

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 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency¹ (hereinafter referred to as ‘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) It is necessary to support the adoption of new requirements and administrative procedures in Commission Regulation (EC) No 1702/2003 of 24 September 2003, laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations³, for the issuance of permits to fly, by making appropriate amendments to Commission Regulation (EC) No 2042/2003.
- (2) The measures provided by this Regulation are based on the opinion issued by the Agency⁴ in accordance with Articles 12(2)(b) and 14(1) of the Basic Regulation.
- (3) The measures provided for in this Regulation are in accordance with the opinion⁵ of the European Aviation Safety Agency Committee established by Article 54(3) of the Basic Regulation.

¹ OJ L 240, 7.9.2002, p.1. Regulation as last amended by Commission Regulation (EC) 1701/2003 of 24 September 2003 (OJ L 243, 27.9.2003, p. 5).

² OJ L 315, 28.11.2003, p. 1. Regulation as last amended by Commission Regulation (EC) 376/2007 of 30 March 2007 (OJ L 94, 4.4.2007, p. 18).

³ OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Commission Regulation (EC) No 706/2006 of 8 May 2006 (OJ L 122, 9.5.2006, p. 16).

⁴ [Opinion 04/2007]

⁵ [To be issued.]

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

HAS ADOPTED THIS REGULATION:

Article 1

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

- 1) Subparagraph (a) of paragraph M.A.707 is replaced by the following:

“(a) To be approved to carry out airworthiness reviews and if applicable to issue permits to fly, an approved continuing airworthiness management organisation shall have appropriate airworthiness review staff to issue M.A. Subpart I airworthiness review certificates or recommendations and if applicable to issue a permit to fly in accordance with Part 21A.711(d). In addition to M.A.706 requirements, these staff shall have acquired:

1. at least five years experience in continuing airworthiness, and;
2. an appropriate Part-66 licence or an aeronautical degree or equivalent, and;
3. formal aeronautical maintenance training, and;
4. a position within the approved organisation with appropriate responsibilities.”

- 2) Subparagraph (b) of paragraph M.A.711 is replaced by the following:

(b) An approved continuing airworthiness management organisation may additionally be approved to:

1. issue an airworthiness review certificate, or;
2. make a recommendation for the airworthiness review to a Member State of Registry; or
3. issue a permit to fly in accordance with Part 21A.711(d) including approval of the flight conditions in accordance with Part 21A.710(b), under procedures agreed with its competent authority, when the continuing airworthiness management organisation is attesting conformity with the design conditions approved for the flight and when for the particular aircraft the organisation is approved to issue the airworthiness review certificate.

- 3) Appendix VI, EASA Form 14, is amended by inserting a new column titled “Permit to fly issuance authorised” in the table on page 1 to the right of the column titled “Airworthiness review authorised” as follows:

Aircraft type	Approved maintenance programme reference	Airworthiness review authorised	Permit to fly issuance authorised	Organisation(s) working under the quality system
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	
	, as revised	Yes	Yes	

Article 2
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