



NOTICE OF PROPOSED AMENDMENT (NPA) No 2010-09

**DRAFT OPINION OF THE EXECUTIVE DIRECTOR
OF THE EUROPEAN AVIATION SAFETY AGENCY**

**for a Commission Regulation amending Commission Regulation (EC) No 2042/2003
of 20 November 2003 laying down implementing rules for the continuing
airworthiness of aircraft and aeronautical products, parts and appliances,**

AND

**DRAFT DECISION OF THE EXECUTIVE DIRECTOR
OF THE EUROPEAN AVIATION SAFETY AGENCY**

**amending Annex I (AMC to Part-M) of 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**

'Contracting of continuing airworthiness management activities'

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EXECUTIVE SUMMARY

Terminology and sector affected:

CAT: Commercial Air Transport.

CAM: Continuing Airworthiness Management.

CAMO: approved Continuing Airworthiness Management Organisation (organisation complying with Part M, Subpart G or approved M.A. Subpart G organisation).

NAA: National Aviation Authorities.

EASA: European Aviation Safety Agency (hereinafter called 'Agency').

Regulation (EC) No 2042/2003 (amended by (EC) No 127/2010) and in particular Part-M.

SMS: Safety Management System.

MAC: document describing the 'Means of Active Control' in the case of CAM tasks contracted by the CAMO.

RAA: Risk Assessment Analysis based on the SMS principles applicable to community CAT operators in order to control the CAM.

Issue: Continuing Airworthiness Management of aircraft

The current regulation:

- requires the CAT operator to manage the continuing airworthiness of its fleet itself and therefore to be CAMO approved;
- allows any CAMO (linked to a CAT operator or not) to contract (to approved or non-approved organisations) certain CAM tasks under its own quality system.

The EASA Rulemaking Directorate decided to review the current practices in respect of 'contracting of continuing airworthiness management/tasks' and make recommendations.

This NPA impacts NAAs, EASA, CAT operators (and other commercial operators), CAMOs and, to a certain extent, maintenance organisations.

The Agency proposes:

- to provide more AMCs/GMs on the level of involvement of the CAMO when it decides to contract certain CAM tasks under its own quality system,
- to amend the requirements of Part-M to provide more flexibility to a CAT operator by allowing it to contract the full CAM of its aircraft to an approved CAMO registered in a Member State, subject to the introduction of appropriate controls.

NOTE: This proposed amendment is only applicable to licensed air carriers as defined by Community Law (Regulation (EC) No 1008/2008 of 24 September 2008, OJ L 293, 31/10/2008, p.3) because they are the only ones currently obliged per Article 1.3 of Regulation (EC) No 2042/2003 and M.A.201(i)1 to be approved as a CAMO. Other aircraft are already allowed to contract a CAMO.

The Agency would like to note here that this proposal has been agreed by the members (NAAs and Industry) who have participated in the Rulemaking Task M.014 leading to this NPA.

1) In reference to the contracting of certain continuing airworthiness management tasks under the CAMO quality system:

The proposal confirms the current recommendation (AMC) that the number of contracts should be limited in order to avoid fragmenting the responsibility as well as the need for the CAMO to keep the overall **active** control and responsibility. With the exception of engines and Auxiliary Power Units (APUs) this privilege shall normally be limited to contracts with one organisation per aircraft type, unless otherwise agreed by the competent authority.

However, it was felt that this recommendation (current AMC) had to be elevated at the level of rule, and this is the reason why some elements from the current AMC M.A.201 (h) 1, 8 have been transferred to M.A.711 (a).

Furthermore, the NPA proposal clarifies the definition and the level of 'active control' and 'oversight' for the contracted tasks. It means a higher level of involvement than simple 'control' and requires active involvement in the accomplishment of individuals tasks to a level that the contracting CAMO can satisfy itself that these tasks are carried out correctly: such justifications should be produced in a document called 'Means of Active Control' (MAC).

Advantages: These new provisions will reinforce the regulation and will provide more guidance to Industry and NAAs, helping to correct the current situation found by certain NAAs and EASA Standardisation: certain CAMOs have been identified as contracting activities with inadequate oversight resources and with no active control of the contracted activities.

In the particular case of CAT operators (CAMO approved), they will have to justify their level of involvement in the oversight of contracted tasks through a 'Risk Analysis Assessment' (RAA) based on the SMS principles and in addition demonstrate the 'Means of Active Control' in the case of contracting.

The NPA plans to have provisions for a transition period, so that CAMOs have adequate time to produce a MAC and/or an RAA for each contracted task and demonstrate they put in place the adequate level of resources.

2) **In reference to the contracting by a CAT operator of the full continuing airworthiness management of its aircraft to an approved CAMO:**

The current rules make it mandatory for the CAT operator to be CAMO approved. However, this requirement has created certain problems:

- In some cases, small operators may find it difficult to have the full in-house expertise to manage the continuing airworthiness of the fleet.
- Some operators, even if already CAMO approved, may find it difficult to put the resources in place and change their scope of approval when a new fleet is added through a short-term dry lease agreement.
- In many circumstances, the CAMO (belonging to the CAT operator) is formally a different legal entity than the operator itself (typically the case where they are part of the same parent company or holding). This makes it impossible, under the current rules, for the CAMO of the operator to assume any responsibility.
- Impossibility for certain aircraft manufacturers to offer full continuing airworthiness management services for CAT operators.

The Agency came to the conclusion that, in the future, two options should be offered to the CAT operator:

- (option A — current requirement) allow the CAT operator to be CAMO approved (it may still contract certain tasks under its quality system per paragraph 1 above).
- (option B) allow the CAT operator to fully contract the continuing airworthiness management of its aircraft to an approved CAMO registered in a Member State.

The opinion of the Agency is that introducing option B will have the following advantages:

- Small operators, where it is not reasonable to expect that they have full in-house capability, will be able to fully contract an approved CAMO with the appropriate competence. The Agency believes that this is a better option for safety reasons than the current practice where these small operators are already contracting most of the tasks to approved or non-approved organisations under their own quality system (which in certain cases, because of the small size of the organisation, may not be very robust).
- A similar justification can be provided in the case of CAT operators (already CAMO approved) introducing a new fleet for a very short period of time (i.e., short-term dry lease).
- A significant number of those organisations (not CAMO approved) which are currently working under the quality system of CAMOs belonging to a CAT operator are expected to seek a CAMO approval to offer full contracting services. The

Agency believes that this will increase the level of oversight upon these organisations and the quality of the work performed. Furthermore, it will allow these organisations to take responsibility for the tasks performed, which is not currently the case.

- It will formalise the current situation where the CAMO of the operator may be a different legal entity than the operator itself (part of the same parent company or holding) without the need to create an additional CAMO with the same legal entity as the operator and a contracting agreement with the CAMO who is really performing the tasks.
- It will allow those aircraft manufacturers who wish so, to offer full continuing airworthiness management services to CAT operators.

The Agency also believes that introducing option B without appropriate compensating measures may also have the following drawbacks:

- The CAT operator may have a tendency to fully rely on the contracted CAMO and have an inadequate exchange of timely information between operations and the CAMO.
- CAT operators may have the tendency to contract the CAMO with the best economic offer, which in some cases may be far from the operational base. This would complicate the management of the aircraft.

As a consequence, and in order for the operator to retain the final responsibility for the CAM of its aircraft in accordance with ICAO Annex VI, the Agency has introduced the following compensating measures in the case of option B:

- Introduction of a Subpart J to Part-M detailing the requirements for the operator when it fully contracts a CAMO that has to be registered in one of the Member States. This includes the obligation of the operator to demonstrate its ability to control the continuing airworthiness management performed by the contracted CAMO by means of:
 - a Risk Analysis Assessment (RAA) assessing the criticality for each continuing airworthiness task (coming from the SMS concept);
 - a confirmation of the level of control required for each of these tasks;
 - a plan to demonstrate that adequate resources are in place (manpower, competence, airworthiness data exchange, oversight, procedures, etc.) in order to justify the level of control, based on the RAA (size, complexity etc.);
 - a minimum level of technical expertise in order to carry out continuing airworthiness control (such as an Accountable Manager, a Nominated Post Holder (NPH), additional staff if necessary...);
 - a contract with the CAMO which ensures clear continuing airworthiness responsibilities and that tasks are correctly addressed;
 - establishment of a satisfactory channel of communication between the operator and the contracted CAMO;
 - an exposition manual (CACE — Continuing Airworthiness Control Exposition) confirming, among other details, that the procedures and the resources are adequate.

Compliance with these requirements will be mandatory in order to obtain and maintain the AOC. However, they will not require a separate approval certificate.

The Agency believes that these measures are sufficient to eliminate the drawbacks described above. In the particular case where the contracted CAMO is far from the operator's base, the key point is the need for the CAMO to demonstrate a satisfactory channel of communication between the CAMO and the operator.

A. Explanatory Note

I. General

1. The purpose of this Notice of Proposed Amendment (NPA) is to envisage amending Annex I (Part-M) of Commission Regulation (EC) No 2042/2003¹ of 20 November 2003 laying down implementing rules for the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks, and amending Annex I (AMC to Part-M) of Decision No 2003/19/RM² 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. The scope of this rulemaking activity is outlined in the Terms of Reference (ToR) M-014 and is described in more detail below.
2. The European Aviation Safety Agency (hereinafter referred to as 'the Agency') is directly involved in the rule-shaping process. It assists the Commission in its executive tasks by preparing draft regulations, and amendments thereof, for the implementation of the Basic Regulation³ which are adopted as 'Opinions' (Article 19(1)). It also adopts Certification Specifications, including Airworthiness Codes and Acceptable Means of Compliance and Guidance Material to be used in the certification process (Article 19(2)).
3. When developing rules, the Agency is bound to follow a structured 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'⁴.
4. This rulemaking activity is included in the Agency's Rulemaking Programme for 2010-2013. It implements rulemaking task M.014 (Contracting of continuing airworthiness management activities). The task was originally called 'Contracting of technical activities', but was found improperly named.
5. The text of this NPA has been developed by the Agency. It is submitted for consultation of all interested parties in accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

II. Consultation

6. To achieve optimal consultation, the Agency is publishing the draft decision of the Executive Director on its internet site. Comments should be provided within 3 months. Comments on this proposal should be submitted by one of the following methods:

CRT: Send your comments using the Comment-Response Tool (CRT) available at <http://hub.easa.europa.eu/crt/>

E-mail: In case the use of CRT is prevented by technical problems these should be reported to the [CRT webmaster](mailto:CRT_webmaster@easa.europa.eu) and comments sent by email to NPA@easa.europa.eu.

Correspondence: If you do not have access to the Internet or e-mail, you can send your comment by mail to:

¹ OJ L 315, 28/11/2003, p. 1. Regulation as last amended by Regulation (EC) No 127/2010 of 5 February 2010 (OJ L 40, 13.2.2010, p. 4).

² Decision as last amended by Decision 2010/002/R of 28 April 2010.

³ 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 as last amended by Regulation (EC) No 1108/2009 (OJ L 79, 19.03.2008, p. 1; OJ L 309, 24.11.2009, p. 51).

⁴ Management Board decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB 08-2007, 13.6.2007.

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Comments should be submitted by **30 October 2010**. If received after this deadline, they might not be taken into account.

III. Comment response document

7. All comments received in time will be responded to and incorporated in a comment response document (CRD). The CRD will be available on the Agency's website and in the Comment-Response Tool (CRT).

IV. Content of the draft opinion/decision

Explanatory note: Introduction

8. The EASA Rulemaking Directorate has decided to review the current practice in respect of contracting of continuing airworthiness management activities and make recommendations. This task was added to the rulemaking programme in 2006 and a Working Group (M-014) was formed in July 2006 to carry out the review. The Working Group consisted of representatives from EU NAAs, Industry and EASA. Eleven meetings were held in Cologne during which all aspects of continuing airworthiness management were reviewed and the Working Group completed its work in March 2009. During this period the Group reviewed Part-M, its AMCs and recommended numerous changes to all areas of these documents. The task was delayed by further discussion about the concept and possible implications on the oversight of the activities, and finally reached its final outcome in the summer of 2010.
9. Regulation (EC) No 2042/2003 Annex 1 (Part-M) addresses in particular the contracting of continuing airworthiness tasks to other organisations.
10. Prior to the introduction of Part-M, contracting of continuing airworthiness management tasks was addressed by JAA TGL 34. With the introduction of Part-M this material was transferred into EASA Part-M, AMC material (Appendix I to Part-M and Appendix II to AMC M.A.201 (h) 1). This Appendix II states the conditions for (sub) contracting certain tasks, while maintaining the Operator's continuing airworthiness responsibility.
11. Originating from the JAA times, the use of the terms 'contracting' and 'subcontracting' lacked clarity and had been misinterpreted in some cases. A definition has been provided by EASA's Legal Department as follows: 'as soon as there is a contract in place the term 'contracting' should be used even if the contracted organisation is not approved'. During the JAA time the term 'subcontracting' was used in order to designate the contracting to a non-approved organisation working under the primary organisation's quality system. This has been determined to be an incorrect legal definition. The current rule makes reference to the sub-contracting of continuing airworthiness management tasks. For the reason noted above the term subcontracting has been deleted from the rule and AMC throughout the NPA and wherever used, the term 'contracting' is now used for contracting activities irrespective of whether the contracted organisation is approved or not.
12. The current regulation permits some contracting of continuing airworthiness management tasks by CAT operators and/or CAMOs under their quality system but contains some ambiguity and does not fully reflect the practices that have existed in industry for many years. Although the responsibilities of the operator are clearly defined within the regulation and as stated by ICAO, some operators, in particular smaller ones, have difficulty in fully complying with elements of the rule.

- 13.** EASA Rulemaking Directorate, in liaison with the Industry and the NAAs, has decided to review the situation and to determine whether the current regulation is adequate or whether there are other possibilities for contracting CAM tasks. It is considered that the existing system could be clarified, broadened and simplified without compromising the Operator's overall responsibility under ICAO Annex 6.
- 14.** It is further recognised that there is a trend for Original Equipment Manufacturers (OEMs) (airframe and engine) to offer 'total care' type packages for their products, including some organisations outside of the European Union Member States. Large maintenance organisations (MROs) or airlines are also offering 'total care' services. This trend is, in some cases, led by the manufacturing and support industries but is also driven by the operators who expect an additional level of continuing airworthiness support. In these cases the OEMs/MROs are effectively carrying out some continuing airworthiness management tasks on behalf of the operator. This is seen as a positive step, adding to the overall pool of expertise available.
- 15.** The review of the subject of CAM for CAMOs and Operators involved in CAT was carried out by:
- re-evaluating the content of Regulation 2042/2003 Part-M, in particular Subpart B (accountability) and Subpart G (CAMO), its AMCs and the relevant appendices;
 - ensuring that owners/operators continue to remain compliant with ICAO Annex 6, Part 1, Chapter 8, 8.1.1 (a) (Operators are ultimately responsible for ensuring that 'each aeroplane they operate is maintained in an airworthy condition');
 - reviewing the current practices in EU Member States and evaluating the possible risks and mitigating factors associated with the contracting of CAM tasks;
 - defining acceptable options for contracting of continuing airworthiness tasks and management for operators and Part-M Subpart G organisations;
 - developing an opinion amending Part-M and clarifying and/or adding guidance in the AMC/GM to Part-M;
 - ensuring consistency with any other applicable regulations.

At this point it is important to note that under the current Regulation (EC) No 3922/91, as amended by Regulation (EC) No 859/2008, a CAT operator must hold a Part-M Subpart G approval. i.a.w. M.A.201 (h)1. This means that the CAMO is an integral part of the CAT operator and is responsible for the CAM of its own fleet.

- 16.** During the review, it was also taken into account that the performance of the Airworthiness Review (ARC) may become an integral part of the CAMO activities (this is an optional privilege). The ARC forms part of the Certificate of Airworthiness for an aircraft and must be renewed at defined intervals once it has been confirmed that the aircraft concerned is in an airworthy condition. The ARC may be issued/recommended by a CAMO holding the corresponding privileges (M.A.711(b)). Currently a CAT operator must hold a CAMO approval and may, or may not, hold ARC privileges. In addition, currently the privilege to issue ARCs is limited to organisations registered in an EU Member State (M.A.711(b)) but any CAMO, irrespective of its location, may extend, under the conditions of point M.A.901 (f), an ARC that has been issued by the competent authority or by another CAMO. It is clear therefore that the activities concerning ARC issue/extension/recommendation had to be taken into consideration by the working group for organisations managing continuing airworthiness.
- 17.** Definitions used in the following Part one and Part two:
- Continuing airworthiness **management** (CAM) means the performance of all the actions required in order to ensure that an aircraft remains in an airworthy condition. In the case of large aircraft, aircraft involved in CAT and aircraft covered by M.A.201(i), a CAMO must be responsible for the CAM as described in M.A.708.
 - A CAM **task** is a specific piece of work to be carried out as part of the full management of the aircraft's continuing airworthiness.

For instance, it might be a DFDR (Digital Flight Data Recorder) read-out, a review of airworthiness directive embodiment, an analysis of the engine trend monitoring, etc.

- **'Active control'** means being actively involved in the accomplishment of individual tasks to a level that the contracting organisation can satisfy itself that these CAM tasks are carried out correctly; this assumes that the contractor has a lesser level of competence (although this may not be the case). This is the case where a CAMO contracts, under its own quality system, an approved or non-approved organisation and therefore exercises **active control** of the contractor, as specified in this 'Part one' of this Explanatory Note.
- **'Control'** is the involvement to a level necessary for the contracting organisation to be assured that individual CAM tasks are carried out correctly, obtaining credit for the contracted organisation's competence. A CAT operator complying with Part-M, Subpart J, (as further detailed in this explanatory note) must contract a CAMO and typically ensures this **'control'** by conducting quality audits and attending regular continuing airworthiness meetings with its contractor.
- The document called **'Means of Active Control'** (MAC) is a definition of how an operator should carry out an analysis to demonstrate how it ensures the 'active control' for each contracted continuing airworthiness tasks. This document:
 - addresses new M.A.711(a)2, irrespective of the type of operations for the aircraft (General Aviation, CAT, commercial operations other than CAT);
 - is further described in the new AMC M.A.711(a)2 subparagraph 7;
 - may be combined with the Risk Assessment Analysis (RAA) in the case of contracting involved in CAT operations.
- A **'Risk Assessment Analysis'** (RAA) is the way a community CAT operator demonstrates the 'control' and/or the 'active control' in the case of continuing airworthiness tasks/management for aircraft involved in CAT and derives from the Safety Management System (SMS). This document:
 - addresses an M.A. Subpart G organisation involved in CAT operations in accordance with M.A.201(h)1 or M.A.711(a)1);
 - addresses a CAT operator complying with new M.A.201(h)2 and Part-M Subpart J;
 - is further described in the new AMC M.A.201(h)1&2 subparagraph 3.

These definitions are proposed in new GM no 2 to M.A.201(h)1&2 and to M.A.711(a)1 and 2.

Part one
Contracting by a CAMO, under its quality system,
of certain continuing airworthiness management tasks

- 18.** The working group evaluated the current situation and the various future possibilities for managing continuing airworthiness where a CAMO could:
- a) carry out all the CAM tasks itself;
 - b) contract tasks, under its own quality system, to a non-approved organisation;
 - c) contract tasks to another CAMO with the corresponding transfer of responsibilities. It is important to note that this is not possible under the current regulations, where there is no difference between contracting to an approved or non-approved organisation, because in all cases it must be done under the quality system of the contracting organisation.

Note: It must be noted that there are no provisions in Part-M for a CAMO to be approved for engines or for a particular component only. EASA Form 14 only refers to aircraft and M.A.201 only addresses responsibilities linked to the aircraft itself.

- 19.** In reference to paragraph 18(b) above, in order for a CAMO to demonstrate that it fulfils its responsibilities it has to carry out 'active control' (defined in new GM no 2 to M.A.201(h)1 & 2 and to M.A.711(a)1 and 2) of any tasks contracted under its quality system to other organisations. 'Active control' means a higher level than 'control' and requires active involvement in the accomplishment of individual tasks to a level that the contracting organisation can satisfy itself that these tasks are carried out correctly.
- 20.** However, in reference to paragraph 18c) above, the working group came to the conclusion that there was no clear method by which the contracting organisation could obtain credit from the fact that the contracted organisation held a CAMO approval. It was also considered that there may be confusion about the responsibilities of each party and that the overall management of the continuing airworthiness of the aircraft would be diluted.
- 21.** In conclusion, the essence of the CAMO approval is to retain the responsibility for the full CAM and not to transfer responsibilities to another approved CAMO. As a consequence, it is acceptable for a CAMO to contract, under its own quality system, specific tasks to an approved or non-approved organisation provided that the CAMO maintains the competence and resources to oversee these tasks and ensure 'active control'.

This effectively means that a CAMO may only 'arrange to carry out continuing airworthiness tasks within the limitation of its approval with another organisation which is working under its quality system'. M.A.711 (a) 3 has been amended accordingly and becomes M.A.711(a)2. Additionally an AMC to new M.A.711(a)2 concerning the privileges for 'contracting' has been developed.

- 22.** The working group also decided that it was important to confirm that the number of contracts should be limited, in order to avoid fragmenting the responsibility, as already detailed in the current AMC M.A.201 (h) 1, 8. With the exception of engines and Auxiliary Power Units (APUs) this privilege shall normally be limited to contracts with one organisation per aircraft type (or fleet), unless otherwise agreed by the competent authority. It was therefore concluded that some elements from the current AMC M.A.201 (h) 1, 8 ('soft' rules) should be elevated to M.A.711 (a) ('hard' rules).
- 23.** When a CAMO chooses to contract tasks under its quality system, there is no specific limit to the number or nature of the contracted tasks.
- 24.** The contract(s) should detail the level of oversight and involvement of the CAMO in the contracted activities, so it could demonstrate 'active control'. Associated procedures to the contractual arrangements should demonstrate how the active control is achieved.

For this reason an AMC to new M.A.711(a)2 has been produced to ensure that the CAMO performs an analysis called 'Means of Active Control' (MAC) which:

- defines the individual task(s) which it intends to contract and how it will oversee each one of these contracted tasks which remain under its quality system;
- identifies the criticality of the contracted tasks and establishes the day-to-day involvement for each task based on the criticality level of the tasks; such an analysis should be the basis for determining the level of 'active control' necessary and should be made available to the competent authority;
- establishes proper lines of communication (including exchange of documents and airworthiness data) to ensure consistency and effectiveness of combined contractual arrangements;
- employs a person or group of persons with the appropriate range of competences, to manage and actively control the performance of the contracted organisation(s);
- maintains the capability and the competency to exercise control of the contract(s) at all times;

- demonstrates, by way of a resource plan, that the organisation has adequate manpower, competence, approved data etc., to ensure, by active control, that all the contracted activities are carried out to the agreed standard;

When the CAMO manages the continuing airworthiness of aircraft involved in CAT and further contracts some activities, the ability to perform the active control of the contracted tasks should be supported by a Risk Assessment Analysis (RAA) as later explained.

The RAA should be a more robust document built on the one called 'Means of Active Control' (MAC): it should be comprehensive and be derived from the Safety Management System concept, describing for each continuing airworthiness task:

- the safety policy and objectives;
- the hazard identification, its severity of occurrence as well as the consequent safety risks;
- the safety risk management, probability and severity;
- the (un)acceptable safety risk tolerability;
- the control or mitigating factors;
- the resources and documented procedures detailing how to maintain the risk within the acceptable risk tolerability and how to manage the organisation.

This AMC to new M.A.711(a)2 (in conjunction with new AMC M.A.201(h)1&2 subparagraph 3) has therefore been aligned with the concept of the Safety Management System as recommended by ICAO though the introduction of the Risk Assessment Analysis.

All these elements should be available for demonstration to the competent authority as and when required. A new paragraph defined in M.B.711 and associated AMC has been developed in order to clarify the competent authority's responsibility for oversight of activities contracted by a CAMO.

- 25.** After the corresponding evaluation of the impact (refer also to the Regulatory Impact Assessment), it has been determined that the CAMOs already in place before the entry into force of this new concept will have to demonstrate that they have;
- reviewed their policy with regard to contracting of CAM tasks (if applicable);
 - made the appropriate changes to their structure, resources, staffing levels, procedures and the way that they interact with owners/operators and contracted organisations by producing:
 - i. a Risk Assessment Analysis (RAA or equivalent) when the scope of activities covers aircraft involved in CAT (new AMC M.A.201(h)1&2), and/or
 - ii. the 'Means of Active Control' (MAC or equivalent) for other operations (IAW new AMC M.A.711(a)2).
 - reviewed the contracts with the contracted organisations, including maintenance organisations and the organisations managing some continuing airworthiness tasks.
 - made the necessary adjustments to the CAME and its associated procedures.

The Agency considers that such justifications as detailed above should be made available to the competent authorities no later than 12 months after the date of entry into force of this proposal.

Nevertheless, the provisions for the date of entry into force and the corresponding transition period will be further revised at the stage of the CRD. It means that that an amendment to Article 7 of Commission Regulation (EC) No 2042/2003 will be proposed at a later stage.

- 26.** In the light of the above paragraph, interested parties are requested to provide their comments concerning the required duration of this transition period.
- 27.** Stakeholders are also invited to comment about possible alleviations to the Risk Assessment Analysis (RAA) to be produced in the case of CAT operations: as a matter of fact, the rules might be adjusted for:
- Aircraft such as ELA1 as defined by EC No 1056/2008;
 - Balloons;
 - Gliders;
 - small operators as defined by NPA 2008-22;
 - etc.

Such alleviations will be also envisaged in the course of rulemaking tasks MDM.047 (alignment of EC No 2042/2003 with EC No 216/2008 — in particular commercial operations other than CAT and operations of complex motor-powered aircraft) and MDM.055 (alignment with the OPS structure as proposed by NPA 2008-22 — in particular, full implementation of SMS and proportionate rules).

Note: This NPA only borrows some SMS principles for the purpose of better describing the RAA and the 'control/active control' of continuing airworthiness management or tasks. This NPA is not considered to be the rulemaking task aiming at fully aligning Commission Regulation (EC) No 2042/2003 with SMS ICAO doc 9859: another rulemaking task named MDM.055 will meet that objective. In fact, this NPA does not propose any changes to Part-145 or Part-147 with regards to SMS.

Part two

Contracting by an operator involved in commercial air transport (CAT) of the Continuing Airworthiness Management of its aircraft

- 28.** Following the clarification of the privileges of a CAMO in relation to contracting CAM tasks under its quality system, as explained in 'Part one' above, the working group concentrated on the possible options for a community CAT operator.
- 29.** The current rules make it mandatory for the CAT operator to be CAMO approved. However, this requirement has created certain problems:
- Small operators may find it difficult in some cases to have the full in-house expertise to manage the continuing airworthiness of their fleet.
 - Some operators, even if already CAMO approved, may find it difficult to put the resources in place and change their scope of approval when a new fleet is added through a short-term dry lease agreement.
 - In many circumstances, the CAMO (as part of the CAT operator) is formally a different legal entity than the operator itself (typically the case where they are part of the same parent company or holding). This makes it impossible, under the current rules, for the CAMO of the operator to assume any responsibility.
 - Aircraft manufacturers are unable to offer full CAM services for CAT operators.
- 30.** The working group came to the conclusion that, in the future, two options should be offered to the CAT operator:
- (option A – current requirement) allow the CAT operator to be CAMO approved (it may still contract certain CAM tasks under its quality system per Part One above of this explanatory Note).
 - (option B) allow the CAT operator to fully contract the CAM of its aircraft to a CAMO.
- NOTE: This proposed amendment is only applicable to licensed air carriers as defined by Community Law (Regulation (EC) No 1008/2008 of 24 September 2008; OJ L 293, 31/10/2008, p.3) because they are the only ones currently obliged per Article 1.3 of Regulation (EC) No 2042/2003 and M.A.201(i)1 to be approved as a CAMO. Other aircraft are already allowed to contract a CAMO.
- 31.** The introduction of option B would have the following advantages:
- Small operators, where it is not reasonable to expect that they have full in-house capability, will be able to fully contract an approved CAMO with the appropriate competence. This was considered a better option for safety reasons than the current practice where these small operators are already contracting most of the CAM tasks to approved or non-approved organisations under their own quality system (which in certain cases, because of the small size of the organisation, may not be very robust).
 - It would assist CAT operators (already CAMO approved) introducing a new fleet for a very short period of time (i.e., short-term dry lease).
 - A significant number of those organisations (not CAMO approved) which are currently working under the quality system of CAMOs belonging to a CAT operator are expected to seek a CAMO approval to offer full contracting services. This will increase the level of oversight upon these organisations and the quality of the work performed. Furthermore, it will allow these organisations to assume responsibility for the tasks performed, which is not currently the case. Nevertheless, the overall liability regarding the fleet's continuing airworthiness remains with the operator.
 - It will formalise the current situation where the CAMO of the operator may be a different legal entity than the operator itself (part of the same parent company or holding) without the need to create an additional CAMO with the same legal entity as the operator and a contracting agreement with the CAMO who is really performing the tasks.

- It will allow those aircraft manufacturers interested in offering full continuing airworthiness management services to provide these for CAT operators.

32. However, the Agency also felt that the introduction of option B without appropriate compensating measures may also have the following drawbacks:

- The CAT operator may have a tendency to fully rely on the contracted CAMO and have a poor exchange of timely information between operations and the CAMO.
- CAT operators may have the tendency to contract the CAMO with the best economic offer, which in some cases may be far from the operational base. This would complicate the management of the aircraft.

As a consequence, and in order for the operator to retain the full responsibility for the CAM of its aircraft in accordance with ICAO Annex VI, it was proposed to introduce a new Subpart J in Part-M covering the requirements for the operator when it fully contracts an approved CAMO. This includes the obligation of the operator to demonstrate its ability to control the CAM performed by the contracted CAMO by means of:

- a risk analysis assessment (criticality) for each continuing airworthiness task (coming from the SMS concept);
- a confirmation of the level of control required for each of these tasks;
- a plan to demonstrate that adequate resources are in place (manpower, competence, airworthiness data exchange, oversight, procedures, etc.) in order to justify the level of control, based on the Risk Assessment Analysis (size, complexity, etc.);
- a minimum level of technical expertise in order to carry out continuing airworthiness control (such as an Accountable Manager, a Nominated Post Holder (NPH), additional staff if necessary...);
- a contract with the CAMO which ensures clear continuing airworthiness responsibilities and that tasks are correctly addressed;
- establishment of a satisfactory channel of communication between the operator and the contracted CAMO;
- an exposition manual confirming that the procedures and the resources are adequate.

These measures should be sufficient to eliminate the drawbacks described above. In the particular case where the contracted CAMO is far from the operator's base, the key point is the need for the CAMO to demonstrate a satisfactory channel of communication between the CAMO and the operator.

33. As a consequence, the conclusion was that, if these provisions were met, the CAT operator does not need to meet the requirements of M.A. Subpart G in full because the accomplishment of most of the tasks is carried out by the contracted CAMO. In this case the continuing airworthiness responsibility of the CAT operator is limited to the 'control' of the contractor's activities on behalf of the CAT operator. This does not mean 'active control' but is, nonetheless, sufficient control to meet ICAO Annex 6 requirements. The operator, who is not CAMO approved, relies on a contracted CAMO to provide the CAM but without delegating its overall responsibility.

34. This option B, detailed in the new Part-M Subpart J, is considered to demonstrate continuing compliance with ICAO Annex 6 and is also in line with the new Basic Regulation (EC) No 216/2008 and its annex IV: subparagraph 8(g) states that, in the case of operation for commercial purposes and operation of complex motor-powered aircraft, the continuing airworthiness tasks must be 'controlled' by an organisation responsible for the CAM (the so-called CAMO).

Furthermore, this option B is similar to the option for maintenance where an operator can be approved under Part-145 or contract such an organisation. Previously an operator typically had a maintenance organisation within its own organisation. With the advent of JAR 145 (in 1994) an operator no longer had to have its own 'in house'

maintenance organisation. Maintenance organisations are now approved in their own right and may be organisations independent from the operator. An operator can now contract maintenance to an independent Part-145 organisation, which many have chosen to do, and experience has shown that this has not resulted in deterioration in safety.

35. At this point, the working group analysed the possibilities for airworthiness review and ARC issuance in the case of option B. It was clear that an operator complying with M.A. Subpart J would not be entitled to hold airworthiness review privileges because:

- it has contracted out all its CAM; and
- the day-to-day CAM is performed by the contracted M.A. Subpart G organisation where the core expertise remains.

36. Regarding the privileges of the contracted CAMO, it is clear that it may or may not have airworthiness review privileges. If the organisation holds these privileges, it may issue or extend the ARC or make a recommendation. In such a case the interface procedures (operational aspects, communication and records of hours/cycles, report of incidents, in-flight failure etc.) between the operator and the contracted CAMO shall be developed in order to ensure a satisfactory transfer of airworthiness related information.

However, in the case that the contracted CAMO does not hold airworthiness review privileges, another CAMO will have to make an ARC recommendation to the Member State of registry (see M.1).

37. It is important to note here that there may be three competent authorities involved in the continuing airworthiness management and airworthiness review of an aircraft involved in CAT. These are:

- the competent authority of the Member State of registry,
- the competent authority of the Member State of the operator,
- the competent authority responsible for the approval of the contracted CAMO.

After analysing the different situations that may be found, the Agency decided to limit the possibility for an operator to contract a CAMO to those CAMOs registered in a Member State. As a consequence, an operator involved in CAT will not be allowed to contract a CAMO registered in a third country.

The origin of this decision is the requirement contained in M.B.704 (c), where the competent authority of the CAMO has to perform a survey of a relevant sample of aircraft managed by the CAMO.

In the case where the CAMO is registered in a Member State, most of the aircraft managed by this CAMO will be likely registered in that Member State (although they may managing also some aircraft registered in other Member States). As a consequence, when complying with M.B.704 (c), the competent authority may do the sampling by mostly selecting aircraft which are on its register. As a consequence, they may take credit for inspections that they have already been performed through the M.B.303 Aircraft Continuing Airworthiness Monitoring (ACAM) programme when acting as State of Registry. Furthermore, most of the aircraft managed by that CAMO will belong to operators located in the same Member State, which makes it easier for the competent authority to oversee the interface/communication between operator and CAMO.

This is not possible for the EASA when inspecting foreign CAMOs because EASA does not act as State of Registry or as State of Operator for any aircraft. As a consequence, the oversight of the fleet managed by the CAMO and the interface/communication between the CAT operator and the CAMO would have been extremely difficult.

In order to cover those cases where CAMO, Operator and Register belong to different Member States, M.B.105 has been reviewed to ensure that it addresses the need for adequate exchange of information and mutual cooperation.

- 38.** The Agency considered whether the introduction of option B would also require the introduction of a new Approval Certificate (stating compliance with M.A. Subpart J) or whether the approval would be part of the AOC Certificate as part of the future EU OPS regulation ('EASA-OPS') currently being developed by the Agency. It was concluded that compliance with Part-M Subpart J would be included as part of the AOC (with no separate certificate — see M.A.1003) because there are no provisions in the Basic Regulation (EC) No 216/2008 offering such an approval certificate. Consequently a template describing the scope of Part-M Subpart J activities has been created in order to become an attachment to the AOC (refer to new Appendix XV to the AMCs). This EASA form will be referenced but the reference will be taken at a later stage if the concept is kept after the public consultation of this document.
- 39.** In order to define the requirements when an operator decides to comply with M.A. Subpart J, the following provisions have been included in Part-M:
- Responsibilities of the operator in respect of the CAM control for aircraft involved in CAT operations.
 - Contractual arrangements — Part-M Subpart J and a new part B to appendix I to Part-M have been created in order to describe the minimum requirements for the CAM contract. In order to cover all the different responsibilities and the tasks to be shared between the relevant parties, the contractual arrangements for CAM need to be better defined and strengthened. This is similar to the current way (renamed 'Part A') Appendix I to Part-M already defines the requirements when an operator/owner decides to outsource the CAM to an M.A. Subpart G organisation (M.A.201 (e) and (f)) for general aviation not involved in CAT).
 - Confirmation of which tasks cannot be contracted to a CAMO as well as which policies and procedures should remain under the control of the operator.
 - Guidance material for the production of a CAM contract in addition to the minimum requirements described in Part A to appendix I of Part-M (refer to new appendix XIV to AMC M.A.1010 (a) 5).
 - The requirement for a Continuing Airworthiness Control Exposition (CACE) which describes the structure and the procedures of the CAT operator in order to satisfy Part-M Subpart J; such a manual is also necessary to demonstrate compliance with ICAO Annex 6, part I, chapter 8.2 (Operator's maintenance control manual for CAT airplanes) and justifies the need for having developed Part-M Subpart J.
 - The associated EASA Form 13 J to support the initial, change and continuation of the approval of the control system established by the CAT operator in order to comply with Subpart J. After further evaluation by the Agency, it was agreed to use the same appendix to address the regulatory guidance for the CAME and the CACE (appendix V to AMC M.A.704 and AMC M.A.1004). The organisation and the competent authorities will have to agree the appropriate chapters relevant to the operator's activities.
- 40.** When an operator decides to contract the CAM to a CAMO, the contracted CAMO may further contract, under its own quality system, certain continuing airworthiness tasks in accordance with the new M.A.711(a)2 (refer to 'Part one' of this Explanatory Note), but only as agreed by the CAT operator. Therefore, the CAMO contracted by the operator is responsible for the CAM tasks carried out by any other contracted organisations, which will be working under the quality system of the CAMO contracted by the operator. The contract/associated procedures should clearly designate which CAMO is contracted by the operator. This is particularly relevant where that contracted CAMO is going to issue or extend the ARC.
M.A.1010 (e), its AMC and appendix XIV to AMC M.A.1010 have been developed for that purpose.
- 41.** For consistency, this NPA should have proposed the necessary changes to be introduced into EU OPS (Regulation (EC) No 3922/91, as amended by Regulation (EC) No 859/2008 of 20 August 2008). However, this Regulation is currently out of the remit of the Agency and the current requirements should not be further updated before the introduction of

future 'EASA OPS'; therefore no proposed changes are addressed here. If the outcome of NPA 2008-022 and NPA 2009-02 results in the adoption of new rules before the final stage of this present rulemaking task (M-014), the Agency will introduce the necessary changes in order to ensure consistency. What matters at the stage of this NPA is the fact that the need for aligning the rules applicable to "Operations" is identified.

- 42.** The remit of the M-014 working group led to a full review of Part-M and has resulted in a voluminous NPA. Due to the extent of the proposed changes, the Agency has recommended that a consolidated version of Part-M should be produced but this may be performed at a later date;
- at the stage of the CRD when all the comments collected after the public consultation are reviewed; and/or
 - in association with the rulemaking task MDM.047 where (EC) No 2042/2003 has to be aligned with the changes introduced between (EC) No 216/2008 and (EC) No 1592/2002;
 - in association with the rulemaking task MDM.055 where Part-M has to be adapted to the new rulemaking template as proposed by NPA 2008-022 (Organisation and authority requirements) and NPA 2009-02 (future EASA-OPS).

Nevertheless, this NPA has already taken into consideration:

- Regulation (EU) No 127/2010 that covers Opinions 06/2005, 04/2006, 05/2006, 04/2007 and 06/2008;
- Decision 2010/002/R that covers the AMCs and GMs associated to Regulation (EU) No 127/2010.

With this in mind, the decision to produce a consolidated version of Part-M will be taken at a later stage and a full review will be performed in order to ensure consistency, in particular with the terminology to be used: for instance it is noted that an organisation complying with Section A, Subpart G of Annex I to (EC) No 2042/2003 (Part-M) is sometimes called an M.A. Subpart G organisation or a continuing airworthiness management organisation or CAMO. The reader should focus comments on the concept of this NPA, rather than on the consistency of the terminology used.

V. Regulatory Impact Assessment

43. Purpose and Intended Effect

Issue which this NPA is intended to address.

The present Regulation (EC) No 2042/2003 Annex 1, Part-M was issued on 28 November 2003 and addresses CAM requirements for CAT and non-commercial air transport owners/operators.

Under the current Regulation a CAT operator must hold an M.A. Subpart G approval. CAMOs may also manage the continuing airworthiness for non-commercial air transport owners/operators. In this case they would be considered 'stand-alone' organisations.

The Regulation permits some contracting of continuing airworthiness tasks by CAMOs to other approved or non-approved organisations, working under their quality system. However, it is considered that it does not reflect the practices which have existed within the industry for some years or the way the industry is developing. Since the Regulation has had some time to mature it was considered that it was time to carry out a review to determine whether the current practices and the Regulation were aligned.

The EASA Rulemaking Directorate has therefore established a working group to examine the current situation concerning contracting of continuing airworthiness tasks and in particular the responsibilities of the operator in respect of CAM. This analysis takes into account the experience gained with existing relationships between NAAs, Operators, CAMOs, engineering organisations and EASA.

The first element to be considered is the contracting of continuing airworthiness tasks by a CAMO, irrespective of whether the organisation is part of an operator. The first part of this RIA (identified as **Part A**) addresses the review of the privileges of the CAMO (Part-M.A.711) and the contracting of continuing airworthiness tasks by a CAMO.

The second part of this RIA (identified as **Part B**) addresses the management of continuing airworthiness by a Community CAT operator, bearing in mind that compliance with ICAO Annex 6 shall always be maintained (i.e. the CAT operator remains ultimately responsible for maintaining its aircraft in an airworthy condition). The responsibilities are further defined in M.A.201 (h).

The intended effect of the review is to assess the current situation and take into account the best practices in order to incorporate these into an amended regulation. The amended regulation should reflect the trends of the industry, where possible, and provide more guidance and explanatory material. It may also allow a greater degree of flexibility for owners/operators/CAMOs when deciding how to manage the continuing airworthiness of their aircraft without compromising safety.

PART A

(Contracting of certain continuing airworthiness tasks by an M.A. Subpart G organisation to approved or non-approved organisations)

Review of Part-M.A.711

Scale of the issue

- 44.** Any changes to the regulation would affect many organisations in the Member States as well as some in third countries (outside of the European Union).

Any amendment to the regulation would have an affect, to a greater or lesser degree, on many organisations dependent on the changes proposed. The review is further complicated by the subject of the Airworthiness Review Certificate (ARC) which became mandatory on 28 September 2008 for CAT operators.

The changes would affect;

- CAMOs (and potential applicants for M.A. Subpart G approval),
- Non-approved (contracted) organisations performing continuing airworthiness tasks,
- OEMs (offering total care type packages),
- EU NAAs,
- The relationship between CAMOs, their contractors and Part-145 organisations,
- EASA.

Brief statement of the objectives of the NPA

- 45.** The objective is to review Part-M and in particular the subject of contracting of continuing airworthiness tasks by CAMOs. Following the review, the working group was tasked with making recommendations. The working group has determined a number of options which are detailed below.

Options

The working group determined that the following options should be put forward for further consideration:

- 46. Option 0:** Do nothing (the current arrangements are considered to be satisfactory and no more action is required).

Option 1: Refine the current regulation including its AMCs and GM, introducing clarification in respect of the responsibility of the CAMO when considering contracting tasks and how these tasks should be controlled and limited.

Option 2: Refine the current regulation including its AMCs and GM to allow a CAMO to contract another CAMO and take credit for that organisation's approval, thereby sharing responsibility and possibly reducing the surveillance required.

The realistic options selected:

- 47.** The working group identified that the contracting of tasks had reached a level in some cases that had not been anticipated when the rule was originally written. It was evident that a few organisations had contracted out so many tasks that, in reality, they no longer had the capacity or the level of in-house competence to oversee these contracts. The working group considered that the contracting of tasks should be limited to those (number and nature) that could be effectively overseen by the CAMO. It was also considered that the fragmenting of tasks (between different organisations) should be limited as it is likely to dilute the overall continuing airworthiness management. Furthermore, allowing contracting of a full package of continuing airworthiness tasks to a CAMO was seen as an incentive to delegate not only the accomplishment of the tasks but

also the responsibility to the contracted CAMO. In conclusion the working group considered that the primary CAMO had the potential to:

- fully rely on the approval of the contracted CAMO;
- transfer its responsibilities;
- reduce its active control;
- reduce its surveillance;

The working group considered that all options are possibly viable and should be put forward for the RIA process.

Sectors concerned

48. The organisations most affected are:

a) CAMOs which:

- would have to review their policy with regard to contracting of continuing airworthiness tasks (if applicable);
- may need to change their structure, staffing levels, procedures and the way they interact with owners/operators and contracted organisations;

b) Competent Authorities which:

- may need to adapt their oversight of CAMOs;
- may need to enhance their mutual cooperation and exchange of information where contracts affect organisations in different EU Member States.

Safety impact

49. Option 0: Do nothing

A CAMO could continue to contract limited continuing airworthiness tasks to an organisation which, for the purposes of the rule, was considered to be non-approved. However the word 'limited' in M.A.711 is not explained and the current rule and AMC/GM material that would remain unchanged, leads to the confusion that almost any task can be outsourced and no effective limitation exists in reality.

If no action is taken, the indications are that the trend for contracting of more continuing airworthiness tasks is likely to continue and expand, as already noticed by the EASA Standardisation audits. There is evidence that, in some cases, the primary CAMO has reduced its staffing levels and competence to a level where it is doubtful that they can fulfil their responsibilities and therefore do not adequately control the CAM of their aircraft.

The Agency considered that this option was likely to have a negative effect on safety.

50. Option 1:

Refine the current regulation including its AMCs and GM, introducing clarification in respect of the responsibility of the CAMO when considering contracting tasks and how these tasks should be limited by:

- Introducing the concept of safety management systems into the decision making process so that the CAMOs can demonstrate that they maintain the capacity, capability and competence to oversee the contracted tasks. This would mean that the CAMO should formally assess the number, the nature and the criticality of each contracted task. This would provide tools to ensure an adequate level of continuing airworthiness oversight is carried out, by analysing the criticality of the contracted tasks and ensuring proper active control.
- Defining the level of active control and oversight for each contracted task.
- Confirming that the CAMO may contract limited continuing airworthiness tasks to approved or non-approved organisations (the contracted organisation would always be considered as unapproved and working under the quality system of the CAMO).

- Ensuring that the continuing airworthiness tasks are not 'fragmented' between a number of contracted organisations.

Clearly in this option the CAMO must, at all times, maintain the necessary competence and resources 'in house' to ensure that the contracted tasks are carried out in accordance with the contract.

The Agency considered that this option is likely to have a positive effect on safety because it provides an improved framework for CAM and it is in line with the SMS concept.

51. Option 2:

Refine the current regulation including its AMCs and GM to allow a CAMO to contract another CAMO and take credit for that organisation approval, thereby sharing responsibility and reducing the overall surveillance required.

The Agency considered that, in the cases where the CAMO delegates responsibility to a contracted CAMO and reduces its surveillance of that organisation, this would dilute the overall CAM. The primary CAMO would be encouraged to reduce its capability and resources to the point where it may no longer effectively oversee the contracted activities.

It was further considered that there was no clear method by which the organisation could demonstrate credit for the contracted organisation holding an approval (differentiating levels of oversight between approved and non-approved contractors). It was therefore considered that there may be confusion about the responsibilities of each party.

The working group considered that this confusion would be likely to have a negative effect on safety.

52. Conclusion

From a safety perspective, it may be beneficial to contract specialised activities or some continuing airworthiness tasks to organisations having a particular expertise in certain domains; nevertheless:

- contracting all CAM tasks, and
 - allowing contracting of continuing airworthiness tasks without establishing adequate controls
- could have a negative safety impact if it is not properly controlled.

The working group concluded that option 0, while representing the current situation, was unclear and required more material to address contracting of tasks. Option 1 had the potential to enhance the safety level in relation to the current arrangements. Option 2 was considered to have a potential negative effect on safety either at this time or in the future, as the contracting framework and relationship between the organisations may evolve.

Economic impact

53. Option 0: No economic impact.

Option 1: This option is close to the contracting arrangements allowed under the current regulations; so the economic impact would not be significant.

Option 2: This option has no economic benefit as the cost of contracting an approved organisation is likely to be higher than contracting a non-approved organisation. Due to the fact that the primary organisation must maintain active control in order to fulfil its responsibilities there will be a duplication of work between the two organisations.

Environmental impact

No impact for any of the options.

Social impact**54. Option 0:** No impact

Option 1: This option is unlikely to have any negative social impact as it is close to the current arrangements and most of the manpower resources would be maintained within the CAMO.

Option 2: Is unlikely to have any significant social impact or negative employment implications from the current situation.

Impact on the functioning of the internal market

The working group did not consider the fact that any of the options would create a significant impact on the internal market as jobs, activities and competence would remain available. Some redistribution of work may however occur as organisations alter their working arrangements.

Impact on international cooperation

Part-M has no direct international equivalent therefore the options only affect organisations working under the Regulations of the European Union.

55. Final Assessment

It is recognised that some CAMOs may wish to contract out as much work as they can. However, if they wish to do so they are still obliged to maintain a minimum core competence in-house:

- for reasons of safety, which is why the criteria for limiting the contracting of continuing airworthiness tasks should be clearly established within the regulation;
- to ensure that they are fulfilling their CAM responsibilities;
- to ensure that they fully meet all the requirements detailed within the Regulation at all times. If they are permitted to contract most or all of the continuing airworthiness tasks, they should continue to demonstrate they actively control the outsourcing and continue to demonstrate they maintain the resources and competence for the ARC personnel, particularly when the organisation holds the ARC privilege.

In addition it is considered to be economically unsound for a CAMO to maintain the necessary core competence in-house while at the same time contracting all tasks to another CAMO.

The working group considered these options in detail and decided that option 1 offered the best opportunity to enhance safety in relation to options 0 and 2 and therefore option 1 is supported as the most appropriate because it builds on established good/best practices within the industry, will maintain the level of competence within the primary organisation and will justify how the contracted tasks are actively controlled.

Following this conclusion the group determined that it was necessary to amend existing paragraph M.A.711(a)3 (now renumbered M.A.711(a)2) and any other appropriate paragraphs in order to confirm that:

- the CAMO may further contract continuing airworthiness tasks;
- this contracting should be limited to one organisation per aircraft type, unless otherwise agreed by the competent authority, with the exception of engines and auxiliary power units, in order to avoid a dilution of responsibilities;

- this contracting of continuing airworthiness tasks must be within the limitations of the CAMO approval and that the other organisation is working under its quality system;
- no credit may be given to a contracted organisation that holds an CAMO approval, in order to avoid potential dilution of responsibilities;
- the CAMOs are provided with more recommendations and guidance about the level of active control they must carry out of the contracted tasks through the production of the document called 'Means of Active Control' (MAC).
- In the particular case of CAT, community operators (CAMO approved) must justify their level of involvement in the oversight of contracted tasks through a risk analysis assessment (RAA) based on the SMS principles.

These new provisions will reinforce the regulation and will provide more guidance to Industry and NAAs, helping to correct the current situation found by certain NAAs and EASA Standardisation where certain CAMOs contract activities with a lack of resources and with no active control of the contracted activities.

Therefore, the NPA should propose provisions for a transition period, so that CAMOs have adequate time to produce a risk assessment for each contracted task and demonstrate they put in place the adequate level of resources.

PART B

Management of continuing airworthiness by a community operator involved in commercial air transport

Review of M.A.201 (h) 1

Scale of the issue (organisations affected)

- 56.** The majority of EU competent authorities, owners/operators, CAMOs, Part-145 organisations, OEM's and EASA are affected by the current regulation.

Any amendment to the regulation would have an affect, to a greater or lesser degree, on many organisations dependent on the changes proposed.

The review is further complicated by the subject of the Airworthiness Review Certificate (ARC) which became mandatory on 28 September 2008 for CAT operators. There are also differences in the current regulations depending on whether the owner/operators concerned are commercial or non-commercial air transport and, in the case of non-CAT, whether the aircraft are large (refer to M.A.201 in general).

It also became apparent that some organisations, outside of the EU Member States, currently carry out some continuing airworthiness tasks on behalf of some EU operators. A number of these 'foreign' organisations have expressed an interest in gaining M.A. Subpart G approval under the regulation (M.A. (a)) to carry out continuing airworthiness management. These organisations cannot gain the ARC privilege which is limited by M.A.711 (b). The trend for CAM to be managed by 'foreign' organisations is seen to be growing, particularly as more OEMs offer 'total care' packages for their products.

The changes would affect:

- CAT operators;
- CAMOs (and potential applicants for M.A. Subpart G approval);
- OEMs (offering total care type packages - engineering services);
- Competent Authorities (NAAs) including EASA;
- The relationship between CAMOs, their contractors and Part-145 organisations.

Brief statement of the objectives of the NPA

- 57.** The objective is to review Part-M and in particular the subject of contracting of continuing airworthiness management for a community operator involved in CAT. Following the review the working group has been tasked with making recommendations to the Agency.

Options

- 58. Option 0** (do nothing): The CAT operator must hold a CAMO approval (current situation) but may contract continuing airworthiness tasks to approved or non-approved organisations working under its quality system. The CAT operator, as a CAMO may exercise privileges in accordance with M.A.711 (a) (further explanation in Part A of this RIA and/or Part One of the explanatory note).

Option 1: In addition to the possibility for the operator to be approved as a CAMO, the operator may also contract an approved CAMO. In this case the CAT operator should meet minimum requirements (as part of its AOC) to control the continuing airworthiness (hereinafter known as new Part-M Subpart J) in order to fulfil its ICAO Annex 6 responsibilities. The CAT operator will assume responsibility under the authority of the Accountable Manager and the Nominated Post Holder (NPH), supported by sufficient staff to control the contracted CAM. The staffing levels and competence would be dependent on the size, scope and complexity of the organisation. In this case the community CAT operator is required to contract the CAM to a CAMO registered in one of the Member States.

Option 2: This option is similar to option 1 but all the detailed requirements (as per new M.A. Subpart J) are contained within EU OPS with no separate Subpart to Part-M.

Option 3: Neither the operator/AOC holder nor the contractor hold an M.A. Subpart G approval. The operator/AOC holder contracts all CAM tasks to a non-approved organisation but retains responsibility under the authority of the Accountable Manager and the Nominated Post Holder (NPH).

The realistic options selected

59. Option 3 is disregarded as:

- it does not meet the International Standards and Recommended Practices of ICAO Annex 6;
- it is clearly outside the Basic Regulation (EC) No 216/2008: annex IV subparagraph 8(g) states that, in the case of operation for commercial purposes and operation of complex motor-powered aircraft, the continuing airworthiness tasks must be 'controlled' by an organisation responsible for the continuing airworthiness management (the so called CAMO in Part-M).

It would have negative safety implications as there is no CAMO to ensure that continuing airworthiness management is carried out.

The Agency considered that option 0 is the current situation and that option 1 and option 2 provide an alternative method for the accomplishment of CAM. It was considered that options 0, 1, 2, or a combination of these options, would be acceptable for further consideration in the case of different fleets.

Sectors concerned

60. The organisations most affected are:

i) Community CAT operators who:

- would have a greater choice of whether to maintain full CAM capability 'in-house' or contract this out;
- may change their structure, staffing levels, procedures and the way they interact with their contracted organisations;
- may change the way in which they fulfil their responsibilities.

ii) CAMOs registered in one of the Member States, who:

- may change their structure, staffing levels, procedures and the way they interact with owners/operators;
- may have the possibility to increase their work by carrying out CAM as a stand-alone organisation for a number of owner/operators engaged in any kind of operations, including commercial operations.

iii) Part-145/Part F organisations (AMOs), OEMs who:

- may additionally wish to hold a stand-alone M.A. Subpart G approval to carry out continuing airworthiness tasks that they had traditionally done.

iv) EU Competent Authorities who:

- may need to adapt their oversight of CAT operators, CAMOs, OEMs and AMOs;
- may need to change their structure, staffing levels and procedures if the CAMOs are located in a State other than that of the Operator. This would require greater liaison with other NAAs;
- may need to enhance their mutual cooperation and exchange of information where contracts affect organisations in different EU Member States.

Safety impact

61. Option 0:

This option is the way that owner/operators are currently required to manage the continuing airworthiness of their fleet.

Option 1:

This option has recognised a trend for some CAT operators to contract out more continuing airworthiness tasks while, at the same time, reducing their own competence and resources.

The working group considered that, in some cases, the CAT operator's CAMOs were reaching the point where they did not have enough capability and resources to oversee the contracted activities, in particular small operators. In some cases, small operators may find it economically difficult to have the full in-house expertise to manage the continuing airworthiness of the fleet.

The working group considered that if this trend continues, there could eventually be a negative safety impact as the CAT operator would not be fully managing the continuing airworthiness of their aircraft.

The working group also recognised that there were other forces driving the change, including:

- a growing number of 'stand-alone' M.A. Subpart G organisations (independent from operators) which are offering services to operators;
- many OEMs who are now offering 'total care' packages for their products (effectively carrying out continuing airworthiness tasks); however the current rules do not allow them to manage the full continuing airworthiness on behalf of the operator;
- a number of operators who would like to take advantage of being able to use stand-alone M.A. Subpart G organisations to manage continuing airworthiness on their behalf (small operators, new operators that do not have expertise in the field of continuing airworthiness management, helicopter owner-pilot who would like to operate commercially, etc.);
- Some operators, even if already CAMO approved, may find it difficult to put the resources in place and change their scope of approval when a new fleet is added through a short-term dry lease agreement.
- In many circumstances, the CAMO (belonging to the CAT operator) is formally a different legal entity than the operator itself (typically the case where they are part of the same parent company or holding). This makes it impossible, under the current rules, for the CAMO of the operator to assume any responsibility.

The working group considers that this option provides a positive safety benefit by recognising that CAT operators, especially new operators, may not be best placed to recruit and maintain the level of competence and expertise required for CAM.

The introduction of the Part-M Subpart J requirements mandates the CAT operator to contract CAM tasks to a CAMO with experience of the aircraft type and to comply with some minimum requirements (compensating measures) in order to fulfil its ICAO responsibilities.

This option opens up the possibility for an independent CAMO to offer CAM to a number of CAT operators with aircraft of the same type providing a core of expertise which may not be matched by the operators doing the work individually. A typical benefit would be more comprehensive reliability, monitoring and maintenance programme development. This option should also mitigate the possibility that limited resources and technical competence would pose an increased safety risk within an operator.

For this scenario, the CAT operator would not qualify for ARC privileges as the CAM has been contracted to another organisation. The ARC privileges would be held by the contracted CAMO if so qualified.

The working group also considered that a CAT operator approved to Part-M Subpart G under Option 0 (current situation) could also be in compliance with Part-M Subpart J for

a particular fleet type. For example, it might be the case when the operator takes on a new aircraft type for which it does not intend to extend its Part-M Subpart G approval. Being in compliance with Part-M Subpart J for the new aircraft type would:

- require contracting the CAM to an appropriately CAMO;
- give time to the operator to gain experience with this new aircraft type and later to extend its Part-M Subpart G scope of approval if they wish so;
- benefit from a 'total care package' offered by the TCH or OEMs;
- allow the operator to operate for a limited period of time when there is no plan to operate this type of aircraft after this period.

The working group considered that, if proper contractual arrangements and liaison were established, this option would offer a level of safety equivalent to option 0. It means that a poor exchange of timely information between the CAT operations and the CAMO could be detrimental to the safety and therefore should be counter-balanced by appropriate compensating requirements.

In addition, to avoid any dilution of responsibility, it is felt that the contractual arrangements should clearly define the responsibilities between the organisations and therefore the requirements should be comprehensive.

As a consequence, and in order for the operator to retain the final responsibility for the CAM of its aircraft in accordance with ICAO Annex VI, the Agency has introduced the following compensating measures:

- Introduction of a Subpart J in Part-M covering requirements for the operator when it fully contracts an approved CAMO located in one of the Member States. This includes the obligation of the operator to demonstrate its ability to control the CAM performed by the contracted CAMO by means of:
 - a risk analysis assessment (RAA) for each continuing airworthiness task (criticality - coming from the SMS concept);
 - a confirmation of the level of control required for each of these tasks;
 - a plan to demonstrate that adequate resources are in place (manpower, competence, airworthiness data exchange, oversight, procedures, etc.) in order to justify the level of control, based on the RAA (size, complexity, etc.).
 - a minimum level of technical expertise in order to carry out continuing airworthiness control (such as an Accountable Manager, a Nominated Post Holder (NPH), additional staff if necessary...);
 - a contract with the CAMO which ensures clear continuing airworthiness responsibilities and that tasks are correctly addressed;
 - establishment of a satisfactory channel of communication between the operator and the contracted CAMO;
 - an exposition manual (CACE — Continuing Airworthiness Control Exposition) confirming that the procedures and the resources are adequate.

Option 2:

Same as option 1. This option only relates to where the regulation is published i.e. EU OPS or Part-M

Conclusion

The Agency considers that option 0, 1 and 2 offer an equivalent level of safety, while giving operators a choice of how to manage the continuing airworthiness of their aircraft. These options would also ensure most efficient and effective use of the resources available providing the opportunity to focus expertise where it is most appropriate and offer more flexible options for compliance with the rule.

Note: In all options it is still possible for the approved CAMO (irrespective of whether it is an integrated part of the operator or not) to contract continuing airworthiness tasks under its quality system in accordance with existing M.A.711(a)3 (renumbered M.A.711(a)2). Where multiple organisations are being used it will be necessary to nominate a 'primary' organisation to ensure a single point of coordination of the various

continuing airworthiness tasks. This aspect will need to be defined in the relevant contract(s).

For example, an operator may acquire an aircraft having a 'Total Care' arrangement with the engine/APU OEM. In this case the continuing airworthiness tasks that the engine/APU OEM carries out are under the management responsibility of the primary contracted CAMO (responsible for the aircraft). The relevant contracts will need to ensure that the engine/APU OEM and the contracted CAMO have a relationship that ensures that the CAMO can fulfil the requirements for managing the continuing airworthiness and having an overall picture of the continuing airworthiness status. The operator would still be ultimately responsible for the CAM.

Economic impact

- 62. Option 0:** This option is permitted under the current regulations. So there is no economic impact.

Option 1: This option could have significant cost benefits particularly for start-up and smaller operators. It requires the operator to contract CAM to a CAMO thereby reducing the need to employ a significant number of technical staff. This organisation would provide a core focus of competency and expertise allowing for most effective and efficient use of scarce resources. It could also benefit stand-alone CAMO providing CAM to other operator(s).

Nevertheless some CAT operators may have the tendency to contract the CAMO with the best economic offer, which in some cases may be far from the operational base. This would complicate the management of the aircraft. Therefore compensating measures should be added and it was found that the ones proposed in subparagraph 61 above were also mitigating that risk.

The impact for the NAAs should be negligible when the operator and the contracted CAMO are located in the same Member State; nevertheless, when the contracted CAMO is located in a Member State different from the country of the operator, an economic impact is expected for the NAAs (staffing, procedures, fees and charges ... — transfer of oversight between NAAs and better coordination).

Option 2: Same impact as option 1

However there may be a need for a recommendation to the competent authority responsible for the AOC issuance in the case that the competent authority in charge of the continuing airworthiness aspect may differ from the one in charge of the AOC. The detail of the regulation will be the same (regardless of where it is published); therefore the competent authorities will have to carry out an equivalent level of oversight for which they will have to recover their costs. This option would therefore not create any economic distortion in comparison to option 1 for the Industry but may have an impact on the NAAs (staffing, procedures ... — transfer of oversight between NAAs and better coordination).

Conclusion:

There will be a different economic effect between option 0 and options 1/2 for each operator and therefore it is up to them to determine the most economically efficient option for their own situation. In the case that an operator chooses to comply with Part-M Subpart J by having a smaller core of technical staff this may have a beneficial economic impact on their operation. Nevertheless, the NAAs may be impacted by options No 1 and No 2.

Environmental impact

- 63.** No change from the current situation

Social impact

- 64. Option 0:** This option is permitted under the current regulations. So there is no social impact.

Option 1 and 2: There may be social and/or employment implications with these options. The AOC holder/ CAT operator in compliance with M.A. Subpart J would however remain located within the Member States and the contracted CAMO should remain located in one of the Member States, but could be located in a different state from the operator's Member State. In the latter case there would be a reduction in employment opportunities within the CAT operator's Member States.

Another social impact may be a concentration of resources within the independent CAMOs, as these may serve a number of different operators — efficient use of resources always implies rationalising and in the medium to long term, this could result in an overall reduction in the number of CAMOs and therefore in the number of people working in CAMOs. OEMs, so far not allowed to be CAMO approved and to work for a CAT operator, could decide to seek a CAMO approval.

For the same reasons as developed for the economic impact, a social impact for NAA's staff might be expected, rather limited but dependent on the Industry's decision.

Note 1: It is not the role of the Agency to regulate the employment market or to consider employment opportunities.

Note 2: It is for the operator to decide if it is of benefit for the CAMO to be located in close proximity to their facility.

Impact on the functioning of the internal market

- 65.** The working group does not consider that either of the options will create a significant impact on the internal market as jobs, activities and competency will remain available. Some redistribution of work may however occur as operators may choose a different arrangement to the existing one.

Impact on international cooperation

- 66.** Part-M has no direct international equivalent. Therefore the options only affect organisations within the European Union.

Final Assessment

- 67.** In view of the above, the Agency is of the opinion that operators should be offered a choice of options for CAM of their aircraft in order to allow them to make the most effective and efficient use of scarce resources and to cater for a range of different operations from the single aircraft to the large, multi-type airlines. The assessment also considers trends that have been observed within the industry for some time.

Options 0, 1 and 2 allow an operator to choose between carrying out its complete CAM in-house or controlling CAM contracted to a CAMO. In all options the operator would maintain its responsibilities under Part-M, M.A.201 and meet the intent of ICAO Annex 6. There is no indication that the current arrangements (option 0) have any negative safety implications. In the case of option 1 and 2, since CAM is contracted to a CAMO, where competency is established and approved, this scenario is considered to be robust with no negative safety implications (because regulatory material has been produced to ensure adequate liaison and timely flow of airworthiness information between the parties, so that the responsibilities through the contract are clearly understood — these are called the mitigating factors that gave birth to Part-M Subpart J, introducing prescriptive requirements).

The Agency further considers that the social and economic impacts would be dependent on the decision of the operator(s). It may also affect, to a certain extent, the NAAs.

68. Further comparison between option 1 and 2

In the case of option 2 (where the CAT operator decides to integrally contract the performance of the CAM) the Agency, as a regulating body, has to consider whether to include the regulation of this aspect as a separate Subpart to Part-M or to include it as part of EU OPS Regulations (taking into account that previously it was an integral part of JAR OPS – Subpart-M).

The Agency considers that as Part-M Subpart G was independent from EU OPS and a stand-alone Subpart of Part-M (Commission Regulation (EC) No 2042/2003, Annex I), the regulation for option 2 should be addressed in the same manner (i.e. as a new Subpart of Part-M). This would provide clarity and standardisation of the regulatory structure. Control of continuing airworthiness addresses the same issue as Part-M Subpart G and should achieve the same final objective.

In the case that the regulations for continuing airworthiness were transferred into EU OPS, this would mean a duplication of material that is already in Part-M. It would also lead to confusion for those who have become familiar with the current regulatory framework. There is no logical reason to have the concept of Part-M Subpart J within EU OPS and Part-M Subpart G outside. The competent authorities responsible for the oversight would find all the regulatory material for oversight within the same regulation (Commission Regulation (EC) No 2042/2003).

For that reason the Agency has decided to develop the regulation as Part-M Subpart J and to abandon option 2.

69. Final conclusion

In view of the above, in addition to the current rules (option 0), the Agency has decided to develop option 1, with the necessary changes to the rules, accompanied by sufficient mitigating factors, so that the timely coordination between the contracted CAMO and the Operator ensures that the fleet remains airworthy. It will be the operator's choice to determine whether they want to be CAMO approved or contract a CAMO.

Whichever option is selected by the operator, it ensures that an approved CAMO, having the full competence, will be managing the continuing airworthiness of the aircraft. This is an improvement to the current situation, where some CAT operators have limited resources and competency to carry out the CAM.

B. Draft Opinion(s) and/or Decision(s)

The text of the amendment is arranged to show deleted text, new text or new paragraph as shown below:

1. deleted text is shown with a strike through: ~~deleted~~
2. new text is highlighted with grey shading: **new**
3. ... indicates that remaining text is unchanged in front of or following the reflected amendment.

I Draft Opinion Part-M

Commission Regulation (EC) No 2042/2003 Annex I (Part-M) is hereby amended as follows:

The table of content is modified as follows:

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M.B.1009 (reserved)

M.B.1010 Continuing Airworthiness Management Contract

Appendix I — Continuing Airworthiness Arrangement

.../...

Paragraph M.1 is modified as follows:

M.1

For the purpose of this Part, the competent authority shall be:

1. for the oversight of the continuing airworthiness of individual aircraft and the issue of airworthiness review certificates the authority designated by the Member State of registry.
2. for the oversight of a maintenance organisation in compliance with Section A, Subpart F of this Annex (Part-M) as specified in M.A. Subpart F,
 - (i) the authority designated by the Member State where that organisation's principle place of business is located.
 - (ii) the Agency if the organisation is located in a third country.

3. for the oversight of a continuing airworthiness management organisation as specified in M.A. Subpart G,
- (i) the authority designated by the Member State where that organisation's principle place of business is located if the approval is not included in an air operator's certificate.
 - (ii) the authority designated by the Member State of the operator if the approval is included in an air operator's certificate.
 - (iii) the Agency if the organisation is located in a third country.
3. for the oversight of:
- 1. a continuing airworthiness management organisation in compliance with Section A, Subpart G of this Annex (Part-M):
 - (i) the authority designated by the Member State where that organisation's principle place of business is located;
 - (ii) the Agency if the organisation is located in a third country;
 - 2. an operator in compliance with Section A, Subpart J of this Annex (Part-M), the authority designated by the Member State of the operator.
4. for the approval of maintenance programmes,
- (i) the authority designated by the Member State of registry.
 - (ii) in the case of commercial air transport, when the Member State of the operator is different from the State of registry, the authority agreed by the above two States prior to the approval of the maintenance programme.
 - (iii) by derogation from paragraph 4(i), when the continuing airworthiness of an aircraft not used in commercial air transport is managed by a continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part-M) 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:
 - (a) the authority designated by the Member State responsible for the oversight of the continuing airworthiness management organisation, or
 - (b) the Agency if the continuing airworthiness management organisation is located in a third country.

Paragraph M.A.201 is modified as follows:

M.A.201 Responsibilities

- (a) The owner is responsible for the continuing airworthiness of an aircraft and shall ensure that no flight takes place unless:
- 1. the aircraft is maintained in an airworthy condition; and
 - 2. any operational and emergency equipment fitted is correctly installed and serviceable or clearly identified as unserviceable; and
 - 3. the airworthiness certificate remains valid; and
 - 4. the maintenance of the aircraft is performed in accordance with the approved maintenance programme as specified in M.A.302.
- (b) When the aircraft is leased, the responsibilities of the owner are transferred to the lessee if:
- 1. the lessee is stipulated on the registration document; or
 - 2. detailed in the leasing contract.
- When reference is made in this Part to the 'owner', the term owner covers the owner or the lessee, as applicable.
- (c) Any person or organisation performing maintenance shall be responsible for the tasks performed.
- (d) The pilot-in-command or, in the case of commercial air transport or operations mentioned under M.A.201(i), the operator shall be responsible for the satisfactory accomplishment of the pre-flight inspection. This inspection must be carried out by the pilot or another qualified

person but need not be carried out by an approved maintenance organisation or by Part 66 certifying staff.

- (e) In order to satisfy the responsibilities of paragraph (a),
- (i) The owner of an aircraft may contract the tasks associated with continuing airworthiness to a continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part-M) and its Appendix I Part A.

In this case, the continuing airworthiness management organisation assumes responsibility for the proper accomplishment of these tasks.

- (ii) An owner who decides to manage the continuing airworthiness of the aircraft under its own responsibility, without a contract in accordance with Appendix I Part A, may nevertheless make a limited contract with a continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part-M), for the development of the maintenance programme and its approval in accordance with point M.A.302. In that case, the limited contract transfers the responsibility for the development and approval of the maintenance programme to the contracted continuing airworthiness management organisation.

(f) In the case of large aircraft, in order to satisfy the responsibilities of paragraph (a) the owner of an aircraft shall ensure that the tasks associated with continuing airworthiness are performed by ~~an approved~~ a continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part-M). A written contract shall be made in accordance with Appendix I Part A. In this case, the continuing airworthiness management organisation assumes responsibility for the proper accomplishment of these tasks.

(g) Maintenance of large aircraft, aircraft used for commercial air transport and components thereof shall be carried out by a Part-145 organisation.

(h) In the case of commercial air transport the operator is responsible for the continuing airworthiness of the aircraft it operates and shall:

1. ~~be approved, as part of the air operator certificate issued by the competent authority, pursuant to M.A. Subpart G for the aircraft that it operates; and~~ be approved in accordance with Section A, Subpart G of this Annex (Part-M); and/or
2. (i) contract all continuing airworthiness management activities of a fleet to a single appropriately approved M.A. Subpart G organisation registered in one of the Member States, in accordance with Appendix I, Part B, and
(ii) be in compliance with Section A, Subpart J of this Annex (Part-M); and
23. be approved in accordance with Part-145 or contract such an organisation; and
34. ensure that paragraph (a) is satisfied.

(i) When an operator is requested by a Member State to hold a certificate for commercial operations, other than for commercial air transport, it shall:

1. be appropriately approved, pursuant to M.A. Subpart G, for the management of the continuing airworthiness of the aircraft it operates or contract such an organisation; and
2. be appropriately approved in accordance with M.A. Subpart F or Part-145, or contract such organisations; and
3. ensure that paragraph (a) is satisfied.

(j) The owner/operator is responsible for granting the competent authority access to the organisation/aircraft to determine continued compliance with this Part.

Paragraph M.A.705 is modified as follows:

M.A.705 Facilities

The continuing airworthiness management organisation shall provide suitable office accommodation at appropriate locations for the personnel specified in M.A.706 and M.A.712.

Paragraph M.A.706 is modified as follows:

M.A.706 Personnel requirements

.../...

(b) For a commercial air transport operator holding an M.A. Subpart G approval, the accountable manager of the M.A. Subpart G organisation shall have corporate authority for ensuring that all the operations of the operator can be financed and carried out to the standard required for the issue and the continued validity of an air operator's certificate.

.../...

(d) The accountable manager referred to in (b) shall designate a nominated post holder. This person shall be responsible for the management and supervision of continuing airworthiness activities, pursuant to paragraph (c).

.../...

Paragraph M.A.708 is modified as follows:

M.A.708 Continuing airworthiness management

.../...

(c) In the case of commercial air transport, when the operator holding an approval in accordance with this Subpart is not appropriately approved to Part-145, the operator shall establish a written maintenance contract between the operator and a Part-145 approved organisation or another operator of the same type of aircraft, detailing the functions specified under M.A.301-2, M.A.301-3, M.A.301-5 and M.A.301-6, ensuring that all maintenance is ultimately carried out by a Part-145 organisation and defining the support of the quality functions of M.A.712(b).

.../...

Paragraph M.A.709 is modified as follows:

M.A.709 Documentation

.../...

(b) For aircraft other than those included in its Air Operator Certificate (AOC), if applicable, the approved continuing airworthiness management organisation may develop 'baseline' and/or 'generic' maintenance programmes in order to allow for the initial approval and/or the extension of the scope of an approval without having the contracts referred to in Appendix I to this Annex (Part-M). These 'baseline' and/or 'generic' maintenance programmes however do not preclude the need to establish an adequate Aircraft Maintenance Programme in compliance with point M.A.302 in due time before exercising the privileges referred to in point M.A.711.

Paragraph M.A.711 is modified as follows:

M.A.711 Privileges of the organisation

(a) A continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part-M) may:

1. manage the continuing airworthiness of aircraft, except those involved in commercial air transport, as listed specified within on the approval certificate;
2. manage the continuing airworthiness of commercial air transport aircraft when listed both on its approval certificate and on its Air Operator Certificate (AOC);
23. arrange to carry out limited continuing airworthiness tasks with any contracted organisation, working under its quality system, as listed on the approval certificate, subject to demonstrating active control of the contract by means of a resource plan. With the exception of engines and auxiliary power units this privilege shall be limited to contracts with one organisation per aircraft type unless otherwise agreed by the competent authority.

34. extend, under the conditions of point M.A.901(f), an airworthiness review certificate that has been issued by the competent authority or by another continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part-M);

.../...

Paragraph M.A.713 is modified as follows:

M.A.713 Changes to the approved continuing airworthiness organisation

(a) In order to enable the competent authority to determine continued compliance with this Part, the M.A. Subpart G ~~approved continuing airworthiness management~~ organisation shall notify ~~it~~ the competent authority of any proposal to carry out any of the following changes, before such changes take place:

1. the name of the organisation.
2. the location of the organisation.
3. additional locations of the organisation.
4. the accountable manager.
5. any of the persons specified in M.A.706(c & d) and M.A.712(a).
6. the facilities, procedures, work scope and staff that could affect the approval.

In the case of proposed changes in personnel not known to the management beforehand, these changes shall be notified at the earliest opportunity.

(b) When contracted by an operator complying with Section A, Subpart J of this Annex (Part-M) and in order to enable such an organisation to determine continued compliance with the contract, the M.A. Subpart G organisation shall notify the operator of any of the following changes, before such changes take place:

1. the name of the organisation.
2. the location or additional locations of the organisation.
3. any of the persons specified in M.A.706(a, c & d) and M.A.712(a),
4. the facilities, procedures, work scope and staff that could affect the contract.

In the case of proposed changes in personnel not known to the management beforehand, these changes shall be notified at the earliest opportunity.

Paragraph M.A.714 is modified as follows:

M.A.714 Record-keeping

.../...

(h) Where a continuing airworthiness management organisation terminates its operation, all retained records shall be transferred to the owner ~~or operator~~ of the aircraft.

Paragraph M.A.903 is modified as follows:

M.A.903 Transfer of aircraft registration within the EU

(a) When transferring an aircraft registration within the EU, the applicant shall:

1. inform the former Member State in which Member State it will be registered; then
2. apply to the new Member State for the issuance of a new airworthiness certificate in accordance with Part 21.

(b) Notwithstanding M.A.902(a)(~~2 3~~), the former airworthiness review certificate shall remain valid until its expiry date.

Insert new Subpart J to Part-M

SUBPART J

OPERATOR CONTRACTING CONTINUING AIRWORTHINESS MANAGEMENT ACTIVITIES TO AN APPROVED M.A. SUBPART G ORGANISATION

M.A.1001 Scope

This Subpart establishes the requirements to be met by a Commercial Air Transport Operator (holding an Air Operator Certificate — AOC) who does not hold an M.A. Subpart G approval for a particular fleet of aircraft and contracts the continuing airworthiness management activities for such a fleet to an appropriately approved M.A. Subpart G organisation.

M.A.1002 Application

(a) An application for issue or variation of an AOC covering activities carried out under this Subpart shall be made on a form and in a manner established by the competent authority.

(b) When the operator is required to comply with this Subpart, the scope of work shall be:

- identified on the air operator certificate (AOC) issued by the competent authority, for the aircraft operated or for a particular fleet, and
- specified in the approved continuing airworthiness control exposition in accordance with M.A.1004

(c) Being compliant with this Subpart does not constitute an authorisation to operate the types of aircraft referred to in the continuing airworthiness control exposition of the operator. The authorisation to operate the aircraft is the AOC.

M.A.1003 (reserved)

M.A.1004 Continuing Airworthiness Control Exposition (CACE)

(a) The operator shall provide a continuing airworthiness control exposition (CACE) containing the following information:

1. a statement signed by the accountable manager to confirm that the organisation will work in accordance with this Subpart and the exposition at all times, and
2. the organisation's scope of work, and
3. the title(s) and name(s) of person(s) referred to in M.A.1006(a, c & d) and M.A.1012(a), and
4. an organisation chart showing the associated chains of responsibility between the person(s) referred to in M.A.1006 (a, c & d) and M.A.1012(a), and
5. a general description and location of the facilities, and
6. procedures specifying how the operator ensures compliance with this Subpart, and
7. the continuing airworthiness control exposition amendment procedures.
8. the details of the contracted M.A. Subpart G organisation and the contract reference;
9. the list of approved aircraft maintenance programmes.

(b) The continuing airworthiness control exposition and its amendments shall be approved by the competent authority.

(c) Notwithstanding paragraph (b) minor amendments to the continuing airworthiness control exposition may be approved indirectly through an indirect approval procedure. The indirect approval procedure shall define what constitutes a minor amendment and be approved by the competent authority responsible for that operator.

M.A.1005 Facilities

The operator shall provide suitable office accommodation at appropriate locations for the personnel specified in M.A.1006 and M.A.1012.

M.A.1006 Personnel requirements

(a) The operator shall appoint an accountable manager who has corporate authority for ensuring that all continuing airworthiness control activities can be financed and carried out in accordance with this Subpart.

(b) The paragraph (a) accountable manager shall be the person who also has corporate authority for ensuring that all the operations of the operator can be financed and carried out to the standard required for the issue and the continued validity of an AOC.

(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.

(d) The accountable manager shall designate a nominated post holder. This person shall be responsible for the management and supervision of continuing airworthiness control activities, pursuant to paragraph (c).

(e) The nominated post holder referred to in paragraph (d) shall not be employed directly or indirectly by either an M.A. Subpart G organisation or a Part-145 organisation under contract to the operator, unless specifically agreed by the competent authority.

(f) The operator shall have sufficient appropriately qualified staff for the expected work.

(g) All paragraph (c) and (d) persons shall be able to demonstrate relevant knowledge, background, and appropriate experience related to aircraft continuing airworthiness.

(h) The qualification of all personnel involved in continuing airworthiness control shall be recorded.

(i) The operator shall define and keep updated in the continuing airworthiness control exposition the title(s) and name(s) of person(s) referred to in points M.A.1006(a), M.A.1006(c), and M.A.1006(d).

(j) The operator shall determine the level and assess the competence of the personnel involved in the continuing airworthiness management control, and/or quality audits in accordance with a procedure and to a standard agreed by the competent authority.

M.A.1007 (reserved)

M.A.1008 Control of continuing airworthiness management

(a) The operator is responsible for the control of the contracted continuing airworthiness management activities described in Appendix I Part B, and shall ensure that all continuing airworthiness management is carried out to the requirements of Part-M. The operator shall always maintain the capability, competence and resources to exercise control of the contract(s).

(b) When the operator is not appropriately approved under Part-145, the operator shall establish a written maintenance contract between itself and a Part-145 approved organisation or another operator of the same type of aircraft, detailing the functions specified under M.A.301-2, M.A.301-3, M.A.301-5 and M.A.301-6, ensuring that all maintenance is ultimately carried out by a Part-145 organisation and defining the support of the quality functions of M.A.1012(b) and of M.A.712(b) of the contracted M.A. Subpart G organisation. The aircraft base, scheduled line maintenance and engine maintenance contracts, together with all amendments, shall be approved by the competent authority of the operator. However, in the case of:

1. An aircraft requiring unscheduled line maintenance, the contract may be in the form of individual work orders addressed to the Part-145 organisation.
2. Component maintenance, including engine maintenance, the contract as referred to in paragraph (f) may be in the form of individual work orders addressed to the Part-145 organisation.

M.A.1009 Documentation

(a) The operator shall have access to all applicable current M.A.401 maintenance data required for the performance of M.A.1008 continuing airworthiness management control in order to fulfil its duties and responsibilities as defined in M.A.1010 continuing airworthiness management contract.

(b) A timely exchange of relevant information between the operator, the M.A. Subpart G organisation and, if necessary, the contracted Part-145 organisation(s), shall be established in order to provide for effective continuing airworthiness management.

M.A.1010 Continuing Airworthiness Management Contract

(a) The primary objective of the contract is enabling the operator to ensure that the aircraft remains in an airworthy condition.

(b) The written continuing airworthiness management contract shall detail all the mutual obligations specified under M.A. Subpart G and M.A. Subpart J of Part-M. The continuing airworthiness management contract, together with all amendments, shall be approved by the competent authority responsible for oversight of the operator.

(c) The contract shall ensure that a system of timely communication and provision of all M.A.1009 documentation between the organisations are established.

(d) The contract shall ensure that the operator is advised of changes identified in M.A.713 to the contracted M.A. Subpart G organisation.

(e) The contracted M.A. Subpart G organisation can only contract out, under M.A.711(a)2 privileges, continuing airworthiness tasks to another organisation subject to prior approval of the operator.

M.A.1011 Privileges of the organisation

(a) An operator in compliance with this Subpart has, under its AOC certificate, the privilege to contract all continuing airworthiness management to an appropriately approved M.A. Subpart G organisation per fleet.

(b) Termination, suspension or revocation of the AOC automatically invalidates the present privileges in relation to the aircraft registrations specified in the AOC, unless otherwise explicitly stated by the competent authority.

Subject to compliance with this Subpart, these privileges shall remain valid for an unlimited duration unless the AOC has previously been surrendered, superseded, suspended or revoked.

M.A.1012 Quality system

(a) To ensure that the operator continues to meet the requirements of this Subpart, it shall establish a quality system and designate a quality manager to monitor the compliance and the adequacy of procedures. Compliance monitoring shall include a feedback system to the accountable manager thereby ensuring that corrective action is taken as necessary.

(b) The quality system shall monitor compliance with M.A. Subpart J requirements. It shall at least include the following functions:

1. monitoring that all M.A. Subpart J activities are being performed in accordance with the approved procedures;
2. monitoring that contracted continuing airworthiness management and contracted maintenance are carried out in accordance with the contract(s);
3. monitoring the continued compliance with the requirements of this Subpart.

(c) The records of these activities shall be stored for at least two years.

(d) Where the operator complies already with another Part(s), the quality system may be combined with that required by the other Part.

(e) The quality system according to this Subpart shall be an integral part of the operator's quality system.

M.A.1013 Changes to the operator related to Part M Subpart J.

In order to enable the competent authority to determine continued compliance with this Subpart, the operator shall notify the competent authority of:

- (a) any change notified to them by the contracted M.A. Subpart G organisation under M.A.713(b) and;
- (b) any proposal to carry out any of the following changes in its organisation, before such changes take place:
 1. the name of the organisation.
 2. the location of the organisation.
 3. additional locations of the organisation.
 4. the accountable manager.
 5. any of the persons specified in M.A.1006(c & d) and M.A.1012(a).
 6. the facilities, procedures, work scope and staff that could affect the approval.

In the case of proposed changes in personnel not known to the management beforehand, these changes shall be notified at the earliest opportunity.

M.A.1014 Record-keeping

(a) The operator shall record all details of continuing airworthiness management activities or controls carried out.

(b) The operator shall ensure that M.A.305 and M.A.306 records are kept in coordination with the contracted M.A. Subpart G organisation in accordance with this Part.

The records required by M.A.305 and M.A.306 shall be retained by the operator when returned by the contracted M.A. Subpart G organisation.

(c) The operator shall retain copies of the M.A.1010 contract(s) for a period of at least 36 months after the aircraft has been permanently withdrawn from service or has been transferred to another operator.

(d) The records shall be stored in a manner that ensures protection from damage, alteration and theft.

(e) All computer hardware used to ensure backup shall be stored in a different location from that containing the working data in an environment that ensures they remain in good condition.

(f) Where an operator terminates its operation, all continuing airworthiness records shall be transferred to the owner of the aircraft.

M.A.1015 Continued validity of the Air Operator Certificate when the operator is subject to Part-M Subpart J

(a) The Air Operator Certificate shall remain valid subject to:

1. the operator remaining in compliance with this Subpart, in accordance with the provisions related to the handling of findings as specified under M.B.1005; and
2. The competent authority being granted access to the organisation to determine continued compliance with this Subpart.

(b) Upon surrender or revocation, the AOC shall be returned to the competent authority.

M.A.1016 Findings

(a) A level 1 finding is any significant non-compliance with Part-M requirements which lowers the safety standard and hazards seriously the flight safety.

(b) A level 2 finding is any non-compliance with the Part-M requirements which could lower the safety standard and possibly hazard the flight safety.

(c) After receipt of notification of findings according to M.B.1005, the operator shall define a corrective action plan and demonstrate corrective action to the satisfaction of the competent authority within a period agreed with this authority.

Subpart B – Procedure for Competent Authorities

.../...

Paragraph M.B.105 is modified as follows:

M.B.105 Mutual cooperation and exchange of information

(a) In order to contribute to the improvement of air safety, the competent authorities shall cooperate participate in a mutual exchange of all necessary information in accordance with Articles 11 10 and 15 of the Basic Regulation.

(b) Without prejudice to the competencies of the Member States, in the case of a potential safety threat involving several Member States, the concerned competent authorities shall assist cooperate with each other in carrying out the necessary oversight action.

Paragraph M.B.701 is modified as follows:**M.B.701 Application**

(a) The competent authority shall be provided with the following documents for approval together with the initial application and for any variation (if applicable) and for each aircraft type to be operated:

1. the continuing airworthiness management exposition (CAME);
2. the operator's aircraft maintenance programme(s);
3. the aircraft technical log system;
4. the technical specification of the maintenance contract(s) between the operator and Part-145 or Part-M Subpart F organisation (as applicable).

In the case of commercial air transport as per M.A.201(h)1, the application shall be sent with the initial application for the air operator's certificate when the Part-M Subpart G organisation is integrated with the operator.

~~For commercial air transport the competent authority shall receive for approval with the initial application for the air operator's and where applicable any variation applied for and for each aircraft type to be operated:~~

- ~~1. the continuing airworthiness management exposition;~~
- ~~2. the operator's aircraft maintenance programmes;~~
- ~~3. the aircraft technical log;~~
- ~~4. where appropriate the technical specification of the maintenance contracts between the operator and Part 145 approved maintenance organisation.~~

.../...

Paragraph M.B.703 is modified as follows:**M.B.703 Issue of approval**

.../...

(d) In the case of commercial air transport as per M.A.201(h)1, the information contained on an EASA Form 14 will be included on the air operator's certificate.

Paragraph M.B.704 is modified as follows:**M.B.704 Continuing oversight**

.../...

(b) Each organisation, including a representative sample of contracted organisations working under its quality system, shall be completely audited at periods not exceeding 24 months.

(c) A relevant sample of the aircraft managed by the M.A.B. Subpart G approved organisation shall be surveyed in every 24 month period. The size of the sample will be decided determined by the competent authority based on the result of prior audits and earlier product surveys.

(d) All findings shall be confirmed in writing to the applicant organisation.

(e) The competent authority shall record all findings, finding closure actions ~~(actions required to close a finding)~~ and recommendations.

(f) A meeting with the accountable manager shall be convened at least once every 24 months to ensure he/she remains informed of significant issues arising during the audits.

(g) As prescribed in point M.B.105, where the M.A. Subpart G organisation has contracts with organisation(s) in another Member State, the investigation and continued oversight of these

organisation(s) and the interfaces with the M.A. Subpart G organisation shall be carried out in conjunction with the competent authorities designated by the Member States in whose territory the other facilities are located.

New paragraphs M.B.708, 709, 710 are inserted as follows:

M.B.708 (reserved)

M.B.709 (reserved)

M.B.710 (reserved)

New paragraph M.B.711 is inserted as follows:

M.B.711 Competent authority oversight of activities contracted by the M.A. Subpart G organisation

In the case where an M.A. Subpart G organisation contracts continuing airworthiness management tasks to another organisation, the competent authority shall verify that the approved procedures and the contractual arrangements between both organisations ensure that the M.A. Subpart G organisation retains active control of the contracted tasks.

New Subpart J to section B to Part-M is inserted as follows:

SUBPART J

OPERATOR CONTRACTING CONTINUING AIRWORTHINESS MANAGEMENT ACTIVITIES TO AN APPROVED M.A. SUBPART G ORGANISATION

M.B.1001 Application

(a) The competent authority shall be provided with the following documents with the initial application and, where applicable, any variation and for each aircraft type to be operated:

1. The continuing airworthiness control exposition (CACE);
2. The operator's aircraft maintenance programme(s);
3. The aircraft technical log;
4. The technical specification of the continuing airworthiness and maintenance contracts between the operator and its M.A. Subpart G organisation and Part-145 organisation(s).

(b) Where facilities are located in more than one Member State the investigation and continued oversight shall be carried out in conjunction with the competent authorities designated by the Member States in whose territory the other facilities are located.

M.B.1002 Initial application

(a) Provided the requirements of M.A.1006(a), (c) and (d) and M.A.1012(a) are complied with, the competent authority shall formally indicate its acceptance of the M.A.1006(a), (c) and (d) personnel to the applicant in writing.

(b) The competent authority shall establish that the procedures specified in the continuing airworthiness control exposition comply with Part-M and ensure the accountable manager signs the commitment statement.

(c) The competent authority shall verify the organisation's compliance with M.A. Subpart J requirements.

(d) A meeting with the accountable manager shall be convened at least once during the investigation to ensure that he/she fully understands the significance of the compliance to M.A. Subpart J and the reason for signing the exposition commitment of the organisation to compliance with the procedures specified in the continuing airworthiness control exposition.

(e) All findings shall be confirmed in writing to the applicant.

(f) The competent authority shall record all findings, closure actions (actions required to close a finding) and recommendations.

(g) For initial application all findings shall be corrected by the organisation and closed by the competent authority before any recommendation to the competent authority in charge of the AOC is made.

M.B.1003 (reserved)**M.B.1004 Continuing oversight**

(a) The competent authority shall keep and update a programme listing for each operator in compliance with section A, Subpart J of this Annex (Part-M), under its supervision, the dates when audit visits are due and when such visits were carried out.

(b) Each operator in compliance with section A, Subpart J of this Annex (Part-M) shall be completely audited at periods not exceeding 24 months.

(c) A relevant sample of the aircraft operated by the operator in compliance with section A, Subpart J of this Annex (Part-M) shall be surveyed in every 24-month period. The size of the sample will be decided by the competent authority based on the result of prior audits and earlier product surveys.

(d) All findings shall be confirmed in writing to the applicant organisation.

(e) The competent authority shall record all findings, closure actions and recommendations.

(f) A meeting with the accountable manager shall be convened at least once every 24 months to ensure he/she remains informed of significant issues arising during the audits.

(g) As prescribed in Part-M.B.105, where the M.A. Subpart J compliant operator and the contracted M.A. Subpart G organisation(s) are located in more than one Member State the investigation and continued oversight of the M.A. Subpart J compliant operator and the interfaces with the M.A. Subpart G organisation(s) through the contractual arrangement, shall be carried out in conjunction with the competent authorities designated by the Member States in whose territory the other facilities are located.

M.B.1005 Findings

(a) When during audits or by other means evidence is found showing non-compliance to the Part-M requirement, the competent authority shall take the following actions:

1. For level 1 findings, immediate action shall be taken by the competent authority to revoke, limit or suspend in whole or in part, depending upon the extent of the level 1 finding, the Air Operator Certificate, until successful corrective action has been taken by the organisation.
2. For level 2 findings, the competent authority shall grant a corrective action period appropriate to the nature of the finding that shall not be more than three months. In certain circumstances, at the end of this first period, and subject to the nature of the finding the competent authority can extend the three month period subject to a satisfactory corrective action plan.

(b) Action shall be taken by the competent authority to suspend in whole or partially the Air Operator Certificate in case of failure to comply within the timescale granted by the competent authority.

M.B.1006 Changes

(a) The competent authority shall comply with the applicable elements of the initial application for any change to the organisation notified in accordance with M.A.1013 (b).

(b) The competent authority may prescribe the conditions under which the M.A. Subpart J compliant organisation may operate during such changes unless it determines that the AOC or part of the AOC should be suspended due to the nature or the extent of the changes.

(c) For any change to the continuing airworthiness control exposition:

(1) In the case of direct approval of the amendments of the continuing airworthiness control exposition, the competent authority shall verify that the procedures specified in the exposition are in compliance with this annex to Part-M before formally notifying the approved organisation of the approval.

(2) In the case an indirect approval procedure is used for the approval of the changes in accordance with point M.A.1004(c), the competent authority shall ensure:

- (i) that the changes remain minor; and
- (ii) that it has an adequate control over the approval of the changes to ensure they remain in compliance with the requirements of this Annex (Part-M);

M.B.1007 Revocation, suspension and limitation of an AOC

In case of non-compliance with section A, Subpart J of this Annex (Part-M), the competent authority shall:

- (a) suspend the AOC or part of the AOC on reasonable grounds in the case of potential safety threat; or
- (b) suspend, revoke or limit an approval pursuant to M.B.1005.

M.B.1008 Competent authority oversight of activities contracted by the Part-M Subpart J compliant operator

In the case where an operator complying with section A, Subpart J of this Annex (Part-M) contracts an M.A. Subpart G organisation in a different State, the applicable competent authorities shall:

- (a) coordinate with each other and mutually agree upon the policy for oversight of the organisations and of the interfaces defined within the contractual arrangements between both organisations;
- (b) verify that the contractual arrangements between both organisations ensure that the continuing airworthiness management remains under the control of the M.A. Subpart J compliant organisation.

M.B.1009 (reserved)

M.B.1010 Continuing Airworthiness Management Contract

The contract(s) between the M.A. Subpart J compliant operator and the M.A. Subpart G organisation(s) shall be approved directly by the Competent Authority or indirectly by inclusion in the CACE.

Appendix I to Part-M is amended as follows:**Appendix I Continuing Airworthiness Arrangements****Part A - Continuing Airworthiness Arrangement (for aircraft not involved in commercial air transport)**

.../...

4. It shall state the following:

'The owner entrusts to the approved organisation the management of the continuing airworthiness of the aircraft, the development of a maintenance programme that shall be approved by the airworthiness authorities of the Member State where the aircraft is registered, and the organisation of the maintenance of the aircraft according to said maintenance programme in an approved organisation.

According to the present arrangement, both signatories undertake to follow the respective obligations of this arrangement.

The owner confirms that certifies, to the best of their belief, that all the information given to the approved organisation concerning the continuing airworthiness of the aircraft is and will be accurate and that the aircraft will not be altered without prior approval of the approved organisation.

In case of any non-conformity with this arrangement, by either of the signatories, it will become null. In such a case, the owner will retain full responsibility for every task linked to the continuing airworthiness of the aircraft and the owner will undertake to inform the competent authorities of the Member State of registry within two full weeks.'

.../...

5.1. Obligations of the approved organisation:

.../...

6. inform the competent authority of the Member State of registry whenever the present arrangement has not been complied with-respected;

.../...

10. inform the competent authority of the Member State of registry whenever the present arrangement is denounced or cancelled by either party.

.../...

Part B - Continuing Airworthiness Management Contract (operator complying with Section A, Subpart J of Part-M).

1. When an operator contracts an M.A. Subpart G organisation in accordance with M.A.201(h) 2 to carry out continuing airworthiness management activities, this contract is considered as an integral element of the operator approval. The regulatory oversight of compliance with this contract is performed by the operator's competent authority.

The Part-145—organisation(s) provided for in M.A.201(h)3 shall be informed that the contracted M.A. Subpart G organisation is responsible for the management of continuing airworthiness according to this contract.

2. The contract shall be developed taking into account the requirements of Part-M and shall define the obligations of the contracted M.A. Subpart G organisation involved with the continuing airworthiness management of the operator's aircraft.

The contract shall clearly identify the procedures governing the responsibilities, obligations, duties, the areas of interface and related necessary lines of communication between organisations involved in the contract. Such procedures can be part of the operator's CACE and part of the contracted M.A. Subpart G organisation's CAME or otherwise arranged in a separate dedicated manual (e.g. joint procedures manual).

3. It shall contain as a minimum the:

- Aircraft registration(s) or serial number(s),
- Aircraft type(s) or fleet(s),

- Aircraft owner or registered lessee's name or operator's details including the address, and M.A. Subpart G organisation(s).

For the purpose of amendment management, this list can be annexed to the contract.

4. It shall state the following:

'Although the operator complying with Section A, Subpart J of this Annex (Part-M) is ultimately responsible and therefore accountable for the airworthiness of its aircraft, the operator entrusts to the contracted M.A. Subpart G organisation the management of the continuing airworthiness of the aircraft, the development of a maintenance programme that shall be approved by the competent authority as identified in accordance with M.1. There shall be a mutual agreement between the operator and the contracted M.A. Subpart G organisation concerning the selected Part-145 organisation(s) as provided for in M.A.201(h) 3.

The operator and the contracted M.A. Subpart G organisation signatories undertake to comply with the respective obligations of the contract.

The operator and the contracted M.A. Subpart G organisation(s) confirm that a mutual exchange of accurate and timely information concerning the continuing airworthiness of the aircraft will be established, including a system addressing unforeseen airworthiness issues outside of normal working hours (e.g. receipt of an Emergency Airworthiness Directive).

If the terms of the contract are not fulfilled, by either of the signatories, the contract will become invalid. In such a case the activities of the M.A. Subpart J operator and therefore the AOC may also become invalid and the operator must undertake to immediately inform all the applicable competent authorities involved in the contractual arrangements.'

5. When an operator complying with Section A, Subpart J of this Annex (Part-M) contracts an M.A. Subpart G organisation in accordance with M.A.201(h)2, the obligations of each party shall be shared as follows:

5.1. Obligations of the contracted M.A. Subpart G organisation:

1. have the aircraft type(s) in the scope of its approval, as to refer to paragraph 3;
2. have a thorough knowledge of the applicable M.A. Subpart J operational procedures affecting continuing airworthiness and of procedures in the operator's Continuing Airworthiness Control Exposition;
3. manage the continuing airworthiness of the aircraft defined in the contract by respecting the following conditions:
 - develop a maintenance programme for the operator's aircraft, including any reliability programme where applicable,
 - support the operator in obtaining approval of the maintenance programme,
 - ensure compliance with the approved maintenance programme and coordinate with the operator organisation for any request to the relevant competent authority for any one-time extension to a maintenance programme interval;
 - support the operator in assessing the effectiveness of the maintenance programme and amending it if appropriate;

- define the content of and organise completion of a bridging inspection with the operator for transfer from the aircraft's previous maintenance programme (if applicable);
 - organise for all maintenance to be carried out when due by the agreed Part-145 maintenance organisation(s) in coordination with the operator;
 - organise for all applicable airworthiness directives to be complied with within the prescribed timeframes;
 - organise for all defects discovered during scheduled maintenance or reported by the operator to be corrected by Part-145 organisation(s);
 - understand and comply with the safety policies as described in the safety management system and the operator's CACE.
4. advise the operator when scheduled maintenance is due in line with the approved maintenance programme;
 5. coordinate with the operator for any request to the relevant competent authority for any deviation from the maintenance programme;
 6. coordinate with the operator for the accomplishment of maintenance check flights;
 7. coordinate with the operator for the application for a permit to fly with any applicable organisations (e.g. Part 21, Part-145) and the relevant competent authorities;
 8. maintain an accurate record of the continuing airworthiness status of the aircraft covered by the contract (in hard copy format or on a computer database) and provide this to the operator as and when required;
 9. establish a comprehensive channel of communication with the operator to ensure a timely exchange of airworthiness information;
 10. manage and archive all technical records in coordination with the operator in line with its obligations and the different arrangements of competent authority oversight possible within M.1 (the contract shall define which of the organisations will hold originals and copies of the relevant documents);
 11. update the aircraft records with any relevant information provided by the operator including data from the tech log sector record pages, details of all operational defects and rectification action;
 12. ensure the approval of any:
 - modification to the aircraft according to Part 21 before embodiment; and/or
 - repair outside the SRM according to Part 21 before completion;
 13. inform the competent authority of the Member State of the operator, and of aircraft registry (when different), whenever the operator does not present the aircraft to the Part-145 organisation at the time maintenance is due as determined by the Part-M Subpart G organisation;
 14. inform the competent authority of the Member State of the operator, and of aircraft registry (when different), whenever the contractual arrangement has not been complied with or is cancelled by either party;

15. when appropriately approved, carry out the airworthiness review of the operator's aircraft, when due, and issue or renew the airworthiness review certificate; and/or develop interface procedures with the operator to address the issue and renewal of the ARC;
16. coordinate with the operator's occurrence reporting mandated by the applicable regulations;
17. provide access to the facilities, the continuing airworthiness records and the quality audit reports to all authorised personnel from the relevant competent authorities;
18. coordinate the weighing of aircraft as required by the maintenance programme or the operational requirements or following repair/modification/painting (if applicable) and produce a weight and balance report;
19. provide procedural training for the operator's staff in order to ensure that they have an understanding of the M.A. Subpart G organisation:
 - policies and procedures, joint responsibilities, obligations, duties and areas of interface,
 - lines of communication for (e.g. aircraft records, exchange of accurate airworthiness information in a timely manner),
 - procedures pertaining specifically to the M.A. Subpart G organisation (e.g. customised software utilisation, reliability monitoring);
20. agree and coordinate with the operator in the case of continuing airworthiness tasks further contracted in accordance with M.A.711(a)2.

5.2. Obligations of the operator:

1. Contract an M.A. Subpart G organisation.

(The operator may only contract continuing airworthiness management to a single Part-M Subpart G organisation per fleet. The M.A. Subpart G may further contract out, under its own quality system, continuing airworthiness management tasks, (as per M.A.711(a)2) to other organisations subject to the agreement of the operator. In such a case, proper lines of communication should be established between all the parties, including contracted Part-145 organisations, to ensure consistency and effectiveness of the combined contractual arrangements).

Note: In all matters concerning continuing airworthiness the final decision rests upon the operator.

The contract with the M.A. Subpart G organisation shall reflect the safety policies as described in the Safety Management System and the CACE of the operator. The responsibilities shall be clearly identified. The content of the continuing airworthiness contract shall be reviewed on a regular basis to ensure that it remains topical and compliant.

2. carry out a pre-audit of the selected M.A. Subpart G organisation to ensure that it has the capability and capacity to comply with the contract and that no conflict may arise between the procedures of both organisations;
3. have a sufficient knowledge of the applicable M.A. Subpart G organisation procedures affecting continuing airworthiness and of procedures in the M.A. Subpart G Continuing Airworthiness Management Exposition;

4. have a sufficient knowledge of Part-M, Part-145, Part 21 and operational regulations as applicable;
5. have a sufficient knowledge of the approved maintenance programme including development of such programme;
6. coordinate with the M.A. Subpart G organisation in obtaining approval of the maintenance programme;
7. coordinate with the M.A. Subpart G organisation in assessing the effectiveness of the maintenance programme and amend if appropriate;
8. ensure compliance with the approved maintenance programme and coordinate with the M.A. Subpart G organisation for any request to the relevant competent authority for any one-time extension to a maintenance programme interval;
9. have a sufficient knowledge of the aircraft configuration, modification standard including operational equipment, appropriate maintenance data and maintenance status;
10. establish the policies in order to ensure compliance with this Part and in relation to the continuing airworthiness for:
 - MEL management, rectification and/or deferment of defects including the assessment of the cumulative effect of any combination of defects;
 - Modifications and repairs;
 - Airworthiness Directive terminating actions (if applicable);
 - Non-mandatory modifications and/or inspections;
 - Maintenance Programme development and associated reliability programme (if applicable);
 - Engine health monitoring (if applicable);
 - Permit to fly;
11. establish a regular meeting schedule with the M.A. Subpart G organisation to discuss all aspects of continuing airworthiness management;
12. coordinate with the M.A. Subpart G organisation the accomplishment of maintenance check flights;
13. coordinate with the M.A. Subpart G organisation for the application for a permit to fly with any applicable organisations (e.g. Part 21, Part-145) and the competent authorities;
14. ensure that all applicable airworthiness directives are embodied within the prescribed timeframes;
15. develop the technical log system and organise its approval;
16. establish and organise the approval of a maintenance contract with Part-145 maintenance organisation(s) and advise the contracted M.A. Subpart G organisation of the contractual arrangement with the Part-145 maintenance organisation(s); the content of the maintenance contract shall be reviewed on a regular basis to ensure that it remains topical;
17. establish a quality system to ensure:
 - compliance with this Part;
 - compliance with the contractual arrangement(s) and the contract effectiveness;

- that the aircraft covered by the contract are maintained in an airworthy condition;
 - that regular meetings are held with the M.A. Subpart G organisation in order to discuss the results of the quality oversight;
18. provide the M.A. Subpart G organisation with the necessary approved maintenance data as applicable;
 19. present the aircraft to the contracted Part-145 organisation at the time agreed with the M.A. Subpart G organisation;
 20. inform the competent authority of the Member State of the operator, and of registry (when different), whenever the aircraft has been operated in a non-airworthy condition;
 21. inform the M.A. Subpart G organisation of any proposal to modify the aircraft and coordinate application for approval of such modification with a Part 21 organisation;
 22. Inform the M.A. Subpart G organisation of all maintenance exceptionally carried out without knowledge and control of the Part-M Subpart G organisation;
 23. ensure a timely exchange of airworthiness information with the M.A. Subpart G organisation including providing them with copies of all the relevant tech log sector record pages including flying hours, cycles, landings and details of all operational defects (or any other relevant information from the operator's flight department);
 24. inform the competent authorities of the Member State of the operator, and of the state of aircraft registry (when different), whenever the contractual arrangement has not been complied with or is cancelled by either party;
 25. inform the competent authorities of the Member State of the operator, and of the state of aircraft registry (when different), whenever the aircraft is sold or no longer operated;
 26. coordinate with the M.A. Subpart G organisation occurrence reporting mandated by the applicable regulations;
 27. have access to the continuing airworthiness records held by the contracted M.A. Subpart G organisation;
 28. manage and archive all technical records in coordination with the M.A. Subpart G organisation in line with its obligations to the relevant competent authority (the contract shall define which of the organisations will hold originals and copies of the relevant documents);
 29. provide access to the facilities, the continuing airworthiness records and the quality audit reports to all authorised personnel from the applicable competent authorities;
 30. coordinate the weighing of aircraft as required by the maintenance programme or following repair/modification/painting and production of a weight and balance report;
 31. inform the M.A. Subpart G organisation in the case of any new or revised operational requirement to maintain the aircraft in the required configuration in order to perform any intended flight to the operator's requirement (e.g. ETOPS, RVSM);

32. provide procedural training for the M.A. Subpart G staff in order to ensure that they have an understanding of the operator's:
 - policies and procedures, joint responsibilities, obligations, duties and areas of interface,
 - lines of communication for (e.g. aircraft records, exchange of accurate airworthiness information in a timely manner),
 - procedures pertaining specifically to the operator (e.g. operational procedures, use of the technical log system, customised software utilisation);
33. inform the M.A. Subpart G organisation of any non-compliance with operational requirements that may affect the continuing airworthiness of the aircraft;
34. develop interface procedures with the M.A. Subpart G organisation to address the issue and renewal of the airworthiness review certificate.

II Draft Decision of Part-M (Acceptable Means of Compliance to Part-M)

Decision No 2003/19/RM Annex I (AMC to Part-M) is hereby amended as follows:

AMC M.A.201(h) is amended as follows:

AMC M.A.201(h) Responsibilities

1. Reference to aircraft includes the components fitted to or intended to be fitted to the aircraft

2. The performance of ground de-icing and anti-icing activities does not require a Part-145 approval.

3. The requirement means that the operator is responsible for managing the continuing airworthiness and for determining what maintenance is required, when it has to be performed, by whom and to what standard, in order to ensure the continued airworthiness of the aircraft being operated. The requirement does not mean that an operator shall perform the following activities itself; it may contract:

- (i) continuing airworthiness management or tasks;
- (ii) maintenance.

4. An operator should therefore have sufficient adequate knowledge of the design status (type specification, customer options, airworthiness directives (AD), airworthiness limitations contained in CS-25 Book 1, Appendix H, paragraph H25.1, fuel tank system airworthiness limitations including Critical Design Configuration Control Limitations (CDCCL), modifications, major repairs, operational equipment) and required and performed maintenance. ~~The status of aircraft design and maintenance should be adequately documented to support the performance of the quality system~~

5. An operator should establish adequate coordination between its flight operations department, the organisation(s) managing the continuing airworthiness and the maintenance organisation(s) to ensure that both all parties receive all the necessary information concerning the condition of the aircraft. ~~necessary to enable both perform their tasks.~~

6. The fact that an operator has contracted a Part-145 maintenance organisation should not prevent it from checking the maintenance performed at the Part-145 facilities or any aspect of the contracted work if they wish to do so to satisfy themselves in respect of their responsibility for the airworthiness of the aircraft.

~~6. The requirement does not mean that an operator himself performs the maintenance (this is to be done by a maintenance organisation approved under Part 145) but that the operator carries the responsibility for the airworthy condition of aircraft it operates and thus should be satisfied before the intended flight that all required maintenance has been properly carried out.~~

7. When an operator is not appropriately approved in accordance with Part-145, the operator should provide a clear work order to the maintenance contractor. The fact that an operator has contracted a maintenance organisation approved under Part-145 should not prevent it from checking at the maintenance facilities on any aspect of the contracted work if he/she wishes to do so to satisfy his responsibility for the airworthiness of the aircraft.

AMC M.A.201(h) 1 is deleted and replaced by AMC M.A.201(h)1&2 as follows:

AMC M.A.201(h)1&2 - Responsibilities

1. The requirement is intended to provide for the possibility of the following options:

- (i). The operator is M.A. Subpart G approved,
- (ii). The operator is M.A. Subpart G approved, and/or

(iii). The operator is in compliance with M.A. Subpart J and must contract all continuing airworthiness management to an M.A. Subpart G organisation.

In the case of having different continuing airworthiness management arrangements for different fleets, the operator may both:

- hold M.A. Subpart G approval, and
- be in compliance with M.A. Subpart J.

For example, when the operator already holds M.A. Subpart G approval and introduces another type of aircraft but does not have resources for that type, the operator may choose to be only in compliance with M.A. Subpart J for that fleet of aircraft and contract the continuing airworthiness management of that fleet to another M.A. Subpart G organisation.

A fleet is considered to be:

- An aircraft; or
- A group of aircraft pertaining to the same type or to a group of aircraft types; or
- Based upon the aircraft maintenance programme and not limited by reference to individual EASA certificated aircraft; for instance, Airbus A300 series under maintenance programme XXX and Airbus A300-600 series under maintenance programme YYY.

The definition of 'fleet' should be reflected in the CAME or CACE, as appropriate.

Note: Contracting of continuing airworthiness management tasks is explained in AMC M.A.711 although contracting of the continuing airworthiness management as a whole (all tasks) is further detailed in Appendix I to Part-M.

2. The accomplishment of continuing airworthiness management is an essential part of the operator's responsibility. The operator bears ultimately responsibility and therefore accountable for the airworthiness of its aircraft irrespective of any contract that may be established.

The operator's responsibility for continuing airworthiness management is achieved by:

- (a) active control through direct involvement as specified in the CAME when the operator is M.A. Subpart G approved, and/or
- (b) control when the continuing airworthiness management is performed by a contracted M.A. Subpart G organisation and the operator is in compliance with M.A. Subpart J.

The competent authority should assess whether the applicant's choice of M.A. Subpart G or M.A. Subpart J application is appropriate prior to formal assessment of the organisation and completion of an EASA Form 13 (G or J).

3. Pursuant to the above subparagraphs 1 and 2, when an operator (or prospective operator) involved in commercial air transport is deciding whether to apply for M.A. Subpart G or M.A. Subpart J, it will be up to them to determine which option is most appropriate in each particular case with the agreement of their competent authority.

To make this determination, the operator should consider the following criteria:

- (a) their relevant experience in carrying out continuing airworthiness activities;
- (b) the size and the complexity of the fleet, the number of contracts and the nature of the tasks to be contracted;
- (c) the availability of sufficient resources;
- (d) their capability to perform active control in the case of the M.A. Subpart G approval or the control of the continuing airworthiness management in case of compliance with M.A. Subpart J;
- (e) whether they intend to obtain M.A.711 privileges (in the case of M.A. Subpart G organisations).

If the experience, resources or the competence in managing the continuing airworthiness are not considered to be satisfactory, the competent authority may require the organisation to

put in place more experienced management and/or more resources or may decline to accept the option sought.

In respect to this subparagraph, 'experience' means staff who have proven evidence of direct involvement with continuing airworthiness activities of not less than 24 months. Such experience should be demonstrated to be satisfactory.

An operator involved in commercial air transport is required to have adequate competent resources to meet the requirements of Part-M Subpart G or Part-M Subpart J, whichever option is chosen, and in particular M.A.706, M.A.707, M.A.708 and M.A.711 or M.A.1006, M.A.1008.

The ability to perform the control or active control (as applicable) of the continuing airworthiness management should be confirmed by a Risk Assessment Analysis (RAA):

- a) based on the Safety Management System (safety policy and objectives, hazard identification and severity of occurrences, deriving safety risks, safety risk management, probability and severity, (un)acceptable safety risk tolerability, control/mitigating factors, etc., for each identified continuing airworthiness task;
- b) completed by the level of oversight required for each of these tasks;
- c) associated to a plan in order to demonstrate that adequate resources are in place (man/hours, competence, assignment of responsibilities and tasks, procedures, IT and management tools, airworthiness data exchange and documentation, facilities, etc.) in order to:
 - justify the level of effective control; and
 - maintain the risk under the acceptable risk tolerability (how to manage the organisation).

As part of that Risk Assessment Analysis, there should be staff conducting continuing airworthiness management tasks on an 'ongoing basis' as necessary to:

- address unforeseen continuing airworthiness issues outside of normal working hours (e.g. receipt of an Emergency Airworthiness Directive).
- ensure that there is still cover during the absence of other staff (e.g. leave, sickness, etc.).

This Risk Assessment Analysis should be:

1. prepared by the commercial air transport operator, in coordination with AMC M.A. 706, AMC M.A.711(a)2, AMC M.B.711(b) or AMC M.A. 1006 or AMC M.A.1008(a)3, whichever are appropriate to the option sought;
2. recorded and made available to the competent authorities. They may be recorded in the CACE/CAME or referenced in the CACE/CAME and included within separate documentation;
3. updated each time there is a need for (significant) changes; as a consequence, the procedures as well as the number of persons and their qualifications should be reviewed accordingly.

AMC M.A.301-1 is amended as follows:

AMC M.A.301 - 1- Continuing airworthiness tasks

.../...

3. In the case of commercial air transport, ~~an operator~~ the operator when approved to M.A. Subpart G or the operator complying with Section A, Subpart J of Part-M (as applicable) should publish guidance to maintenance and flight personnel and any other personnel performing pre-flight inspection tasks, as appropriate, defining responsibilities for these ~~tasks actions~~—and, where work is ~~tasks~~—are contracted to other organisations, how their accomplishment is subject to the quality system of M.A.712 or M.A.1012 (as applicable). It should be demonstrated to the satisfaction of the competent authority that pre-flight inspection personnel have received appropriate training for the relevant pre-flight inspection tasks. The training standard for personnel performing the pre-flight inspection should be

described in the M.A. Subpart G approved operator's CAME or the M.A. Subpart J compliant operator's CACE (as applicable) ~~operator's continuing airworthiness management exposition.~~

AMC M.A.301-2 is amended as follows:

AMC M.A.301 - 2- Continuing airworthiness tasks

In the case of commercial air transport ~~operator~~ the operator when approved to M.A. Subpart G or the operator complying with Section A, Subpart J of Part-M (as applicable) should have a system to ensure that all defects affecting the safe operation of the aircraft are rectified within the limits prescribed by the approved minimum equipment list (MEL) or configuration deviation list (CDL) as appropriate. Also such defect rectification cannot be postponed unless agreed by the operator and in accordance with a procedure approved by the competent authority.

In the case of commercial air transport or large aircraft, a system of assessment should be in operation to support the continuing airworthiness of an aircraft and to provide a continuous analysis of the effectiveness of the M.A. Subpart G organisation's or the M.A. Subpart J compliant operator's (as applicable) ~~approved continuing airworthiness management organisation's~~ defect control system in use.

.../...

AMC M.A.301-3 is amended as follows:

AMC M.A.301 - 3- Continuing airworthiness tasks

(i) The owner or the operator when approved to M.A. Subpart G or the stand-alone M.A. Subpart G organisation (when independent from the operator), ~~or the M.A. Subpart G approved continuing airworthiness management organisation~~ as applicable, should have a system to ensure that all aircraft maintenance checks are performed within the limits prescribed by the approved aircraft maintenance programme and that whenever a maintenance check cannot be performed within the required time limit its postponement is ~~allowed~~ authorised in accordance with a procedure agreed by the appropriate competent authority.

(ii) In the case the operator is in compliance with M.A. Subpart J, the operator is responsible for ensuring that the contracted Part-M Subpart G organisation complies with (i).

.../...

AMC M.A.704 is amended as follows:

AMC M.A.704 Continuing airworthiness management exposition

..../...

9. The accountable manager's exposition statement should embrace the intent of the following paragraph and in fact this statement may be used without amendment. Any modification to the statement should not alter the intent:

This exposition defines the organisation and procedures upon which the competent authority* M.A. Subpart G continuing airworthiness management approval is based.

These procedures are approved by the undersigned and should be complied with, as applicable, in order to ensure that all continuing airworthiness tasks of ... (Quote operator's name) ... fleet of aircraft and/or of all aircraft under contract in accordance with M.A.201 (e) (f) and (h) 1&2 with ... (Quote organisation's name) ... are carried out on time to an approved standard.

It is accepted that these procedures do not override the necessity of complying with any new or amended regulation published from time to time where these new or amended regulations are in conflict with these procedures.

It is understood that the competent authority* will approve this organisation whilst the competent authority* is satisfied that the procedures are being followed and the work standard is maintained. It is understood that the competent authority* reserves the right to suspend, vary or revoke the M.A. Subpart G continuing airworthiness management approval of the organisation ~~or the air operators certificate, as applicable,~~ if the competent authority* has evidence that the procedures are not followed and the standards not upheld.

Signed

Dated

Accountable Manager and ... (quote position) ...

For and on behalf of ... (quote organisation's name) ... "

*Where it states competent authority please insert the actual name of the approving competent authority organisation or administration delivering the M.A. Subpart G continuing airworthiness management approval ~~or the air operators certificate~~.

10. Whenever the accountable manager is changed it is important to ensure that the new accountable manager signs the paragraph 9 statement at the earliest opportunity as part of the acceptance by the approving competent authority.

Failure to carry out this action ~~invalidates the M.A. Subpart G continuing airworthiness management approval or the air operator's certificate~~.

Appendix V contains an example of an exposition lay-out.

AMC M.A.706 is amended as follows:

AMC M.A.706 Personnel requirements

1. The person or group of persons should represent the continuing airworthiness management structure of the organisation and be responsible for all continuing airworthiness functions. Dependent on the size of the operation and the organisation ~~at setup~~ as well as on ~~the number of contracts~~, the continuing airworthiness functions may be divided under individual managers or combined in nearly any number of ways. However, if a quality system is in place it should be independent from the other functions.

2. The actual number of persons to be employed and their necessary qualifications is dependent upon the tasks to be performed. ~~This will vary with:~~

(i) ~~and thus dependent on~~ the size and complexity of the organisation (general aviation aircraft, corporate aircraft, number of aircraft and aircraft types, complexity of the aircraft and their age and for commercial air transport, route network, line or charter, ETOPS);

(ii) the number of contracts (outsourced continuing airworthiness tasks, contracts with operators complying with Section A, Subpart J of Part-M, etc.); ~~and;~~

(iii) the amount and complexity of ~~contracted~~ maintenance ~~contracting~~.

Consequently, the number of persons needed, and their qualifications may differ greatly from one organisation to another and a simple formula covering the whole range of possibilities is not feasible.

3. ~~To enable the approving competent authority to accept the number of persons and their qualifications, an organisation should make an analysis of the tasks to be performed, the way in which it intends to divide and/or combine these tasks, indicate how it intends to assign responsibilities and establish the number of man/hours and the qualifications needed to perform the tasks.~~

Pursuant to the above subparagraph 1 and 2, when the M.A. Subpart G organisation is involved in the continuing airworthiness management of aircraft operated in commercial air transport, the ability to perform the active control of the continuing airworthiness management should be supported by the Risk Assessment Analysis as required by AMC M.A.201(h)1&2 subparagraph 3 and would therefore confirm that the M.A. Subpart G organisation has sufficient appropriately qualified staff.

~~With significant changes in the aspects relevant to the number and qualifications of persons needed, this analysis should be updated.~~

4. The ~~N~~ominated person or group of persons should have:

4.1. practical experience and expertise in the application of aviation safety standards and safe operating practices;

4.2. a comprehensive knowledge of:

(a). relevant parts of operational requirements and procedures;

(b). ~~the AOC holder's Operations Specifications when applicable;~~

(b) ~~(c)~~. the need for, and content of, the relevant parts of the AOC holder's Operations Manual when applicable;

4.3. knowledge of quality systems;

4.4. five years relevant work experience of which at least two years should be ~~within from~~ the aeronautical industry in an appropriate position;

4.5. a relevant engineering degree or an aircraft maintenance technician qualification with additional education acceptable to the ~~approving~~ competent authority. 'Relevant engineering degree' means an engineering degree from aeronautical, mechanical, electrical, electronic, avionic or other studies relevant to the maintenance and continuing airworthiness of aircraft/aircraft components.

The above recommendation may be replaced by 5 years of experience additional to those already recommended by paragraph 4.4 above. These 5 years should cover an appropriate combination of experience in tasks related to aircraft maintenance and/or continuing airworthiness management (engineering) and/or surveillance of such tasks

4.6. thorough knowledge ~~of with~~ the organisation's continuing airworthiness management exposition;

.../...

4.8. knowledge of maintenance ~~standards; methods~~.

4.9 knowledge of applicable regulations.

AMC M.A.706(f) is amended as follows:

AMC M.A.706(f) Personnel requirements

1. The organisation should have sufficient appropriately qualified staff for the expected work; this is particularly relevant when the Part-M Subpart G organisation is contracted by a number of operators complying with Section A, Subpart J of Part-M.

2. Additional training in fuel tank safety as well as associated inspection standards and maintenance procedures should be required of continuing airworthiness management organisations' technical personnel, especially the staff involved in the management of CDCCL, Service Bulletin assessment, work planning and maintenance programme management. EASA guidance is provided for training to Continuing Airworthiness Management Organisations' continuing airworthiness personnel in Appendix XII to AMC to M.A.706(f) and M.B.102(c).

AMC M.A.708(c) is amended as follows:

AMC M.A.708 (c) Continuing airworthiness management

1. ~~Where an operator~~ In the case that an M.A. Subpart G organisation is not approved under Part-145 or ~~its's an operator's maintenance~~ the Part-145 organisation is an independent organisation, a contract should be agreed between the M.A. Subpart G organisation ~~operator~~ and ~~maintenance~~ the Part-145 organisation. ~~approved under Part 145, which~~ This contract should ~~specifies~~, in detail, the work to be performed by the ~~maintenance~~ Part-145 organisation. Appendix XI to this AMC gives further details on the subject.

2. ~~Both the specification of work and~~ The contract should also include the assignment of responsibilities ~~which~~ should be clear, unambiguous and sufficiently detailed to ensure that no misunderstanding ~~should~~ arises between the parties concerned (~~operator, maintenance organisation and the competent authority~~) that ~~which~~ could lead ~~result in a situation where~~ work that has a bearing on the airworthiness or serviceability of ~~to the aircraft being in a non-airworthy condition.~~ ~~is not or will not be properly performed.~~

3. An M.A. Subpart G organisation is responsible for ensuring that, amongst others, all:

(i) Service bulletins agreed to be accomplished have been carried out,

(ii) Necessary maintenance is performed at the prescribed time,

(iii) Airworthiness directives (as applicable) are complied with ~~within the specified compliance period,~~

(iv) All work, including non-mandatory modifications, are carried out to approved data and to the latest standards

~~Special attention should be paid to procedures and responsibilities to ensure that all maintenance work is performed, service bulletins are analysed and decisions taken on accomplishment, airworthiness directives are completed on time and that all work, including non-mandatory modifications is carried out to approved data and to the latest standards.~~

4. For line maintenance, the ~~actual layout~~ format of the contract may be based on the IATA Standard Ground Handling Agreement. ~~may be used as a basis, but this~~ This does not preclude the competent authority of ~~the M.A. Subpart G organisation operator~~ from

requesting additional information to ensure that the content of the contract is acceptable to them, and especially that the contract allows should specify how the M.A. Subpart G organisation operator to properly exercises its responsibility for controlling the maintenance performed. The commercial aspects-parts of a the contract that have no bearing on the technical or operational aspects of airworthiness are outside the scope of this rule. paragraph.

5. The purpose of M.A.708(c) is to ensure that all required maintenance is carried out by Part-145 organisation(s).

For commercial reasons it is possible for M.A. Subpart G organisations with or without their own Part-145 organisation to contract maintenance tasks to other M.A. Subpart G organisations that are not directly approved under Part-145. This may occur if the contracted M.A. Subpart G organisation has preferential commercial contracts with other Part-145 organisations e.g. for (but not limited to) component overhaul.

Another example of a commercial contract is in the case of aircraft maintenance where the M.A. Subpart G organisation may wish to have a maintenance contract with another M.A. Subpart G organisation operating the same type of aircraft but not approved under Part-145. This may be for an aircraft dry-leased arrangement between operators, where the parties, for consistency or continuity (especially for short-term lease agreements) find it appropriate to keep the aeroplane under the current maintenance arrangement. Where this arrangement involves various Part-145 contracts, it may be more manageable for the lessee Part-M Subpart G organisation to have a single contract with the lessor. Such an arrangement should not be understood as a transfer of responsibility to the lessee.

In these cases the M.A. Subpart G contractor organisation continuing airworthiness management exposition should include appropriate procedures to ensure that all contracted maintenance is ultimately performed to the required standard, using the contracting organisation's data and on time by the contracted Part-145 organisation(s). The M.A. Subpart G contractor organisation is required to exercise the same level of control over contracted maintenance, particularly through the M.A.706(c) continuing airworthiness management group of persons and quality system as referred to in M.A.712. The M.A. Subpart G contractor organisation's quality system should ensure adequate compliance monitoring of the contractual arrangements. The list of contracted Part-145 organisation(s), or a reference to this list, should be included in the M.A. Subpart G contractor organisation's continuing airworthiness management exposition.

Such maintenance arrangements do not absolve the M.A. Subpart G contractor organisation from its continuing airworthiness responsibilities. The competent authority should be satisfied that the M.A. Subpart G contractor organisation is in full compliance with its responsibilities pursuant to M.A.201 when using these maintenance arrangements.

5. It is possible to contract another operator that is not directly approved under Part 145. In this case the operator's continuing airworthiness management exposition should include appropriate procedures to ensure that all this contracted maintenance is ultimately performed on time by organisations approved under Part 145 in accordance with the contracting operator's data. In particular the quality system procedures should place great emphasis on monitoring compliance with the above. The list of Part 145 approved contractors, or a reference to this list, should be included in the operator's continuing airworthiness management exposition.

6. Such a maintenance arrangement does not absolve the operator from its overall continuing airworthiness responsibility. Specifically, in order to accept the maintenance arrangement, the competent authority should be satisfied that such an arrangement allows the operator to ensure full compliance with responsibilities pursuant to M.A.201.

7. The purpose of M.A.708(c) is to ensure that all maintenance is carried out by properly approved Part 145 organisations. This does not preclude a primary maintenance arrangement with an operator that is not such an organisation, when it proves that such an arrangement is in the interest of the operator by simplifying the management of its maintenance, and the operator keeps an appropriate control of it. Such an arrangement

should not preclude the operator from ensuring that all maintenance is performed by a Part-145 approved organisation and complying with the M.A.201 continuing airworthiness responsibility requirements. Typical examples of such arrangements follow:

Component maintenance:

The operator may find it more appropriate to have a primary contractor, that would despatch the components to appropriately approved organisations, rather than sending himself different types of components to various maintenance organisations approved under Part 145. The benefit for the operator is that the management of maintenance is simplified by having a single contact point for component maintenance. The operator remains responsible for ensuring that all maintenance is performed by maintenance organisations approved under Part 145 and in accordance with the approved standard.

~~Aircraft, engine and component maintenance:~~

The operator may wish to have a maintenance contract with another operator of the same type of aircraft not approved under Part 145. A typical case is that of a dry leased aeroplane between operators, where the parties, for consistency or continuity reasons (especially for short term lease agreements) find it appropriate to keep the aeroplane under the current maintenance arrangement. Where this arrangement involves various Part 145 approved contractors, it might be more manageable for the lessee operator to have a single contract with the lessor operator. Such an arrangement should not be understood as a transfer of responsibility to the lessor operator: the lessee operator, being the approved operator of the aircraft, remains responsible for the continuing airworthiness of the aircraft in performing the M.A.708 functions, and employing the M.A.706 continuing airworthiness management group of persons and staff.

In essence, this does not alter the intent of M.A.201 (h) in that it also requires that the operator has to establish a written maintenance contract acceptable to the competent authority of operator and, whatever type of acceptable arrangement is made, the operator is required to exercise the same level of control on contracted maintenance, particularly through the M.A.706 (c) continuing airworthiness management group of persons and quality system as referred to in M.A.712.

AMC M.A.708 (c) (1) is amended as follows:

AMC M.A.708 (c) (1) Continuing airworthiness management – unscheduled maintenance

The intent of this paragraph is to confirm that maintenance contracts are not necessary when the operator's continuing airworthiness management system, as approved by the competent authority of the operator's continuing airworthiness organisation, specifies that the relevant maintenance activity may be contracted ordered through one-time work orders. This includes for obvious reasons unscheduled line maintenance and may also include aeroplane component maintenance up to engines. so as long as The competent authority of the operator's continuing airworthiness organisation shall be satisfied considers that the maintenance is manageable through work order(s), both in term of volume and complexity. It should be noted that this paragraph implies that, even where base maintenance is ordered contracted on a case-by-case basis, there should be a written maintenance contract.

New AMC M.A.711(a) is inserted as follows:

AMC M.A.711(a) Privilege of the organisation

1. An M.A. Subpart G organisation may be an integral part of the owner or operator's organisation or an independent organisation (a 'stand-alone' approval).
2. 'Aircraft' means all aspects of the continuing management, including the engine(s), the APU and the components: an M.A. Subpart G approval may not be granted for the continuing airworthiness management of an engine or an APU individually or for any component.

New AMC M.A.711(a)2 is inserted as follows:

AMC M.A.711(a)2 Privileges of the organisation

1. The M.A. Subpart G organisation may contract continuing airworthiness task(s) to competent person(s) or organisation(s) in accordance with Appendix II to this AMC.
2. Contracting continuing airworthiness tasks to competent person(s) or organisation(s) is considered to be an integral part of the M.A. Subpart G organisation's continuing

airworthiness management, irrespective of any other approval held by the contractor including an M.A. Subpart G approval.

(i) The contract(s) should be directly approved by the competent authority or indirectly through the CAME.

(ii) The contract(s) should detail the level of oversight and involvement of the M.A. Subpart G organisation in the contracted activities. Associated procedures for the contractual arrangements should demonstrate how the active control is achieved.

3. The management of contracted continuing airworthiness tasks should be reflected in written contract(s) and be in accordance with the policies and procedures defined in the continuing airworthiness management exposition of the M.A. Subpart G organisation.

4. (i) When an M.A. Subpart G organisation chooses to contract tasks, this privilege should be limited to one organisation per aircraft type with the exception of engines and auxiliary power units which may have separate contracts.

Fragmenting of continuing airworthiness tasks between different organisations should not be allowed as this could result in a dilution of responsibilities.

(ii) When contracts are concluded with more than one competent person or organisation, the M.A. Subpart G organisation should demonstrate that adequate coordination and control are in place and that the individual responsibilities are clearly defined in the contracts.

5. In the case of an M.A. Subpart G organisation contracting continuing tasks to another M.A. Subpart G organisation holding the privileges of M.A.711 (b), the contracted M.A. Subpart G organisation cannot exercise its privileges. The reason for this is that the full continuing airworthiness management cannot be shared between two M.A. Subpart G organisations. The contracted M.A. Subpart G organisation:

- does not have full control of the continuing airworthiness management;
- works under the quality system of the primary M.A. Subpart G organisation.

6. Any changes affecting the contractual arrangements shall be notified to the competent authorities as soon as practical. Failure to do so may invalidate the competent authority approval of the contract.

7. The M.A. Subpart G organisation should actively control the contracted tasks, maintaining its capability to manage such tasks internally and having full oversight of the continuing airworthiness of the aircraft. The essence of Part-M Subpart G approval is to carry out the full continuing airworthiness management and not to contract most of the tasks to such a level that it dilutes the continuing airworthiness management responsibility of the M.A. Subpart G organisation.

Therefore, when the M.A. Subpart G organisation contracts continuing airworthiness tasks, the level of 'active control' by the contractor should be ensured by demonstrating that:

(i) the different key steps and associated safety levels of the process control for each contracted task have been assessed by the M.A. Subpart G organisation;

(ii) the level of oversight by the M.A. Subpart G organisation and the level of timely exchange of documents and airworthiness data have been defined for each contracted task by the M.A. Subpart G organisation in accordance with the above process control;

(iii) a plan has been produced to demonstrate that adequate resources are in place (manpower, competence, airworthiness data exchange, nature of controls or tests for the key identified steps, etc.) within the M.A. Subpart G organisation in order to ensure that active control can be carried out effectively.

Such a detailed analysis is called the 'Means of Active Control' (MAC).

This MAC should be:

1. prepared by M.A. Subpart G organisation;

2. recorded and made available to the competent authorities. It may be recorded:
 - (i) in the CAME; or
 - (ii) referenced in the CAME and included within separate documentation;
3. updated each time there is a need for (significant) changes; as a consequence, the procedures as well as the number of persons and their qualifications should be reviewed accordingly;
4. made available to the contracted organisations or reflected within the contracts.

8. When the M.A. Subpart G organisation manages the continuing airworthiness of aircraft involved in commercial air transport, it is important that the organisation can demonstrate full compliance with AMC M.A.201(h)1&2 at all times: so as to complement the MAC, the ability to perform the active control of the continuing airworthiness management should be supported by the Risk Assessment Analysis (RAA) described within AMC M.A.201(h)1&2 subparagraph 3 and would therefore confirm that the M.A. Subpart G organisation has sufficient resource. If this is not the case, the competent authority may limit, suspend or revoke the privileges of the M.A. Subpart G organisation. The criteria defined in above subparagraph 7 and in the MAC may be combined with the RAA described within AMC M.A.201(h)1&2 subparagraph 3.

New Subpart J is inserted as follows:

Subpart J

OPERATOR CONTRACTING CONTINUING AIRWORTHINESS MANAGEMENT ACTIVITIES TO AN APPROVED M.A. SUBPART G ORGANISATION

(Only for Commercial Air Transport Operators)

AMC M.A.1002 Application

1. This subpart describes the context in which a CAT operator is in compliance with M.A. Subpart J although no approval certificate is issued; compliance with this subpart forms part of the Air Operator Certificate (AOC) and its validity. A CAT operator in compliance with M.A. Subpart J is called 'operator' for the rest of this subpart.

2. This subpart enables an operator to contract accomplishment of continuing airworthiness management for all, or part, of its fleet to an organisation approved to M.A. Subpart G.

For example, one operator may contract continuing airworthiness management for all its fleet to an M.A. Subpart G organisation. Another operator, already holding an approval to M.A. Subpart G, may contract a particular fleet to an organisation approved to M.A. Subpart G.

A fleet is considered to be:

- An aircraft; or
- A group of aircraft pertaining to the same type or to a group of aircraft types; or
- Based upon the aircraft maintenance programme and not limited by reference to individual EASA certificated aircraft; for instance, Airbus A300 series under maintenance programme XXX and Airbus A300-600 series under maintenance programme YYY.

The definition of 'fleet' should be reflected in the CACE.

According to M.A. 201(h)2, the operator shall contract a single M.A. Subpart G organisation appropriately approved to the aircraft type; in the case of several fleets, it means that the operator may contract several M.A. Subpart G organisations separately approved for each fleet.

AMC M.A.1004 Continuing Airworthiness Control Exposition (see Appendices to Part-M - Appendix V to M.A.1004)

1. The purpose of the continuing airworthiness control exposition (CACE) is to define the procedures that ensure that the organisation remains in compliance with this Part.
2. A continuing airworthiness control exposition should comprise:

Part 0 General organisation

Part 1 Continuing airworthiness procedures (including the interface with the procedures of the contracted M.A. Subpart G organisation)

Part 2 Quality System

Part 3 Contracted maintenance – the management of maintenance.

Part 4 Contracted M.A. Subpart G organisation(s)

The contract(s) between the M.A. Subpart G organisation and the operator should be part of the CACE or referred to.

When the contracted M.A. Subpart G organisation in charge of the continuing airworthiness management of the operator's fleet further contracts continuing airworthiness tasks IAW M.A.711(a)2, the second tier contracts does not need to be quoted here. However these contracts should be available to the competent authority upon request.

3. Where the operator in compliance with Section A, Subpart J of Part-M is also approved to another Part, the exposition required by the other Part-May form the basis for a combined document.
4. Personnel in both the operator and the contracted M.A. Subpart G organisation should be familiar with those parts of the CACE that are relevant to their tasks.
5. The operator should specify in the CACE who is responsible for the amendment of the document.

Unless otherwise agreed by the competent authority, the person responsible for the management of the quality system should be responsible for monitoring and amending the CACE, including associated procedures manuals, and the submission of proposed amendments to the competent authority. The competent authority may agree procedures, which will be stated in the amendment control section of the CACE, defining the class of amendments which can be incorporated without the prior consent of the competent authority (indirect approval).

6. The operator may use electronic data processing (EDP) for publication of the CACE. The CACE should be made available to the competent authority in a form acceptable to the competent authority. Attention should be paid to the compatibility of EDP publication systems with the necessary dissemination of the CACE, both internally and externally.
7. Part 0 'General organisation' of the CACE should include a corporate commitment signed by the accountable manager of the operator, confirming that the CACE and any associated manuals that define the organisation's compliance with Part-M, where applicable, will be maintained at all times.
8. The accountable manager's exposition statement should embrace the intent of the following paragraph and in fact this statement may be used without amendment. Any modification to the statement should not alter the intent:

This exposition defines the organisation and procedures upon which the competent authority* allows ... (Quote operator's name) ... to run the contracting of continuing airworthiness management in compliance with Section A, Subpart J of Part-M.

These procedures are approved by the undersigned and should be complied with, as applicable, in order to ensure that all continuing airworthiness management of ... (Quote operator's name) ... fleet of aircraft and/or of all aircraft under the contract(s) in accordance with M.A.201 (h)2 as listed in Part 4 of the exposition are carried out on time and to an approved standard.

It is accepted that these procedures do not override the necessity of complying with any new or amended regulation published from time to time where these new or amended regulations are in conflict with these procedures.

It is understood that the competent authority* will allow this operator to run activities in compliance with Section A, Subpart J of Part-M whilst the competent authority* is satisfied that the procedures are being followed and the work standard maintained. It is understood that the competent authority* reserves the right to suspend, vary or revoke the M.A. Subpart J scope of work or the Air Operator Certificate, as applicable, if the competent authority* has evidence that the procedures are not followed and the standards not upheld.

Signed.....

Dated.....

Accountable Manager and ... (quote position) ...

For and on behalf of ... (quote organisations name) ...

* Where it states competent authority please insert the actual name of the competent authority organisations or administration responsible for the M.A. Subpart J scope of work or the air operator certificate.

9. Whenever the accountable manager is changed it is important to ensure that the new accountable manager signs the paragraph 9 statement at the earliest opportunity as part of the acceptance by the competent authority.

Failure to carry out this action invalidates the M.A. Subpart J scope of work or the Air Operator Certificate, as applicable.

10. Appendix V contains an example of an exposition lay-out.

AMC M.A.1005 Facilities

Office accommodation should be such that the organisation's staff can carry out their designated tasks in a manner that contributes to good standards. The competent authority may agree to these tasks being conducted from one office subject to being satisfied that there is sufficient space and that each task can be carried out without undue disturbance. Office accommodation should also include room for:

- an adequate technical library in accordance with M.A.1009;
- records and reports relative to the control of the contracted continuing airworthiness activities in accordance with M.A.1008, M.A.1009 and M.A.1012;
- sufficient IT resources to comply with M.A. 1009 (b);
- document consultation.

AMC M.A.1006 Personnel Requirements

1. The number of M.A. Subpart J qualified staff required to manage the requirements of the contract(s) with the M.A. Subpart G organisation(s) will be judged by the competent authority of the operator based on:

- the number of fleets and the number of aircraft in each contracted fleet, and
- the complexity of the aircraft type operated, and
- the aircraft operations, and

- the number of contracted M.A. Subpart G organisation(s), and
- the expected volume of work and control of the continuing airworthiness management, and
- the expected volume of aircraft maintenance to be managed and monitored in relation with the contracted M.A. Subpart G organisation(s).

A very small operator may only require one or two person(s) to satisfactorily fulfil the nominated post holder responsibilities when the continuing airworthiness management control remains simple. However, an operator of large complex motor-powered aircraft may require a much higher number of staff to support the nominated post holder in order to fulfil their responsibilities and continuously comply with M.A. Subpart J.

Consequently, the number of persons needed and their qualifications may differ greatly from one organisation to another and a simple formula covering the whole range of possibilities is not feasible. The ability to perform the control of the continuing airworthiness management should be supported by the Risk Assessment Analysis as required by AMC M.A.201(h)1&2 subparagraph 3 and would therefore confirm that the operator has sufficient appropriately qualified staff.

2. The operator and the M.A. Subpart G organisation(s) should ensure a mutual exchange of timely and accurate information (e.g. flying hours, cycles, deferred defects, etc.), therefore there should be adequate staff available during normal office working hours as required by the operations to carry out liaison between the operator and the M.A. Subpart G organisation(s). Procedures should also ensure that:

- unforeseen continuing airworthiness issues outside of normal working hours will be correctly handled (e.g. receipt of an Emergency Airworthiness Directive),
- there is still cover during the absence of staff (e.g. leave, sickness, etc.).

3. The staff supporting the nominated post holder in his duties should have the relevant qualifications and experience in relation to the tasks that they perform.

4. The nominated post holder as referred in M.A.1006(d) may be combined with the person or the group of persons as described in M.A. 1006 (a) and (c), subject to the agreement of the competent authority. Such combination should be manifested and supported by the Risk Assessment Analysis as required by AMC M.A.201(h)1&2 subparagraph 3 when the nature of the operations and the size of the organisation allow to explore such an alleviation.

AMC M.A.1006 (d) Personnel Requirements

1. The nominated post holder should complete an EASA Form 4.

2. The nominated post holder should have:

(a) Practical experience and expertise in the application of aviation safety standards and safe operating practices;

(b) Knowledge of:

(i) relevant parts of operational requirements and procedures,

(ii) the AOC holder's Operations Specifications when applicable,

(iii) the need for, and content of, the relevant parts of the AOC holder's Operations Manual when applicable;

(c) Knowledge of quality systems;

(d) Five years relevant work experience of which at least two years should be from the aeronautical industry in an appropriate position;

(e) A relevant engineering degree or an aircraft maintenance technician qualification with additional education acceptable to the approving competent authority. 'Relevant engineering degree' means an engineering degree from aeronautical, mechanical, electrical, electronic, avionic or other studies relevant to the maintenance and continuing airworthiness of aircraft/aircraft components.

The above recommendation may be replaced by 5 years of experience additional to those already recommended by paragraph (d) above. These 5 years should cover an

appropriate combination of experience in tasks related to aircraft maintenance and/or continuing airworthiness management (engineering) and/or surveillance of such tasks;

(f) Thorough knowledge of the contract(s) with the continuing airworthiness management organisation(s);

(g) Knowledge of the contracted M.A. Subpart G organisation's procedures;

(h) Knowledge of a relevant sample of the aircraft type(s) operated through a formalised type training course. These courses should be at least at a level equivalent to Part-66 Appendix III Level 1 General Familiarisation and could be imparted by a Part-147 organisation, by the manufacturer, or by any other organisation accepted by the competent authority.

'Relevant sample' means that these courses should cover typical systems embodied in those aircraft being within the scope of the AOC approval.

When no type rating training is required for the fleet operated, the formalised training courses may be replaced by demonstration of knowledge. This knowledge may be demonstrated by documented evidence or by an assessment performed by the competent authority. This assessment should be recorded;

(i) Knowledge of maintenance standards;

(j) Knowledge of applicable regulations.

AMC M.A.1008(a) Control of continuing airworthiness management

1. An operator is required to contract continuing airworthiness management to an organisation approved to M.A. Subpart G. This means that the M.A. Subpart G organisation takes responsibility for accomplishment of all contracted continuing airworthiness management under its M.A. Subpart G approval. The operator does not need to be involved in the day-to-day accomplishment of the contracted tasks. They do however need to understand the airworthiness status of the fleet at all times and should accomplish this through control of the contracted activities. In this case 'control' means 'providing oversight to an adequate level and frequency to ensure that contracted activities are carried out in accordance with the contract thus ensuring that the aircraft always remain in an airworthy condition'

2. The operator should oversee the continuing airworthiness management activities undertaken by the M.A. Subpart G organisation as described in Appendix I Part B contract:

(i) to ensure the M.A. Subpart J policies defined in the CACE are correctly implemented.

(ii) to ensure that the continuing airworthiness management activities are carried out by the M.A. Subpart G organisation in accordance with the contractual arrangements.

3. In order to define the level of 'control' the operator remains responsible for contracted activities and should establish:

(i) how it intends to contract and how it will oversee the contracted continuing airworthiness management activities;

(ii) a resource plan describing the day-to-day involvement necessary for the control (not the accomplishment) of the continuing airworthiness management so that all the contracted activities are carried out to the agreed standard. This should be based on the Risk Assessment Analysis (RAA) of individual tasks; such an analysis should be carried out and should be made available to the competent authority as described in AMC M.A.201(h)1&2 subparagraph 3;

(iii) the frequency of liaison meetings and attendees between the contracted M.A. Subpart G organisation(s) and the operator. For example, a nominated post holder or his representatives would be expected to attend meetings for reliability, AD compliance, SB assessment, maintenance programme review, maintenance pre-input, contract review, etc. Appendix XIV gives more details regarding the nature of the tasks the operator should participate in;

(iv) that the planning of activities shall take into account human performance limitations;

(v) that details of all the above mentioned subjects are included in the CACE or referenced in the CACE and included within separate documentation. These documents should be made available to the competent authority.

4. The operator should ensure that, where multiple organisations are contracted in accordance with M.A.1010 (d), consideration should be given to having combined meetings in order to encourage good communication and satisfactory control.

5. The operator should provide the M.A. Subpart G with relevant sections of the operator's contract(s) for maintenance. The M.A. Subpart G organisation is responsible for providing the contracted Part-145 organisation(s) with the necessary work instructions and for ensuring that all required maintenance is accomplished.

AMC M.A.1008(b) Control of continuing airworthiness management.

1. In the case that the operator is not approved under Part-145 or an operator's maintenance organisation is an independent organisation, a contract should be agreed between the operator and the Part-145 organisation(s). This contract should specify in detail the work to be performed by the Part-145 organisation(s) and the interface with the contracted M.A. Subpart G organisation(s). Appendix XI to this AMC gives further details on the subject. For maintenance tasks not covered by the maintenance contract, the contracted M.A. Subpart G organisation must get prior approval from the operator.

2. The contract should also include the assignment of responsibilities which should be clear, unambiguous and sufficiently detailed to ensure that no misunderstanding arises between the parties concerned which could lead to the aircraft being in a non-airworthy condition.

3. For line maintenance, the format of the contract may be based on the IATA Standard Ground Handling Agreement. This does not preclude the competent authority of the operator from requesting additional information to ensure that the content of the contract is acceptable to them. The contract should specify how the operator exercises its responsibility for controlling the maintenance in liaison with the contracted M.A. Subpart G organisation(s). The commercial aspects of the contract are outside the scope of this rule.

4. The purpose of the M.A.1008(b) is to ensure that all required maintenance is carried out by Part-145 organisation(s).

For commercial reasons it is possible for operators with or without their own Part-145 organisation to contract maintenance tasks to an M.A. Subpart G organisation that is not directly approved under Part-145. This may occur if the contracted M.A. Subpart G organisation has preferential commercial contracts with other Part-145 organisations, e.g. for (but not limited to) component overhaul.

Another example of a commercial contract is the case of aircraft maintenance where the operator may wish to have a maintenance contract with an M.A. Subpart G organisation operating the same type of aircraft but not approved under Part-145. This may be for an aircraft dry-leased arrangement between operators, where the parties, for consistency or continuity (especially for short-term lease agreements) find it appropriate to keep the aeroplane under the current maintenance arrangement. Where this arrangement involves various Part-145 contracts, it may be more manageable for the lessee operator to have a single contract with the lessor. Such an arrangement should not be understood as a transfer of responsibility to the lessee.

In these cases the CACE should include appropriate procedures to ensure that all contracted maintenance is ultimately performed to the required standard, using the contracting organisation's data and on time by the contracted Part-145 organisation(s). The operator is required to exercise the same level of control over contracted maintenance, particularly through the M.A.1006 (c) continuing airworthiness management group of persons and quality system as referred to in M.A.1012. The operator's quality system should ensure adequate compliance monitoring of the contractual arrangements. The list of contracted Part-145 organisation(s), or a reference to this list, should be included in the operator's CACE.

Such maintenance arrangements do not absolve the operator from its continuing airworthiness responsibilities. The competent authority should be satisfied that the operator is in full compliance with its responsibilities pursuant to M.A.201 when using these maintenance arrangements.

AMC M.A.1009(b) Documentation

The contract between the operator and the M.A. Subpart G organisation shall specify the frequency and types of reports that will be provided to the operator so that it can fulfil its responsibilities for the control of the continuing airworthiness management.

AMC M.A.1010 (a) and (b) Continuing airworthiness management contract

1. The accomplishment of continuing airworthiness management control forms an essential part of the operator's responsibility with the operator remaining ultimately responsible for maintaining the aircraft in an airworthy condition irrespective of any contract. Therefore, contracting continuing airworthiness management or tasks to competent persons or organisations is considered as an integral element of the Air Operator Certificate. The operator in order to remain compliant with Section A, Subpart J of Part-M should be satisfied that the actions taken by the M.A. Subpart G organisations meet the requirements of Part-M and therefore the contractual arrangements should be updated, when necessary.

2. The contract needs to be clear, unambiguous and sufficiently detailed to ensure that no misunderstanding should arise between the parties concerned (operator, M.A. Subpart G organisation(s), Part-145 organisation(s) and the competent authorities) that could result in a situation where work that has a bearing on the airworthiness or serviceability of aircraft is not or will not be properly performed. The contract should clearly identify the responsibilities of each party.

3. In all cases the contractual arrangements should clearly identify that:

- (i) the M.A. Subpart G organisation is in receipt of all relevant information to enable the continuing airworthiness management responsibilities to be fulfilled;
- (ii) the operator is in receipt of all relevant information to ensure that the aircraft remains in an airworthy condition.

4. Guidance for compilation of contracts and definition of responsibilities is detailed within Appendix XIV to this AMC.

AMC M.A.1010(e) Continuing airworthiness management contract

1. The contracted M.A. Subpart G organisation may further contract certain continuing airworthiness tasks in accordance with M.A.711(a)2 and therefore is responsible for coordinating the continuing airworthiness management tasks carried out by the contracted organisation(s). The contract with the associated procedures should clearly identify one single M.A. Subpart G organisation responsible for ensuring that all the necessary continuing airworthiness tasks are timely carried out. In general the M.A. Subpart G organisation responsible for managing the continuing airworthiness of the airframe, engines, auxiliary power unit (APU) and components is the designated organisation as this CAMO has a full vision of the aircraft's airworthiness status. This is particularly relevant where that contracted M.A. Subpart G organisation:

- further contracts some continuing airworthiness tasks under its quality system to another organisation, irrespective of the approval the second tier organisation may hold (refer to M.A.711); this also applies to the engines and the APU;
- is to issue or renew the ARC;
- coordinates the maintenance activities.

2 Where arrangements are made with more than one organisation, both the unique designated M.A. Subpart G organisation and the operator should demonstrate that adequate

coordination controls are in place and that the individual responsibilities are clearly defined in all related contracts.

3. All these written arrangements are subject to prior approval from the operator as it should demonstrate how the continuing airworthiness management is controlled. The contracts and the associated documents should reflect the operator's CACE and policy.

4. Guidance for compilation of contracts, selection of the contracted M.A. Subpart G organisation and definition of responsibilities are detailed within Appendix XIV to this AMC.

5. The contract(s) should specify that the contracted M.A. Subpart G organisation(s) grant(s) access to the operator's competent authority.

AMC M.A. 1012(b) Quality system

1. The quality system of the operator should independently monitor:

- (i) that the contracted M.A. Subpart G organisation(s) is in compliance with the contract(s), and
- (ii) that the operator continues to meet the requirement of M.A. Subpart J and is in compliance with the contract.

2. The terms of the contract should therefore include a provision allowing the operator to perform a quality surveillance (including process, procedure and product audits) upon the contracted M.A. Subpart G organisation(s).

3. The terms of the contract should contain a provision for the assessment of findings and its closures found in the course of the M.A. Subpart G organisation's audit programme when these may affect the continuing airworthiness of the operator's fleet.

4. A report should be conducted each time an audit is carried out describing what was checked and the resulting findings against applicable requirements, procedures and/or products. Audit reports may be subject to review when requested by the competent authority.

5. The operator should establish an audit plan acceptable to the competent authority to show when and how often the activities required by M.A. Subpart J will be audited.

6. The operator's quality system may take into account the surveillance by the quality system of the contracted M.A. Subpart G organisation(s) when determining the level and the depth of the auditing required.

7. Attention should be given to the consistency and effectiveness of combined contractual arrangements where tasks are contracted to multiple M.A. Subpart G organisations (airframe, engine, APU); when necessary further attention shall be given to the contractual arrangements with the contracted Part-145 organisation(s).

AMC M.A.1015 Continued validity of the Air Operator Certificate when the operator is subject to Part-M Subpart J

The Air Operator Certificate may only become invalidated for the aircraft operated or the fleet considered, for which the operator is not anymore in compliance with Section A, Subpart J of Part-M; nevertheless the AOC may remain valid for another aircraft or another fleet, for which the operator continues to comply with section A, Subpart G of Part-M.

AMC M.B.102 (a) is modified as follows:

AMC M.B.102 (a) Competent authority - General

~~1. In deciding upon the required airworthiness organisational structure, the competent authority should review the number of certificates to be issued, the number and size of potential operators, the number of M.A. Subpart F approved maintenance organisations and~~

M.A. Subpart G continuing airworthiness management organisations within that Member State, as well as the level of civil aviation activity, number and complexity of aircraft and the size of the Member State's aviation industry.

1. In deciding upon the required airworthiness organisational structure, the competent authority should review, within their area of responsibility:

- The number of certificates to be issued;
- The number and size of potential operators;
- The number of M.A. Subpart F maintenance organisations;
- The number of M.A. Subpart G organisations;
- The number of commercial operators, in compliance with either M.A. Subpart J and/or M.A. Subpart G;
- The level of civil aviation activities, number and complexity of aircraft.

2. The competent authority should retain effective control of important oversight and inspection functions and not delegate them in such a way that aircraft owners, operators, M.A. Subpart F approved maintenance organisations, and M.A. Subpart G continuing airworthiness management organisations and operators in compliance with M.A. Subpart J in effect, regulate themselves in airworthiness matters. This does not absolve the above-mentioned organisations from their responsibilities.

.../...

AMC M.B.105 (a) is modified as follows:

AMC M.B.105 (a) Mutual cooperation and exchange of information

One typical case where the mutual exchange of information is necessary is when an aircraft is transferred inside the EU according to M.A.903. When notified of such a transfer, a competent authority should inform the competent authority where the aircraft will be registered of any known problems with the aircraft being transferred. Furthermore, the competent authority where the aircraft will be registered should ensure that the former competent authority has been properly notified that the aircraft is leaving.

In order to ensure full compliance with this regulation, competent authorities as defined in M.1 should fully cooperate in the exchange of information.

Examples include:

- When the competent authority of the state of registry is different from the competent authority of the state of the operator;
- Where an approved organisation is located in more than one country or contracts activities to different organisations in other countries;
- Where an operator complying with Section A, Subpart J of Part-M located in one country contracts continuing airworthiness management to an M.A. Subpart G organisation located in other countries;
- The competent authority responsible for the M.A. Subpart G organisation or the operator complying with M.A. Subpart J may request information concerning continuing airworthiness from the State of registry of the aircraft concerned in order to satisfy itself that the organisation is fulfilling its responsibilities and in order to complete the EASA Form 13 recommendation. Conversely the competent authority of the state of registry of the aircraft may request information concerning continuing airworthiness from the competent authority responsible for the M.A. Subpart G organisation or the operator complying with M.A. Subpart J, in order to fulfil its responsibilities.

Such coordination may be required for the following items, but not limited to:

- between the competent authority of the state of registry of the aircraft and the competent authority responsible for the M.A. Subpart G organisation for M.A.202, M.A.302, M.A.303, M.A.306, M.A.710, M.A.711, M.B.704, M.B.711 and/or the competent authority responsible for the operator complying with M.A. Subpart J for M.A.202, M.A.302, M.A.303, M.A.306, M.B.1004, and M.B.1008;
- between the competent authority of the state of the operator and the competent authority responsible for the Part-M Subpart G organisation for M.A.202, M.A.302, M.A.303, M.A.306, M.A.710, M.A.711, M.B.704, and M.B.711.

New AMC M.B.201 is inserted as follows:

AMC M.B.201 Responsibilities

In order to assess whether the applicant's choice of M.A. Subpart G or M.A. Subpart J application is appropriate in regard to M.A.201(h), the competent authority will have to consider the Risk Assessment Analysis (RAA) and the resource plan provided by the operator in AMC M.A.201(h)1&2, subparagraph 3.

AMC M.B.301 (b) is modified as follows:**AMC M.B.301 (b) Maintenance programme**

.../...

4. A copy of the approved programme should be retained by the competent authority, unless the programme is approved by an M.A. Subpart G approved organisation; it also applies when an M.A. Subpart G organisation is contracted by an operator complying with Section A, Subpart J of Part-M.

.../...

8. If the competent authority is no longer satisfied that a safe operation can be maintained, the approval of a maintenance programme or part of it may be suspended or revoked. Events giving rise to such action include:

8.1 An operator changing the utilisation of an aircraft;

8.2 The owner/operator or M.A. Subpart G approved organisation has failed to ensure that the programme reflects the maintenance needs of the aircraft such that safe operation can be assured.

AMC M.B.301 (c) is modified as follows:**AMC M.B.301(c) Maintenance Programme**

1. (i) When a competent authority grants the privilege of indirect approval of an aircraft maintenance programme(s), through a the procedure established by the a M.A. Subpart G organisation (in liaison with the operator complying with Section A, Subpart J of Part-M, if applicable) should require the organisation to demonstrate to the competent authority that it has competence, procedures and record-keeping provisions, which will enable the organisation to analyse aircraft reliability, TC holder's instructions, and other related operating and maintenance criteria.

(ii) In the case of M.A.201(h)2, such a maintenance programme approval procedure should be established in liaison with the operator complying with Section A, Subpart J of Part-M.

~~2. According to the complexity of the aircraft and the nature of the operation, the maintenance programme procedures should may contain reliability centred maintenance and condition monitored maintenance programme procedures and have procedures relating to the programme control which contain the following provisions:~~

~~(a). task escalation or adjustment~~

~~(b). maintenance programme review~~

~~(c). SB or Service Information assessment~~

~~(d). component and structures in service performance review~~

~~(e). maintenance programme revision~~

~~(f). maintenance procedure effectiveness review and amendment~~

~~(g). maintenance review board report (MRBR) or manufacturer maintenance planning document (MPD) review and assessment, as appropriate,~~

~~(h). AD review and assessment~~

~~(i). owner/maintenance/Part M Subpart G organisation / Part M Subpart J organisation liaison~~

~~(j). training~~

~~3. 2. When the competent authority requests~~ Upon request of the competent authority, the organisation should make provision for the attendance of a competent authority representative at meetings held to consider maintenance implications arising from maintenance programme reviews. ~~of the above provisions.~~

AMC M.B.701 (a) is modified as follows:

AMC M.B.701 (a) Application

.../...

3. The applicant should inform the competent authority where contracted continuing airworthiness management tasks, base and scheduled line maintenance are to take place and give details of any contracted continuing airworthiness management and maintenance which is in addition to that provided in response to M.A.201(h)1&2, ~~or~~ M.A.708 (c) or M.A.711(a)2.

4. At the time of application, the ~~operator~~ M.A. Subpart G organisation should have arrangements in place:

- (i) with the organisation(s) for which continuing airworthiness management tasks are contracted, if applicable;
- (ii) for all base and scheduled line maintenance, for an appropriate period of time, as acceptable to the competent authority.

The ~~operator~~ M.A. Subpart G organisation should establish further arrangements in due course before the maintenance is due.

The M.A. Subpart G organisation would normally be expected to have a contract with a Part-145 organisation for base maintenance. In the case of small fleets, where heavy maintenance checks become due, these may be contracted to an appropriately approved organisation, on an individual basis, ~~base maintenance contracts for high life time checks may be based on one time contracts,~~ when the competent authority considers that acceptable ~~is compatible with the operator's fleet size.~~

AMC M.B.702 (b) is modified as follows:**AMC M.B.702 (b) Initial approval**

1. The competent authority should indicate approval of the continuing airworthiness management exposition in writing.

2. Contracts for ~~sub-contracting~~ contracted continuing airworthiness management tasks by continuing airworthiness management organisations should be included in the continuing airworthiness organisation exposition. The competent authorities should verify that the standards set forth in AMC M.A.201(h)1&2 and M.A.711(a)2 have been met when approving the exposition.

~~3. The competent authority while investigating the acceptability of the proposed subcontracted continuing airworthiness management tasks arrangements will take into account, in the subcontracted organisation, all other such contracts that are in place irrespective of state of registry in terms of sufficiency of resources, expertise, management structure, facilities and liaison between the contracting continuing airworthiness management organisation, the subcontracted organisation and where applicable contracted Part 145 maintenance organisation(s).~~

3. When investigating the acceptability of the proposed contracted continuing airworthiness management task arrangements by the M.A. Subpart G organisation, the competent authority should take into account within the contracted organisation(s) that all contracts in place properly address the following, but not limited to:

- (i) safety assessment of the contracted tasks and level of active control (refer to AMC M.A.711(a)2 subparagraph 7 and/or the risk analysis assessment when the M.A. Subpart G organisation is involved in CAT operations (refer to AMC M.A.711(a)2 subparagraph 8 or AMC M.A.201(h)1&2 subparagraph 3);
- (ii) sufficiency of resources;
- (iii) expertise;
- (iv) management structure;
- (v) facilities;
- (vi) liaison between the M.A. Subpart G organisation, the contracted organisation(s) and where applicable contracted Part-145 maintenance organisation(s).

AMC M.B.704 (b) is modified as follows:**AMC M.B.704 (b) Continuing oversight**

.../...

2. It is recommended that part of an audit concentrates on the following ~~two~~ ongoing aspects of the M.A. Subpart G approval, namely:

- the ~~organisation~~ internal self-monitoring quality reports produced by the quality monitoring personnel to determine if the organisation is identifying and solving its problems;
- the level of continuing airworthiness management's active control and the monitoring of the contractual arrangements with the contracted organisation(s) under its quality system;
- ~~and secondly~~ the number of concessions granted by the quality manager;
- when contracted by an operator complying with Section A, Subpart J of Part-M, the liaison with the operator through the contractual arrangements.

.../...

5. When the M.A. Subpart G organisation ~~an operator sub-~~contracts continuing airworthiness management tasks, all ~~sub-~~contracted organisations should also be audited by the relevant competent authority of the M.A. Subpart G organisation ~~operator~~ at periods not exceeding 24 months (credit per paragraph 4 above are permitted) to ensure they fully comply with M.A. Subpart G. For these audits, the competent authority auditing surveyor should always ensure that he/she is accompanied throughout the audit by a senior technical member of the M.A. Subpart G organisation ~~operator~~. All findings should be sent to and corrected by the M.A. Subpart G organisation ~~operator~~.

When more than one competent authorities are involved in the contractual arrangements, a mutual exchange of information should take place between the competent authorities in accordance with AMC M.B.105 (a).

6. When performing the oversight of organisations that hold both M.A. Subpart F and M.A. Subpart G approvals, the competent authority should arrange the audits to cover both approvals avoiding duplicated visit of a particular area.

New AMC M.B.711 is inserted as follows:

AMC M.B.711 Competent authority oversight of activities contracted by the Part-M Subpart G organisation

1. When the M.A. Subpart G organisation contracts continuing airworthiness tasks, the competent authority should be satisfied that the level of 'active control' by the contractor is ensured by verifying the 'Means of Active Control' (MAC) as described in AMC M.A.711(a)2 subparagraph 7.

2. When the M.A. Subpart G organisation contracts continuing airworthiness tasks, the audit programme or the visits by the competent authority, as described in M.B.702(c) and M.B.704, should assess the criteria defined in subparagraph 1, in particular the procedures of the M.A. Subpart G organisation describing the active control of the contracted activities, the contractual arrangements and the oversight of the contracted organisation(s).

New Subpart J to section B is inserted as follows:

Subpart J

OPERATOR CONTRACTING CONTINUING AIRWORTHINESS MANAGEMENT ACTIVITIES TO AN APPROVED M.A. SUBPART G ORGANISATION

(Only for Commercial Air transport Operators)

AMC M.B.1001 (a) Application

1. The competent authority should not expect the documents listed in M.B.1001 (a) to be submitted in a completed state with the initial application for grant or change since each may require approval or investigation in its own right and may be subject to amendment as a result of competent authority assessment during the technical investigations. Draft documents should be submitted at the earliest opportunity so that investigation of the application can begin. Grant or change cannot be achieved until the competent authority is in possession of the completed documents.

2. This information is required to enable the competent authority to conduct its investigation, to assess the volume of maintenance work necessary and the locations at which it will be accomplished.

3. The applicant should inform the competent authority where continuing airworthiness control, base and scheduled line maintenance are to take place and give details of any contracted continuing airworthiness management and maintenance which is in addition to that provided in response to M.A.201(h)2 or M.A.1008 (b).

4. At the time of application, the operator seeking compliance with Section A, Subpart J of Part-M should have arrangements in place:

- (i) with the M.A. Subpart G organisation(s) for which the continuing airworthiness management is contracted;
- (ii) for all base and scheduled line maintenance for an appropriate period of time (in coordination with the contracted M.A. Subpart G organisation(s)), as acceptable to the competent authority.

The operator in coordination with the contracted M.A. Subpart G organisation(s) should establish further arrangements for maintenance in good time before the maintenance is due. Base maintenance contracts for high-life time checks may be based on one-time contracts, when the competent authority considers that this is compatible with the operator's fleet size. The operator in coordination with the contracted M.A. Subpart G organisation(s) would normally be expected to have a contract with a Part-145 organisation for base maintenance. In the case of small fleets, where heavy maintenance checks become due, these may be contracted to an appropriately approved organisation, on an individual basis, when the competent authority considers that acceptable.

AMC M.B.1002 (a) Initial application

1. 'Formally indicate in writing' means that an EASA Form 4 should be used for this activity. With the exception of the accountable manager, an EASA Form 4 should be completed for each person nominated to hold a position required by M.A.1006 (c) and (d).

2. In the case of the accountable manager, approval of the CACE containing the accountable manager's signed commitment statement constitutes formal acceptance, once the authority has conducted a meeting with the accountable manager and is satisfied with the results.

AMC M.B.1002 (b) Initial application

1. The competent authority should indicate approval of the CACE in writing.

2. Contracts for the continuing airworthiness management by the operator should be included in the CACE. The competent authorities should verify that the standards set forth in AMC M.A.201(h)1&2 have been met when approving the exposition.

3. The competent authority, when investigating the acceptability of the proposed contracted continuing airworthiness management arrangements by the operator seeking compliance with Section A, Subpart J of Part-M, will take into account, in the contracted M.A. Subpart G organisation(s), all other such contracts that are in place irrespective of state of registry, in terms of sufficiency of resources, expertise, management structure, facilities and liaison between the operator, the contracted continuing airworthiness organisation(s) and where applicable contracted maintenance organisation(s).

AMC M.B.1002 (c) Initial application

1. The competent authority should determine how and by whom the audit shall be conducted. For example, it will be necessary to determine whether, for example, a large team audit, a series of small team audits or a series of single man audits are most appropriate for the particular situation.

2. The audit may be carried out on a product line type basis. For example, in the case of an organisation with Airbus A320 and Airbus A310 ratings, the audit may concentrate on one

type only for a full compliance check. Dependant upon the result, the second type may only require a sample check that should at least cover the activities identified as weak for the first type.

3. The competent authority auditing surveyor should always ensure that he/she is accompanied throughout the audit by a senior technical member of the organisation. Normally this would be the quality manager. The reason for being accompanied is to ensure the organisation is fully aware of any findings during the audit.

4. The auditing surveyor should confirm any findings identified during the audit to the senior technical member of the organisation at the end of the audit.

AMC M.B.1002 (e) Initial application

1. Findings should be recorded on an audit report form with a provisional categorisation as a level 1 or 2. Subsequent to the audit visit that identified the particular findings, the competent authority should review the provisional finding levels, adjusting them if necessary and change the categorisation from 'provisional' to 'confirmed'.

2. All findings should be confirmed in writing to the applicant organisation within 2 weeks of the audit visit.

3. There may be occasions when the competent authority finds situations in the applicant's organisation on which it is unsure about compliance. In this case, the organisation should be informed about possible non-compliance at the time and the fact that the situation will be reviewed within the competent authority before a decision is made. If the review concludes that there is no finding then a verbal confirmation to the organisation will suffice.

AMC M.B.1002 (f) Initial application

1. The audit report form should be the EASA Form 13J (appendix VII).

2. A quality review of the EASA Form 13J audit report should be carried out by a competent independent person nominated by the competent authority. The review should take into account the relevant paragraphs of M.A. Subpart J, the categorisation of finding levels and the closure action taken. Satisfactory review of the audit form should be indicated by a signature on the EASA Form 13J.

3. The competent authority performing the oversight of the operator seeking compliance with Section A, Subpart J of Part-M, does not need to audit the contracted M.A. Subpart G organisation(s). However they should audit the contractual arrangements of the contract(s) and verify that the interfaces between the organisations are ensured. If needed, for practical reasons or wherever circumstances show the existence of a potential threat, the competent authority may audit the contracted M.A. Subpart G organisation(s). When more than one competent authorities are involved in the contractual arrangements, a mutual exchange of information should take place between the competent authorities in accordance with M.B.105 and M.B.1008.

4. For applications involving more than one competent authority and for practical reasons, the investigation should be based on a joint audit visit by the competent authority issuing the EASA Form 13J and the competent authority of the Member States in whose territories the other M.A. Subpart J facilities are located. Audits related to the continuing oversight (as referred to M.A. 1004) should be delegated to the competent authority of the Member States in whose territories the other M.A. Subpart J facilities are located. The resulting audit form and recommendation should then be submitted to the competent authority responsible for the renewal of the EASA Form 13J. The same principle applies to minor changes.

AMC M.B.1002 (g) Initial application

1. The audit reports should include the date each finding was cleared together with reference to the competent authority report or letter that confirmed the clearance.

2. Compliance with M.A. Subpart J should be indicated by means of a statement containing the following information:

- (a) the name of the operator; and
- (b) the type(s) of aircraft for which the operator has been approved; and
- (c) the reference identification of the approved maintenance programme(s); and
- (d) the reference identification of the approved CACE; and
- (e) any limitations imposed by the competent authority to the operator; and
- (f) any contracted M.A. Subpart G organisation(s) for the continuing airworthiness management.

3. The AOC may be used for the above subparagraph 2 statement or any other document associated to the AOC. Appendix XV proposes a compliance statement to be attached or merged to the AOC itself. The competent authority shall establish procedures to do so.

4. In the case of an operator where the continuing airworthiness management of different aircraft types/fleets complies with both M.A. Subpart G and M.A. Subpart J, the information contained on the EASA Form 14 and the above subparagraph 2 statement should be combined under the AOC.

AMC M.B.1004 (b) Continuing oversight

1. Where the competent authority has decided that a series of audit visits are necessary to arrive at a complete audit of an operator, the program should indicate which aspects of the approval will be covered on each visit.

2. It is recommended that part of an audit concentrates on the following ongoing aspects of the operator:

- the internal self-monitoring quality reports produced by the quality monitoring personnel to determine if the organisation is identifying and correcting its problems;
- the level of continuing airworthiness control and the monitoring of the contractual arrangements with the M.A. Subpart G organisation(s);
- the number of concessions granted by the quality manager.

3. At the successful conclusion of the audit(s) including verification of the exposition, an audit report form should be completed by the auditing surveyor including all recorded findings, closure actions and recommendation. An EASA Form 13J should be used for this activity.

4. Credit may be claimed by the competent authority surveyor(s) for specific item audits completed during the preceding 23-month period subject to four conditions:

- (a) the specific item audit should be the same as that required by M.A. Subpart J latest amendment, and
- (b) there should be satisfactory evidence on record that such specific item audits were carried out and that all corrective actions have been taken, and
- (c) the competent authority surveyor(s) should be satisfied that there is no reason to believe standards have deteriorated in respect of those specific item audits being granted a back credit;
- (d) the specific item audit being granted a back credit should be audited not later than 24 months after the last audit of the item.

5. When performing the oversight of operators complying with both M.A. Subpart J and M.A. Subpart G (or any other requirements such as M.A. Subpart F or Part-145), the competent authority shall arrange the audits in such a way that it avoids duplicating audits of a particular area.

AMC M.B.1005 (a) 1 - Findings

1. For a level 1 finding the competent authority should inform the operator and the competent authority of any potentially affected aircraft so that corrective action can be taken to ensure possible unsafe conditions on these aircraft are corrected before further flight.

2. Furthermore, a level 1 finding could lead to a non-compliance to be found on an aircraft as specified in M.B. 303 (g). In this case, proper action as specified in M.B.303 (h) shall be taken.

AMC M.B.1006 Changes

1. Changes in nominated persons

The competent authority should have adequate control over any changes to the personnel specified in M.A.1006 (a), (c) and (d). Such changes will require an amendment to the exposition.

2. It is recommended that a simple exposition status sheet is maintained which contains information on when an amendment was received by the competent authority and when it was approved.

3. The competent authority should define the minor amendments to the exposition which may be incorporated through indirect approval. In this case a procedure should be stated in the amendment section of the CACE.

Changes notified in accordance with M.A.1013 are not considered minor.

For all cases other than minor, the applicable part(s) of the EASA Form 13J should be used for the change.

4. The operator should submit each CACE amendment to the competent authority whether it be an amendment for competent authority approval or an indirectly approved amendment. Where the amendment requires competent authority approval, the competent authority when satisfied, should indicate its approval in writing. Where the amendment has been submitted under the indirect approval procedure the competent authority should acknowledge receipt in writing.

AMC M.B.1008 (b) Competent authority oversight of activities contracted by the M.A. Subpart J compliant operator

1. The competent authority should be satisfied that, for the contracted continuing airworthiness management, the level of 'control' implemented by the operator is sufficient by verifying the analysis described in AMC M.A.201(h)1&2 subparagraph 3 in order to cover:

(i) the risk analysis assessment of each task contracted by the operator;

(ii) the level of oversight by the operator and the level of timely exchange of documents and airworthiness data with the contracted M.A. Subpart G organisation(s);

(iii) the resource plan; and

(iv) the demonstration that the aircraft are maintained in an airworthy condition at all times.

2. The audit programme or the visits by the competent authority, as described in M.B.1002(c) and M.B.1004, should assess the documents defined in subparagraph 1, in particular the procedures of the operator describing the control of the contracted continuing airworthiness activities, the contractual arrangements and the oversight of the contracted organisation(s).

Appendix I to AMC M.A.302 and AMC M.B.301 (b) is modified as follows:

Appendix I to AMC M.A.302 and AMC M.B.301 (b)

Content of the maintenance programme

Note:

This appendix is applicable to the following (as applicable):

- an owner or operator of aircraft engaged in operations other than commercial activities; or
- an operator or an organisation approved under M.A. Subpart G managing the continuing airworthiness and exercising an active control of every continuing airworthiness task/issue; or
- an operator complying with Section A, Subpart J of Part-M exercising the control of the continuing airworthiness managed by the contracted M.A. Subpart G organisation.

Most of the chapters are applicable to the content of the maintenance programme: it is the organisation or natural person's responsibility to select the appropriate topics and, when appropriate, to associate the relevant issues in the CAME or CACE, as applicable, by:

- describing the policy and the resources;
- developing the appropriate associated procedures;
- justifying the degree of accomplishment, control or active control and oversight in the case of commercial air transport, in particular for contracted activities.

.../...

2. Programme basis

2.1 An owner or an operator or an M.A. Subpart G approved organisation's aircraft maintenance programme should normally be based upon the MRB report, where applicable, and the TC holder's maintenance planning document or Chapter 5 of the maintenance manual, (i.e. the manufacturer's recommended maintenance programme).

The structure and format of these maintenance recommendations may be re-written by the owner, operator or the M.A. Subpart G approved organisation to better suit the operation and control of the particular maintenance programme.

2.2 For a newly type-certificated aircraft where no previously approved maintenance programme exists, it will be necessary for the owner, operator or the M.A. Subpart G approved organisation to comprehensively appraise the manufacturer's recommendations (and the MRB report where applicable), together with other airworthiness information, in order to produce a realistic programme for approval.

2.3 For existing aircraft types it is permissible for the operator to make comparisons with maintenance programmes previously approved. It should not be assumed that a programme approved for one owner, operator or the M.A. Subpart G approved organisation would automatically be approved for another.

Evaluation should be made of the aircraft/fleet utilisation, landing rate, equipment fit and, in particular, the experience of the owner, operator or the M.A. Subpart G approved organisation when assessing an existing programme.

Where the competent authority is not satisfied that the proposed maintenance programme can be used as it is, the competent authority should request appropriate changes such as additional maintenance tasks or de-escalation of check frequencies as necessary.

2.4 Critical Design Configuration Control Limitations (CDCCL)

If CDCCL have been identified for the aircraft type by the TC/STC holder, maintenance instructions should be developed. CDCCLs are characterised by features in an aircraft installation or component that should be retained during modification, change, repair, or scheduled maintenance for the operational life of the aircraft or applicable component or part.

3. Amendments

Amendments (revisions) to the approved maintenance programme should be made by the owner, operator or the M.A. Subpart G approved organisation, to reflect changes in the TC holder's recommendations, modifications, service experience, or as required by the competent authority.

4. Permitted variations to maintenance periods

The owner, operator or the M.A. Subpart G approved organisation may only vary the periods prescribed by the programme with the approval of the competent authority or through a procedure developed in the maintenance programme and approved by the competent authority.

5. Periodic review of maintenance programme contents

5.1 The owner, operator or the M.A. Subpart G approved organisation's approved maintenance programmes should be subject to periodic review to ensure that they reflect current TC holder's recommendations, revisions to the MRB report if applicable, mandatory requirements and the maintenance needs of the aircraft.

5.2 The owner, operator or the M.A. Subpart G approved organisation should review the detailed requirements at least annually for continued validity in the light of operating experience.

6. Reliability Programmes

.../...

6.2.4 One difficulty with a small fleet of aircraft ~~is consists in~~ the amount of available data which can be utilised ~~processed~~: when this amount is ~~too~~ low, the calculation of alert level is not very refined and ~~very coarse~~. ~~Therefore~~ 'alert levels' should be used ~~with caution~~ carefully.

6.2.5 An M.A. Subpart G ~~continuing airworthiness~~ organisation responsible for a small fleet of aircraft, ~~when establishing a reliability programme~~, should consider the following ~~when establishing a reliability programme~~:

(a) The programme should focus on areas where a sufficient amount of data is likely to be available ~~processed~~.

(b) When the amount of available data is very limited, the M.A. Subpart G ~~continuing airworthiness~~ organisation's engineering judgement ~~becomes is then~~ a vital element. In the following examples, ~~careful~~ good engineering ~~analysis~~ judgement should be exercised in the analysis:

- a '0' rate in the statistical calculation may ~~possibly~~ simply reveal that ~~not~~ enough statistical data is ~~missing~~ available, rather that there is no potential problem.
- when alert levels are used, a single event may ~~cause have~~ the figures to reach the alert level. Engineering judgement is necessary ~~so as~~ to discriminate an ~~erroneous figure artefact~~ from an actual need for corrective action.
- in making ~~his~~ an engineering judgement, an M.A. Subpart G ~~continuing airworthiness~~ organisations ~~are is~~ encouraged to ~~discuss establish contact and make comparisons~~ with other M.A. Subpart G ~~continuing airworthiness~~ organisations ~~of~~ operating the same aircraft ~~types~~, where possible and relevant. Making comparison with data provided by the manufacturer may also be possible.

.../...

6.4 Contracted maintenance

6.4.1 Whereas M.A.302 specifies that the aircraft maintenance programme —which includes the associated reliability programme— should be managed and presented by the M.A. Subpart G organisation to the competent authority ~~in accordance with M.1 and in liaison with the operator~~, it is understood that the M.A. Subpart G organisation may delegate certain functions to the Part-145 organisation under contract, provided this organisation proves to have the appropriate expertise.

.../...

6.4.4 The arrangement between the operator complying with Section A, Subpart J of Part-M, the M.A. Subpart G continuing airworthiness organisation and the Part-145 organisation (as applicable) should be specified in the maintenance contract (see appendix 11) and the relevant CAME, CACE, and MOE procedures.

.../...

6.5.4 Information sources and collection.

6.5.4.1 Sources of information should be listed and procedures for the transmission of information from the sources, together with the procedure for collecting and receiving it, should be set out in detail in the CAME, CACE or MOE as appropriate.

.../...

6.5.8 Organisational Responsibilities.

The organisational structure and the department responsible for the administration of the programme should be stated. The chains of responsibility for individuals and departments (Engineering, Production, Quality, Operations, etc.) in respect of the programme, together with the information and functions of any programme control committees (reliability group), should be defined. Participation of the competent authority should be stated. This information should be contained in the CAME, CACE or MOE as appropriate.

.../...

6.6.3 In case of a short-term lease agreement (less than 6 month) more flexibility against the paragraph 6.6.1 criteria may be granted by the competent authority, so as to allow the owner/operator to operate the aircraft under the same programme during the lease agreement effectivity.

.../...

Appendix V to AMC M.A.704 is modified as follows:

Appendix V to AMC M.A.704 and to AMC M.A.1004 Continuing airworthiness management organisation exposition

CONTINUING AIRWORTHINESS MANAGEMENT EXPOSITION (CAME) for an M.A. Subpart G organisation

CONTINUING AIRWORTHINESS CONTROL EXPOSITION (CACE) for an operator complying with Section A, Subpart J of Part-M

Note:

This appendix is valid for both M.A. Subpart G organisations and operators compliant with M.A. Subpart J. Most of the chapters are applicable to each exposition manual: it is the organisation's responsibility to select the topics relevant to the CAME or CACE by:

- describing the policy and the resources;
- developing the appropriate associated procedures;
- justifying the degree of accomplishment, control and/or active control and oversight, in particular for contracted activities ('Means of Active Control') and for commercial air transport operations (Risk Assessment Analysis).

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DISTRIBUTION LIST

(The document should include a distribution list to ensure proper distribution of the manual and to demonstrate to the competent authority that all personnel involved in continuing airworthiness management has access to the relevant information. This does not mean that all personnel have to be in receipt of a manual but that a reasonable amount of manuals are distributed within the organisation(s) so that the concerned personnel may have quick and easy access to this manual.

Accordingly, the ~~continuing airworthiness management exposition~~ CAME or CACE should be distributed to:

- the operator's or the organisation's management personnel and any person at a lower level as necessary; and,
- the contracted continuing airworthiness task organisations where specialised activities are outsourced or where the operator involved in CAT operations contracts an M.A. Subpart G organisation according to M.A. Subpart J; and,
- the Part-145 or M.A. Subpart F contracted maintenance organisation(s); and,
- the competent authority.

PART 0 GENERAL ORGANISATION**0.1 Corporate commitment by the accountable manager**

(The accountable manager's exposition statement should embrace the intent of the following paragraph and in fact this statement may be used without amendment. Any modification to the statement should not alter the intent.)

This exposition defines the organisation and procedures under which upon which the M.A. Subpart G approval of Joe Bloggs remains compliant with M.A. Subpart G and/or M.A. Subpart J (as applicable). ~~under Part M is based~~

These procedures are approved by the undersigned and must be complied with, as applicable; in order to ensure that all the continuing airworthiness activities including maintenance for aircraft managed by Joe Bloggs is carried out on time to an approved standard.

It is accepted that these procedures do not override the necessity of complying with any new or amended regulation published by the Agency or the competent authority from time to time where these new or amended regulations are in conflict with these procedures.

The competent authority will approve this organisation whilst the competent authority is satisfied that the procedures are being followed. It is understood that, if the competent authority has evidence that the procedures are not followed and the standards not upheld, the competent authority reserves the right:

- to suspend, vary or revoke the M.A. Subpart G continuing airworthiness management approval of the organisation, as applicable, and/or if the competent authority has evidence that the procedures are not followed and the standards not upheld;
- to suspend the operations covered by the operator that is not anymore compliant with M.A. Subpart J.

In the case of aircraft involved in commercial air transport, suspension or revocation of the approval of the when the organisation does not comply anymore with Part M M.A. Subpart G continuing airworthiness management approval or M.A. Subpart J would invalidate the AOC.

0.2 General Information

a) Brief description of the organisation

(This paragraph should describe broadly how the whole organisation [i.e. including the whole operator in the case of commercial air transport or the whole organisation when other approvals are held] is organised under the management of the accountable manager, and should refer to the organisation charts of paragraph 0.4.)

b) Relationship with other organisations

(This paragraph may not be applicable to every organisation.)

(1) Subsidiaries/mother company

(For clarity purpose, where the organisation belongs to a group, this paragraph should explain the specific relationship the organisation may have with other members of that group — e.g. links between Joe Bloggs Airlines, Joe Bloggs Finance, Joe Bloggs Leasing, Joe Bloggs Maintenance, etc.)

(2) Consortiums

(Where the organisation belongs to a consortium, it should be indicated here. The other members of the consortium should be specified, as well as the scope of organisation of the consortium [e.g. operations, maintenance, design (modifications and repairs), production etc.]. The reason for specifying this is that consortium maintenance may be controlled through specific contracts and through consortium's policy and/or procedures manuals that might unintentionally override the maintenance contracts. In addition, in respect of international consortiums, the respective competent authorities should be consulted and their agreement to the arrangement clearly stated. This paragraph should then make reference to any consortium's continuing airworthiness related manual or procedure and to any competent authority agreement that would apply.)

c) Aircraft managed — Fleet composition

The exposition should make clear reference to the following items, as applicable:

- Aircraft type(s);
- Number of aircraft in the fleet;
- Maintenance programme reference(s);
- Contracted organisation(s) responsible for continuing airworthiness management per fleet/aircraft;
- Contract reference (s) for the continuing airworthiness management;
- AOC reference in the case of commercial operations where such certificate is requested.

(This paragraph should quote the aircraft type and the number of aircraft of each type. The following is given as an example :)

Joe Bloggs PLC manages, as of 28 November 2003, the following:

3B737-300

3-B737-400

1-A320-200

14-F27 (MK500), etc

For commercial air transport, the fleet composition reference with the aircraft registrations is given by Joe Bloggs Airlines' current AOC (or else where e.g. in the Operation Manual, by agreement of the competent authority)

Note:

(Depending on the number of aircraft, this paragraph may be updated as follows:

1) the paragraph is revised each time an aircraft is removed from or added to the list.

2) the paragraph is revised each time a type of aircraft or a significant number of aircraft is removed from or added to the list. In that case the paragraph should explain where the current list of aircraft managed is available for consultation.)

3) the paragraph is revised each time an individual aircraft/aircraft type moves from M.A. Subpart G to M.A. Subpart J continuing airworthiness management when the operator complies with both Subparts in the case of different fleet involved in CAT operations.)

d) Type of operation

(This paragraph should give broad information on the type of operations such as: commercial, aerial work, non-commercial, long haul/short haul/regional, scheduled/charter, regions/countries/continents flown, etc.)

0.3 Management personnel

a) Accountable manager

(This paragraph should address the duties and responsibilities of the accountable manager ~~as far as Part M.A. Subpart G is concerned~~ and demonstrate that he/she has corporate authority for ensuring that all continuing airworthiness activities can be financed and carried out to the required standard.)

b) Nominated post holder for continuing airworthiness (for commercial air transport)

(This paragraph should:

- Emphasise that the nominated post holder for continuing airworthiness is responsible to ensure that all maintenance is carried out on time to an approved standard.*
- Describe the extent of his/her authority as regards his Part-M responsibility for continuing airworthiness management.*

This paragraph is not necessary for organisations not holding an AOC).

c) Continuing airworthiness coordination

(This paragraph should list the job functions that constitute the 'group of persons' as required by M.A.706(c) or by M.A.1006(c) in enough detail so as to show that all the continuing airworthiness responsibilities as described in Part-M are covered by the persons that constitute that group. In the case of small operators, where the 'Nominated Post holder for continuing airworthiness constitutes himself/herself the "group of persons"', this paragraph may be merged with the previous one.)

d) Duties and responsibilities

(This paragraph should further develop the duties and responsibilities of:

- the personnel listed in paragraph c): 'Continuing airworthiness coordination',*
- the quality manager, as regards the quality monitoring of the maintenance system [which includes the approved maintenance organisation(s)].*

e) Manpower resources and training policy

(1) Manpower resources

(This paragraph should give broad figures to show that the number of people dedicated to the performance of the approved continuing airworthiness activity is adequate. It is not necessary to give the detailed number of employees of the whole company but only the number of those involved in continuing airworthiness management. This could be presented as follows:)

As of 28 November 2003, the number of employees dedicated to the performance of the continuing airworthiness management system is the following:

.../...

0.6 Exposition amendment procedure

(This paragraph should explain who is responsible for the amendment of the exposition and submission to the competent authority for approval. This may include, if agreed by the competent authority, the possibility for the approved organisation to approve internally minor changes that have no impact on the approval held. The paragraph should then specify what types of changes are considered as minor and major and what the approval procedures for both cases are.)

PART 1 CONTINUING AIRWORTHINESS MANAGEMENT PROCEDURES (for an M.A. Subpart G organisation) or CONTINUING AIRWORTHINESS CONTROL PROCEDURES (for an operator complying with Section A, Subpart J of Part-M)

(All paragraphs are applicable to any type of organisations and should be extended to the combination of responsibilities under the contracted arrangements between the Part-M Subpart G, the operator complying with Section A, Subpart J of Part-M and the maintenance organisations, wherever applicable:

- **the procedures should confirm which of the organisations are responsible for accomplishment/control of each element of the tasks listed below and where the responsibilities are;**

- **interfaces between organisations should be included in the procedures.**

The procedures shall reflect the outcome of the analysis in regard to:

- **AMC M.A.201(h)1&2, subparagraph 3 in the case of CAT operations; and/or**

- **AMC M.A.711(a)2 in the case of contracting of continuing airworthiness activities for the M.A. Subpart G organisations;**

- **The level of 'control' and 'active control', wherever applicable, and the resource plan aligned with the document called 'Means of Active Control' (MAC) for contracted continuing airworthiness task and/or the Risk Assessment Analysis (RAA) in the case of operations involved in CAT.)**

1.1 Aircraft technical log utilisation and MEL application

or

1.1 Aircraft continuing airworthiness record system utilisation

.../...

(4) Acceptance by the authority

(This paragraph should explain who is responsible for the submission of the maintenance programme to the competent authority and what is the procedure to follow.

This should in particular address the issue of the competent authority approval for variation to maintenance periods. This may include, if agreed by the competent authority, the possibility for the approved organisation to approve internally certain changes. The paragraph should then specify what types of changes are concerned and what the approval procedures are.

It should also reflect the contractual arrangements between the different organisations when the Member State of the operator is different from the state of registry as described in M.1 and when the indirect approval procedure is used.)

.../...

PART 2 QUALITY SYSTEM

2.1 Continuing airworthiness quality policy, plan and audits procedure

a) Continuing airworthiness quality policy

(This paragraph should include a formal Quality Policy statement; that is a commitment on what the Quality System is intended to achieve. It should include at the minimum monitoring compliance with Part-M and any additional standards specified by the organisation.)

b) Quality plan

(This paragraph should show how the quality plan is established. The quality plan will consist of a quality audit and sampling schedule that should cover all the areas specific to Part-M in a definite period of time. However, the scheduling process should also be dynamic and allow for special evaluations when trends or concerns are identified. In case of sub-contracting, this paragraph should also address the planning of the auditing of contractors at the same frequency as the rest of the organisation.)

c) Quality audit procedure

(The quality audit is a key element of the quality system. Therefore, the quality audit procedure should be sufficiently detailed to address all the steps of an audit, from the preparation to the conclusion, show the audit report format [e.g. by ref. to paragraph 5.1 'sample of document'], and explain the rules for the distribution of audits reports in the organisation [e.g.: involvement of the Quality Manager, Accountable Manager, Nominated Post holder, etc.]

d) Quality audit remedial action procedure

(This paragraph should explain what system is put in place in order to ensure that the corrective actions are implemented on time and that the result of the corrective action meets the intended purpose. For instance, where this system consists in periodical corrective actions review, instructions should be given how such reviews should be conducted and what should be evaluated.)

2.2 Monitoring of continuing airworthiness and maintenance management activities

(This paragraph should set out a procedure to periodically review the activities of the continuing airworthiness and maintenance management personnel and how they fulfil their responsibilities, as defined in Part O.)

2.3 Monitoring of the effectiveness of the maintenance programme(s)

(This paragraph should set out a procedure to periodically review that the effectiveness of the maintenance programme is actually analysed as defined in Part 1.)

The monitoring from the operator complying with section A, Subpart J of Part-M, as a minimum, may be limited to the liaison with the contracted M.A. Subpart G organisation in charge of the development and amendment of the maintenance programme and its reliability, in order to ensure that the following elements are appropriately taken into account, not limited to:

- *Dispatch and type of operations;*
- *Aircraft technical log discrepancies;*
- *Technical delays;*
- *Incidents;*
- *Modifications, SBs, ADs, changes to the manufacturer maintenance manuals or any aircraft manufacturer recommendations;*
- *Maintenance records.*

2.4 Monitoring that all maintenance is carried out by an appropriate maintenance organisation

(This paragraph should set out a procedure to periodically review that the approval of the contracted maintenance organisations is relevant for the maintenance being performed on the operator's fleet. This may include feedback information from any contracted organisation on any actual or contemplated amendment, in order to ensure that the maintenance system remains valid and to anticipate any necessary change in the maintenance agreements. If necessary, the procedure may be subdivided as follows:

- a) Aircraft maintenance
- b) Engines
- c) Components)

2.5 Monitoring that all sub-contracted maintenance is carried out in accordance with the contract(s), including contractors used by the maintenance contractor(s)

(This paragraph should set out a procedure to periodically review that the continuing airworthiness management-M.A. Subpart G personnel [in coordination with the operator, if applicable] are satisfied that all contracted maintenance is carried out in accordance with the contract(s). This may include a procedure to ensure that the system allows all the personnel involved in the contract [including all the approved and non-approved contractors and further contracting and his subcontractors] to be acquainted with its terms and that, for any contract amendment, relevant information is dispatched in the organisation(s) and at the contractor.)

2.6 Monitoring that all contracted continuing airworthiness activities are carried out in accordance with the contract(s), including contractors used by M.A. Subpart G contractor(s)

(This paragraph should set out a procedure to periodically review that the M.A. Subpart G personnel are satisfied that all contracted continuing airworthiness activities are carried out in accordance with the contract. This may include a procedure to ensure that the system allows all the personnel involved in the contract [including all the approved and non-approved contractors] to be acquainted with its terms and that, for any contract amendment, relevant information is dispatched in the organisation(s) and at the contractor.

This issue is of importance:

- *for the liaison between the M.A. Subpart G organisation and the operator complying with Section A, Subpart J of Part-M)*
- *when the M.A. Subpart G organisation further contracts continuing airworthiness tasks).*

2.7 6 Quality audit personnel

(This paragraph should establish the required training and qualification standards of auditors. Where persons act as a part-time auditor, it should be emphasised that this person must not be directly involved in the activity he/she audits.)

2.8 Competence assessment of personnel involved in the privileges of the organisation

(This paragraph should describe the required training, qualification standards and procedure for the personnel involved in the management or the control/active control of the continuing airworthiness and/or the airworthiness review if necessary. The competence of this personnel should be assessed before exercising its activities. Training needs should be annually evaluated in order to further define the planning of the training, taking into account the technological evolution, the regulatory changes, the feedback from experience, the quality system results, etc.)

PART 3 CONTRACTED MAINTENANCE

3.1 Maintenance contractor selection procedure

(This paragraph should explain how a maintenance contractor is selected by the continuing airworthiness management M.A. Subpart G organisation [in coordination with the operator complying with Section A, Subpart J of Part-M, if applicable]. Selection should not be limited to the verification that the contractor is appropriately approved for the type of aircraft, but also that the contractor has the industrial capacity to undertake the required maintenance. This selection procedure should preferably include a contract review process in order to insure that:

- *the contract is comprehensive and that no gap or unclear area remains,*
- *everyone involved in the contract [both at the continuing airworthiness management organisation-M.A. Subpart G organisation or/and at the operator complying with Section A, Subpart J of Part-M and at the maintenance contractor] agrees with the terms of the contract and fully understands his/her responsibilities.*
- *that functional responsibilities of all parties are clearly identified.*

- is signed by the owner/lessee of the aircraft in the case of non-commercial air transport. In the case of non-commercial air transport, this activity should be carried in agreement with the owner.)

3.2 Continuing airworthiness management contractor selection procedure (only applicable for the operator complying with M.A. Subpart J)

(This paragraph should explain how an M.A. Subpart G contractor is selected by the operator complying with Section A, Subpart J of Part-M. Selection should not be limited to the verification that the contractor is appropriately approved for the type of aircraft, but also that the contractor has the working capacity to undertake the required continuing airworthiness management. This selection procedure should preferably include a contract review process in order to insure that:

- the contract is comprehensive and that no gap or unclear area remains,
- everyone involved in the contract [both organisations] agrees with the terms of the contract and fully understands his/her responsibilities.
- that functional responsibilities of all parties are clearly identified.

3.32 Quality audit of aircraft

(This paragraph should set out the procedure when performing a quality audit of an aircraft. It should set out the differences between an airworthiness review and quality audit. This procedure may include:

- compliance with approved product audit procedures of the operator complying with Section A, Subpart J of Part-M, the M.A. Subpart G and the Part-145 organisations;
- contracted continuing airworthiness management is carried out in accordance with the contract(s) when applicable;
- contracted maintenance is carried out in accordance with the contract;
- continued compliance with Part-M.)

PART 4 AIRWORTHINESS REVIEW PROCEDURES

(This part is not applicable to CAT operators complying with M.A. Subpart J)

.../...

PART-4B PERMIT TO FLY PROCEDURES

(This part is not applicable to CAT operators complying with M.A. 711(c))

.../...

PART 5 APPENDICES

5.1 Sample documents

(A self-explanatory paragraph)

5.2 List of airworthiness review staff (only applicable to M.A. Subpart G organisation having the privilege according to Part-M Subpart I)

(A self-explanatory paragraph)

5.3 List of sub-contractors as per ~~AMC M.A.201 (h) 1~~ and ~~M.A.711(a)32~~ (only applicable to M.A. Subpart G organisation)

(A self-explanatory paragraph; in addition it should set out that the list should be periodically reviewed.)

5.4 List of contracted M.A. Subpart G organisations as per M.A.201(h)2 and M.A.1010 (only applicable to operator(s) complying with Section A, Subpart J of Part-M)

(A self-explanatory paragraph; in addition it should set out that the list should be periodically reviewed.)

When the contracted M.A. Subpart G organisation in charge of the continuing airworthiness of the operator complying with Section A, Subpart J of Part-M, further contracts continuing airworthiness tasks, the second tier contracts do not need to be listed here. However these contracts should be available to the competent authority upon request.

5.45.5 List of approved maintenance organisations contracted

(A self-explanatory paragraph; in addition it should set out that the list should be periodically reviewed.)

5.5 5.6 Copy of contracts for sub-contracted work (appendix II to AMC M.A.711(a)2

(A self-explanatory paragraph)

5.6 5.7 Copy of contracts with approved maintenance organisations

(A self-explanatory paragraph)

5.8 Copy of contracts between an operator complying with Section A, Subpart J of Part-M and an M.A. Subpart G organisation(s) as per M.A.201(h)2, M.A.711(a)1 and M.A.1010.

(A self-explanatory paragraph)

(Appendix II to AMC M.A.201(h)1 is deleted and replaced by new Appendix II to AMC M.A.711(a)2)

Appendix II to AMC M.A.711(a)2: Contracting of continuing airworthiness tasks by an M.A. Subpart G organisation.

1. General

The M.A. Subpart G organisation contracts continuing airworthiness tasks or activities to competent person(s) or competent organisation(s).

1.1 The M.A. Subpart G organisation remains responsible for contracted activities and should:

- (i) ensure that at all times each aircraft they operate is maintained in an airworthy condition;
- (ii) define the individual task(s) which it intends to contract and how it will oversee each one of these contracted tasks which remain under its quality system;
- (iii) identify the criticality of the contracted tasks and establish the day-to-day involvement for each task based on the criticality of the task; such an analysis should give the level of 'active control' and should be made available to the competent authority;
- (iv) establish proper lines of communication (including exchange of documents and airworthiness data) to ensure consistency and effectiveness of combined contractual arrangements;
- (v) employ a person or group of persons with the appropriate range of competences to manage and actively control the performance of the contracted organisation(s);
- (vi) always maintain the capability and the competency to exercise active control of the contract(s);
- (vii) demonstrate by way of a resource plan that they have adequate manpower, competence, approved data etc., to ensure, by active control, that all the contracted activities are carried out to the agreed standard;
- (viii) ensure that oversight activities cover all normal operating hours and address critical airworthiness issues that could occur at any time;
- (ix) ensure that independent audits of the above arrangements are carried out in line with an audit plan and any non-conformities that are identified are reported to the responsible level of management and that any necessary rectification actions are carried out within the agreed timeframe;
- (x) should ensure that details of all the above-mentioned subjects are included in the CAME or referenced in the CAME and included within separate documentation. These documents and analysis should be made available to the competent authority.

1.2 The M.A. Subpart G organisation should conduct a pre-contract audit to establish that the contracted organisation(s) has the standards, capability and capacity to comply with the contract.

1.3 To contract out continuing airworthiness management tasks the M.A. Subpart G organisation should have procedures to manage and control these arrangements which should be specified in the CAME.

1.4 Contracted continuing airworthiness management tasks should be addressed in a contract with the contracted organisation. The contract(s) should specify that the contracted organisation(s):

- (i) is (are) responsible for informing the M.A. Subpart G organisation of any changes that affect its (their) ability to comply with the contract(s);
- (ii) work(s) under the quality system of the M.A. Subpart G organisation, irrespective of any approval held by the contracted organisation(s).

1.5 When the contracted organisation(s) develops its own procedures these should be compatible with the M.A. Subpart G organisation's CAME and the terms of the contract(s). These procedures should be accepted by the M.A. Subpart G organisation and cross-referenced in the CAME. One current copy of the contracted organisation's relevant

procedures should be kept by the M.A. Subpart G organisation and should be accessible to the competent authority where needed. Should any conflict arise between the contracted organisation's procedures and those of the M.A. Subpart G organisation's CAME, the procedures of the M.A. Subpart G organisation prevail.

1.6 The contract should specify under which circumstances the M.A. Subpart G organisation should be informed about changes to the contracted organisation and/or its procedures.

1.7 The M.A. Subpart G organisation should have access to all relevant data in order to fulfil its responsibilities.

1.8 The M.A. Subpart G organisation should ensure that the contracted organisation continues to have the capability and resources to perform the contracted tasks to the required standards.

1.9 The M.A. Subpart G organisation should provide training and instructions as applicable to ensure that the contracted organisation staff understands the procedures and the contractual responsibilities.

1.10 When the M.A. Subpart G organisation is contracted by an operator complying with M.A. Subpart J, the arrangements shall address the continuing airworthiness tasks and the maintenance that are further contracted by the CAMO, with the agreement of the operator. The CAME, its procedures and the further contracting of activities (contracts) shall be made compatible with the CACE and its procedures; a conflict resolution process shall be described in the case of further contracting.

2. Accomplishment

This paragraph describes topics which may be considered for the contractual arrangements.

2.1 Scope of work

The type of aircraft (and their registrations), the engines/APUs (and their serial numbers) and/or components subject to the continuing airworthiness management tasks should be specified.

If the M.A. Subpart G organisation contracts out types of aircraft, engine and/or auxiliary power units to multiple contracted organisations and AMOs, consistency and effectiveness of combined contractual arrangements should be ensured by the M.A. Subpart G organisation.

2.2 Maintenance programme development and amendment

The M.A. Subpart G organisation may contract the development and amendment of the maintenance programme. The M.A. Subpart G organisation should establish a policy which describes the basis on which the maintenance programme is developed and implemented. The M.A. Subpart G organisation should ensure that the maintenance programme meets its policies. The M.A. Subpart G organisation remains responsible for assessing that the draft proposals meet its policies and for obtaining competent authority approval; the CAME should specify these responsibilities. The contract should also specify that any data necessary to substantiate the approval of the initial programme or an amendment to this programme should be provided for the M.A. Subpart G organisation agreement and/or competent authority approval.

2.3 Maintenance programme effectiveness

The M.A. Subpart G organisation should specify policies and procedures in the CAME which describe the basis on which the effectiveness of the maintenance programme is assessed. The collection of data and initial assessment may be made by the contracted organisation; the required actions are to be endorsed by the M.A. Subpart G organisation.

When reliability monitoring is used to establish maintenance programme effectiveness, this may be accomplished by the contracted organisation if specified in the relevant procedures. Reference should be made to the M.A. Subpart G organisation's approved maintenance programme and reliability programme.

In providing reliability data the contracted organisation is limited to working with primary data provided by the M.A. Subpart G organisation or data provided by the M.A. Subpart G organisation's contracted maintenance organisation from which the reports are derived. The pooling of reliability data is permitted if accepted by the competent authority.

2.4 Scheduled maintenance planning

If the contracted organisation plans and defines maintenance checks and/or inspections in accordance with the maintenance programme, the required liaison between the M.A. Subpart G organisation, contracted organisation and contracted maintenance organisation should be defined in the contract.

The contracted organisation should be in receipt of all the necessary data to be able to properly perform the planning functions.

2.5 Quality monitoring

The M.A. Subpart G organisation's quality system should monitor the contracted organisation's compliance with the contract. The terms of the contract should therefore include a provision allowing the M.A. Subpart G organisation to perform quality surveillance (including audits) upon the contracted organisation(s). The aim of the surveillance is to assess and determine the effectiveness of those contracted activities and thereby to ensure compliance with M.A. Subpart G. Attention should be given to consistency and effectiveness of combined contractual arrangements where tasks are contracted to multiple organisation(s) and maintenance organisation(s).

Audit reports may be subject to review when requested by the competent authority.

2.6 Access by the competent authority

The contract should specify that the contracted organisation should always grant access to the M.A. Subpart G organisation's competent authority.

2.7 Maintenance data

The maintenance data to be used should be specified in the contract together with those responsible for providing such documentation. Where applicable, the M.A. Subpart G organisation should ensure that such data including revisions are readily available to the contracted organisation. The M.A. Subpart G organisation should establish a 'fast-track' means of ensuring that urgent data is transmitted to the contracted organisation in a timely manner.

2.8 Airworthiness directives

The M.A. Subpart G organisation should specify a policy in the CAME on Airworthiness Directives (ADs). The M.A. Subpart G organisation should ensure that its policy is complied with.

For ADs requiring action by flight operational staff the M.A. Subpart G organisation should ensure that adequate liaison exists.

2.9 Non-mandatory modifications

Based on the M.A. Subpart G organisation's policies and procedures in the CAME the contracted organisation may review, plan and implement SBs and other approved non-mandatory modifications.

2.10 Engine health monitoring

The contracted organisation should be in receipt of all the relevant data for this task. The contract should also specify what feedback information the contracted organisation should provide to the M.A. Subpart G organisation.

2.11 Defect control

The M.A. Subpart G organisation should specify policies and procedures on control of technical log defects in the CAME. For defects identified during maintenance, the M.A. Subpart G organisation should establish a rectification and deferral policy.

The contracted organisation should assess the cumulative effect of any combination of defects deferred from maintenance, and inform the M.A. Subpart G organisation in a timely manner of potential operational implications.

The required liaison relative to deferred defects between the M.A. Subpart G organisation, contracted organisation(s) and contracted maintenance organisation(s) should be defined in the contract.

2.12 Continuing airworthiness records

These may be retained by the contracted organisation on behalf of the M.A. Subpart G organisation, who remains the owner of these records. The M.A. Subpart G organisation should be provided with the current status in accordance with the agreed procedures. This may be satisfied by means of on-line access to the appropriate information systems. The M.A. Subpart G organisation should also be provided with unrestricted and timely access to original records as required.

2.13 Weight and balance control

The M.A. Subpart G organisation should be informed in a timely manner by the contracted organisation of any change to the aircraft weight and balance resulting from performance of periodic weighing, significant repairs and/or modifications.

2.14 Check flight procedures

The M.A. Subpart G organisation should establish a post-maintenance check-flight policy (if not specified in the maintenance manual). Check-flights are carried out under the control of the operator.

2.15 Additional operational requirements

The M.A. Subpart G organisation remains responsible for informing the contracted organisation of any new or revised operational requirement received from the operator necessary to maintain the aircraft in the operator's required configuration (e.g. ETOPS, RVSM).

2.16 Communication between the M.A. Subpart G organisation and contracted organisation

Meetings are essential for the M.A. Subpart G organisation to exercise control of the contracted tasks. They should be used to establish good communication between the M.A. Subpart G organisation and its contracted organisation(s) and maintenance organisation(s).

The terms of contract should include the provision for a defined number of meetings to be held between the involved parties. Details of the types of liaison meetings and associated terms of reference of each meeting should be documented.

All meetings should be adequately documented and action items recorded and allocated for subsequent follow-up and closure.

The meetings may include but are not limited to all or a combination of the following:

- a. Contract review,
- b. Prior to implementing the contract it is essential that the relevant personnel meet to ensure that all parties have a common understanding of their duties. Periodic contract reviews should be established focusing on key contract parameters (e.g. work scope), non-compliance issues and additional short, medium and long term planning aspects.
- c. Performance assessment:
Periodic performance meetings should be established focusing on monitoring aircraft operational performance and safety levels. Subjects to be addressed may include, but are not necessarily limited to:
 - Technical dispatch reliability;
 - Technical delays and cancellations;
 - Defects statistics and trends;
 - Configuration control and modification status;
 - AD review;
 - Incident statistics and reporting;
 - Maintenance programme activities;
 - Reliability trends;

d. Quality

Quality meetings should be established in order to examine matters raised by:

- M.A. Subpart G organisation's quality surveillance;
- Review of the contracted organisation's internal auditing activities;
- Competent authority monitoring activities.

When the contracted organisation becomes aware of a non-compliance which may invalidate the certificate of airworthiness or airworthiness review certificate (ARC), the M.A. Subpart G organisation should be immediately notified. The M.A. Subpart G organisation should ensure that appropriate corrective and preventive actions are implemented.

The contract should specify the frequency and types of reports that will be provided to the M.A. Subpart G organisation.

Appendix VII to AMC M.B.702(f) EASA Form 13 is amended as follows:

Appendix VII to AMC M.B.702(f) and AMC M.B.1002 (f): EASA Form 13

PART 1: EASA Form 13G for M.A. Subpart G organisation(s)

M.A. SUBPART G APPROVAL RECOMMENDATION REPORT EASA FORM 13G

Part 1: General

Name of organisation:

Approval reference:

Requested approval rating/
EASA Form 14 or AOC dated*:

Other approvals held (if app.)

Address of facility(ies) audited:

Audit period: from to :

Date(s) of audit(s):

Audit reference(s):

Persons interviewed:

Competent authority surveyor:

Signature(s):

Competent authority office:

Date of Form 13G part 1 completion:

*delete as where applicable

M.A. SUBPART G APPROVAL RECOMMENDATION REPORT EASA FORM 13G

Part 2: M.A. Subpart G Compliance Audit Review

The five columns may be labelled and used as necessary to record the approval product line or facility, including subcontractor's, reviewed. Against each column used of the following M.A. Subpart G subparagraphs please either tick (✓) the box if satisfied with compliance or cross (×) the box if not satisfied with compliance and specify the reference of the Part 4 finding next to the box, or enter N/A where an item is not applicable, or N/R when applicable but not reviewed.

Para	Subject					
M.A.703	Extent of approval	<input type="checkbox"/>				
M.A.704	See Part 3	<input type="checkbox"/>				
M.A.705	Facilities	<input type="checkbox"/>				
M.A.706	Personnel requirements	<input type="checkbox"/>				
M.A.707	Airworthiness review staff	<input type="checkbox"/>				
M.A.708	Continuing airworthiness management	<input type="checkbox"/>				
M.A.201	AOC holder subcontracting	<input type="checkbox"/>				
M.A.302	Maintenance programme	<input type="checkbox"/>				
M.A.303	Airworthiness directives	<input type="checkbox"/>				
M.A.304	Modifications and repairs	<input type="checkbox"/>				
M.A.305	Records	<input type="checkbox"/>				
M.A.306	Technical log	<input type="checkbox"/>				
M.A.709	Documentation	<input type="checkbox"/>				
M.A.710	Airworthiness review	<input type="checkbox"/>				
M.A.711	Privileges of the organisation	<input type="checkbox"/>				
M.A.712	Quality system	<input type="checkbox"/>				
M.A.713	Changes	<input type="checkbox"/>				
M.A.714	Record-keeping	<input type="checkbox"/>				

Competent authority surveyor(s):

Signature(s):

Competent authority office:

Date of Form 13G part 2 completion:

M.A. SUBPART G APPROVAL RECOMMENDATION REPORT EASA FORM 13G**PART 3: Compliance with M.A. Subpart G continuing airworthiness management exposition (CAME)**

Please either tick (✓) the box if satisfied with compliance; or cross (x) if not satisfied with compliance and specify the reference of the Part 4 finding; or enter N/A where an item is not applicable; or N/R when applicable but not reviewed.

Part 0	General organisation	
0.1		Corporate commitment by the accountable manager.
0.2		General information
0.3		Management personnel
0.4		Management Organisation Chart
0.5		Notification procedure to the competent authority regarding changes to the organisation's activities/approval/location/personnel.
0.6		Exposition amendment procedures
Part 1	Continuing airworthiness management procedures	
1.1		Aircraft technical log utilisation and MEL application (commercial air transport) Aircraft continuing airworthiness record system utilisation (non-commercial air transport)
1.2		Aircraft maintenance programmes — development amendment and approval
1.3		Time and continuing airworthiness records, responsibilities, retention, access
1.4		Accomplishment and control of airworthiness directives
1.5		Analysis of the effectiveness of the maintenance programme(s)
1.6		Non-mandatory modification embodiment policy
1.7		Major modification standards
1.8		Defect reports
1.9		Engineering activity
1.10		Reliability programmes
1.11		Pre-flight inspections
1.12		Aircraft weighing
1.13		Check flight procedures
Part 2	Quality system	
2.1		Continuing airworthiness quality policy, plan and audits procedure
2.2		Monitoring of continuing airworthiness and maintenance management activities
2.3		Monitoring of the effectiveness of the maintenance programme(s)

2.4		Monitoring that all maintenance is carried out by an appropriate maintenance organisation
2.5		Monitoring that all contracted maintenance is carried out in accordance with the contract, including sub contractors used by the maintenance contractor
2.6		Monitoring that all contracted continuing airworthiness activities are carried out in accordance with the contract(s), including contractors used by Part-M Subpart G contractor(s)
2.7-6		Quality audit personnel
2.8		Competence assessment of personnel involved in the privileges of the organisation
Part 3	Contracted Maintenance	
3.1		Maintenance contractor selection procedure
3.2		Detailed list of maintenance contractors
3.3		Quality audit of aircraft
Part 4	Airworthiness review procedures	
4.1		Airworthiness review staff
4.2		Review of aircraft records
4.3		Physical survey
4.4		Additional procedures for recommendations to competent authorities for the import of aircraft
4.5		Recommendations to competent authorities for the issue of airworthiness review certificates
4.6		Issuance of airworthiness review certificates
4.7		Airworthiness review records, responsibilities, retention and access
Part 4B	Permit to fly procedures (only applicable to M.A. Subpart G organisation having this privilege according to M.A. 711(c))	
4B.1		Conformity with approved flight conditions
4B.2		Issue of permit to fly under the CAMO privilege
4B.3		Permit to fly authorised signatories
4B.4		Interface with the local authority for the flight
4B.5		Permit to fly records, responsibilities, retention and access
Part 5	Appendices	
5.1		Sample Documents
5.2		List of airworthiness review staff (only applicable to M.A. Subpart G organisation having this privilege according to M.A. Subpart I)
5.3		List of sub contractors as per M.A. 201(h) 1 and M.A.711(a)23 and AMC M.A.201 (h)1
5.4		<i>Reserved</i>
5.5-3		List of approved maintenance organisations contracted
5.6 4		Copy of contracts for sub contracted work (appendix II to M.A.711(a)2 M.A.201 (h) 1)

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M.A. SUBPART G APPROVAL RECOMMENDATION REPORT EASA FORM 13G

Part 5: M.A. Subpart G approval or continued approval or change recommendation

Name of organisation:

Approval reference:

Audit reference(s):

The following M.A. Subpart G scope of approval is recommended for this organisation:

Or, it is recommended that the M.A. Subpart G scope of approval specified in EASA Form 14 referenced be continued.

Name of recommending competent authority surveyor:

Signature of recommending competent authority surveyor:

Competent authority office:

Date of recommendation:

Form 13G review (quality check) :	Date:
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PART 2: EASA Form 13J for operator(s) complying with Section A, Subpart J of Part-M

M.A. SUBPART J RECOMMENDATION REPORT EASA FORM 13J

Part 1: General

Name of organisation:

M.A. Subpart J Compliance statement reference:

Requested scope/
AOC dated*:

Other approvals held (if app.):

Address of facility(ies) audited:

Audit period: from to

Date(s) of audit(s):

Audit reference(s):

Persons interviewed:

Competent authority surveyor: Signature(s):

Competent authority office: Date of Form 13J part 1 completion:

*delete as where applicable

M.A. SUBPART J RECOMMENDATION REPORT EASA FORM 13J

Part 2: M.A. Subpart J Compliance Audit Review

The five columns may be labelled and used as necessary to record the approval product line or facility, including subcontractor's, reviewed. Against each column used of the following M.A. Subpart J subparagraphs please either tick (✓) the box if satisfied with compliance or cross (×) the box if not satisfied with compliance and specify the reference of the Part 4 finding next to the box, or enter N/A where an item is not applicable, or N/R when applicable but not reviewed.

Para	Subject					

M.A.1003	Extent of approval																		
M.A.1004	See Part 3																		
M.A.1005	Facilities																		
M.A.1006	Personnel requirements																		
M.A.1008	Control of continuing airworthiness management																		
M.A.201	M.A. Subpart J organisation's contracting																		
M.A.302	Maintenance programme																		
M.A.303	Airworthiness directives																		
M.A.304	Modifications and repairs																		
M.A.305	Records																		
M.A.306	Technical log																		
M.A.1009	Documentation																		
M.A.1010	Continuing airworthiness management contract(s)																		
M.A.1012	Quality system																		
M.A.1013	Changes to the operator																		
M.A.1014	Record-keeping																		
Competent authority surveyor(s):												Signature(s):							
Competent authority office:		Date of Form 13J part 2 completion:																	

M.A. SUBPART J RECOMMENDATION REPORT EASA FORM 13J

PART 3: Compliance with M.A. Subpart J continuing airworthiness control exposition (CACE)

Please either tick (✓) the box if satisfied with compliance; or cross (x) if not satisfied with compliance and specify the reference of the Part 4 finding; or enter N/A where an item is not applicable; or N/R when applicable but not reviewed.

Part 0 General organisation

0.1		Corporate commitment by the accountable manager
0.2		General information
0.3		Management personnel
0.4		Management Organisation Chart
0.5		Notification procedure to the competent authority regarding changes to the organisation's activities/approval/location/personnel
0.6		Exposition amendment procedures
Part 1		Continuing airworthiness control procedures
1.1		Aircraft technical log utilisation and MEL application (commercial air transport) Aircraft continuing airworthiness record system utilisation (non-commercial air transport)
1.2		Aircraft maintenance programmes — development amendment and approval
1.3		Time and continuing airworthiness records, responsibilities, retention, access
1.4		Accomplishment and control of airworthiness directives
1.5		Analysis of the effectiveness of the maintenance programme(s)
1.6		Non-mandatory modification embodiment policy
1.7		Major modification standards
1.8		Defect reports
1.9		Engineering activity
1.10		Reliability programmes
1.11		Pre-flight inspections
1.12		Aircraft weighing
1.13		Check flight procedures
Part 2		Quality system
2.1		Continuing airworthiness quality policy, plan and audits procedure
2.2		Monitoring of continuing airworthiness and maintenance management activities
2.3		Monitoring of the effectiveness of the maintenance programme(s)
2.4		Monitoring that all maintenance is carried out by an appropriate maintenance organisation
2.5		Monitoring that all contracted maintenance is carried out in accordance with the contract, including contractors used by the maintenance contractor
2.6		Monitoring that all contracted continuing airworthiness activities are carried out in accordance with the contract(s), including contractors used by M.A. Subpart G contractor(s)
2.7		Quality audit personnel

2.8	Competence assessment of personnel
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M.A. SUBPART J RECOMMENDATION REPORT EASA FORM 13J

PART 3: Compliance with M.A. Subpart J continuing airworthiness control exposition (CACE)

Part 3	Contracted Maintenance
3.1	Maintenance contractor selection procedure
3.2	Continuing airworthiness management contractor selection procedure
3.3	Quality audit of aircraft
Part 4	Reserved
Part 5	Appendices
5.1	Sample documents
5.2	Reserved
5.3	Reserved
5.4	List of contracted M.A. Subpart G organisation(s) as per M.A.201(h)2 and M.A.1010
5.5	List of approved maintenance organisations contracted
5.6	Reserved
5.7	Copy of contracts with approved maintenance organisations.
5.8	Copy of contracts between an operator complying with Section A, Subpart J of Part-M and an M.A. Subpart G organisation(s) as per M.A.201(h)2, M.A.711(a)1 and M.A.1010

Date of Form 13J part 3 completion:

CACE Reference: _____ CACE Amendment: _____

Competent authority audit staff: _____ Signature(s): _____

Competent authority office: _____ Date of Form 13J part 3 completion: _____

M.A. SUBPART J RECOMMENDATION REPORT EASA FORM 13J

Part 4: Findings regarding M.A. Subpart J compliance status

Each level 1 and 2 finding should be recorded whether it has been rectified or not and should be identified by a simple cross-reference to the Part 2 requirement. All non-rectified findings should be copied in writing to the organisation for the necessary corrective action.

Part 2 or 3 ref.	Audit reference(s): Findings	L e v e l	Corrective action		
			Date Due	Date Closed	Refere nce

M.A. SUBPART J RECOMMENDATION REPORT EASA FORM 13J

Part 5: M.A. Subpart J compliance recommendation for the scope of the continuing airworthiness management control (initial application or change)

Name of organisation:

M.A. Subpart-M Compliance statement reference:

Audit reference(s):

The following scope of compliance with M.A. Subpart J is recommended for this operator:

Or, it is recommended that the M.A. Subpart J scope of work specified in Air Operator Certificate referenced be continued.

Name of recommending competent authority surveyor:

Signature of recommending competent authority surveyor:

Competent authority office:

Date of recommendation:

Form 13J review (quality check) : Date:

Appendix X to AMC EASA Form 4 is amended as follows:

Appendix X to AMC M.B.602(a), ~~and~~ AMC M.B.702(a) and AMC M.B.1002 (a) EASA Form 4
 .../...

Appendix XI to AMC to M.A.708(c) is amended as follows:

Appendix XI to AMC to M.A.708(c) and to AMC to M.A.1008(b)

CONTRACTED MAINTENANCE

Note: The operator's continuing airworthiness organisation can be found in compliance with either M.A. Subpart G or M.A. Subpart J. The contract(s) with the Part-145 organisation(s) should be with the M.A. Subpart G organisation or the operator in compliance with M.A. Subpart J as applicable.

1. Maintenance contracts

The following paragraphs are not intended to provide a standard maintenance contract but to provide a list of the main points that should be addressed, when applicable, in a maintenance contract between an Operator and a Part-145 approved organisation(s). As only the technical parts of the maintenance contract(s) have to be acceptable to the competent authority, the following paragraphs only address technical matters and exclude commercial aspects of the contract(s). ~~matters such as costs, delay, warranty, etc...~~

When maintenance is contracted to more than one Part-145 approved organisations (for example aircraft base maintenance to X, engine maintenance to Y and line maintenance to Z1, Z2 & Z3), attention should be paid to the consistency of the different maintenance contracts.

A maintenance contract is not normally intended to provide appropriate detailed work instruction to the personnel (and is not normally distributed as such). Accordingly ~~there must be established~~ organisational responsibility, procedures and processes ~~and routines~~ must be established in the Operator's continuing airworthiness organisation M.A. Subpart G & and Part-145 organisation(s). ~~to take care of these functions in a satisfactory way such that~~ Any person involved in the contractual arrangements should be ~~is informed about~~ aware of their ~~his/her~~ responsibilities and ~~the~~ which procedures ~~which~~ apply. These procedures and processes can be included in/or appended to the operator's CAME or CACE and maintenance organisation's MOE or ~~be detailed consist~~ in separate procedures. ~~In other words procedures and routines should reflect the conditions of the contract.~~ The procedures and processes of the organisation involved in the contractual arrangements should reflect the conditions of the contract.

2. Aircraft/Engine maintenance

The following subparagraphs may be adapted to a maintenance contract that applies to aircraft base maintenance, aircraft line maintenance and engine maintenance.

Aircraft maintenance also includes the maintenance of the engines and APU while they are installed on the aircraft.

2.1. Scope of work

The type of maintenance to be performed by the Part-145 approved organisation should be specified unambiguously. In case of line and/or base maintenance, the contract should specify the aircraft type and, preferably include the aircraft's registrations. In case of engine maintenance, the contract should specify the engine type.

2.2. Locations identified for the performance of maintenance/Certificates held

The place(s) where base, line or engine maintenance, as applicable, will be performed should be specified. The certificate held by the maintenance organisation at the place(s) where the maintenance will be performed should be referred to in the contract. If necessary the contract may address the possibility of performing maintenance at any location subject to the need for such maintenance arising either from the unserviceability of the aircraft or from the necessity of supporting occasional line maintenance.

2.3. ~~Sub~~ Contracting

The maintenance contract should specify under which conditions the Part-145 approved organisation may ~~sub~~contract tasks to a third party (whether this third party is Part-145 approved or not). ~~At least the~~ The contract should make reference to 145.A.75. Additional guidance is provided by ~~the~~ AMC 145.A.75. In addition the operator may require the Part-145 approved organisation to obtain the operator's approval before ~~sub~~contracting to a third party. ~~Access should be given to~~ The operator should be provided with access to any

information (especially the quality monitoring information) about the Part-145 approved organisation's subcontractors involved in the contract. ~~It should however be noted that under operator's responsibility both t~~ The operators are responsible for ensuring that ~~and their operator's~~ competent authority is made aware of the contractual arrangements. ~~are entitled to be fully informed about subcontracting although the operator's competent authority will normally only be concerned with aircraft, engine and APU subcontracting~~

2.4. Maintenance programme

The applicable maintenance programme ~~under which the maintenance has to be performed must has to~~ be specified and ~~The operator must have that maintenance Programme~~ approved by ~~its~~ the competent authority. When the maintenance programme is used by several operators, it is important to remember that it is the responsibility of each operator to have that maintenance programme approved under its own name by its competent authority.

2.5. Quality monitoring

The terms of the contract(s) should include a provision allowing the operator to perform a quality surveillance (including audits) ~~upon~~ of the Part-145 approved organisation. The maintenance contract(s) should specify how the results of the quality surveillance are ~~taken into account~~ addressed by the Part-145 approved organisation(s) (See also paragraph 2.22. 'Meetings').

2.6. Competent authority involvement

When the operator's ~~competent authority~~ and the Part-145 approved organisation's ~~competent authorities~~ ~~is~~ are not the same, the operator and the Part-145 approved organisation ~~have to~~ should liaise with ~~ensure together with~~ their competent authorities that the respective competent authority's ~~ies~~ are made aware of the contractual arrangements. ~~responsibilities are properly defined and that, if necessary, delegations have been established.~~

2.7. Airworthiness data

The airworthiness data used for the purpose of this contract ~~as well as the authority responsible for the acceptance/approval~~ must be specified. This may include, but ~~may~~ is not ~~be~~ limited to:

- Maintenance Programme,
- airworthiness directives's,
- Major repairs/modification data,
- ~~aircraft~~ Maintenance Manuals,
- ~~aircraft~~ IPC Illustrated Parts Catalogues,
- Wiring diagrams,
- Troubleshooting manuals,
- Minimum Equipment List, ~~(normally on board the aircraft),~~
- Operation's Manual,
- Flight Manual,
- engine maintenance manual,
- engine overhaul manual.

2.8. Incoming Conditions

The contract(s) should specify in what ~~which~~ condition the operator should ~~send~~ provide the aircraft to the Part-145 approved organisation. For ~~checks of significance~~ significant inputs i.e. 'C' checks and above, ~~it may be beneficial that,~~ a workscope planning meeting be organised so that the tasks to be performed may be ~~commonly agreed~~ confirmed (see also paragraph 7.22: 'Meetings').

2.9. Airworthiness Directives and Service Bulletins/Modifications

The contract should specify what information the operator is responsible ~~to~~ for ~~providing~~ provide to the Part-145 approved organisation. This should include such aspects as the due date(s) for ~~of the~~ Airworthiness Directive(s) compliance, the selected means of

compliance, the decision to embody Service Bulletins (SB's) or modifications, etc. In addition the type of It should also specify what information the operator requires, after the performance of maintenance, will need in return to require to complete in order to update their continuing airworthiness records. control of ADs and modification status should be specified.

2.10. Records of Hours & Cycles control.

Hours and cycles control recording is the responsibility of the operator, but there may be cases where the Part-145 approved organisation should receive the current flight hours and cycles on a regular basis so that it may update the records for its own planning functions (see also paragraph 2.21: 'Exchange of information').

2.11. Service life-limited components

The Part-145 approved organisation will have to provide the operator with all the necessary information about the service life-limited components removal/installation so that the operator may update its records (see also paragraph 2.22 'Exchange of information').

2.12. Supply of parts.

The contract should specify whether a particular type of material or component is supplied by the operator or by the contracted Part-145 approved organisation, which type of component is pooled, etc. The contract should clearly state that it is the Part-145 competence and responsibility to be in any case satisfied that the component in question meets the approved data/standard and to ensure that the aircraft component is in a satisfactory condition for installation. In other words, there is definitely no way for a Part-145 organisation to accept whatever is supplied by the operator. Additional guidance is provided by 145.A.42 for acceptance of components.

2.13. Pooled parts at line stations

If applicable the contract should specify how the subject of pooled parts at line stations should be is addressed.

2.14. Scheduled maintenance

For planning scheduled maintenance checks, the support documentation to be given provided to the Part-145 approved organisation should be specified. This may include, but may is not be limited to:

- applicable work package, including job cards;
- scheduled component removal list;
- modifications data to be incorporated;

When In the case that the Part-145 approved organisation determines, for any reason, to defer a maintenance task, it has to this should be formally agreed with the operator. If the deferment goes beyond an approved limit, refer to paragraph 2.17: 'Deviation from the maintenance Schedule'. This Such provisions should be addressed, where applicable, in the maintenance contract.

2.15. Unscheduled maintenance/Defect rectification

The contract should specify what defect rectification to which level the Part-145 approved organisation may carry out rectify a defect without reference to the operator. As a minimum, the approval and incorporation of major repairs should be addressed. The deferment of any defect rectification shall be submitted to the operator and, if applicable, to its competent authority.

2.16. Deferred tasks.

See paragraphs 2.14 and 2.15 above and AMC 145.A.50 (e). In addition, for aircraft line and base maintenance the use of the operator's MEL and the relationship with the operator in case of a defect that cannot be rectified at the a line station should be addressed.

2.17. Deviation from the maintenance programme schedule

Any deviations required have to be requested by the operator should be forwarded to its competent authority for approval or granted by the operator in accordance with a procedure acceptable to its competent authority. The contract should specify the support that the Part-145 approved organisation may provide to the operator in order to substantiate the deviation request.

2.18. Test flight

~~If any~~ Any test flight is required, it should be performed in accordance with the procedures established by the operator's continuing airworthiness management exposition.

2.19. Bench Test

The contract should specify the acceptability criterion and whether a representative of the operator should witness an engine undergoing test.

2.20. Release to service documentation

The release to service ~~has to~~ should be issued ~~performed~~ by the Part-145 approved organisation in accordance with its MOE procedures. The contract should, however, specify which documents should ~~support forms have to~~ be used (Operator's technical log, Part-145-approved organisation's release to service documentation ~~maintenance visit file~~, etc.) and the documentation records that the Part-145 approved organisation should provide to the operator ~~upon delivery of the aircraft~~. This may include but ~~may is not be~~ limited to:

- Certificate of release to service ~~-mandatory-~~,
- Flight test report,
- List of modifications embodied,
- List of repairs carried out,
- List of ADs incorporated,
- Maintenance records ~~visit report~~,
- Test bench report.

2.21. Maintenance recordsing

The Operator may contract the Part-145 approved organisation to retain some of the maintenance records required by Part-M ~~Subpart C~~ on its behalf. It should be ensured that every requirement of Part-M ~~Subpart C~~ is fulfilled by either the operator or the Part-145 approved organisation. In such a case, free and quick access to the above mentioned records should be given by the Part-145 approved organisation to the operator and its competent authority (in case of two different competent authorities involved, see paragraph 2.6 '*competent authority involvement*').

2.22. Exchange of information

Each time exchange of information between the operator and the Part-145 approved organisation is necessary, the contract should specify what information should be provided and when (i.e. on what occasion or at what frequency), how, by whom and to whom it has to be transmitted.

2.23. Meetings

For the competent authority to be satisfied that a good communication system exists between the operator and the Part-145 approved organisation, the terms of the maintenance contract should include the provision for a certain number of meetings to be held between ~~both~~ all parties.

2.23.1. Contract review

Before the contract is applicable, it is very important for the technical personnel of ~~both~~ all parties ~~that are~~ involved in the application of the contract to meet in order to be sure that every point leads to a common understanding of the duties of ~~both~~ all parties.

2.23.2. Work scope planning meeting

Work scope planning meetings may be organised so that the tasks to be performed may be commonly agreed.

2.23.3. Technical meeting

Scheduled meetings may be organised in order to review on a regular basis technical matters such as ADs, SBs, future modifications, major defects found during maintenance check, reliability, etc.

2.23.4. Quality meeting

Quality meetings may be organised in order to examine matters raised by the operator's quality surveillance and to agree upon necessary corrective actions **with all the parties involved**.

2.23.5. Reliability meeting

When a reliability programme exists, the contract should specify the Operator and Part-145 approved Organisation's respective involvement in that programme, including the participation in reliability meetings.

New appendix XIV to AMC M.A. 1010 is inserted as follows:

Appendix XIV to AMC M.A. 1010: Contracting of the continuing airworthiness management by an operator complying with Section A, Subpart J of Part-M, to an approved M.A. Subpart G organisation

1. General

The operator complying with Section A, Subpart J of Part-M, hereafter called 'the operator' must contract an approved M.A. Subpart G organisation.

If the operator contracts out airframe, engine and/or auxiliary power units to separate continuing airworthiness organisations and maintenance organisations, proper lines of communication should be established to ensure consistency and effectiveness of combined contractual arrangements; a unique CAMO approved to M.A. Subpart G, which should be designated by the operator as managing all the continuing airworthiness, would normally be the organisation:

- Managing the airframe: this organisation should have a full overview of the aircraft's continuing airworthiness (including engine and APU);
- Having the privileges to issue/renew the ARC in accordance with M.A. Subpart I;
- Ensuring that the aircraft is taken to appropriately maintenance organisation(s) whenever necessary: when several maintenance organisations are involved, the designated CAMO should properly coordinate in liaison with the operator and encourage one maintenance organisation to issue one final certificate of release to service;
- Reporting and exchanging all relevant information timely with the operator, so that the aircraft remains airworthy;
- In charge of the issuance of the Permit to fly, when appropriate.

The designated contracted continuing airworthiness organisation having the full overview of the continuing airworthiness management is hereafter called 'CAMO' but the contractual arrangements and oversight hereafter described may be extended to the second tier organisations contracted either for the continuing airworthiness or the maintenance, in accordance with (a)3 or M.A.1008 (b).

1.1 To exercise control of the performance of the CAMO, the operator shall employ a person or group of persons under M.A. Subpart J, as described in M.A.1008 and its AMC. The operator is responsible for ensuring that the CAMO and the maintenance organisation(s) are complying with the contractual arrangements.

1.2 The operator should conduct a pre-contract audit to establish that the CAMO has the capability and capacity to comply with the contract. The contract should specify that the

CAMO is responsible for informing the operator of any changes that affect its ability to support the contract.

1.3 To contract out continuing airworthiness management the operator should have documented procedures to exercise control of the CAMO.

1.4 The contract should specify that the CAMO is responsible for informing the operator of any subsequent changes that affect its ability to support the contract.

1.5 The CAMO's procedures shall be compatible with the operator's policies and the terms of the contract.

1.6 The contract should specify under which circumstances the operator should be informed about changes to the CAMO's organisation and/or its procedures. Any notification of finding(s) by the competent authority affecting the contract shall be communicated to the operator.

1.7 The operator should have access to all relevant data in order to fulfil its responsibilities.

1.8 The operator should ensure that the CAMO continues to have the resources to comply with the contract.

2. Accomplishment

This paragraph describes topics, which may be considered for the contractual arrangements.

2.1 Scope of work

The type of aircraft (and their registrations), the engines/APUs (and their serial numbers – SN) and/or components subject to the continuing airworthiness management should be specified.

2.2 Maintenance programme development and amendment

The operator should establish a policy which describes the basis on which the maintenance programme is developed and implemented. The operator remains responsible for assessing that the draft proposals meet their policies. The contract should specify responsibilities for interaction with the competent authority; in particular, the procedure governing the approval should be clearly identified.

2.3 Maintenance programme effectiveness

The operator should establish a policy containing required fleet operational performance and reliability in liaison with the contracted CAMO(s). The operator should exercise control to ensure that its policy is complied with.

When reliability monitoring is used to establish maintenance programme effectiveness, this should be accomplished by the CAMO.

In providing reliability data the CAMO is limited to working with primary data/documents provided by the operator or data provided by the operator's contracted maintenance organisation(s) from which the reports are derived. The pooling of reliability data is permitted if accepted by the competent authority.

2.4 Permitted variations to scheduled maintenance programme intervals

The reasons and justification for any proposed variation to scheduled maintenance may be prepared by the CAMO. Acceptance of the proposed variation should be granted by the operator. The means by which the operator acceptance is given should be specified in the relevant procedures. When outside the prescribed periods set out in the maintenance programme, the operator is required to obtain approval from the competent authority.

2.5 Permitted one-time extensions to maintenance programme intervals

Allowable one-time maintenance interval extensions for an individual aircraft may be specified in the approved maintenance programme in accordance with national requirements. The operator should stipulate to the CAMO its policy on application of one-time maintenance interval extensions. If an extension is required outside these limits, prior approval from the competent authority is required.

2.6 Scheduled maintenance planning

When the CAMO plans and defines maintenance checks and/or inspections in accordance with the maintenance programme, the required liaison between the operator, CAMO and contracted maintenance organisations should be defined in the contract. The CAMO should be in receipt of all the necessary data to be able to properly perform the planning functions.

2.7 Quality monitoring

The operator quality system should monitor the CAMO's compliance with the contract. The terms of the contract should therefore include a provision allowing the operator to perform quality surveillance (including audits) upon the CAMO or any other relevant contracted organisations. The aim of the surveillance is primarily to assess and determine the effectiveness of those contracted activities and thereby to ensure compliance with M.A. Subpart J. Attention should be given to consistency and effectiveness of combined contractual arrangements where tasks are contracted to multiple continuing airworthiness organisations and maintenance organisations.

The operator's quality monitoring may take credit for the surveillance by the quality system of the contracted continuing airworthiness organisations and maintenance organisations when determining the level and depth of the auditing required. Audit reports may be subject to review when requested by the competent authority.

2.8 Access by the competent authority

The contract should specify that the CAMO (or any relevant contracted organisations) should always grant access to the operator's competent authority.

2.9 Maintenance data

The maintenance data to be used should be specified in the contract together with those responsible for providing such documentation. Where applicable, the operator should exercise control to ensure that such data including revisions is readily available to the CAMO. The operator should establish a 'fast-track' means of ensuring that urgent data is transmitted to the CAMO in a timely manner.

2.10 Airworthiness directives

The operator should stipulate a policy on Airworthiness Directives (ADs). The operator should exercise control to ensure that its policy is complied with. For ADs requiring action by flight operational staff, the operator should ensure that adequate liaison exists.

2.11 Non-mandatory modifications

Based on the operator's policy the CAMO should review, plan and implement SBs and other approved non-mandatory modifications.

2.12 Engine health monitoring

The CAMO(s) should be in receipt of all the relevant data for this task. The contract should also specify what feedback information the CAMO should provide to the operator.

2.13 Defect control

The operator should stipulate a policy on control of technical log defects. For defects identified during maintenance, the operator should establish a rectification and deferral policy.

The CAMO should assess the cumulative effect of any combination of defects deferred from maintenance, and inform the operator in a timely manner of potential operational implications.

The required liaison relative to deferred defects between the operator, CAMO and contracted maintenance organisations should be defined in the contract

2.14 Continuing airworthiness records

These may be retained by the CAMO on behalf of the operator who remains the owner of these records.

The operator should be provided with the current status in accordance with the agreed procedures. This may be satisfied by means of on-line access to the appropriate information systems. The operator should be provided with unrestricted and timely access to records as required.

2.15 Weight and balance control

The operator should be informed in a timely manner by the CAMO of any change to the aircraft weight and balance resulting from performance of periodic weighing, significant repairs and/or modifications.

2.16 Check flight procedures

The operator should establish a post-maintenance check flight policy (if not specified in the maintenance manual). Check flights are carried out under the control of the operator.

2.17 Additional operational requirements

The operator remains responsible for informing the CAMO of any new or revised operational requirement necessary to maintain the aircraft in the operator's required configuration (e.g. ETOPS, RVSM).

2.18 Communication between the operator and the contracted CAMO

Meetings provide an important opportunity for the operator to exercise control of the contract with the CAMO. They should be used to establish good communication between the operator and its CAMO and maintenance organisations.

The terms of contract should include the provision for a defined number of meetings to be held between the involved parties. Details of the types of liaison meetings and associated terms of reference of each meeting should be documented.

All meetings should be adequately documented and action items recorded and allocated for subsequent follow-up and closure.

The meetings may include but are not limited to all or a combination of the following:

- a. Contract review
- b. Prior to implementing the contract it is essential that the relevant personnel meet to ensure that all parties have a common understanding of their duties. Periodic contract reviews should be established focusing on key contract parameters (e.g. work scope), non-compliance issues and additional short, medium and long term planning aspects.
- c. Performance assessment

Periodic performance meetings should be established focusing on monitoring aircraft operational performance and safety levels. Subjects to be addressed may include, but are not necessarily limited to:

- Technical dispatch reliability;
- Technical Delays and cancellations;
- Defects statistics and trends;
- Configuration control and modification status;
- AD review;
- Incident statistics and reporting;
- Maintenance programme activities;
- Reliability trends;

d. Quality

Quality meetings should be established in order to examine matters raised by:

- Operator's quality surveillance;
- Review of the CAMO's internal auditing activities;
- Competent authority monitoring activities.

When the CAMO becomes aware of a non-compliance which may invalidate the Certificate of Airworthiness or Airworthiness Review Certificate, the operator should be immediately notified. The operator should ensure that appropriate corrective and preventive actions are implemented.

The contract between the operator and the CAMO shall specify the frequency and types of reports that will be provided to the operator.

2.19 Permit to fly

The contract should specify that the CAMO shall:

- ensure that the associated flight conditions are approved by the competent authority and that the permit to fly has been issued in accordance with Part 21A.710(b);
- ensure the exchange of information between the operator and the CAMO such as the approval conditions and the validity of the permit to fly.

New appendix XV to AMC M.B. 1002(g) is inserted as follows:

Appendix XV to AMC M.B. 1002(g): Scope of work for a Commercial Air transport Operator complying with Section A, Subpart J of Part-M.

Note: This document can be attached to the AOC itself or merged with the AOC.

[MEMBER STATE]
 A Member of the European Union

STATEMENT OF OPERATOR COMPLIANCE WITH SECTION A, SUBPART J of PART-M

Reference: AOC XX.XXXX

The [COMPETENT AUTHORITY OF THE MEMBER STATE] hereby certifies that:

[COMPANY NAME AND ADDRESS]

complies with Section A, Subpart J of Annex I (Part-M) of Regulation (EC) No 2042/2003 for the following scope of work

Aircraft type/series/group	Contracted M.A. Subpart G organisation	Limitations (if necessary)

CONDITIONS

1. This scope of work is limited to that specified in the scope of the approved continuing airworthiness control exposition as referred to in Section A, Subpart J of Annex I (Part-M) of Regulation (EC) No 2042/2003.

Continuing Airworthiness Control Exposition Reference:

2. This scope of work requires compliance with the procedures specified in the approved continuing airworthiness control exposition.

3. This scope of work is valid whilst the operator remains in compliance with Annex I (Part-M) to Regulation (EC) No 2042/2003.

4. This scope of work does not constitute an authorisation to operate the types of aircraft referred in paragraph 1. The authorisation to operate the aircraft is the Air Operator Certificate (AOC).

5. Termination, suspension or revocation of the AOC automatically invalidates the present schedule in relation to the aircraft registrations specified in the AOC, unless otherwise explicitly stated by the competent authority.

6. Subject to compliance with the previous conditions, this scope of work shall remain valid for an unlimited duration unless the AOC has previously been surrendered, superseded, suspended or revoked

Date of original issue:

Signed:

Date of this revision: Revision No:

For the Competent Authority: [COMPETENT AUTHORITY OF THE MEMBER STATE *]

New guidance Material to Part-M is inserted as follows:**GM No 1 to M.A.201(h)1&2**

Under the Regulation for Part-M an operator involved in Commercial Air transport has two alternative methods of conducting continuing airworthiness management; they can;

- maintain a core of expertise in-house to carry out full continuing airworthiness management. In this case they would make application for approval under M.A. Subpart G.
- maintain a lesser core of expertise in-house (less than that required to gain approval under M.A. Subpart G) and control continuing airworthiness management which would be contracted to an M.A. Subpart G organisation, as described in M.A. Subpart J.

The intent of the Regulation is to provide operators with the flexibility to choose an option that best suits them. It is not the intention to drive operators down a particular route.

For example, a new operator may not wish to, or be unable to, recruit an adequate level of staff to meet the M.A. Subpart G requirement. They may also be a small operator where it is not financially viable to employ many staff. In these cases it may be beneficial, in terms of safety and economy, to contract the continuing airworthiness management to an M.A. Subpart G organisation who already has experience on their type of aircraft and has a core of qualified staff.

The intention is to further allow the industry to make best use of the scarce manpower resources available. Stand-alone M.A. Subpart G organisations could provide services to a range of different operators increasing that way their expertise on particular aircraft types and focusing this expertise in a particular area.

Alternatively some large, multi type operators may wish to keep all the expertise in-house and directly manage the continuing airworthiness of their fleet.

It is also possible for an operator to hold both M.A. Subpart G approval and being compliant with M.A. Subpart J at the same time for different fleets. This may be helpful where an operator obtains a new aircraft type or operates an aircraft on a short-term dry lease where it does not wish to have the resources in-house to manage that particular arrangement.

In the case that an operator chooses to apply for approval under M.A. Subpart G they would;

- be responsible for making recommendations for and implementing the operator's continuing airworthiness policy;
- have the privileges defined in M.A.711;
- have to employ additional staff for airworthiness review (M.A.707) if they wished to have the ARC privilege;
- require a high level of technical competence;
- produce appropriate procedures and documentation for the accomplishment of continuing airworthiness management;
- Establish maintenance contracts with the Part-145 organisation(s);
- arrange for the contracted Part-145 organisation(s) to be provided with all the necessary documentation to carry out their tasks, e.g. work orders, maintenance task cards, etc.

In the case an operator chooses to comply with M.A. Subpart J, they would;

- be responsible for defining and controlling the policy in respect to continuing airworthiness management;
- not have any M.A.711 privileges at all but would have to contract all continuing airworthiness management to an M.A. Subpart G organisation;
- not require airworthiness review staff as they cannot have the ARC privilege;
- require a sufficient level of technical competence to understand and control the activities carried out by the contracted M.A. Subpart G organisation;

- ensure timely exchange of information with the M.A. Subpart G organisation and ensure that the contracted M.A. Subpart G organisation produces appropriate procedures and documentation for the accomplishment of continuing airworthiness management.
- agree with the contracted M.A. Subpart G organisation, the Part-145 maintenance contracts;
- be responsible for managing the operational aspects of the aircraft, such as operator occurrence reporting M.A.202, operators tech log system M.A.306.

GM No 2 to M.A.201(h)1&2 and to M.A.711(a)1 and 2

The responsibilities as described in M.A.201(h)1&2 or in M.A.711 are clarified through the common use of the following terminology:

- Continuing airworthiness **management** means the performance of all the actions required in order to ensure that an aircraft remains in an airworthy condition. In the case of large aircraft, aircraft involved in commercial air transport and aircraft covered by M.A. 201(i), an M.A. Subpart G organisation must be responsible for the continuing airworthiness management as described in M.A.708.
- A continuing airworthiness **task** is a specific piece of work to be carried out as part of the full management of the aircraft's continuing airworthiness. For instance, it might be a DFDR (Digital Flight Data Recorder) read-out, a review of airworthiness directive embodiment, an analysis of the engine trend monitoring, etc. An M.A. Subpart G organisation may outsource some continuing airworthiness **tasks** in accordance with M.A.711(a)2.
- '**Control**' is the involvement to a level necessary for the contracting organisation to be assured that individual tasks are carried out correctly, obtaining credit for the contracted organisation's competence. A commercial air transport operator complying with Part-M, Subpart J must contract an approved M.A. Subpart G organisation and typically ensures this '**control**' by conducting quality audits and attending regular continuing airworthiness meetings with its contractor.
- '**Active control**' (by definition means a higher level than 'control') means being actively involved in the accomplishment of individual tasks to a level that the contracting organisation can satisfy itself that these tasks are carried out correctly; this assumes that the contractor has a lesser level of competence (although this may not be the case). This is the case where an M.A. Subpart G organisation contracts, under its own quality system, an approved or unapproved organisation and therefore exercises **active control** of the contractor.
- The document called '**Means of Active Control**' (MAC) is an analysis to demonstrate how to ensure the 'active control' for each contracted continuing airworthiness tasks. This document:
 - addresses M.A.711(a)2, irrespective of the type of operations for the aircraft (General Aviation, Commercial Air Transport (CAT), commercial operations other than CAT);
 - is further described in AMC M.A.711(a)2 subparagraph 7;
 - may be combined with the Risk Assessment Analysis (RAA) in the case of contracting involved in CAT operations.
- A '**Risk Assessment Analysis**' is the way to demonstrate the 'control' and/or the 'active control' in the case of continuing airworthiness tasks/management for aircraft involved in Commercial Air Transport (CAT) and derives from the Safety Management System (SMS). This document
 - addresses an M.A. Subpart G organisation involved in CAT operations in accordance with M.A.201(h)1&2 or M.A.711(a)1);
 - addresses a CAT operator complying with M.A.201(h)2 and Part-M Subpart J;
 - is further described in AMC M.A.201(h)1&2 subparagraph 3.