



Explanatory Note to Decision 2015/024/R

Part-M General Aviation Task Force — Phase I

RELATED NPA/CRD 2012-17 — OPINION NO 10/2013 — RMT.0463 — 19 OCTOBER 2015

EXECUTIVE SUMMARY

Following a survey letter sent by the Agency to stakeholders and NAAs on 4 July 2011 and a workshop organised in Cologne on 27 October 2011, the Agency decided to set up a 'Part-M General Aviation Task Force' representing the diversity of General Aviation sectors, with the objective of discussing appropriate actions that would reduce the burden on the General Aviation community. Two separate phases were established:

- Phase I: This phase covered a first set of alleviations for which an extensive Regulatory Impact Assessment (RIA) was not required (Maintenance Programmes and Airworthiness Reviews).
- Phase II: This phase covers other areas where further action was needed (rulemaking, standardisation, change management, etc.), and where more technical discussions were needed.

Phase I resulted in the Agency issuing Opinion No 10/2013 in October 2013. Based on that Opinion, the Commission proposed a legislative text to the Member States which was favourably voted in July 2014 and which has been adopted by the Commission through Regulation (EU) 2015/1088 of 3 July 2015.

This Decision introduces the Acceptable Means of Compliance and Guidance Material associated with the above-mentioned Regulation.

Applicability		Process map	
Affected regulations and decisions:	Annexes I (AMC to Part-M), II (AMC to Part-145), III (GM to Part-145) and VIII (GM to Part-M) to Decision 2003/19/RM	Concept Paper:	No
Affected stakeholders:	Aircraft owners, maintenance organisations, Continuing Airworthiness Management Organisations (CAMOs), manufacturers, competent authorities.	Rulemaking group:	No
Driver/origin:	Efficiency/Proportionality	Terms of Reference:	23.10.2012
Reference:	N/A	RIA type:	Light
		Technical consultation during NPA drafting:	Task Force
		Publication date of the NPA:	29.10.2012
		Duration of NPA consultation:	3 months
		Review group:	No
		Focussed consultation:	Task Force
		Publication date of the Opinion:	9.10.2013



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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed Decision 2015/024/R in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity was included in the Agency's [4-year Rulemaking Programme](#) under RMT.0463. The scope and timescale of the task were defined in the related Terms of Reference (ToR)³.

The draft text of this Decision has been developed by the Agency. All interested parties were consulted through NPA 2012-17⁴. A total of 350 comments were received from interested parties, including industry and National Aviation Authorities (NAAs).

The Agency reviewed the comments received on the NPA and the responses were presented in the associated Comment-Response Document (CRD) 2012-17⁵.

The final text of this Decision has been developed by the Agency.

The process map on the title page summarises the major milestones of this regulatory activity.

1.2. Structure of the related documents

Chapter 1 contains the procedural information related to this task. Chapter 2 explains the core technical content. The text of the AMC/GM is contained in the Annexes to this Decision.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board (MB) Decision No 01-2012 of 13 March 2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure).

³ http://easa.europa.eu/document-library/terms-of-reference-and-group-compositions?search=463&date_filter_1%5Bvalue%5D%5Byear%5D=&=Apply.

⁴ In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

⁵ <http://easa.europa.eu/document-library/comment-response-documents/crd-2012-17>



2. Explanatory Note

2.1. Overview of the issues to be addressed

Following a survey letter sent by the Agency to stakeholders and NAAs on 4 July 2011 and a workshop organised in Cologne on 27 October 2011, the Agency decided to set up a 'Part-M General Aviation Task Force' representing the diversity of General Aviation sectors, with the objective of discussing appropriate actions that would reduce the burden on the General Aviation community. Two separate phases were established:

- Phase I: This phase covered a first set of alleviations for which an extensive Regulatory Impact Assessment (RIA) was not required (Maintenance Programmes and Airworthiness Reviews).
- Phase II: This phase covers other areas where further action was needed (rulemaking, standardisation, change management, etc.) and where more technical discussions were needed.

Phase I resulted in the Agency issuing Opinion 10/2013 in October 2013. Based on that Opinion, the Commission proposed a legislative text to the Member States which was favourably voted in July 2014 and which has been adopted by the Commission through Regulation (EU) 2015/1088⁶.

The objective of this Decision is to introduce Acceptable Means of Compliance and Guidance Material associated with this Regulation (EU) 2015/1088.

2.2. Objectives

The objective of this Decision is to introduce the Acceptable Means of Compliance (AMC) and Guidance Material (GM) associated with Regulation (EU) 2015/1088 of 3 July 2015.

2.3. Outcome of the consultation

Please refer to CRD 2012-17, published on the Agency's website.

2.4. Summary of the Regulatory Impact Assessment (RIA)

Impact on safety

The fact that the Basic Regulation aims at establishing and maintaining a high uniform level of safety for civil aviation in Europe does not necessarily mean application of the same rules for all aircraft categories and types of operation. As a matter of fact, it is necessary to adapt the complexity of the Implementing Rules (IRs) to the risks associated with the different categories of aircraft and types of operation and, in particular, to the lower risks associated with General Aviation (GA) aircraft.

As a consequence, the objective has been to maintain an acceptable level of safety in view of the lower risks associated with this category of aircraft and operations.

With this in mind, the opinion of the Agency is that appropriate compensating measures have been introduced in order to ensure an adequate level of safety. In particular:

- Regarding the development of the maintenance programme by maintenance organisations:

⁶ Commission Regulation (EU) 2015/1088 of 3 July 2015 amending Regulation (EU) No 1321/2014 as regards alleviations for maintenance procedures for general aviation aircraft (OJ L 176, 7.7.2015, p. 4).



- the complexity of the maintenance programme for ELA2 aircraft is much lower than for larger aircraft;
 - the maintenance organisation is still required to have the corresponding procedures and properly qualified personnel; and
 - this activity is subject to the internal organisational review or quality audit of the maintenance organisation and to periodic audits by the competent authority.
- Regarding the declaration of the maintenance programme by the owner:
- it has been limited to ELA1 aircraft not involved in commercial operations;
 - the introduction of the ‘Minimum Inspection Programme’ guarantees that, even if the owner decides not to implement many of the recommendations from the Design Approval Holder, he/she cannot go below the ‘Minimum Inspection Programme’; and
 - the maintenance programme has to be reviewed at least annually in conjunction with the airworthiness review. If deficiencies linked to an inadequate maintenance programme are found, it has to be notified to the competent authority and the owner has to amend the maintenance programme as agreed with the competent authority.
- Regarding the introduction of a ‘Minimum Inspection Programme’:
- This cannot be seen as a reduction in the level of safety, because other recommendations from the Design Approval Holder still need to be considered (even if deviations could be allowed as long as they don’t go below the ‘Minimum Inspection Programme’). As a consequence, the introduction of the ‘Minimum Inspection Programme’ is a way to solve the problem created by inadequate maintenance schedules (for some older aircraft) and a compensating measure to avoid that the owner, when declaring the maintenance programme, decides not to implement too many recommendations from the Design Approval Holder.
- Regarding the introduction of a simplified maintenance programme (M.A.302(h)), complemented by a template for the maintenance programme in the AMC material:
- in addition to an improvement in standardisation across the different Member States, this proposal will improve safety by making the minimum requirements clear.
- Regarding the airworthiness review by maintenance organisations:
- the complexity of the airworthiness review for ELA1 aircraft is much lower than that for larger aircraft;
 - the maintenance organisations are already qualified to perform the physical survey of the aircraft;
 - the airworthiness review has to be performed by personnel with the same qualifications and authorisation process as for Continuing Airworthiness Management Organisations (CAMOs);
 - the maintenance organisation is required to have the corresponding procedures and the competence to carry them out;



- this activity is subject to the internal organisational review or quality audit of the maintenance organisation and to the periodic audits by the competent authority;
- in addition, the opinion of the Agency is that, reducing the involvement of the competent authority on issues such as the approval of maintenance programmes and the performance of airworthiness reviews for ELA1 aircraft not involved in commercial operations, will allow the competent authority to focus on 'higher risk' maintenance programmes and on important tasks such as the Aircraft Continuing Airworthiness Monitoring (ACAM) programme and the surveillance of organisations.

Impact on aircraft owners

Significant positive impact due to greater flexibility and a reduction of costs:

- Possibility for having the maintenance programme developed by a maintenance organisation. In most cases, the owner already has a contract with a maintenance organisation to perform certain maintenance. This allows the maintenance and the development of the maintenance programme to be performed within the same organisation without contracting a CAMO;
- Possibility for declaration of the maintenance programme, without the obligation to have it approved by the competent authority.
- Simplification of the development of the maintenance programme by introducing 'Minimum Inspections Programmes' and a simplified procedure for customisation (it will be complemented by a maintenance programme template in the AMC material).
- Possibility for having the airworthiness review performed by the maintenance organisation responsible for the release of the annual inspection. This removes the need to contract a CAMO or to go to the competent authority for the airworthiness review.

Impact on maintenance organisations (M.A. Subpart F and Part-145)

Positive impact due to greater business opportunities:

- Possibility for having the maintenance programme developed by the maintenance organisation. This means an economic benefit for those maintenance organisations obtaining the contracts.
- Possibility for having the airworthiness review performed by the maintenance organisation responsible for the release of the annual inspection. This means an economic benefit for those maintenance organisations obtaining the contracts.

Impact on Continuing Airworthiness Management Organisations (CAMOs)

Negative impact due to a reduction on the business opportunities:

- Possibility for having the maintenance programme developed by a maintenance organisation. This means the loss of certain contracts, which will be transferred to maintenance organisations.
- Possibility for having the airworthiness review performed by the maintenance organisation responsible for the release of the annual inspection. This means the loss of certain contracts, which will be transferred to maintenance organisations.

Nevertheless, CAMOs still have higher privileges which provide them with an advantage over maintenance organisations. In particular:



- Possibility for CAMOs to use indirect approval procedures for the maintenance programme.
- Possibility for CAMOs to extend the Airworthiness Review Certificate (ARC) twice (without an airworthiness review) for those aircraft which are in a controlled environment and are being managed by the CAMO.
- CAMOs are the only organisations which are approved to manage the continuing airworthiness of aircraft.

Impact on aircraft manufacturers

Positive impact because the greater flexibility and the reduced costs for aircraft owners will likely result in having more resources available for them to buy aircraft.

Impact on competent authorities

The measures will reduce the workload of the competent authorities in the following areas:

- Approval of maintenance programmes.
- Airworthiness reviews.

For certain competent authorities, this will be positive because they will have more time available for other important aspects, such as the ACAM programme and the surveillance of organisations. It will also allow them to focus on 'high-risk' maintenance programmes.

However, for other competent authorities, this will be negative because they will lose certain income from these activities.

2.5. Overview of the amendments

Proposal 1: Possibility (option) for the owner to contract the development and approval processing of the maintenance programme to a Part-145 or M.A. Subpart F maintenance organisation (M.A.201(e)(ii))

- AMC M.A.201(e) provides guidance on the content of the contract between the owner and the CAMO/maintenance organisation.
- The following AMCs and appendices have been amended in order to make them consistent with the new privilege related to maintenance programmes obtained by maintenance organisations:
 - Appendix IV to AMC M.A.604 Maintenance Organisation Manual.
 - Appendix VI to AMC M.B.602(f) EASA Form 6F.
 - Appendix VIII to AMC M.A.616 related to the Organisational Review.
 - AMC 145.A.70(a) Maintenance Organisation Exposition.
 - Appendix II to AMC 145.B20(5) EASA Form 6.

Proposal 2: Possibility (option) for the owner to issue a declaration for his/her own aircraft's maintenance programme (M.A.302(h)4)

- GM M.A.302(h) provides guidance on the responsibilities of the owner when issuing a declaration for the maintenance programme.



Proposal 3: Introduction of ‘Minimum Inspection Programmes’ (M.A.302(i)) which may be used as a basis for the development of the maintenance programme

- AMC M.A.302(i) provides examples of acceptable ‘Minimum Inspection Programmes’

Proposal 4: Introduction of a simplified maintenance programme (M.A.302(h))

- AMC M.A.302(e) provides a simplified template for the maintenance programme which can be used for other than ‘complex motor-powered aircraft’.
- AMC M.A.302(h), AMC M.A.710(ga), GM M.A.710(h) and GM M.A.901(l)7 provide guidance related to the annual review of the maintenance programme.
- GM M.A.302(h) provides guidance on the responsibilities associated with the maintenance programme.

Proposal 5: Possibility for a Part-145 or M.A. Subpart F maintenance organisation to perform the airworthiness review and issue the corresponding Airworthiness Review Certificate (ARC) at the same time they perform the annual inspection contained in the maintenance programme (M.A.901(l))

- AMC M.A.607(c) and AMC 145.A.36 have been amended to include the minimum information that should be part of the maintenance organisation’s records related to airworthiness review staff.
- AMC M.A.901(l)1 provides acceptable methods to ensure the independence of the airworthiness review staff within a maintenance organisation.
- The following AMCs and appendices have been amended in order to make them consistent with the new privilege related to airworthiness reviews obtained by maintenance organisations:
 - Appendix IV to AMC M.A.604 Maintenance Organisation Manual.
 - Appendix VI to AMC M.B.602(f) EASA Form 6F.
 - Appendix VIII to AMC M.A.616 related to the Organisational Review.
 - Appendix IX to AMC M.A.602 and AMC M.A.702 EASA Form 2.
 - AMC 145.A.70(a) Maintenance Organisation Exposition.
 - Appendix II to AMC 145.B20(5) EASA Form 6.
- GM M.A.710 provides guidance on the responsibilities of the airworthiness review staff.

Proposal 6: Guidance on alternative suitable facilities

- AMC M.A.605(a) provides guidance on when a hangar may not be necessary, with special emphasis on the particular case of ELA2 aircraft.

Proposal 7: Guidance on indirect approval procedure for a change in the scope of work

- AMC M.B.603(a) provides guidance on how to endorse more generic ratings in the approval certificate of a maintenance organisation, in the particular case of ELA1 aircraft.
- AMC M.B.703 provides guidance on how to endorse more generic ratings in the approval certificate of a CAMO.



3. References

3.1. Affected regulations

Not applicable

3.2. Affected decisions

ED Decision No. 2003/19/RM of the Executive Director of the Agency of 28 November 2003 on acceptable means of compliance and guidance material to Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.

3.3. Reference documents

Not applicable.

