



OPINION No 04/2009

OF THE EUROPEAN AVIATION SAFETY AGENCY

of 11 December 2009

**for a Commission Regulation amending Commission Regulation (EC) No 2042/2003
on the continuing airworthiness of aircraft and aeronautical products, parts and
appliances, and on the approval of organisations and personnel involved in these
tasks**

"Aircraft maintenance licences for non-complex aircraft"

I. General

1. The purpose of this opinion is to suggest the Commission to amend Commission Regulation (EC) No 2042/2003¹. The reasons for this rulemaking activity are described below.
2. The Opinion has been adopted, following the procedure specified by the European Aviation Safety Agency's (the Agency) Management Board², in accordance with the provisions of Article 19 of Regulation (EC) No 216/2008³ (the Basic Regulation).

II. Consultation

3. Although Regulation (EC) No 2042/2003 already establishes in its Annex III (Part-66) a licensing system for certifying staff, during the revision of Part-M for aircraft not involved in commercial air transport (task M.017) and also as a result of the consultation performed through A-NPA14/2006, a significant number of stakeholders expressed their concern about the fact that the current licensing system was not adapted to the lower complexity of small General Aviation aircraft.
4. In order to address this issue, the Agency created a Rulemaking task 66.022 and the corresponding drafting group, composed of representatives of national authorities and associations of light aircraft and very light aircraft industry. The aim was to evaluate the situation, submit a proposal and develop guidelines for issuing an opinion to modify Part-66 and/or a decision to modify AMC to this Part in relation with the ToR 66-022.
5. During its draft, the group focused its work on licences covering airframe, powerplant and electrical systems plus some limited avionics privileges. The equivalent to a B2 licence adapted to the General Aviation environment was not considered by the group and will be the subject of future rulemaking action (task 66.027).
6. Based on the input of the drafting group, the Agency issued the NPA 2008-03 on 28 March 2008 on its web site at: (http://www.easa.europa.eu/ws_prod/r/r_archives.php).
7. By the closing date of 28 June 2008, the Agency had received 177 comments from 39 National Aviation Authorities, professional organisations and private organisations/persons.
8. In order to review these comments, the Agency created a review group, composed of the members of the 66.022 working group plus a person from Standardisation & Approvals (Agency) and a person from industry who had expressed a dissenting opinion to the NPA2008-03. As a result of this review, the Agency published on 16 September 2009 the CRD2008-03,

¹ 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 (OJ L 315, 28.11.2003, p. 1). Regulation as last amended by Commission Regulation (EC) No 1056/2008 of 27 October 2008 (OJ L 283, 28.10.2008).

² Decision of the Management Board concerning the procedure to be applied by the Agency for the issuing of Opinions, Certifications Specifications and Guidance Material. EASA MB 08-2007 of 11.06.2007 ("Rulemaking Procedure").

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 (OJ L 79, 19.03.2008, p.1).

which contained the responses to each comment and the proposed text for the rule and for the AMC/GM.

9. It is important to note at this point that the review group also took into account the comments received during the consultation of NPA2007-07, especially those related to "Type ratings and Group ratings".
10. After the CRD2008-03 was published, the Agency organised on 29 October 2009 a workshop in Cologne in order to explain its content and to help stakeholders understanding the proposal before reactions were submitted.
11. As a result of the external consultation of the CRD2008-03, which finished on 16 November 2009, the Agency received reactions from:
 - 5 competent authorities: AustroControl-Austria, CAA-Netherlands, CAA-Sweden, CAA-United Kingdom and DGAC-France.
 - 11 organisations and associations: British Gliding Association, European Gliding Union, Danish Soaring Association (DSvU), Europe Air Sports, Deutsche Aeroclub, European Sailplane Manufacturers, Finnish Aeronautical Association, Light Aircraft Association of the Czech Republic, Flightdesign, Royal Danish Aeroclub and Dutch Gliding Association.
 - 1 individual person.

These reactions are analysed in detail in the Attachment.

III. Content of the Opinion of the Agency

12. The present opinion takes into account as much as possible the suggestions made by the many stakeholders who participated in the consultation and reacted to the CRD.
13. Taking into account the hierarchy of EASA rules, the present opinion only addresses the changes that the Agency suggests to the applicable Commission regulations (Part-145, Part-66 and Part-147); the related means of compliance (AMC) and guidance material (GM), which were detailed in the CRD, can and will only be issued by the Agency when the above mentioned regulations have been adopted by the Commission. It must however be clear that the measures presented in this opinion have to be read in conjunction with the said AMC and GM as part of an agreed package.

a) B3 licence

14. The first action taken by the Agency is the proposal of a new B3 licence, similar to the B1.2, but with simplified requirements adapted to the lower complexity of light General Aviation piston-engine aeroplanes.
15. This B3 licence proposed by the Agency is applicable to "*piston-engine non-pressurized aeroplanes of 2000 Kg MTOM and below*". Although initially in the NPA2008-03 this licence was also applicable to sailplanes and powered sailplanes, the Agency decided to remove them for the following reasons:
 - Sailplanes and powered sailplanes are already covered by the L licence.

- It is the intention that the B1.2 licence, which does not cover sailplanes and powered sailplanes, includes automatically the B3 licence. This is only possible if the B3 licence does not include sailplanes and powered sailplanes either.

Nevertheless, and based on the reactions received during the consultation of CRD2008-03, the Agency has proposed to allow B1.2 and B3 licence holders to obtain, without further requirements, a Full-L licence with the ratings "wooden aircraft", "composite aircraft" and "metal aircraft", as long as the B1.2 / B3 licence does not contain a limitation on the corresponding structure material (refer to amended 66.A.25(d), 66.A.30(a)8 and Appendix IV to Part-66). This will allow existing B1.2 and B3 licence holders to issue certificates of release to service on sailplanes and powered sailplanes.

16. The privileges of this licence include the aircraft structure, powerplant, mechanical and electrical systems and limited avionics, being similar to the privileges of the B1.2 licence except for the scope of aircraft covered and the fact that the B3 licence does not include any sub-category A.
17. The basic knowledge and examination requirements for the B3 licence have been included in the existing Appendix I and Appendix II to Part-66. In the case of the examinations, it has been ensured that the number of questions for each module is always a multiple of 4, in order to meet the criteria of the 75% pass mark.
18. For those cases where a Part-147 organisation imparts a B3 basic knowledge course the duration will be 1000 hours as indicated in Appendix I to Part-147. This duration is half of the 2000 hours required for the B1.2 course, which is justified by the following:
 - The level of training for the different subjects has been reduced in relation to the B1.2 due to the lower complexity of the aircraft covered.
 - Separated modules 7B, 9B, 11C and 17B have been created for the B3 licence and the current modules 7, 9 and 17 have been renamed as 7A, 9A and 17A. This has been done in order to make sure that even when the level of training (levels 1, 2 or 3) for some subjects is the same as for the B1.2, this does not mean that the training content is the same. As a matter of fact, the content of the course for the B3 licence has to be developed considering the lower complexity of technology and maintenance environment found in this aircraft category.
19. Creating separate modules for the B3 licence means that these modules 7B, 9B, 11C and 17B cannot be automatically credited as equivalent to the corresponding modules 7A, 9A, 11A, 11B and 17A when extending an existing B3 licence to other categories/sub-categories, even if the level of training is the same. This is a consequence of the main objective of the task, which was to have a licence with significantly lower training requirements than the existing B1.2.
20. The basic experience requirements (66.A.30) have been maintained identical to those of the B1.2 licence, ranging from 1 to 3 years depending on the previous technical training received by the applicant.
21. Appendix IV to Part-66 has been amended in order to include the period of additional experience required for extending a B3 licence to other categories/sub-categories or for extending an existing category/sub-category to a B3 licence.
22. In order to exercise certification privileges the B3 licence must be endorsed with the rating "*piston-engine non-pressurized aeroplanes of 2000 Kg MTOM and below*". This rating is

endorsed based on demonstration of appropriate experience, which will be further explained in the corresponding AMC material as meaning:

- 50% of the tasks from Appendix II to AMC applicable to this rating.
- Under the supervision of authorised certifying staff.

23. However, this rating will be subject to the following limitations if the person cannot demonstrate appropriate experience on them:

- Wooden structure aeroplanes.
- Aeroplanes with metal tubing structure covered with fabric.
- Metal structure aeroplanes.
- Composite structure aeroplanes.

It is important to note here that in the NPA2008-03 the number of limitations was larger, including also limitations to:

- Retractable landing gear.
- Variable pitch propeller.
- Turbo-charged engine.
- Electrical and/or jet engine (on powered sailplanes).
- FADEC.

However, these additional limitations were removed from the final proposal in coordination with the review group corresponding to NPA2007-07 where similar limitations had been introduced for Group 2 and Group 3 aircraft (task 66.009).

The reasons for removing the limitations related to these systems are the following:

- It could be argued why these systems had been selected and not others.
- The system for endorsing and removing limitations may create a significant burden for competent authorities and licence holders.
- Nevertheless, the licence holder still has to cover all the basic knowledge and experience requirements.

In addition, as a compensating measure, a provision will be introduced in the opinion resulting from CRD2007-07, in point 66.A.20(b), with additional AMC material, in order to make very clear that the certifying staff cannot exercise privileges unless he/she is competent on the particular aircraft. This reinforces the current responsibility of the maintenance organisation or of the independent certifying staff to ensure this competence prior to releasing an aircraft.

24. The limitations endorsed on the licence:

- Mean "exclusions" from the certification privileges.
- Affect the whole aircraft. Nothing can be released on the aircraft except pilot-owner maintenance tasks.
- Can be removed by:
 1. Demonstration of appropriate experience (will be further explained in AMC), or
 2. Practical assessment performed by the competent authority.

66.B.115 has been amended accordingly in order to include the requirements for the competent authority for removing limitations (other than those coming from conversion of national qualifications per 66.A.70).

25. In Appendix V to Part-66, Form 19 (Application Form) and Form 26 (Example of licence format) have been amended to reflect the new licence categories (both the B3 and the L

licence). Form 26 has been split into Form 26A (all licences except the L licence) and Form 26B (L licence).

26. Appendix II to Part-147 has been amended to include the basic courses for the new licence categories (both the B3 and the L licence).

b) L licence

27. The second action taken by the Agency is the proposal of a new L licence, with very simplified requirements, and applicable to sailplanes, powered sailplanes, balloons and most airships. This action will standardise the licensing system for sailplanes, powered sailplanes, balloons and airships, which currently are covered under national rules, achieving a uniform level of safety and improving the common market. Persons holding these licences will be able to work as independent certifying staff or within any approved maintenance organisation and will be able to certify aircraft registered in any Member State. In addition, the L licence will be also applicable to aeroplanes with MTOM less than 1000 Kg.

28. The intention of the Agency when selecting the aircraft covered by the L licence has been the following:

- Take advantage of the aircraft categories defined in NPA2008-07 (task MDM.032), where an ELA1 and ELA2 certification process is currently being defined.
- Include all the aircraft eligible for ELA1 process, plus all the aircraft eligible for ELA2 process except aeroplanes between 1000 Kg and 2000 Kg MTOM and except very light rotorcraft, which are excluded because of they are too complex for the simplified syllabus established for the L licence.

This means that the L licence will not cover either those manned gas airships not included in the ELA2 process.

29. Nevertheless, the Agency notes here that the limit of 1000 Kg included in NPA2008-07 for the ELA1 process is likely to change to 1200 Kg after the review of the comments received to that NPA. If that is the case, the opinion issued by the Agency following the upcoming CRD2008-07 will introduce the same change into the limits for the L licence.

30. The proposed L licence is divided in 2 levels: Limited-L and Full-L. The difference is that the Limited-L does not allow the issuance of a certificate of release to service after inspections with an interval higher than 100 hours / annual or after the implementation of major repairs and major modifications. This has been an amendment introduced after the reactions received to CRD2008-03.

31. Each one of these levels of licences can include different ratings, which can be selected by the applicant depending on the field where they would like to exercise certification privileges. These ratings are specified in 66.A.1(d).

32. Similarly to the B3 licence, the NPA2008-03 considered the introduction of the following limitations on the L licence if the applicant could not show appropriate experience:

- Retractable landing gear.
- Variable pitch propeller.
- Turbo-charged engine.
- Electrical and/or jet engine (on powered sailplanes).
- FADEC.

However, these limitations were removed from the final proposal the same as for the B3 licence, in coordination with the review group corresponding to NPA2007-07 where similar limitations had been introduced for Group 2 and Group 3 aircraft (task 66.009).

The reasons for removing the limitations related to these systems are the following:

- It could be argued why these systems had been selected and not others.
- The system for endorsing and removing limitations may create a significant burden for competent authorities and licence holders.
- Nevertheless, the licence holder still has to cover all the basic knowledge and experience requirements.

In addition, as a compensating measure, a provision will be introduced in the opinion resulting from CRD2007-07, in point 66.A.20(b), with additional AMC material, in order to make very clear that the certifying staff cannot exercise privileges unless he/she is competent on the particular aircraft. This reinforces the current responsibility of the maintenance organisation or of the independent certifying staff to ensure this competence prior to releasing an aircraft.

Obviously, the limitations related to the structure material (wood, metal tubing with fabric, composite and metal) existing on the B3 licence are not applicable to the L licence because these materials are already restricted by the ratings endorsed on the L licence.

As a consequence, the L licence proposed by the Agency does not contain any limitations.

33. Regarding the privileges of the L licence, they include the aircraft structure, powerplant, mechanical and electrical systems and limited avionics. This L licence cannot be extended into any other category/sub-category due to its very simplified qualification requirements. Nevertheless, this does not prevent the competent authority from granting examination credits if an equivalence can be demonstrated in accordance with 66.A.25(e).
34. Addressing now the training and examination requirements, these can be summarised as follows:
- Training in accordance with the new syllabus contained in Appendix VII to Part-66. The subjects will depend on the level of licence (Limited or Full) and on the ratings sought by the applicant, with a course for a single rating for the Limited-L licence that can be completed within 2 to 3 weeks. The training can be replaced by additional experience.
 - Examination in accordance with the new Appendix VIII to Part-66, which cannot be replaced by experience.
35. Additionally, experience requirements have been established in 66.A.30(a)6 and 7, which can be summarised as follows:
- For the Limited-L licence:
 1. Six months for applicants who followed the training of Appendix VII and passed the examination of Appendix VIII.
 2. One year for applicants who passed the examination of Appendix VIII but did not performed the training.
 - For the Full-L licence, one year exercising the privileges of the Limited-L licence.

c) Conversion and transition provisions

36. Although the Explanatory Note of NPA2008-03 stated that a conversion process of national qualifications into the new B3 and L licences was not envisaged, the very significant number of comments received during the NPA consultation process opposing to this approach and adequately justifying the need for such conversion has led the Agency to allow them. These conversions can be performed following the existing procedure described in 66.A.70.
37. This conversion, once performed, will allow existing certifying personnel to have a B3 or L licence issued on the basis of the privileges they had before the new regulation enters into force.
38. Additionally, and in order to further facilitate the transition to the new system for aircraft where the current rule allows the use of national qualifications (aircraft other than aeroplanes and helicopters), a new paragraph 8 has been introduced in Article 7 of Regulation (EC) No 2042/2003, allowing the coexistence of the L licence and the national qualifications during 3 years after the entry into force of the new Regulation. After this period of time, the L licence will be the only one acceptable (it can be obtained either through conversion or meeting the new requirements for the issuance of such licence).
39. The Agency notes here that the NPA2008-03 considered a transition period of 5 years because it was not envisaged a conversion process. As a consequence, all persons applying for the L licence would have needed to fully qualify following the new requirements (training/examination/experience) and 5 years was considered a reasonable period. However, in this final proposal, as it is explained above, the conversion of existing national qualification has been introduced, which means that all these persons do not need to go through the training/examination/experience process. Consequently, the transition period has been reduced to 3 years, which the Agency considers sufficient for the competent authorities to implement the new licensing system.
40. Finally, it is important to note that there are still some situations, for aircraft other than aeroplanes and helicopters, which are not covered by the L licence. This is the case of:
- Those airships which are not covered by the L licence because of their complexity.
 - Work on avionic systems for aircraft other than aeroplanes and helicopters.
- This means that for these cases, the regulation of the relevant Member States will continue applying (66.A.100). Nevertheless, in the particular case of work on avionic systems, this issue will be addressed as explained before by future rulemaking action (task 66.027).

IV. Regulatory Impact Assessment

41. The full Regulatory Impact Assessment is contained in NPA 2008-03.

Cologne, 11 December 2009

P. GOUDOU
Executive Director

ATTACHMENT: Reactions to CRD2008-03**Reactions related to the process of conversion of certifying staff qualifications in General Aviation:**

- (1) The "European Sailplane Manufacturers", the "European Gliding Union", the "British Gliding Association", "Europe Air Sports", the "Danish Soaring Association", the "Royal Danish Aeroclub" and one individual person expressed concerns on how the existing conversion provisions of 66.A.70 will be applied by the different national authorities and requested to the Agency that the regulation ensures the full transfer of privileges from the current national certifying staff qualifications to the corresponding Part-66 licences.

In this respect the Agency notes that the existing policy related to 66.A.70 of comparing national and Part-66 qualification standards has not changed and will continue to be applied as before.

At the same time the Agency takes the view that, in addition to this existing policy, it is proportionate to apply a specific approach for the conversion of qualifications in the General Aviation field (aircraft not involved in Commercial Air Transport other than large) based on the existing EASA General Aviation policy, subject to the introduction of a more stringent set of limitations.

This approach would allow the licence holder to continue to carry out the same maintenance activities to which he/she was legally entitled under the national system.

Once the converted Part 66 license is issued, it will be fully subject to Part 66. Consequently, if the holder wants to extend the scope of his/her converted Part 66 licence to certify other maintenance activities, full compliance with Part 66 will be required, which means that also all the differences between the previous national certifying qualification and Part-66 must be fulfilled.

The outcome of the conversion and the kind of limitations to be imposed within the Part 66 licence can only be determined by each Member State due to the existing differences between the Member States national licence systems. This determination should be made following a case-by-case approach and on the basis of safety considerations. In order to achieve this, consideration should be given not only to the concrete tasks that the applicant was entitled to perform within the national system, but also to the 'environment' within which such tasks were performed, namely the management system and procedures of the organisation where the applicant developed its tasks.

The consideration of these factors could lead to limitations other than those specifically linked to aircraft systems or structures, for example:

- Only valid in organisation XXXX.
- Only valid for Cessna single piston engine aircraft.
- Only valid for Cessna 172.
- Only valid for Cessna 172, registration XXXX.

It is important to note also the following:

- The limitation “valid for aircraft not involved in Commercial Air Transport” must be always present.
- Independently of any other limitations, the licence is not valid for large aircraft.

The Agency will produce AMC/GM material in order to explain this specific approach for General Aviation.

- (2) The “Deutsche Aeroclub” commented that, in the German system, personnel with a maintenance licence issued by the Deutsche Aeroclub sign for their work and release the aircraft for flight. However, they mentioned that this maintenance is not reviewed and formally released (by the Prüfer Klasse 3) until the annual airworthiness review. As a consequence, they have requested a change to 66.A.70 because they fear that with the current text their competent authority will not convert the qualifications of these licence holders.

The position of the Agency is that, if the qualifications held by these licence holders are legally sufficient to attest that the maintenance performed has been properly carried out and that in that respect the aircraft can fly, then these qualifications are considered “certifying staff qualifications” and are subject to the conversion process established in 66.A.70. This is regardless of whether the licence holder was actually releasing aircraft and also regardless of whether there was a need of an airworthiness review to be signed by a Prüfer Klasse 3 at a later date.

In Regulation EC2042/2003, the maintenance process and the airworthiness review process are completely separated. Certifying staff are only involved in the release of maintenance. As a consequence, the “certifying staff qualifications” described in 66.A.70 are completely independent from the airworthiness review process.

- (3) “DGAC-France” requested clarification on which will be the reference date for the conversion process in relation to the paragraph contained in 66.A.70 stating “*The holder of a certifying staff qualification valid in a Member State, prior to the date of entry into force of this Part....*”.

The Agency will add AMC/GM material in order to clarify that the “*date of entry into force*” is the following:

- For the B3 licence, the date of entry into force of this amending Regulation.
- For sailplanes, powered sailplanes, balloons, and those airships covered by the L licence in accordance with 66.A.1(d), 3 years after the entry into force of this amending Regulation (see Article 7, paragraph 8). For aeroplanes below 1000 Kg, which are also part of the L licence, the applicable date will be the same as for the B3 licence above.

- (4) A certain number of reactions have shown some misunderstandings in relation to the conversion process.

To this point the Agency would like to make the following clarifications:

- The conversion process for the L licence is not related to the 3 year transition period established under Article 7, paragraph 8. The conversion process transfers an existing national qualification into a Part-66 licence which can be used thereafter and has no

expiration date other than the standard 5 year renewal process. The 3 year transition period establish a period during which the national qualification can still be used.

- Conversions are always performed by the competent authorities.
- Conversions are not a voluntary process for the competent authorities. It is a mandatory process that has to be performed at the request of any person holding a certifying staff qualification valid in a Member State.
- There is no need for examination in order to have a national qualification converted. Examinations are only needed in order to remove those possible limitations introduced during the conversion. This is an option for the licence holder.

Reactions related to the 3 year transition period established in Article 7, paragraph 8:

- (5) The “European Sailplane Manufacturers” expressed that the 3 year transition period was too short.

The Agency notes here that the NPA2008-03 considered a transition period of 5 years because it was not envisaged a conversion process. As a consequence, all persons applying for the L licence would have needed to fully qualify following the new requirements (training/examination/experience). However, in this final proposal, the conversion of existing national qualification has been introduced, which means that all these persons do not need to go through the training/examination/experience process. Consequently, the transition period has been reduced to 3 years, which the Agency considers sufficient for the competent authorities to implement the new licensing system.

Reactions related to the privileges of the B3 licence:

- (6) The “European Sailplane Manufacturers” requested that the B3 licence included privileges for sailplanes and powered sailplanes or, alternatively, a very affordable way for a B3 licence holder to obtain an L licence.

The Agency is not in favour of including these privileges in the B3 licence for the following reasons:

- It would not be possible for the B1.2 licence to automatically include the B3, unless the B1.2 also included the privileges for sailplanes and powered sailplanes. However, this would also affect the definition of the B1.2 licence because it would not be applicable only to aeroplanes (a sailplane is not an aeroplane).
- It may give the impression that getting experience on sailplanes would be enough in order to get the rating “Piston-engine non-pressurised aeroplanes of 2000 Kg MTOM and below” in the B3 licence (described in 66.A.45(i)) or the Group 3 rating in the B1.2 licence (described in CRD2007-07).

Nevertheless, since the Agency is in favour of increasing the number of persons entitled to certify sailplanes and powered sailplanes, it has proposed to allow B1.2 and B3 licence holders to obtain, without further requirements, a Full-L licence with the ratings “wooden aircraft”, “composite aircraft” and “metal aircraft”, as long as the B1.2 / B3 licence does not contain a limitation on the corresponding structure material (refer to amended 66.A.25(d), 66.A.30(a)8 and Appendix IV to Part-66). This will allow existing B1.2 and

B3 licence holders to issue certificates of release to service on sailplanes and powered sailplanes.

AMC/GM will be issued by the Agency to clarify that if a B1.2 / B3 licence holder wants to obtain an L licence with "wooden aircraft" rating, the sentence *"as long as the B1.2 / B3 licence does not contain any limitation on the corresponding structure material"* means that it does not contain either the limitation "wooden aircraft" or the limitation "metal tubing and fabric aircraft".

Reactions related to the limitations on the B3 licence:

- (7) "CAA-United Kingdom" and "AustroControl-Austria" commented that for the L licence, the rating "wooden aircraft" includes metal tubing with fabric. However, there are separate limitations for "wooden aircraft" and "metal tubing and fabric aircraft" for the B3 and B1.2 licences.

The Agency notes that these are different subjects:

- In the case of the L licence we are talking about ratings and not limitations. All licence holders with a rating for "wooden aircraft" must have received the training contained in module L4, which includes the combination of wooden structure with metal tubing and fabric.
- In the case of the B3 and B1.2 licences we are talking about limitations that can be removed by experience. The opinion of the Agency is that it is better to keep these limitations separated in order to be able to remove one or the other if the person does not have experience on one of the structures.

- (8) "CAA-Netherlands" and "CAA-Sweden" requested clarification on what a "limitation" means, in particular whether it means an activity that can be certified or an activity that cannot be certified.

The Agency agrees that there are some inconsistencies in the regulation. For example:

- 66.B.305 refers to *"examinations needed to ensure conversion without limitations"*, which means that the limitation refers to tasks that cannot be certified.
- Item 15 in the Part-66 licence (Appendix V to Part-66) states that *"if there are no limitations applicable, the LIMITATIONS page will be issued stating "No limitations"."* This means again that the limitation refers to tasks that cannot be certified.
- Part-145 uses limitations to restrict the scope of activities, which means that the limitation refers to tasks that can be certified.

Although the Agency has decided to state that the limitations endorsed on a B3 licence are tasks that cannot be certified, we agree that in some cases it may be more practical to refer to tasks that can be certified, for example when the privileges are very small compared with the tasks that are not authorised. In those cases, it is not practical to list all the tasks that cannot be certified.

Further rulemaking may be necessary in the future in order to address all these inconsistencies.

Reactions related to the privileges of the L licence:

- (9) The "British Gliding Association", the "Dutch Gliding Association" and the "European Gliding Union" requested that "annual inspections" were part of the Limited-L privileges. Furthermore, CAA-Sweden requested that the levels Limited-L and Full-L were merged in a single level.

The position of the Agency is that the two levels are still required in order to allow less experienced maintenance personnel to access the industry as soon as some reasonable standards are met. However, their privileges will be commensurate with the basic knowledge and experience acquired.

Nevertheless, the Agency has decided to allow Limited-L licence holders to perform annual inspections and 100 hour inspections. In order to do so, modules L4.5, L5.7, L6.7, and L8.14 of Appendix VII to Part-66, which are applicable to the Limited-L licence, have been modified to include 100 hours and annual inspections. In addition, module L9 "Procedures of physical inspection" has been moved from the Full-L to the Limited-L syllabus.

- (10) The "British Gliding Association", the "European Gliding Union" and "AustroControl-Austria" expressed their concern on how avionics work for sailplanes will be released.

Regarding this issue, the Agency has evaluated and rejected the following options:

- Include in the L licence full privileges for avionic systems. However, this was not possible at this stage because the syllabus contained in Appendix VII to Part-66 does not cover these systems.
- Extend the privileges of the B2 licence to cover sailplanes, balloons and airships. However, this would not solve the problem for the General Aviation community since very few B2 licence holders may be ready to work in this field. In addition, a redefinition of ratings would be required for the B2 licence.

As a consequence, the final option selected by the Agency is to keep under national rules (66.A.100) the work on avionic systems for aircraft other than aeroplanes and helicopters and proceed with further rulemaking action (task 66.027) in order to develop a licensing systems for avionic engineers adapted to General Aviation.

Nevertheless, the L licence still allows the release to service of the following (66.A.20(a)5):

- Work on any avionic system requiring simple tests to prove their serviceability and not requiring troubleshooting.
- Work on radio, communication and transponder systems if the rating "Radio-Comm/Transponder" is endorsed in the Full-L licence.

- (11) A certain number of reactions have shown some misunderstandings in relation to the privileges of the L licence.

To this point the Agency would like to make the following clarifications:

- The L licence does not contain aircraft or engine type ratings and, as a consequence, type training or type examination is not required either for aircraft or engines. No involvement of the manufacturers is required.
- The different ratings contained in an L licence are obtained once the basic knowledge and experience requirements are met.
- The rating "powerplant" endorsed on the Limited-L licence allows the release to service of work performed on any powerplant installed on an aircraft covered by the L licence.
- The same person can have the rating for the airframe and the rating for the powerplant. The training covering both ratings is approximately 1 month long and, nevertheless, it is not mandatory, being sufficient the satisfactory completion of the corresponding examinations.

The Agency will produce additional AMC/GM material.

Reactions related to the basic knowledge requirements for the L licence (66.A.25(b)):

- (12) "The British Gliding Association" expressed its concern that not enough Part-147 organisations would emerge in order to provide basic training for the L licence and requested that National Sporting Associations which hold the confidence of their competent authority can continue to carry out this function.

The position of the Agency is the following:

- Basic training for the L licence (66.A.25(b)) is not mandatory as permitted by 66.A.25(c) although in this case the experience required is 1 year instead of 6 months.
- Basic examination is mandatory.
- Basic training and basic examination can be provided by National Sporting Associations if it is approved by the competent authority (see 66.A.25(b)). As a consequence, the lack of Part-147 organisations can be compensated with this solution.

Reactions related to the upgrade of an L licence:

- (13) The "British Gliding Association" requested the possibility to obtain credits for knowledge and experience gained at the L licence level in order to obtain an "A" or "B" licence.

The Agency notes that the L licence cannot be extended into any other category/sub-category due to its very simplified qualification requirements and the large number of different ratings available. Nevertheless, this does not prevent the competent authority from granting examination credits if an equivalence can be demonstrated in accordance with 66.A.25(e).

Reactions related to the different types of sailplanes and powered sailplanes:

- (14) "CAA-United Kingdom" requested clarification on which ratings are necessary in the L licence in order to release the different types of sailplanes and powered sailplanes, which include among others "Touring Motor Gliders", "Self Launching Motor Gliders", "Self Sustaining Motor Gliders".

The position of the Agency is that any sailplane equipped with an engine is considered a "powered sailplane" and requires the rating "powerplant" in order to release work on such engine. That is the reason why this opinion refers only to "sailplanes" and "powered sailplanes", matching the title of CS-22 "Certification specifications, including airworthiness codes and acceptable means of compliance for sailplanes and powered sailplanes".

Reactions related to the renewal of Part-66 licences:

- (15) The "British Gliding Association" expressed concerns related to the cost of the renewal process of Part-66 licences and proposed to amend the Decision 2007/018/R. This organisation also questioned the need for renewal and proposed to replace it by recency requirements.

The position of the Agency is that recency requirements already exist in order to exercise certification privileges. Introducing them into the licensing requirements would impose a significant burden on competent authorities and licence holders because the licence would become invalid and it would need to be reissued.

Regarding the need for renewal this was evaluated as part of task 66.008 which led to Decision 2007/018/R. This renewal is performed every 5 years and should not involve a significant cost since it is a pure administrative renewal in order to check that the licence matches the competent authority files and that no actions are pending pursuant to 66.B.500.

Reactions related to the use of B3 and L licences for airworthiness review staff:

- (16) The "European Sailplane Manufacturers" requested that M.A.707 in Part-M is revised in order to allow the use of B3 and L licences for airworthiness review staff.

The Agency accepts the proposal and will amend AMC M.A.707(a), item 4, accordingly.

Reactions proposing specific licensing requirements for Light Sport Aeroplanes (LSA):

- (17) The "Finnish Aeronautical Association", the "Light Aircraft Association of the Czech Republic" and "Flightdesign" requested the creation of a specific licence for Light Sport Aeroplanes (LSA) under 600 Kg because they consider excessive the requirements of the L licence. They further argued that the typical syllabus for a Full-L licence covering different materials may take around 190 hours while the FAA system is only 120 hours.

The position of the Agency is that the objective of the task leading to this opinion was to create a licensing system adapted to the General Aviation community. This has been achieved by the creation of the B3 licence and the L licence. Furthermore, the L licence has been split into a Limited-L and a Full-L in order to allow less experienced

maintenance personnel to access the industry as soon as some reasonable standards are met.

In addition, the proposed European definition of LSA allows for a more complex aircraft than the US counterpart. This means that it is not possible to just compare the duration of the L licence with the duration of the FAA licence.

Creating a specific licence for LSA would mean an additional burden for national authorities and would also make more difficult for LSA licence holders to work on other aircraft below 1000 Kg (they would need to obtain a separate L licence). The Agency does not find a justification for this burden taking into account that we are talking about a possible saving of a few hours of training.

Reactions related to maintenance of components:

- (18) "Europe Air Sports" recommended to exempt ETSO parachutes from the Part-66 requirements and to use national regulations instead.

The Agency notes that this is already the current case. Maintenance of ETSO parachutes is considered "component maintenance", and as such, 66.A.200 refers to national rules.

- (19) "CAA-Sweden" requested clarification on how is classified the maintenance performed on jet and electrical powerplants installed on sailplanes.

The position of the Agency is that maintenance performed on the powerplant interface, retraction and supply system is considered as aircraft maintenance and can be released with the L licence (this is covered by modules L7.9 and L7.10 of Appendix VII to Part-66). However, maintenance performed on the powerplant itself is considered "component maintenance", and as such, 66.A.200 refers to national rules.

Reactions received from the CAA-Netherlands in relation to replies provided in the CRD2008-03:

- (20) "CAA-Netherlands" commented that the experience on operating aircraft required in 66.A.30 can be obtained at any maintenance organisation (for example Part-145, Subpart-F, FAR-145) or under the supervision of independent certifying staff.

The Agency agrees with the comment. AMC material will be added.

- (21) "CAA-Netherlands" requested clarification why it has been introduced an 80% completion rate for balloons and airships in AMC 66.A.30(a)6 and 7.

The Agency has introduced this 80% rate because the table related to balloons and airships contained in Appendix II to AMC to Part-66 has been developed including a lower number of items than the one for other aircraft. The Agency has considered this 80% important in order to ensure that the applicant obtains the appropriate experience.

- (22) "CAA-Netherlands" disagrees with the position of the Agency of not including in the list of type ratings (Appendix I to AMC to Part-66) the type of licence (B1, B3, L) applicable to each rating considering the weight of the aircraft.

The position of the Agency is that this is not possible because the same aircraft model, equipped with different customer options, may require a different licence. The weight of the aircraft is specific to each aircraft registration. This weight can be found in the Flight Manual, which has to remain on board the aircraft.

- (23) "CAA-Netherlands" requested to require the same minimum age for certifying staff in Part-145 maintenance organisations (currently 21 years) and in Subpart F maintenance organisation (currently 18 years).

The Agency notes that the requirement of 21 years of age is only applicable to certifying staff in Part-145 organisations because of the higher complexity of the organisation and associated procedures. However, for Subpart F maintenance organisations the Agency considers reasonable the limit of 18 years.

- (24) "CAA-Netherlands" pointed out that the reply to comment 22 of the CRD2008-03 should include the possibility to release "complex maintenance tasks" not only by Subpart F maintenance organisations but also by Part-145 organisations.

The Agency agrees with the comment. Nevertheless, there is no need to change the rule or the AMC/GM material because this is clear in the current text. The fact that M.A.801(b) refers only to Subpart F maintenance organisations is because M.A.801 does not apply to aircraft released under Part-145 (refer to M.A.801(a)). A Part-145 maintenance organisation can certainly release such tasks.

- (25) "CAA-Netherlands" expressed their opinion that until now, if for different sub-categories of licences within a particular module of Appendix I to Part-66, the subject / level was identical this meant identical requirements, making it easy to credit. As a consequence, they oppose to the introduction in some modules of the sentence *"In the case of the B3 category, the scope of this Module shall reflect the technology of aeroplanes pertinent to this category"*.

The Agency agrees with the comment.

As a consequence, separated modules 7B, 9B, 11C and 17B have been created for the B3 licence and the current modules 7, 9 and 17 have been renamed as 7A, 9A and 17A in order to make sure that even when the level of training (levels 1, 2 or 3) for some subjects is the same as for the B1.2, the training content is not the same. As a matter of fact, the content of the course for the B3 licence has to be developed considering the lower complexity of technology and maintenance environment found in this aircraft category. Otherwise, it would be impossible to obtain the desired reduction of training duration (1000 hours).

- (26) "CAA-Netherlands" commented that the rating "wooden aircraft" still does not include the combination of wooden wings with metal tubing fuselage.

The Agency has reworded sub-module L4.1 of Appendix VII to Part-66 in order to make clear that the training covers any combination of wood / metal tubing and fabric structures.

The Agency has also amended point 66.A.1(d) to read the following:

"The ratings "wooden airframe", "wooden aircraft" and "wooden sailplane" also cover the combination of wooden structures with metal tube and fabric".

- (27) "CAA-Netherlands" commented that even if the B3 licence does not include any A subcategory, the B3 licence holder can certify simple mechanical tasks on non-pressurised aeroplanes below 2000 Kg.

The Agency agrees with the comment and this is what the item 4 of GM 66.A.20(a) was clarifying in CRD2008-03.

- (28) "CAA-Netherlands" proposed to change the title of point 66.A.45 to refer also to "B3 rating limitations".

The Agency partially agrees with the proposal except that it cannot be specific for the B3 licence (refer to CRD2007-07 with limitations also for the B1.2 licence for Group 3 aircraft). The title of 66.A.45 has been amended accordingly.