

**Proposal for a**  
**COMMISSION REGULATION (EC) No ../..**

**of [...]**

**amending Commission Regulation (EC) No 1702/2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations**

**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency<sup>1</sup> (hereinafter referred to as "the Basic Regulation"), and in particular Articles 5 and 6 thereof,

Having regard to Commission Regulation (EC) No 1702/2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations<sup>2</sup>,

Whereas:

- (1) Paragraph 21.1 of the annex of Commission Regulation (EC) No 1702/2003 establishes the principle of a principal place of business.
- (2) National authorities as well as industry requested a definition of the concept of principal place of business, so as to avoid misunderstandings that could arise when the authority is not clearly defined
- (3) The measures provided by this Regulation are based on the opinion issued by the Agency<sup>3</sup> in accordance with Articles 12(2)(b) and 14(1) of the Basic Regulation.
- (4) The measures provided for in this Regulation are in accordance with the opinion<sup>4</sup> of the European Aviation Safety Agency Committee established by Article 54(3) of the Basic Regulation.

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<sup>1</sup> Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency. (OJ L 240, 7.9.2002, p.1

<sup>2</sup> Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency (OJ L 240, 7.09.2002, p. 1.). Regulation as last amended by Commission Regulation (EC) 1701/2003 of 24 September 2003 (OJ L 243, 27.9.2003, p. 5).

<sup>3</sup> Opinion 5/2005 see: [http://www.easa.eu.int/home/opinions\\_en.html](http://www.easa.eu.int/home/opinions_en.html)

<sup>4</sup> [to be issued]

(5) The Commission Regulation (EC) No 1702/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following point (c) is added to 21.1 of the Annex to Commission Regulation (EC) No1702/2003:

“(c) For the purpose of this regulation and regarding organisations included within its Annex, principal place of business is intended to mean the organisation site where the personnel specified in 21.A125(b)3 perform their activities under Part 21 Subpart F, and where the majority of the organisation personnel specified in paragraph 21A.145(c) directs, controls or co-ordinates its technical activities, ensuring that the organisation complies with the requirements specified in Part 21 Subpart G.”

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States

*Done at Brussels,*

*For the Commission  
Member of the Commission*