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Draft

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 Agency), and in particular Articles 5 and 6 thereof,

Having regard to 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 tasks², and in particular Annex III thereof,

Whereas:

- (1) The absence of text in Annex III to the Commission Regulation (EC) No 2042/2003 creates a doubt on the need for certifying staff to prove qualification and the time in which such staff shall do so.
- (2) Personnel exercising certification privileges should be able to produce their licence as evidence of qualification if requested by an authorised person within 24 hours.
- (3) The measures provided by this Regulation are based on the Opinion issued by the Agency³ in accordance with Articles 12(2)(b) and 14(1) of Regulation (EC) No 1592/2002.
- (4) The measures provided for in this Regulation are in accordance with the opinion⁴ of the European Aviation Safety Agency Committee established by Article 54(3) of Regulation (EC) No 1592/2002.

¹ OJ L 240, 7.9.2002, p. 1.

² OJ L 315, 28.11.2003, p. 1

³ Opinion 3/2005, 08.03.2005.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annex III of Commission Regulation (EC) No 2042/2003, the following paragraph shall be added:

“66.A.55 Evidence of qualification

Personnel exercising certification privileges must produce their licence, as evidence of qualification, if requested by an authorised person, within 24 hours”

Article 2

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

⁴ [To be issued].