or organisation that declared the component unserviceable may transfer its custody, after identifying it as unserviceable, to the aircraft owner provided that such transfer is reflected in the aircraft/engine/component log book.

13) In M.A.601, "not listed in M.A.201(f) and (g)" is replaced by "not listed in M.A.201(g)".

14) Point (a)5 of M.A.604 is replaced by the following:

(a)5. a list of certifying staff with their scope of approval, and;

15) In M.A.606, the following point (h) is added:

(h) By derogation from paragraph (g), the organisation may use certifying staff qualified in accordance with the following provisions when providing maintenance support to operators involved in commercial operations:

1. For a repetitive pre-flight airworthiness directive which specifically states that the flight crew may carry out such airworthiness directive, the organisation may issue a limited certifying staff authorisation to the aircraft commander on the basis of the flight crew licence held. However, the organisation shall ensure that sufficient practical training has been carried out to ensure that such aircraft commander can accomplish the airworthiness directive to the required standard.
2. In the case of aircraft operating away from a supported location the organisation may issue a limited certifying staff authorisation to the aircraft commander on the basis of the flight crew licence. However, the organisation shall ensure that sufficient practical training has been carried out to ensure that such aircraft commander can accomplish the task to the required standard. The provisions of this paragraph shall be detailed in an exposition procedure.

16) Point (a)1 of M.A.607 is replaced by the following:

(a)1. that certifying staff can demonstrate that they meet the requirements of 66.A.20(b), except when Part-66 refers to Member State regulation, in which case they shall meet the requirements of such regulation, and,

17) Point (c) of M.A.607 is replaced by the following:

- (c) The approved maintenance organisation shall record all details concerning certifying staff and maintain a current list of all certifying staff, including their scope of approval.

18) Point (a)1 of M.A.608 is replaced by the following:

- (a)1. hold the equipment and tools specified in the maintenance data described in M.A.609 or verified equivalents as listed in the maintenance organisation manual as necessary for day-to-day maintenance within the scope of the approval; and,

19) In M.A.610, "customer" is replaced by "organisation requesting maintenance".

20) Point (a) of M.A.613 is replaced by the following:

- (a) At the completion of all required component maintenance in accordance with this Subpart a component certificate of release to service shall be issued according to M.A.802. EASA Form 1 shall be issued except for those components maintained in accordance with M.A.502(b) and M.A.502(d) and components fabricated in accordance with M.A.603(b).

21) M.A.615 is replaced by the following:

M.A.615 Privileges of the organisation

The organisation may:

1. Maintain any aircraft and/or component for which it is approved at the locations specified in the approval certificate and in the manual.
2. Arrange for the performance of specialized services at another organisation appropriately qualified and under the control of the M.A. Subpart F organisation in accordance with procedures described in its Maintenance Organisation Manual as directly approved by the competent authority. This refers to work carried out by a specialised service organisation not appropriately approved itself under M.A. Subpart F or Part-145 to carry out such tasks.
3. Maintain any aircraft and/or component for which it is approved at any location subject to the need of such maintenance arising either from the unserviceability of the aircraft or from the necessity of supporting occasional maintenance, subject to the conditions specified in the exposition.
4. Issue certificates of release to service on completion of maintenance, in accordance with M.A.612 or M.A.613.

22) Point (a) of M.A.703 is replaced by the following:

- (a) The grant of approval is indicated by the issue of the certificate included in Appendix VI by the competent authority. The M.A.704 approved continuing airworthiness management exposition must specify the scope of work deemed to constitute approval, including reference to:
1. The approved maintenance programme, or
 2. In the case of aircraft not involved in commercial air transport, the "baseline" and/or "generic" maintenance programmes described in M.A.709.

23) Point (a)3 of M.A.704 is replaced by the following:

- (a)3. the title(s) and name(s) of person(s) referred to in M.A.706(a) and M.A.706(c), identifying, if applicable, which M.A.706(c) persons have authority to extend an airworthiness review certificate in accordance with M.A.711(a)4 and M.A.901(f), and;

24) Point (c) of M.A.706 is replaced by the following:

- (c) A person or group of persons shall be nominated with the responsibility of ensuring that the organisation is always in compliance with this Subpart. Such person(s) shall be ultimately responsible to the accountable manager.
The organisation shall define in the continuing airworthiness management exposition which of these persons, if any, have authority to extend an airworthiness review certificate in accordance with M.A.711(a)4 and M.A.901(f). Such person(s) shall be issued an authorisation once they have been formally accepted by the competent authority.

25) Point (a) of M.A.707 is replaced by the following:

- (a) To be approved to carry out airworthiness reviews, an approved continuing airworthiness management organisation shall have appropriate airworthiness review staff to issue M.A. Subpart I airworthiness review certificates or recommendations.
1. For
 - all aircraft used in commercial air transport, and
 - aircraft above 2730 kg MTOM, except balloons,these staff shall have acquired:
 - a. at least five years experience in continuing airworthiness, and;
 - b. an appropriate Part-66 licence or a Member State recognized maintenance personnel qualification appropriate to the aircraft category (when Part-66 refers to Member State regulations) or an aeronautical degree or equivalent, and;
 - c. formal aeronautical maintenance training, and;
 - d. a position within the approved organisation with appropriate responsibilities.Notwithstanding the above, the requirement shown in paragraph M.A.707(a)1(b) may be replaced by five years of experience in continuing airworthiness additional to those already required by paragraph M.A.707(a)1(a).
 2. For
 - aircraft of 2730 kg MTOM and below, and
 - balloons,not used in commercial air transport, these staff shall have acquired:
 - a. at least three years experience in continuing airworthiness, and;
 - b. an appropriate Part-66 licence or a nationally recognized maintenance personnel qualification appropriate to the aircraft category (when Part-66 refers to national rules) or an aeronautical degree or equivalent, and;
 - c. appropriate aeronautical maintenance training, and;
 - d. a position within the approved organisation with appropriate responsibilitiesNotwithstanding the above, the requirement shown in paragraph M.A.707(a)2(b) may be replaced by four years of experience in continuing airworthiness additional to those already required by paragraph M.A.707(a)2(a).

26) Point (b)2 of M.A.708 is replaced by the following:

- (b)2. present the aircraft maintenance programme and its amendments to the competent authority for approval (unless covered by an indirect approval procedure in accordance with M.A.302) and provide a copy of the programme to the owner of non commercially operated aircraft,

27) M.A.709 is replaced by the following:

M.A.709 Documentation

The approved continuing airworthiness management organisation shall hold and use applicable current M.A.401 maintenance data in the performance of M.A.708 continuing airworthiness tasks. In the case of customer provided maintenance data, it is only necessary to have such data when there is a contract with such a customer, with the exception of the need to comply with M.A.714.

For aircraft not involved in commercial air transport, in order to allow the initial approval and/or the extension of the scope of an existing continuing airworthiness

management organisation approval without having any customers under contract for the requested scope of work, it is acceptable to develop "baseline" and/or "generic" maintenance programmes as follows:

- **"Baseline" maintenance programme:** it is a maintenance programme developed for a particular aircraft type following, where applicable, the maintenance review board (MRB) report, the type certificate holder's maintenance planning document (MPD), the relevant chapters of the maintenance manual or any other maintenance data containing information on scheduling.
- **"Generic" maintenance programme:** it is a maintenance programme that may be developed to cover similar types of aircraft. These programmes shall be based on the same type of instructions as the baseline maintenance programme.

The reference of the "baseline" and "generic" maintenance programmes, as applicable, shall be included in the continuing airworthiness management exposition (CAME) as required by M.A.703.

28) M.A.711 is replaced by the following:

M.A.711 Privileges of the organisation

- (a) An approved continuing airworthiness management organisation, may:
1. manage the continuing airworthiness of non-commercial air transport aircraft as listed on the approval certificate.
 2. manage the continuing airworthiness of commercial air transport aircraft when listed on both its approval certificate and its air operator certificate.
 3. arrange to carry out any task of continuing airworthiness within the limitation of its approval with another subcontracted organisation that is working under its quality system.
 4. extend, under the conditions of M.A.901(f), an airworthiness review certificate that has been issued by the competent authority or by another M.A. Subpart G organisation.
- (b) An approved continuing airworthiness management organisation, may, additionally, be approved to carry out M.A.710 airworthiness reviews and:
1. issue the related airworthiness review certificate and subsequently extend it under the conditions of M.A.901(c)2 or M.A.901(e)2, and,
 2. make a recommendation for the airworthiness review to the competent authority of the Member State of registry. In the particular case of balloons and any other aircraft of 2730 kg MTOM and below, not used in commercial air transport, the recommendation may only be issued on the import of an aircraft from a third country in accordance with Part-21 and M.A.904.
- (c) An organisation shall be registered in one of the Member States to be granted the privilege pursuant to paragraph (b).

29) Point (f) of M.A.712 is replaced by the following:

- (f) In the case of a small M.A. Subpart G organisation not involved in aircraft used in commercial air transport, the quality system can be replaced by performing organisational reviews on a regular basis except when the organisation issues airworthiness review certificates for aircraft above 2730 kg MTOM other than balloons.
- However, a continuing airworthiness management organisation that does not have a Quality System shall not subcontract continuing airworthiness management tasks to other organisations.

30) Point (b) of M.A.714 is replaced by the following:

- (b) The continuing airworthiness management organisation shall retain a copy of any airworthiness review certificate that it has extended under the privilege M.A.711(a)4. In addition, if the continuing airworthiness management organisation has the privilege of M.A.711(b), it shall retain a copy of each airworthiness review certificate and recommendation issued or, as applicable, extended, together with all supporting documents.

31) M.A.801 is replaced by the following:

M.A.801 Aircraft certificate of release to service

- (a) Except for aircraft released to service by a Part-145 organisation, the certificate of release to service shall be issued according to this Subpart.
- (b) A certificate of release to service shall be issued before flight at the completion of any maintenance. When satisfied that all maintenance required has been properly carried out, a certificate of release to service shall be issued:
 - 1. By appropriate certifying staff on behalf of the M.A. Subpart F approved maintenance organisation; or
 - 2. Except for complex maintenance tasks listed in Appendix VII, by certifying staff in compliance with the requirements of Part-66; or
 - 3. By the M.A.803 Pilot-owner.
- (c) For ELA1 aircraft not used in commercial air transport, aircraft complex maintenance tasks listed in Appendix VII may be released by M.A.801(b)2 certifying staff, subject to the owner agreeing a programme of work with the competent authority prior to commencement of these tasks and the competent authority being satisfied that the M.A.801(b)2 certifying staff holds appropriate qualifications and recent experience, the applicable maintenance data, tools, equipment and materials and has access to proper facilities.
- (d) By derogation from M.A.801(b), in the case of unforeseen situations, where an aircraft is grounded at a location where no approved maintenance organisation or appropriate certifying staff are available, the owner may authorise any person, with not less than 3 years of appropriate maintenance experience and holding the proper qualifications, to maintain according to the standards set out in subpart D and release the aircraft, provided there is no organisation appropriately approved under this Part or Part-145 at that location.

The owner shall:

 - 1. obtain and keep in the aircraft records details of all the work carried out and of the qualifications held by that person issuing the certification, and
 - 2. ensure that any such maintenance is rechecked and released by an appropriately authorised M.A.801(b) person or a Subpart F organisation or a Part-145 organisation at the earliest opportunity but within a period not exceeding 7 days, and
 - 3. notify the Subpart G organisation responsible for continuing airworthiness management when contracted in accordance with M.A.201(e), or the competent authority in the absence of such a contract, within 7 days of the issuance of such certification authorisation.
- (e) In the case of a release to service under M.A.801(b)2 or M.A.801(c) the certifying staff may be assisted in the execution of the maintenance tasks by one or more persons under the certifying staff direct and continuous control.
- (f) A certificate of release to service shall contain basic details of the maintenance carried out, the date such maintenance was completed and:
 - 1. the identity including approval reference of the M.A. Subpart F approved maintenance organisation and certifying staff issuing such a certificate; or
 - 2. in the case of subparagraph M.A.801(b)2 or M.A.801(c) certificate of release to service, the identity and if applicable licence number of the certifying staff issuing such a certificate.
- (g) Notwithstanding paragraph (b) in the case of incomplete maintenance, such fact shall be entered in the aircraft certificate of release to service before the issue of such certificate.
- (h) A certificate of release to service shall not be issued in the case of any known non-compliance which hazards seriously the flight safety.

32) M.A.802 is replaced by the following:

M.A.802 Component certificate of release to service

- (a) A certificate of release to service shall be issued at the completion of any maintenance performed on an aircraft component in accordance with M.A.502.

- (b) The authorised release certificate identified as EASA Form 1 for the Member States constitutes the aircraft component certificate of release to service, except when such maintenance on aircraft components has been performed in accordance with paragraphs M.A.502(b) or M.A.502(d), in which case the maintenance will be subject to aircraft release procedures under M.A.801.

33) M.A.803 is replaced by the following:

M.A.803 Pilot-owner authorisation

- (a) To qualify as a Pilot-owner, the person must:
1. hold a valid pilot licence (or equivalent) issued or validated by a Member State for the aircraft type or class rating and;
 2. own the aircraft, either as:
 - (i) sole owner, or
 - (ii) joint owner who is:
 - one of the natural persons on the registration form, or
 - a member of a non-profit recreational legal entity, where the legal entity is specified on the registration document as owner, and that individual is directly involved in the decision making process of the legal entity and designated by that legal entity to carry out Pilot-owner maintenance.
- (b) For any privately operated non complex motor-powered aircraft of 2730 kg MTOM and below, sailplane, powered sailplane and balloon, the Pilot-owner may issue the certificate of release to service after limited Pilot-owner maintenance specified in Appendix VIII.
- (c) The scope of limited Pilot-owner maintenance shall be specified in the M.A.302 aircraft maintenance programme.
- (d) The certificate of release to service must be entered in the logbooks and contain basic details of the maintenance carried out, the maintenance data used, the date such maintenance was completed and the identity, the signature and pilot licence number of the Pilot-owner issuing such a certificate.

34) M.A.901 is replaced by the following:

M.A.901 Aircraft airworthiness review

To ensure the validity of the aircraft airworthiness certificate an airworthiness review of the aircraft and its continuing airworthiness records must be carried out periodically.

- (a) An airworthiness review certificate is issued in accordance with Appendix III (EASA Form 15a or 15b) on completion of a satisfactory airworthiness review and is valid one year.
- (b) An aircraft in a controlled environment is an aircraft continuously managed during the previous 12 months by a unique M.A. Subpart G organisation, and which has been maintained for the previous 12 months by approved maintenance organisations. This includes M.A.803(b) maintenance tasks carried out and released to service according to M.A.801(b)2 or M.A.801(b)3.
- (c) For
- all aircraft used in commercial air transport, and
 - aircraft above 2730 kg MTOM, except balloons,
- that are in a controlled environment, the M.A. Subpart G organisation managing the aircraft may if appropriately approved:
1. issue the airworthiness review certificate in accordance with M.A.710, and;
 2. for airworthiness review certificates it has issued, when the aircraft has remained within a controlled environment, extend twice the validity of the airworthiness review certificate for a period of one year each time. An airworthiness review certificate shall not be extended if the organisation is aware or has reason to believe that the aircraft is not airworthy.
- (d) For
- all aircraft used in commercial air transport, and
 - aircraft above 2730 kg MTOM, except balloons,

that are not in a controlled environment, or that are managed by an M.A. Subpart G organisation which does not hold the privilege to carry out airworthiness reviews, the airworthiness review certificate shall be issued by the competent authority following a satisfactory assessment based on a recommendation made by an appropriately approved M.A. Subpart G organisation sent together with the application from the owner or operator. This recommendation shall be based on an airworthiness review carried out in accordance with M.A.710.

- (e) For
- aircraft of 2730 kg MTOM and below, and
 - balloons,
- not used in commercial air transport,
any M.A. Subpart G organisation appointed by the owner/operator may if appropriately approved:
1. issue the airworthiness review certificate in accordance with M.A.710, and;
 2. for airworthiness review certificates it has issued, when the aircraft has remained within a controlled environment under its management, extend twice the validity of the airworthiness review certificate for a period of one year each time. An airworthiness review certificate shall not be extended if the organisation is aware or has reason to believe that the aircraft is not airworthy.
- (f) By derogation from M.A.901(c)2 and M.A.901(e)2, for aircraft that are in a controlled environment, the M.A. Subpart G organisation managing the aircraft may extend twice for a period of one year each time the validity of an airworthiness review certificate that has been issued by the competent authority or by another M.A. Subpart G organisation. An airworthiness review certificate shall not be extended if the organisation is aware or has reason to believe that the aircraft is not airworthy.
- (g) By derogation from M.A.901(e) and M.A.901(h)2, for ELA1 aircraft not used in commercial air transport and not affected by M.A.201(i) , the airworthiness review certificate may also be issued by the competent authority following a satisfactory assessment based on a recommendation, made by certifying staff complying with Part-66 requirements and M.A.707(a)2(a), sent together with the application from the owner or operator. This recommendation shall be based on an airworthiness review carried out in accordance with M.A.710.
- This derogation shall not be applied more than two consecutive years, being required that every three years the airworthiness review certificate is issued either by the competent authority or by an appropriately approved M.A. Subpart G organisation after they have performed an airworthiness review in accordance with M.A.710.
- In all cases, and in order to apply this derogation, the competent authority has to formally accept the certifying staff after verification of the qualifications and after the satisfactory performance of an airworthiness review under the supervision of the competent authority.
- The certifying staff that will perform the airworthiness review has to be provided with the necessary documentation and suitable accommodation at the appropriate location.
- (h) The competent authority shall carry out the airworthiness review and issue the airworthiness review certificate itself in the following cases:
1. whenever circumstances show the existence of a potential safety threat, or
 2. whenever it is requested by the owner for all balloons and any other aircraft of 2730 kg MTOM and below, not used in commercial air transport.
- (i) In addition to paragraph (h), the competent authority may also carry out the airworthiness review and issue the airworthiness review certificate itself for aircraft not involved in commercial air transport when the aircraft is managed by an M.A. Subpart G organisation located in a third country.
- (j) When the competent authority carries out the airworthiness review and/or issues the airworthiness review certificate itself, the owner or operator shall provide the competent authority with:
- the documentation required by the competent authority,
 - suitable accommodation at the appropriate location for its personnel, and

- when necessary the support of personnel appropriately qualified in accordance with Part-66 or equivalent per 145.A.30(j)(1) and (2).
- (k) For new aircraft produced within the EU, the initial airworthiness review certificate shall be issued together with the initial certificate of airworthiness upon compliance with 21A.183, paragraph 1. An airworthiness review is not required.

35) Points (a) and (b) of M.A.904 are replaced by the following:

- (a) When importing an aircraft onto a Member State register from a third country, the applicant shall:
1. apply to the Member State of registry for the issuance of a new airworthiness certificate in accordance with Part-21; and
 2. have an airworthiness review carried out by an appropriately approved continuing airworthiness management organisation or, in the case of ELA1 aircraft, by the competent authority; and
 3. have all maintenance carried out as requested by the continuing airworthiness management organisation or, in the case of ELA1 aircraft, by the competent authority as necessary to comply with the M.A.302 approved maintenance programme.
- (b) When satisfied that the aircraft is in compliance with the relevant requirements, the continuing airworthiness management organisation, if applicable, shall send a documented recommendation for the issuance of an airworthiness review certificate to the Member State of registry.

36) In point (b) of M.B.301, "M.A.302(e)" is replaced by "M.A.302(c)".

37) In point (d) of M.B.301, "M.A.302(c) and (d)" is replaced by "M.A.302(d), (e) and (f)".

38) In point (a) of M.B.303, "Every competent authority" is replaced by "The competent authority":

39) In M.B.303, the following point (i) is added:

- (i) In order to facilitate appropriate enforcement action, competent authorities shall exchange information on non-compliances identified in accordance with paragraph (h) above.

40) M.B.606 is replaced by the following:

M.B.606 Changes

The competent authority shall comply with the applicable elements of the initial process paragraphs for any change to the organisation notified in accordance with M.A.617.

The competent authority may prescribe the conditions under which the M.A. Subpart F approved maintenance organisation may operate during such changes unless it determines that the approval should be suspended

For any change to the maintenance organisation manual:

- (a) In the case of direct approval of amendments of the maintenance organisation manual, the competent authority shall verify that the procedures specified in the manual are in compliance with Part-M before formally notifying the approved organisation of the approval.
- (b) In the case of indirect approval of amendments of the maintenance organisation manual, the competent authority shall ensure that it has an adequate control over the approval of all manual amendments.

41) M.B.706 is replaced by the following:

M.B.706 Changes

The competent authority shall comply with the applicable elements of the initial process paragraphs for any change to the organisation notified in accordance with M.A. 713.

The competent authority may prescribe the conditions under which the M.A. Subpart G approved continuing airworthiness management organisation may operate during such changes unless it determines that the approval should be suspended.

For any change to the continuing airworthiness management exposition:

- (a) In the case of direct approval of the amendments of continuing airworthiness management exposition, the competent authority shall verify that the procedures specified in the exposition are in compliance with Part-M before formally notifying the approved organisation of the approval.
- (b) In the case of indirect approval of amendments of the continuing airworthiness management exposition, the competent authority shall ensure that it has an adequate control over the approval of all exposition amendments.

42) In M.B.901, "M.A.902(d)" is replaced by "M.A.901".

43) M.B.902 is replaced by the following:

M.B.902 Airworthiness review by the competent authority

- (a) When the competent authority carries out the airworthiness review and issues the airworthiness review certificate EASA Form 15a (Appendix III), the competent authority shall carry out an airworthiness review in accordance with the prescriptions of M.A.710.
- (b) The competent authority shall have appropriate airworthiness review staff to carry out the airworthiness reviews.
 1. For
 - all aircraft used in commercial air transport, and
 - aircraft above 2730 kg MTOM, except balloons,these staff shall have acquired:
 - a. at least five years experience in continuing airworthiness, and;
 - b. an appropriate Part-66 licence or an aeronautical degree or equivalent, and;
 - c. formal aeronautical maintenance training, and;
 - d. a position within the approved organisation with appropriate responsibilities.Notwithstanding the above, the requirement shown in paragraph M.B.902(b)1(b) may be replaced by five years of experience in continuing airworthiness additional to those already required by paragraph M.B.902(b)1(a).
 2. For
 - aircraft of 2730 kg MTOM and below, and
 - balloons,not used in commercial air transport, these staff shall have acquired:
 - a. at least three years experience in continuing airworthiness, and;
 - b. an appropriate Part-66 licence, or a Member State recognized maintenance personnel qualification appropriate to the aircraft category (when Part-66 refers to Member State regulations) or an aeronautical degree or equivalent, and;
 - c. appropriate aeronautical maintenance training, and;
 - d. a position within the approved organisation with appropriate responsibilities.Notwithstanding the above, the requirement shown in paragraph M.B.902(b)2(b) may be replaced by four years of experience in continuing airworthiness additional to those already required by paragraph M.B.902(b)2(a).
- (c) The competent authority shall maintain a record of all airworthiness review staff, which shall include details of any appropriate qualification held together with a summary of relevant continuing airworthiness management experience and training.
- (d) The competent authority shall have access to the applicable data as specified in M.A.305, M.A.306 and M.A.401 in the performance of the airworthiness review.
- (e) The staff that carries out the airworthiness review shall issue the Form 15a after satisfactory completion of the airworthiness review.

44) Paragraphs 5.1 and 5.2 of Appendix I "Continuing Airworthiness Arrangement" are replaced by the following:

5.1. Obligations of the approved organisation:

1. have the aircraft's type in the scope of its approval;
2. respect the conditions to maintain the continuing airworthiness of the aircraft listed below:
 - develop a maintenance programme for the aircraft, including any reliability programme developed if applicable.
 - declare the maintenance tasks (in the maintenance programme) that may be carried out in accordance with M.A.803 (c),
 - organise the approval of the aircraft's maintenance programme,
 - once it has been approved, give a copy of the aircraft's maintenance programme to the owner,
 - organise a bridging inspection with the aircraft's prior maintenance programme,
 - organise for all maintenance to be carried out by an approved maintenance organisation,
 - organise for all applicable airworthiness directives to be applied,
 - organise for all defects discovered during scheduled maintenance, airworthiness reviews or reported by the owner to be corrected by an approved maintenance organisation,
 - coordinate scheduled maintenance, the application of airworthiness directives, the replacement of life limited parts, and component inspection requirements,
 - inform the owner each time the aircraft shall be brought to an approved maintenance organisation,
 - manage all technical records,
 - archive all technical records;
3. organise the approval of all and any modification to the aircraft according to Part-21 before it is embodied;
4. organise the approval of all and any repair to the aircraft according to Part-21 before it is carried out;
5. inform the competent authority of the Member State of registry whenever the aircraft is not presented to the approved maintenance organisation by the owner as requested by the approved organisation;
6. inform the competent authority of the Member State of registry whenever the present arrangement has not been respected;
7. carry out the airworthiness review of the aircraft when necessary and issue the airworthiness review certificate or the recommendation to the competent authority of the Member State of registry.
For all balloons and any other aircraft of 2730 kg MTOM and below, not used in commercial air transport, the recommendation shall be issued only on the import of an aircraft in accordance with Part-21 and M.A.904.
8. send within 10 days a copy of any airworthiness review certificate issued or extended to the competent authority of the Member State of registry.
9. carry out all occurrence reporting mandated by applicable regulations;
10. inform the competent authority of the Member State of registry whenever the present arrangement is denounced by either party.

5.2. Obligations of the owner:

1. have a general understanding of the approved maintenance programme;
2. have a general understanding of Part-M;
3. present the aircraft to the approved maintenance organisation agreed with the approved organisation at the due time designated by the approved organisation's request;
4. not modify the aircraft without first consulting the approved organisation;
5. inform the approved organisation of all maintenance exceptionally carried out without the knowledge and control of the approved organisation;

6. report to the approved organisation through the logbook all defects found during operations;
7. inform the competent authority of the Member State of registry whenever the present arrangement is denounced by either party.
8. inform the competent authority of the Member State of registry and the approved organisation whenever the aircraft is sold.
9. carry out all occurrence reporting mandated by applicable regulations.
10. inform on a regular basis the approved organisation about the aircraft flying hours and any other utilization data, as agreed with the approved organisation.
11. enter the certificate of release to service in the logbooks as mentioned in M.A.803(d) when performing Pilot-owner maintenance without exceeding the limits of the maintenance tasks list as declared in the approved maintenance programme (M.A.803(c)).
12. inform the M.A. Subpart G approved continuing airworthiness management organisation not later than 30 days after completion of any Pilot-owner maintenance task in accordance with M.A 305(a).

45) In block 13 of paragraph 2. COMPLETION OF THE RELEASE CERTIFICATE BY THE ORIGINATOR in Appendix II "EASA Form 1", the text "- M.A. Subpart F approval reference" is replaced by "- The M.A.613 Certificate of Release to Service statement".

46) Block 19 of paragraph 2. COMPLETION OF THE RELEASE CERTIFICATE BY THE ORIGINATOR in Appendix II "EASA Form 1" is replaced by the following:

Block 19 For all maintenance by M.A. Subpart F approved maintenance organisations the box "other regulation specified in block 13" shall be ticked and the certificate of release to service statement made in block 13.

The following M.A.613 Certificate of Release to Service statement shall be included in block 13:

"Certifies that, unless otherwise specified in this block, the work identified in block 12 and described in this block was accomplished in accordance with Part-M, Subpart F requirements and in respect to that work the item is considered ready for release to service. THIS IS NOT A RELEASE UNDER PART-145."

The certification statement "unless otherwise specified in this block" is intended to address the following cases;

- (a) Where the maintenance could not be completed.
 - (b) Where the maintenance deviated from the standard required by Part-M.
 - (c) Where the maintenance was carried out in accordance with a non Part-M requirement. In this case block 13 shall specify the particular national regulation.
- Whichever case or combination of cases shall be specified in block 13.

47) In Form 15b of Appendix III "Airworthiness Review Certificate", the blocks for the 1st and 2nd Extensions are replaced by the following:

1st Extension: The aircraft has remained in a controlled environment according to M.A.901 for the last year. The aircraft is considered to be airworthy at the time of the issue.

Date of issue: Date of expiry:
 Signed: Authorisation No:
 Company Name: Approval reference:

2nd Extension: The aircraft has remained in a controlled environment according to M.A.901 for the last year. The aircraft is considered to be airworthy at the time of the issue.

Date of issue: Date of expiry:
 Signed: Authorisation No:
 Company Name: Approval reference:

48) In Form 15b of Appendix III "Airworthiness Review Certificate", the reference to "Regulation (EC) No 1592/2002" is replaced by "Regulation (EC) No 216/2008".

49) In Form 15a of Appendix III "Airworthiness Review Certificate", the reference to "Regulation (EC) No 1592/2002" is replaced by "Regulation (EC) No 216/2008".

50) In Form 15a of Appendix III "Airworthiness Review Certificate", the sentence "is considered to be airworthy at the time of the issue" is replaced by "is considered to be airworthy at the time of the review".

51) At the end of Form 15a of Appendix III "Airworthiness Review Certificate", two blocks for the 1st and 2nd Extensions are added with the following content:

1st Extension: The aircraft has remained in a controlled environment according to M.A.901 for the last year. The aircraft is considered to be airworthy at the time of the issue.

Date of issue: Date of expiry:
Signed: Authorisation No:
Company Name: Approval reference:

2nd Extension: The aircraft is not involved in commercial air transport and has remained in a controlled environment according to M.A.901 for the last year. The aircraft is considered to be airworthy at the time of the issue.

Date of issue: Date of expiry:
Signed: Authorisation No:
Company Name: Approval reference:

52) In Appendix IV "Approval Ratings", points 4 and 5 are replaced by the following:

4. A category A class rating means that the M.A. Subpart F approved maintenance organisation may carry out maintenance on the aircraft and any component (including engines/APUs), in accordance with aircraft maintenance data or, if specifically agreed by the competent authority, in accordance with component maintenance data, only whilst such components are fitted to the aircraft. Nevertheless, such A rated M.A. Subpart F approved maintenance organisation may temporarily remove a component for maintenance, in order to improve access to that component, except when such removal generates the need for additional maintenance not eligible for the provisions of this subparagraph. This will be subject to a control procedure in the maintenance organisation exposition acceptable to the Member State. The limitation section will specify the scope of such maintenance thereby indicating the extent of approval.

5. A category B class rating means that the M.A. Subpart F approved maintenance organisation may carry out maintenance on the uninstalled engine/APU ('Auxiliary Power Unit') and engine/APU components, in accordance with engine/APU maintenance data or, if specifically agreed by the competent authority, in accordance with component maintenance data, only whilst such components are fitted to the engine/APU. Nevertheless, such B rated M.A. Subpart F approved maintenance organisation may temporarily remove a component for maintenance, in order to improve access to that component, except when such removal generates the need for additional maintenance not eligible for the provisions of this subparagraph. The limitation section will specify the scope of such maintenance thereby indicating the extent of approval. A M.A. Subpart F approved maintenance organisation with a category B class rating may also carry out maintenance on an installed engine during 'base' and 'line' maintenance subject to a control procedure in the maintenance organisation exposition. The maintenance organisation exposition scope of work shall reflect such activity where permitted by the Member State.

53) Appendix VI "Approval Certificate Part-M Section A Subpart G Continuing Airworthiness Management Organisation" is replaced by the following:

Appendix VI

**Approval Certificate Part-M Section A Subpart G Continuing Airworthiness
Management Organisation**

MEMBER STATE*

Member State of the European Union**

APPROVAL CERTIFICATE

REFERENCE: *XX.MG.XXX (ref. AOC XX.XXX)*

Pursuant to Commission Regulation (EC) No 2042/2003 for the time being in force and subject to the condition specified below, the Member State hereby certifies

[COMPANY NAME AND ADDRESS]

as a continuing airworthiness management organisation as referred to in Part-M Section A Subpart G approved to manage the continuing airworthiness of the aircraft listed in the attached schedule of approval and to issue recommendations or Airworthiness Review Certificates after an Airworthiness Review as specified in M.A.710 when stipulated:

CONDITIONS

1. This approval is limited to that specified in the scope of approval section of the approved continuing airworthiness management exposition as referred to in Part-M Section A Subpart G.
2. This approval requires compliance with the procedures specified in the Part-M approved continuing airworthiness management exposition.
3. This approval is valid whilst the approved continuing airworthiness management organisation remains in compliance with Part-M.
4. Subject to compliance with the above conditions, this approval shall remain valid for an unlimited duration unless the approval has previously been surrendered, superseded, suspended or revoked.

If this form is also used for AOC holders, the AOC number shall be added to the reference, in addition to the standard number, and the condition 4 above shall be replaced by the following extra conditions:

5. This approval does not constitute an authorisation to operate the types of aircraft listed above. The authorisation to operate the aircraft is the Air Operator Certificate (AOC).
6. Where the continuing airworthiness management organisation subcontracts under its Quality System the service of an/several organisation(s), this approval remains valid subject to such organisation(s) fulfilling applicable contractual obligations.
7. Termination, suspension or revocation of the AOC automatically invalidates the present approval in relation to the aircraft registrations specified in the AOC, unless otherwise explicitly stated by the competent authority.
8. Subject to compliance with the above conditions, this approval shall remain valid for an unlimited duration unless the approval has previously been surrendered, superseded, suspended or revoked.

Date of original issue:

Signed:

Date of this revision:

Revision No:

For the Competent Authority:

Page _ of _

“*Non EU Member State or EASA, as applicable/**Delete for non EU Member State or EASA”.

Approval Schedule

Organisation Name: [COMPANY NAME]

Reference:

Aircraft type/series/group	Airworthiness review authorised	Organisation(s) working under quality system
	Yes	
	No	

This approval Schedule is limited to that specified in the scope of approval section contained in Part-M Section A Subpart G approved Continuing Airworthiness Management Exposition

Continuing Airworthiness Management Exposition Reference:

Date of original issue:

Signed:

Date of this revision:

Revision No:

For the Competent Authority:

Page _ of _

EASA Form 14

54) In Appendix VII "Complex Maintenance Tasks", the first sentence is replaced by the following:

The following constitutes the complex maintenance tasks referred to in M.A.502(d)3, M.A.801(b)2 and M.A.801(c):

55) In Appendix VII "Complex Maintenance Tasks", the following points are added:

3. The performance of the following maintenance on a piston engine:
 - (a) Dismantling and subsequent reassembling of a piston engine other than:
 - (i) to obtain access to the piston/cylinder assemblies;
 - (ii) to remove the rear accessory cover to inspect and/or replace oil pump assemblies, where such work does not involve the removal and re-fitment of internal gears;
 - (b) Dismantling and subsequent reassembling of reduction gears;
 - (c) Welding and brazing of joints, other than minor weld repairs to exhaust units carried out by a suitably approved or authorised welder but excluding component replacement;
 - (d) The disturbing of individual parts of units which are supplied as bench tested units, except for the replacement or adjustment of items normally replaceable or adjustable in service.
4. The balancing of a propeller, except
 - (a) for the certification of static balancing where required by the maintenance manual;
 - (b) dynamic balancing on installed propellers using electronic balancing equipment where permitted by the maintenance manual or other approved airworthiness data;
5. Any additional task that requires:
 - (a) specialized tooling, equipment or facilities, or
 - (b) significant coordination procedures because of the extensive duration of the tasks and the involvement of several persons.

56) Appendix VIII "Limited Pilot Owner Maintenance" is replaced by the following:

Appendix VIII

Limited Pilot-Owner Maintenance

In addition to the Part M requirements, the following basic principles are to be complied with before any maintenance task is carried out under the terms of Pilot-owner maintenance:

Competence and responsibility

- 1 The Pilot-owner is always responsible for any maintenance that he performs.
- 2 Before carrying out any Pilot-owner maintenance tasks, the Pilot-owner must satisfy himself that he is competent to do the task. It is the responsibility of Pilot-owners to familiarize themselves with the standard maintenance practices for their aircraft and with the aircraft maintenance programme. If the Pilot-owner is not competent for the task to be carried out, the task cannot be released by the Pilot-owner.
- 3 The Pilot-owner (or his contracted M.A. Subpart G organisation) is responsible for identifying the Pilot-owner tasks according to these basic principles in the maintenance programme and for ensuring that the document is updated in a timely manner.
- 4 The approval of the maintenance programme has to be carried out in accordance with M.A.302.

Tasks

The Pilot-owner may carry out simple visual inspections or operations to check for general condition and obvious damage and normal operation of the airframe, engines, systems and components.

Maintenance tasks shall not be carried out by the Pilot-owner when the task:

- 1 is critically safety related, whose incorrect performance will drastically affect the airworthiness of the aircraft or is a flight safety sensitive maintenance task as specified in M.A.402(a) and/or;
- 2 requires the removal of major components or major assembly and/or;
- 3 is carried out in compliance with an Airworthiness Directive or an Airworthiness Limitation Item, unless specifically allowed in the AD or the ALI and/or;
- 4 requires the use of special tools, calibrated tools (except torque wrench and crimping tool) and/or;
- 5 requires the use of test equipments or special testing (e.g. NDT, system tests or operational checks for avionic equipment) and/or
- 6 is composed of any unscheduled special inspections (e.g. heavy landing check) and/or;
- 7 is effecting systems essential for the IFR operations and or;
- 8 is listed in Appendix VII or is a component maintenance task in accordance with M.A.502.

The criteria listed above can not be overridden by less restrictive instructions issued in accordance with "M.A.302(d) Maintenance Programme".

Any task described in the aircraft flight manual as preparing the aircraft for flight (Example: assembling the glider wings or pre-flight), is considered to be a pilot task and is not considered a Pilot-owner maintenance task and therefore does not require a Certificate of Release to Service.

Performance of the maintenance Pilot-owner tasks and records

The maintenance data as specified in M.A.401 must be always available during the conduct of Pilot-owner maintenance and must be complied with. Details of the data referred to in the conduct of Pilot-owner maintenance must be included in the Certificate of Release to Service in accordance with M.A.803(d).

The Pilot-owner must inform the M.A. Subpart G Continuing Airworthiness Management Organisation (if applicable) not later than 30 days after completion of the Pilot-owner maintenance task in accordance with M.A.305(a).

Article 3

Annex II (Part-145) of Commission Regulation (EC) 2042/2003 is hereby amended as follows:

- 1) In Appendix II "Organisation approval class and rating system", points 4 and 5 are replaced by the following:
 4. A category A class rating means that the Part-145 approved maintenance organisation may carry out maintenance on the aircraft and any component (including engines/APUs), in accordance with aircraft maintenance data or, if specifically agreed by the competent authority, in accordance with component maintenance data, only whilst such components are fitted to the aircraft. Nevertheless, such A rated Part-145 approved maintenance organisation may temporarily remove a component for maintenance, in order to improve access to that component, except when such removal generates the need for additional maintenance not eligible for the provisions of this subparagraph. This will be subject to a control procedure in the maintenance organisation exposition acceptable to the

Member State. The limitation section will specify the scope of such maintenance thereby indicating the extent of approval.

5. A category B class rating means that the Part-145 approved maintenance organisation may carry out maintenance on the uninstalled engine/APU ('Auxiliary Power Unit') and engine/APU components, in accordance with engine/APU maintenance data or, if specifically agreed by the competent authority, in accordance with component maintenance data, only whilst such components are fitted to the engine/APU. Nevertheless, such B rated Part-145 approved maintenance organisation may temporarily remove a component for maintenance, in order to improve access to that component, except when such removal generates the need for additional maintenance not eligible for the provisions of this subparagraph. The limitation section will specify the scope of such maintenance thereby indicating the extent of approval. A Part-145 approved maintenance organisation with a category B class rating may also carry out maintenance on an installed engine during 'base' and 'line' maintenance subject to a control procedure in the maintenance organisation exposition. The maintenance organisation exposition scope of work shall reflect such activity where permitted by the Member State.

Article 4
Entry into force

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

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

Done at Brussels,

For the Commission

Member of the Commission