



# Terms of Reference

for rulemaking task RMT.0544

## Review of Part-147

ISSUE 1

### Issue/rationale

The objective of this rulemaking task (RMT) is to update the requirements for maintenance training organisations and address the issues identified in the EASA maintenance licensing system<sup>1</sup>. This shall be the first update since the publication of Regulation (EC) No 2042/2003 in 2003, and will focus on some shortcomings that have been identified and that are linked to the effectiveness and efficiency of the current requirements, namely:

- optimisation of the structure of the Basic Knowledge (BK) syllabus and its impact on the training courses and examinations;
- language proficiency for students in training courses; and
- mechanisms to eliminate or reduce the examination cheating and fraud/conflict of interest within Part-147 organisations.

<b>Action area:</b>	Continuing Airworthiness		
<b>Affected rules:</b>	Commission Regulation (EU) No 1321/2014 and related AMC and GM		
<b>Affected stakeholders:</b>	Approved maintenance training organisations (AMTOs); aircraft maintenance licence (AML) applicants and holders; competent authorities (CAs)		
<b>Driver:</b>	Safety	<b>Rulemaking group:</b>	Yes
<b>Impact assessment:</b>	Light	<b>Rulemaking Procedure:</b>	Standard

• EASA rulemaking process milestones



<sup>1</sup> Evaluation report related to the EASA maintenance licensing system and maintenance training organisations ([https://www.easa.europa.eu/sites/default/files/dfu/18D50946\\_Evaluation%20Report%20Part-66\\_147%20%28to%20AB%29.pdf](https://www.easa.europa.eu/sites/default/files/dfu/18D50946_Evaluation%20Report%20Part-66_147%20%28to%20AB%29.pdf)).



## 1. Why we need to change the rules — issue/rationale

Following the legal requirement<sup>2</sup> to monitor the application of the rules, EASA launched at the end of 2016 an evaluation exercise on the effectiveness of the implementation of the requirements of the EASA maintenance licensing system<sup>3</sup> and maintenance training organisations<sup>4</sup>. As a result, an evaluation report was published, indicating the strong EU added value and robustness of the European licensing system and identifying some areas where there is room for improvement. Some of the issues identified were:

- difficulty in meeting the objectives of Part-66 and Part-147 in some cases, such as the required on-the-job training (OJT), and in updating the content of the training courses in relation to technological evolution or aircraft for which there are no available course (e.g. legacy aircraft) );
- duplication of efforts due to less efficient processes, as training courses and OJT approved by a competent authority are not mutually recognised by other competent authorities;
- reduction of the efficiency of some processes due to the lack of courses covering specific commercial cases; and
- high impact on the credibility of the maintenance training system due to fraud cases and, in some cases, cultural acceptance of cheating.

EASA identified the best intervention strategy in order to address each of the identified issues, considering both regulatory and non-regulatory actions. In particular, the following topics are considered of special interest:

(a) *Optimisation of the structure of the basic knowledge syllabus and its impact on the training courses and examinations*

Assess the need to split some basic knowledge modules to reduce their complexity and to extend the use of the training needs analysis (TNA) methodology to the practical part of the type training.

(b) *Language proficiency*

To assure that students correctly understand the subjects taught during the training in terms of languages used.

(c) *Examination cheating and fraud/conflict of interest within Part-147 organisations*

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<sup>2</sup> Article 85(8) of Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1139&qid=1559296868436&from=EN>).

<sup>3</sup> Annex III (Part-66) to Commission Regulation (EU) No 1321/2014 of 26 November 2014 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 362, 17.12.2014, p. 1) (<http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32014R1321>).

<sup>4</sup> Annex IV (Part-147) to Commission Regulation (EU) No 1321/2014 of 26 November 2014 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 362, 17.12.2014, p. 1) (<http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32014R1321>).

The credibility in the current system can be heavily impacted by fraud and cultural acceptance of cheating. According to the feedback that was received on the evaluation report, the likelihood of fraud or cheating is widely acknowledged.

Considering that, in practice, since the initial adoption of Part-147 in 2003, no substantive amendments were introduced in it (except for initiatives aimed at amending other annexes of Regulation (EU) No 1321/2014), the review will affect the entire Part-147 with emphasis on the above-mentioned areas of special interest.

### Related safety issues

On 9 December 2014, EASA issued Safety Information Bulletin (SIB) No 2014-32R1<sup>5</sup> to inform about the potential safety concern associated with the alleged examination fraud at the Hellenic Aviation Training Academy (HATA) and to recommend concrete measures to the Member States' CAs in order to address this situation.

Subsequently, the European Commission published on 21-12-2016 COMMISSION DECISION (EU) 2016/2357<sup>6</sup> withdrawing the recognition without further investigation of certain certificates of recognition issued by HATA and the licences based upon these.

Commission Regulation (EU) 2018/1142<sup>7</sup> already establishes limitations on the privilege of performance of examinations for basic knowledge exams; however, other mechanisms, such as a NAA final assessment monitoring of Part-147 organisations, may contribute to the limitation of fraud and misconduct.

## 2. What we want to achieve — objectives

The objective of RMT.0544<sup>8</sup> is to improve the efficiency, the proportionality, and the level playing field of the Part-147 maintenance training organisation approval system. The task aims to address the issues that were identified when reviewing Part-147, including the document structure, layout and format (typographical/technical aspects), as well as to improve its general readability.

The specific objectives are to:

- (a) enhance the consistency of the Part-147 with other annexes of Regulation (EU) No 1321/2014<sup>9</sup>;
- (b) improve the structure and readability of Part-147 and align its terminology with the other annexes of Regulation (EU) No 1321/2014;

<sup>5</sup> SIB No.: 2014-32R1 'Alleged Examination Fraud at Part-147 Maintenance Training Organisation, Hellenic Aviation Training Academy' (<https://ad.easa.europa.eu/ad/2014-32R1>).

<sup>6</sup> Commission Decision (EU) 2016/2357 of 19 December 2016 regarding the lack of effective compliance with Regulation (EC) No 216/2008 of the European Parliament and of the Council and its implementing rules in respect of certificates issued by the Hellenic Aviation Training Academy (HATA), and Part-66 licenses issued on the basis thereof (OJ L 348, 21.12.2016, p. 72–74)

<sup>7</sup> Commission Regulation (EU) 2018/1142 of 14 August 2018 amending Regulation (EU) No 1321/2014 as regards the introduction of certain categories of aircraft maintenance licences, the modification of the acceptance procedure of components from external suppliers and the modification of the maintenance training organisations' privileges (OJ L 207, 16.8.2018, p. 2) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018R1142>).

<sup>8</sup> <https://www.easa.europa.eu/document-library/general-publications/european-plan-aviation-safety-2019-2023>

<sup>9</sup> Commission Regulation (EU) No 1321/2014 of 26 November 2014 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 362, 17.12.2014) (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R1321&qid=1542122463691&from=EN>)

- (c) optimise the structure of the basic knowledge syllabus and its impact on the training courses and examinations, and extend the use of the training needs analysis (TNA) methodology to the practical part of the training;
- (d) assure that students correctly understand the subjects taught during the training in terms of language used and
- (e) eliminate or reduce the examination cheating and fraud/conflict of interest within Part-147 organisations.

### 3. How we want to achieve it

The review will affect the entire Part-147 with a main focus on the identified areas. However, some consultation processes as well as the systematic analysis of the entire Regulation have already proposed certain measures that could solve or mitigate issues in the identified areas. The working group may propose alternative actions to solve the issues, if they are considered to be more adequate or efficient.

### 4. What are the deliverables

- A notice of proposed amendment (NPA) to propose amendments to Annex IV (Part-147) to Regulation (EU) No 1321/2014, and to the related AMC and GM for its implementation;
- a comment-response document (CRD);
- an EASA Opinion to amend Regulation (EU) No 1321/2014;
- after adoption by the Commission, an ED Decision to amend the related AMC and GM.

### 5. How we consult

A rulemaking group will be set up to work on the proposed actions of Section 3. The group members will assist EASA in the drafting of the NPA and the review of the comments to it. EASA initially plans to hold four meetings before issuing the NPA.

### 6. Interface issues

Coordination with RMT.0255 (Part-66 review task) will be necessary.

### 7. Profile and contribution of the rulemaking group

The rulemaking group will be composed of representatives of:

- competent authorities' staff dealing with Part-66/Part-147;
- associations of maintenance training organisations (MTOs).



## 8. Reference documents

### 8.1. Related rulemaking tasks

Amendments to Part-147 may be proposed through the following RMTs once the subsequent opinion(s) is (are) adopted:

- RMT.0106 (21.039(e)) ‘Certification Specifications and Guidance Material for maintenance certifying staff type rating training courses’<sup>10</sup>
- RMT.0281 (MDM.082) ‘New training methods or new teaching technologies (Part-66/Part-147)’<sup>11</sup>

### 8.2. Affected regulations

- Commission Regulation (EU) No 1321/2014 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 362, 17.12.2014, p. 1)

### 8.3. Affected decisions

- Executive Director Decision 2015/029/R of 17 December 2015 issuing acceptable means of compliance and guidance material to Part-M, Part-145, Part-66, and Part-147 of Regulation (EU) No 1321/2014 and repealing Decision 2003/19/RM of the Executive Director of the Agency of 28 November 2003 (‘AMC and GM to the Annexes to Regulation (EU) No 1321/2014 — Issue 2’)<sup>12</sup>

### 8.4. ICAO or third-country references relevant to the content of this RMT

ICAO Doc 10098 ‘Manual on Training of Aircraft Maintenance Personnel’ (once the document will be finalised by the ICAO Competency-based Training and Assessment Task Force (CBTA-TF))

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<sup>10</sup> <https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0106-21039e>

<sup>11</sup> <https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0281-mdm082>

<sup>12</sup> <https://www.easa.europa.eu/sites/default/files/dfu/ED%20Decision%202015-029-R.pdf>