



Brussels, **XXX**  
EASA Opinion 06/2012  
[...] (2012) **XXX** draft

**ANNEX TO EASA OPINION 06/2012**

**COMMISSION REGULATION (EU) No .../..**

**of **XXX****

**amending 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**

**COMMISSION REGULATION (EU) No .../..**

**of XXX**

**amending 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**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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<sup>1</sup>, and in particular Article 8(5) thereof,

Whereas:

- (1) Operation of aircraft registered in a Member State have to comply with the relevant essential requirements set out in Annex IV to regulation No 216/2008, unless their regulatory safety oversight has been delegated to a third country and they are not used by an EU operator.
  - (2) Operation of aircraft registered in a third country and used by an operator for which any Member State ensures oversight of operations or used into, within or out of the EU by an operator established or residing in the EU has to comply with the relevant essential requirements set out in Annex IV to regulation No 216/2008.
  - (3) Annex IV to Regulation No 216/2008 establishes continuing airworthiness requirements for the operation of aircraft, including requirements for organisations managing the continuing airworthiness of complex motor-powered aircraft and aircraft operated for commercial purposes.
  - (4) Regulation (EC) No 216/2008 requires the European Commission to adopt the necessary implementing rules for establishing the conditions for the safe operation of aircraft. Regulation (EC) No 2042/2003 establishes those implementing rules for on the continuing airworthiness.
  - (5) The present regulation amends Commission Regulation (EC) No 2042/2003 to ensure that aircraft referred to in recital (1) and (2) comply with the continuing airworthiness requirements set out in Annex IV to regulation No 216/2008.
  - (6) It is necessary to provide sufficient time for the aeronautical industry and Member States' administrations to adapt to the new regulatory framework.
  - (7) The European Aviation Safety Agency (hereafter the 'Agency') prepared draft implementing rules and submitted them as an opinion to the European Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.
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- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of the Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

*Article 1*

Commission Regulation (EC) No 2042/2003 is amended as follows: This Regulation shall be binding in its entirety and directly applicable in all Member States.

Article 1 is amended as follows:

“Article 1

Objective and scope

This Regulation establishes common technical requirements and administrative procedures to ensure:

the continuing airworthiness of aircraft registered in a Member State, including any component for installation thereon, unless their regulatory safety oversight has been delegated to a third country and they are not used by an EU operator.

compliance with the essential requirements set forth in the Basic Regulation for continuing airworthiness of aircraft registered in a third country and components for installation thereon that are:

used by an operator requiring a certificate under Annex III (part-ORO) to Regulation (EU) No 965/2012 or Annex VII (part-ORA) to Regulation (EU) No 1178/2011, except for aircraft used under a wet lease-in or code-share agreement; or

used into, within or out the EU by an operator established or residing in the EU.”

Article 2 is amended as follows:

“Within the scope of this Regulation, the following definitions shall apply:

[...]

- (n) ‘commercial air transport’ means an aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire by a licensed air carrier as defined in Regulation (EC) No 1008/2008.”

Article 3 is amended as follows:

“Article 3

Continuing Airworthiness requirements

The continuing airworthiness of aircraft referred to in Article 1(1)(a) and components for installation thereon shall be ensured in accordance with the provisions of Annex I.

Organisations and personnel involved in the continuing airworthiness of aircraft referred to in Article 1(1)(a) and components for installation thereon, including maintenance, shall comply with the provisions of Annex I and where appropriate those specified in Articles 4 and 5.

By derogation from paragraph 1, the continuing airworthiness of aircraft referred to in Article 1(1)(a) holding a permit to fly, shall be ensured on the basis of the specific continuing airworthiness arrangements as defined in the permit to fly issued in accordance with the Annex I (Part-21) to Commission Regulation (EU) No 748/2012.

The continuing airworthiness of aircraft referred to in Article 1(1)(b) and components for installation thereon shall be ensured in accordance with the provisions of Annex V”

In article 4, paragraph 1 is amended as follows:

Maintenance organisation approvals shall be issued in accordance with the provisions of Annex I, Subpart F, or Annex II.

Article 7 is amended as follows:

#### “Article 7

Entry into force

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

It shall apply from 28 October 2014.

By the way of derogation from the second subparagraph of paragraph 1, for aircraft not used in commercial air transport, the requirements of Annex V shall apply from 28 October 2015.

By way of derogation from the second subparagraph of paragraph 1 Member States may elect not to apply:

- (a) for the maintenance of piston-engine non-pressurised aeroplanes of 2 000 kg MTOM and below not involved in commercial air transport, until 28 September 2014, the requirement to have certifying staff qualified in accordance with Annex III (Part-66) contained in the following provisions:
  - M.A.606(g) and M.A.801(b)2 of Annex I (Part-M),
  - 145.A.30(g) and (h) of Annex II (Part-145);
- (b) for the maintenance of ELA1 aeroplanes not involved in commercial air transport, until 28 September 2015:
  - (i) the requirement for the competent authority to issue aircraft maintenance licences in accordance with Annex III (Part-66), as new or as converted pursuant to point 66.A.70 of this Annex;
  - (ii) the requirement to have certifying staff qualified in accordance with Annex III (Part- 66) contained in the following provisions:
    - M.A.606(g) and M.A.801(b)2 of Annex I (Part-M),
    - 145.A.30(g) and (h) of Annex II (Part- 145).’;

When a Member State makes use of the provisions of paragraph 3, it shall notify the Commission and the Agency.

For the purpose of time limits contained in points 66.A.25, 66.A.30 and Appendix III of Annex III (Part-66) related to basic knowledge examinations, basic experience, theoretical type training and examinations, practical training and assessment, type examinations and on the job training completed before this Regulation applies, the origin of time shall be the date by which this Regulation applies.

The Agency shall submit an opinion to the Commission including proposals for a simple and proportionate system for the licensing of certifying staff involved in the maintenance of ELA1 aeroplanes as well as aircraft other than aeroplanes and helicopters.

#### *Article 2*

Annex I (Part-M) is amended in accordance with Annex 1 to this Regulation and a new Annex V (part-T) is added in accordance with the Annex 2 to this Regulation.

#### *Article 3*

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

1. This Regulation shall enter into force on the following day of its publication in the *Official Journal of the European Union*.
2. It shall apply from [1 month after its entry into force].

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

Done at Brussels,

*For the Commission  
The President*

## ANNEX 1

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

1. The table of contents is amended as follows:  
  
[...]  
  
M.A.306 Aircraft technical log system  
  
[...]  
  
Appendix I: Continuing airworthiness management contract  
  
[...]
2. In M.1, paragraph 4 is replaced as follows:
  4. for the approval of maintenance programmes,
    - (i) the authority designated by the Member State of registry, or
    - (ii) if agreed with the Member State of registry prior to the approval of the maintenance programme:
      - (a) the authority designated by the State where the operator has its principle place of business or is established or residing, or
      - (b) the authority responsible for the oversight of the continuing airworthiness management organisation managing the continuing airworthiness of the aircraft, or with which a limited contract in accordance with M.A.201(e)(ii) has been made by the owner.
3. In M.A.201, paragraphs (e), to (j) are amended and a new paragraph (k) is added as follows:
  - (e) In the case of commercial air transport, the operator is responsible for the continuing airworthiness of the aircraft it operates and shall:
    1. ensure that no flight takes place unless the conditions defined in paragraph (a) are met;
    2. be approved, as part of its air operator certificate, as a continuing airworthiness management organisation pursuant to M.A. Subpart G for the aircraft it operates; and
    3. be approved in accordance with Part-145 or establish a contract in accordance with M.A.708(c) with such organisation.
  - (f) In case of commercial operations other than commercial air transport, with complex motor-powered aircraft, the operator shall:
    1. ensure that no flight takes place unless the conditions defined in paragraph (a) are met;
    2. be approved, as a continuing airworthiness management organisation pursuant to M.A. Subpart G, for the management of the continuing

- airworthiness of the aircraft it operates or establish a written contract in accordance with Appendix I with such an organisation, and
3. ensure that the continuing airworthiness management organisation referred to in (2) is approved in accordance with Part-145 for the maintenance of the aircraft and components for installation thereon, or it has established a contract in accordance with M.A.708(c) with such an organisation.
- (g) In case of commercial operations other than commercial air transport, with other than complex motor-powered aircraft, the operator shall:
1. ensure that no flight takes place unless the conditions defined in paragraph (a) are met;
  2. be approved, as a continuing airworthiness management organisation pursuant to M.A. Subpart G, for the management of the continuing airworthiness of the aircraft it operates or establish a written contract in accordance with Appendix I with such an organisation, and
  3. ensure that the continuing airworthiness management organisation referred to in (2) is approved in accordance with part-M subpart-F or Part-145 for the maintenance of the aircraft and components for installation thereon, or it has established a contract in accordance with M.A.708(c) with such an organisation.
- (h) In order to satisfy the responsibilities of paragraph (a), the owner of a complex motor-powered aircraft not subject to paragraphs (e) or (f) shall ensure that:
1. the tasks associated with continuing airworthiness are performed by an approved continuing airworthiness management organisation. A written contract shall be made in accordance with Appendix I., and
  2. the continuing airworthiness management organisation referred to in (1) is approved in accordance with Part-145 for the maintenance of the aircraft and components for installation thereon , or it has established a contract in accordance with M.A.708(c) with such an organisation.
- (i) In order to satisfy the responsibilities of paragraph (a), for aircraft not subject to paragraphs (e), (f), (g) or (h), the owner may contract the tasks associated with continuing airworthiness to a continuing airworthiness management organisation. A written contract shall be made in accordance with Appendix I.
- (j) For aircraft not subject to paragraphs (e), (f), (g) or (h), an owner who decides to manage the continuing airworthiness of the aircraft under its own responsibility, without a contract in accordance with Appendix I, may nevertheless make a limited contract with a continuing airworthiness management organisation, for the development of the maintenance programme and its approval in accordance with point M.A.302., This limited contract transfers the responsibility for the development and approval of the maintenance programme to the contracted continuing airworthiness management organisation.

- (k) The owner/operator shall ensure that any person authorised by the competent authority is granted access to any of its facilities, aircraft or documents related to its activities, including any subcontracted activities, to determine compliance with this Part.
4. In M.A.301, paragraphs (2), (4) and (7) are amended as follows:
2. the rectification in accordance with data specified in point M.A.304 and/or point M.A.401, as applicable, of any defect and damage affecting safe operation taking into account, the minimum equipment list (MEL) and configuration deviation list,
  4. for all complex motor-powered aircraft or aircraft used for commercial air transport, the analysis of the effectiveness of the M.A.302 approved maintenance programme;
  7. for non-mandatory modifications and/or inspections, for all complex motor-powered aircraft or aircraft used for commercial air transport, the establishment of an embodiment policy;
5. In M.A.302, paragraph (c)(ii) is amended as follows:
- (ii) The continuing airworthiness management organisation shall not use the indirect approval procedure when this organisation is not under the oversight of the Member State of Registry, unless an agreement exists in accordance with point M.1, paragraph 4(ii), transferring the responsibility for the approval of the aircraft maintenance programme to the competent authority responsible for the continuing airworthiness management organisation.
6. In M.A.302, paragraph (f) is amended as follows:
- (f) For complex motor-powered aircraft, when the maintenance programme is based on maintenance steering group logic or on condition monitoring, the aircraft maintenance programme shall include a reliability programme.
7. In M.A.305, point (b)(2) is amended as follows:
2. when required in point M.A.306, the aircraft technical log.
8. In M.A.306 the title is amended as follows:
- M.A.306 Aircraft technical log system
9. In M.A.306, point (a) is amended as follows:
- (a) For commercial operations, in addition to the requirements of M.A.305, an operator shall use an aircraft technical log system containing the following information for each aircraft:  
(...)

10. In M.A.403 (b) and (c) are amended as follows:

- (b) Only the authorised certifying staff, according to points M.A.801(b)1, M.A.801(b)2, M.A.801(c), M.A.801(d) or Annex II (Part-145) can decide, using M.A.401 maintenance data, whether an aircraft defect hazards seriously the flight safety and therefore decide when and which rectification action shall be taken before further flight and which defect rectification can be deferred. However, this does not apply when the MEL is used by the pilot or by the authorised certifying staff.
- (c) Any aircraft defect that would not hazard seriously the flight safety shall be rectified as soon as practicable, after the date the aircraft defect was first identified and within any limits specified in the maintenance data or the MEL.

11. In M.A.504, paragraph (b) is amended as follows:

- (b) Unserviceable components shall be identified and stored in a secure location under the control of an approved maintenance organisation until a decision is made on the future status of such component. Nevertheless, for aircraft not used in commercial air transport other than complex motor-powered aircraft, the person or organisation that declared the component unserviceable may transfer its custody, after identifying it as unserviceable, to the aircraft owner provided that such transfer is reflected in the aircraft logbook or engine logbook or component logbook.

12. M.A.601 is amended as follows:

This Subpart establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval for the maintenance of aircraft and components.

13. In M.A.706, paragraph (k) is amended as follows:

- (k) For all complex motor-powered aircraft and for aircraft used for commercial air transport the organisation shall establish and control the competence of personnel involved in the continuing airworthiness management, airworthiness review and/or quality audits in accordance with a procedure and to a standard agreed by the competent authority;

14. In M.A.708, paragraph (c) is amended and a new paragraph (d) is added as follows:

- (c) In the case of complex motor-powered aircraft and commercial operations, when the approved continuing airworthiness management organisation is not appropriately approved to Part-145 or Part-M.A. Subpart-F, the organisation shall establish a written maintenance contract with a Part-145 or Part-M.A. Subpart-F approved organisation or another operator, 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 or Part-M.A. Subpart-F approved maintenance organisation and defining the support of the quality functions of M.A.712(b).

- (d) Notwithstanding paragraph (c) the contract may be in the form of individual work orders addressed to the Part-145 or Part-M.A. Subpart-F maintenance organisation in the case of:
1. an aircraft requiring unscheduled line maintenance,
  2. component maintenance, including engine maintenance.
15. In M.A.801, paragraph (c) and (d) are amended as follows:
- (c) By derogation from point M.A.801(b)2 for ELA1 aircraft not used in commercial operations, aircraft complex maintenance tasks listed in Appendix VII may be released by certifying staff referred to in point M.A.801(b)2;
- (d) By derogation from point M.A.801(b), in the case of unforeseen situations, when an aircraft is grounded at a location where no approved maintenance organisation appropriately approved under this Annex or Annex II (Part-145) and no appropriate certifying staff are available, the owner may authorise any person, with no less than three years of appropriate maintenance experience and holding the proper qualifications, to maintain according to the standards set out in Subpart D of this Annex and release the aircraft. The owner shall in that case:
1. obtain and keep in the aircraft records details of all the work carried out and of the qualifications held by that person issuing the certification; and
  2. ensure that any such maintenance is rechecked and released by an appropriately authorised person referred to in point M.A.801(b) or an organisation approved in accordance with Section A, Subpart F of this Annex (Part-M), or with Annex II (Part-145) at the earliest opportunity but within a period not exceeding seven days; and
  3. notify the organisation responsible for the continuing airworthiness management of the aircraft when contracted in accordance with point M.A.201(i), or the competent authority in the absence of such a contract, within seven days of the issuance of such certification authorisation.
16. In M.A.803, paragraph (b) is amended as follows:
- (b) For any non-complex motor-powered aircraft of 2 730 kg MTOM and below, sailplane, powered sailplane or balloon, that are not used in commercial operations, the pilot-owner may issue a certificate of release to service after limited pilot-owner maintenance as specified in Appendix VIII.
17. Paragraph M.A.901 (g) is amended as follows:
- (g) By derogation from points M.A.901(e) and M.A.901(i)2, for ELA1 aircraft not used in commercial operations, the airworthiness review certificate may also be issued by the competent authority upon satisfactory assessment, based on a recommendation made by certifying staff formally approved by the competent authority and complying with provisions of Annex III (Part-66) as well as requirements laid down in point M.A.707(a)2(a), sent together with the application from the owner or operator. This recommendation shall be based on

an airworthiness review carried out in accordance with point M.A.710 and shall not be issued for more than two consecutive years;

18. Paragraph M.B.105 (a) is amended as follows:

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

19. Appendix I is amended as follows:

Appendix I: Continuing airworthiness management contract

1. When an owner contracts in accordance with M.A.201 a continuing airworthiness organisation approved pursuant part-M Subpart-G (CAMO) to carry out continuing airworthiness management tasks, upon request by the competent authority a copy of the contract shall be sent by the owner to the competent authority of the Member State of registry once it has been signed by both parties.
2. The contract shall be developed taking into account the requirements of Part M and shall define the obligations of the signatories in relation to continuing airworthiness of the aircraft.
3. It shall contain as a minimum the:
  - aircraft registration,
  - aircraft type,
  - aircraft serial number,
  - aircraft owner or registered lessee's name or company details including the address,
  - CAMO details including the address.
  - type of operation

4. It shall state the following:

"The owner entrusts to the CAMO the management of the continuing airworthiness of the aircraft, the development of a maintenance programme that shall be approved by the competent authority as detailed in M.1 and the organisation of the maintenance of the aircraft according to said maintenance programme

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

The owner declares, to the best of its belief that all the information given to the CAMO 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 CAMO.

In case of any non-conformity with this contract , 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. When an owner contracts CAMO with M.A.201 the obligations of each party shall be shared as follows:

5.1. Obligations of the CAMO :

1. have the aircraft type in the scope of its approval;
2. respect the conditions to maintain the continuing airworthiness of the aircraft listed below:
  - a) develop a maintenance programme for the aircraft, including any reliability programme developed, if applicable;
  - b) declare the maintenance tasks (in the maintenance programme) that may be carried out by the pilot-owner in accordance with point M.A.803(c);
  - c) organise the approval of the aircraft's maintenance programme;
  - d) once it has been approved, give a copy of the aircraft's maintenance programme to the owner;
  - e) organise a bridging inspection with the aircraft's prior maintenance programme;
  - f) organise for all maintenance to be carried out by an approved maintenance organisation;
  - g) organise for all applicable airworthiness directives to be applied;
  - h) organise for all defects discovered during scheduled maintenance, airworthiness reviews or reported by the owner to be corrected by an approved maintenance organisation;
  - i) coordinate scheduled maintenance, the application of airworthiness directives, the replacement of life limited parts, and component inspection requirements;
  - j) inform the owner each time the aircraft shall be brought to an approved maintenance organisation;
  - k) manage all technical records;
  - l) archive all technical records;
3. organise the approval of any modification to the aircraft in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012 before it is embodied;
4. organise the approval of any repair to the aircraft in accordance with the Annex I (Part-21) to Regulation (EC) No 748/2012 before it is carried out;
5. inform the competent authority of the Member State of registry whenever the aircraft is not presented to the approved maintenance

- organisation by the owner as requested by the approved organisation;
6. inform the competent authority of the Member State of registry whenever the present contract has not been respected;
  7. ensure that the airworthiness review of the aircraft is carried out when necessary and ensure that the airworthiness review certificate is issued or a recommendation is sent to the competent authority of the Member State of registry;
  8. send within 10 days a copy of any airworthiness review certificate issued or extended to the competent authority of the Member State of registry;
  9. carry out all occurrence reporting mandated by applicable regulations;
  10. inform the competent authority of the Member State of registry whenever the present contract is denounced by either party.
- 5.2. Obligations of the owner:
1. have a general understanding of the approved maintenance programme;
  2. have a general understanding of this Annex (Part-M);
  3. present the aircraft to the approved maintenance organisation agreed with the CAMO at the due time designated by the CAMO's request;
  4. not modify the aircraft without first consulting the CAMO ;
  5. inform the CAMO of all maintenance exceptionally carried out without the knowledge and control of the CAMO ;
  6. report to the CAMO through the logbook all defects found during operations;
  7. inform the competent authority of the Member State of registry whenever the present contract is denounced by either party;
  8. inform the CAMO and competent authority of the Member State of registry whenever the aircraft is sold;
  9. carry out all occurrence reporting mandated by applicable regulations;
  10. inform on a regular basis the CAMO about the aircraft flying hours and any other utilisation data, as agreed with the CAMO ;
  11. enter the certificate of release to service in the logbooks as mentioned in point M.A.803(d) when performing pilot-owner maintenance without exceeding the limits of the maintenance tasks list as declared in the approved maintenance programme as laid down in point M.A.803(c);
  12. inform the CAMO not later than 30 days after completion of any pilot-owner maintenance task in accordance with point M.A.305(a).

20. Appendix VI, page 1, is amended as follows:

## Appendix VI

Continuing Airworthiness Management Organisation Approval  
referred to in Annex I (Part-M) Subpart G

[MEMBER STATE\*]

A Member of the European Union \*\*

### **CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATION APPROVAL CERTIFICATE**

Reference: [MEMBER STATE CODE \*].MG.XXXX (ref. AOC XX.XXXX)

Pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council and to Commission Regulation (EC) No 2042/2003 for the time being in force and subject to the condition specified below, the [COMPETENT AUTHORITY OF THE MEMBER STATE \*] hereby certifies:

[COMPANY NAME AND ADDRESS]

as a continuing airworthiness management organisation in compliance with Section A, Subpart G of Annex I (Part-M) of Regulation (EC) No 2042/2003, approved to manage the continuing airworthiness of the aircraft listed in the attached schedule of approval and, when stipulated, to issue recommendations and airworthiness review certificates after an airworthiness review as specified in point M.A.710 of Annex I (Part-M), and, when stipulated, to issue permits to fly as specified in point M.A.711(c) of Annex I (Part-M) of the same Regulation.

#### CONDITIONS

1. This approval is limited to that specified in the scope of approval section of the approved continuing airworthiness management exposition as referred to in Section A, Subpart G of Annex I (Part-M) of Regulation (EC) No 2042/2003.
2. This approval requires compliance with the procedures specified in Annex I (Part-M) and if applicable Annex V (Part-T) to Regulation (EC) No 2042/2003 approved continuing airworthiness management exposition.
3. This approval is valid whilst the approved continuing airworthiness management organisation remains in compliance with Annex I (Part-M), and if applicable, Annex V (Part-T) to Regulation (EC) No 2042/2003.
4. Where the continuing airworthiness management organisation contracts under its Quality System the service of an(several) organisation(s), this approval remains valid subject to such organisation(s) fulfilling applicable contractual obligations.
5. Subject to compliance with the conditions 1 to 4 above, this approval shall remain valid for an unlimited duration unless the approval has previously been surrendered, superseded, suspended or revoked.

If this form is also used for commercial air transport operators, the Air Operator Certificate (AOC) number shall be added to the reference, in addition to the standard number, and the condition 5 shall be replaced by the following extra conditions:

6. This approval does not constitute an authorisation to operate the types of aircraft referred to in paragraph 1. The authorisation to operate the aircraft is the AOC.

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

8. Subject to compliance with the previous conditions, this approval shall remain valid for an unlimited duration unless the approval 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 MEMBERSTATE \*]

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(...)

EASA Form 14 Issue4

## ANNEX 2

1. Annex V (Part-T) to Commission Regulation (EC) No 2042/2003 is added as follows:

### **Annex V**

#### **PART-T**

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Appendix I to Part-T — Continuing airworthiness management contract

### **T.1 Competent authority**

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

1. For aircraft referred to in T.A.101 (1), the authority designated by the Member State where the operator has its principal place of business.
2. For aircraft referred to in T.A.101 (2), the authority designated by the Member State where the operator resides or is established.
3. For the oversight of a continuing airworthiness management organisation as specified in T.A., Subpart G:
  - (i) the authority designated by the Member State where that organisation has its principle place of business, or
  - (ii) the Agency, if the organisation is located in a third country.

## **SECTION A — TECHNICAL REQUIREMENTS**

### **Subpart A — General**

#### **T.A.101 Scope**

This section establishes requirements to ensure that continuing airworthiness is maintained in compliance with the essential requirements of Annex IV to Regulation (EC) No 216/2008

It also specifies the conditions to be met by the persons and organisations responsible for management of the continuing airworthiness and maintenance

### **Subpart B — Requirements**

#### **T.A.201 Common requirements**

1. The operator is responsible for the airworthiness of the aircraft and it shall ensure that it is not operated unless:
  - (a) the aircraft has a type certificate issued or validated by the Agency;
  - (b) the aircraft is in an airworthy condition;
  - (c) the aircraft holds a valid certificate of airworthiness issued in accordance with ICAO Annex 8;
  - (d) the maintenance of the aircraft is performed in accordance with a maintenance programme which shall comply with the requirements of Subpart C.
  - (e) any defect or damage affecting the safe operation of the aircraft is rectified to a standard acceptable to the State of Registry;
  - (f) the aircraft complies with any applicable:
    - (i) airworthiness directive or continued airworthiness requirement issued or adopted by the State of Registry; and
    - (ii) mandatory safety information issued by the Agency, including airworthiness directives;
  - (g) a release to service is issued to the aircraft after maintenance by qualified persons and organisations in compliance with the State of Registry requirements. The signed release to service shall contain, in particular, the basic details of the maintenance carried out.
2. The aircraft shall be inspected, through a pre-flight inspection, All modifications and repairs shall comply with the airworthiness requirements established by the State of Registry
3. The following aircraft records shall be kept until the information contained has been superseded by new information equivalent in scope and detail but not less than 24 months:
  - (a) the total time in service (hours, cycles and calendar time, as appropriate) of the aircraft and all life-limited components;
  - (b) current status of compliance with T.A.201 (1)(f) requirements;
  - (c) current status of compliance with the maintenance programme;
  - (d) current status of modifications and repairs together with appropriate details and substantiating data to demonstrate that they comply with the requirements established by the State of Registry.

**T.A.205 Additional requirements for aircraft engaged in commercial operations and operation of complex motor-powered aircraft**

1. The operator shall ensure that the tasks specified in T.A.201 are controlled by a continuing airworthiness management organisation approved in accordance with Part-M Subpart G for the aircraft type and compliant with the additional requirements of T.A. Subpart G. For this purpose, when an operator is not appropriately approved as continuing airworthiness management organisation, a contract shall be made in accordance with Appendix I to this Part with such an organisation

2. The continuing airworthiness management organisation referred to in (1) shall ensure that the maintenance and release of the aircraft are performed by a maintenance organisation meeting the requirements of Subpart E. For this purpose, when the continuing airworthiness management organisation does not meet the requirements of subpart E itself, it shall establish a contract with such an organisation

## **Subpart C — Maintenance programme**

### **T.A.301 Maintenance programme**

1. The operator is responsible for the development and amendment of the maintenance programme and its compliance with the State of Registry requirements.
2. The maintenance programme shall be based on maintenance programme information made available by the organisation responsible for the type design.
3. The maintenance programme shall contain maintenance tasks and the intervals at which such tasks are to be performed, taking into account the anticipated use of the aircraft. In particular, the maintenance programme shall identify the tasks and intervals that have been specified as mandatory in the instructions for continued airworthiness.

## **Subpart D (Reserved)**

## **Subpart E —Maintenance organisation**

### **T.A.501 Maintenance organisation**

The continuing airworthiness management organisation shall ensure that the maintenance organisation complies with the following requirements:

- (a) The organisation holds a maintenance organisation approval issued or acceptable to the State of Registry.
- (b) The scope of approval of the organisation includes the appropriate aircraft and component capability.
- (c) The organisation has established an occurrence reporting system which ensures that any identified condition of an aircraft or component which endangers the flight safety is reported to the operator, the competent authority of the operator, the organisation responsible for the type design or supplemental type design and the continuing airworthiness management organisation.
- (d) The organisation has established an organisation's manual providing a description of all the procedures of the organisation.

## **Subpart G — Additional requirements for continuing airworthiness management organisations approved pursuant to Annex I (Part-M) Subpart-G**

### **T.A.701 Scope**

This Subpart establishes the requirements to be met in addition to the requirements of Part-M Subpart G by an organisation approved in accordance with Part-M Subpart G to control the tasks specified in T.A.201

#### **T.A.704 Continuing airworthiness management exposition**

In addition to the requirements of M.A.704 (a), the exposition shall contain procedures specifying how the continuing airworthiness management organisation ensures compliance with Part-T

#### **T.A.706 Personnel requirements**

In addition to the requirements of M.A.706 (g), the M.A.706 (c) and (d) personnel shall have adequate knowledge of the applicable third country regulations.

#### **T.A.708 Continuing airworthiness management**

1. Notwithstanding M.A.708, for aircraft managed under the requirements of Part-T the approved continuing airworthiness management organisation shall:
  - (a) ensure that the aircraft is taken to a maintenance organisation whenever necessary;
  - (b) ensure that all maintenance is carried out in accordance with the maintenance programme;
  - (c) ensure the application of the T.A.201 (1)(f) mandatory information;
  - (d) ensure that all defects discovered during scheduled maintenance or reported are corrected by the maintenance organisation in accordance with the maintenance data acceptable to the State of Registry;
  - (e) coordinate scheduled maintenance, the application of the T.A.201 (1)(f) mandatory information, the replacement of life-limited parts, and component inspection to ensure the work is carried out properly;
  - (f) manage and archive the continuing airworthiness records required by T.A.201 (4);
  - (g) ensure that modifications and repairs are approved in accordance with the requirements of the State of Registry.
2. When a continuing airworthiness management organisation is contracted by an operator to perform the tasks specified in point (1), a contract shall be made in accordance with Appendix I between the operator and the continuing airworthiness management organisation.

#### **T.A.709 Documentation**

Notwithstanding M.A.709 (a) and (b), for every aircraft managed following the requirements of Part-T the continuing airworthiness management organisation shall hold and use applicable maintenance data acceptable to the State of Registry. This data may be provided by the operator, which shall be reflected in the contract referred to in T.A.205 (1). In such a

case, the continuing airworthiness management organisation only needs to keep such data for the duration of the contract, except when required by point T.A.714.

#### **T.A.711 Privileges**

A continuing airworthiness management organisation approved in accordance with Part-M Subpart G may perform the tasks specified in T.A.708 provided that the organisation has established procedures, approved by the competent authority, to ensure compliance with Part-T.

#### **T.A.712 Quality system**

1. In addition to the requirements of M.A.712, the continuing airworthiness management organisation shall ensure that the quality system monitors that all the activities under this Subpart are performed in accordance with the approved procedures.
2. An organisation managing the continuing airworthiness pursuant this Subpart is not eligible for using the provisions of M.A.712 (f).

#### **T.A.714 Record-keeping**

In addition to the requirements of M.A.714 (a), the organisation shall keep the records required by T.A.201 (4).

#### **T.A.715 Continued validity of approval**

In addition to the conditions of M.A.715(a) for an organisation managing the continuing airworthiness pursuant this Subpart , the approval shall remain valid subject to:

- (a) the organisation complying with the applicable requirements of Part-T; and
- (b) the organisation ensuring that any person authorised by the competent authority is granted access to any of its facilities, aircraft or documents related to its activities, including any subcontracted activities, to determine compliance with this Part.

#### **T.A.716 Findings**

1. After receipt of notification of findings according to T.B.705, the continuing airworthiness management organisation approval shall define a corrective action plan and demonstrate corrective action to the satisfaction of the competent authority within a period agreed with this authority.

## **SECTION B — ADDITIONAL PROCEDURES FOR COMPETENT AUTHORITIES**

### **Subpart A — General**

#### **T.B.101 Scope**

This Section establishes the administrative requirements to be followed by the competent authorities in charge of the application and enforcement of Section A of this Part-T.

#### **T.B.102 Competent authority**

1. General

A Member State shall designate a competent authority with allocated responsibilities as referred to in T.1. This competent authority shall establish documented procedures and an organisational structure.

2. Resources

The number of staff shall be appropriate to carry out the requirements as detailed in this Section

3. Qualification and training

All staff involved in Part-T activities shall comply with the requirement of M.B.102 (c).

4. Procedures

The competent authority shall establish procedures detailing how compliance with this Part is accomplished.

#### **T.B.104 Record-keeping**

1. The requirements of M.B.104 (a), (b), (c) and (e) shall apply under this Part.

2. The minimum records for the oversight of each aircraft shall include, at least, a copy of:

- a) the aircraft's certificate of airworthiness,
- b) all relevant correspondence relating to the aircraft,
- c) details of any exemption and enforcement action(s).

3. All records specified in T.B.104 shall be made available, upon request, to another Member State, the Agency or the State of Registry.

#### **T.B.105 Mutual exchange of information**

The requirements of M.B.105 are applicable to this Part

### **Subpart B — Accountability**

#### **T.B.201 Responsibilities**

The competent authorities as specified in T.1 are responsible for conducting inspections and investigations, including aircraft surveys, in order to verify that the requirements of this Part are complied with.

### **T.B.202 Findings**

1. A level 1 finding is any significant non-compliance with the Part-T requirements which lowers the safety standard and hazards seriously the flight safety.
2. A level 2 finding is any non-compliance with the Part-T requirements which could lower the safety standard and possibly hazard the flight safety.
3. When a finding is detected during inspections, investigations, aircraft surveys or by other means, the competent authority shall:
  - a) take measures as necessary, such as the grounding of the aircraft, to prevent the continuation of the non-compliance,
  - b) require corrective actions appropriate to the nature of the finding to be taken.
4. For level 1 findings, the competent authority shall require appropriate corrective action to be taken before further flight and notify the State of Registry.

### **Subpart G — Additional requirements for continuing airworthiness management organisations approved pursuant to Annex I (Part-M) Subpart G**

#### **T.B.702 Initial approval**

In addition to the requirements of M.B.702, when the organisation's continuing airworthiness management exposition contains procedures to manage the continuing airworthiness of aircraft referred to in T.A.101, the competent authority shall establish that those procedures comply with Part-T and it shall verify that the organisation complies with the Part-T requirements.

#### **T.B.704 Continuing oversight**

In addition to the requirements of M.B.704, a relevant sample of aircraft referred to in T.A.101 managed by the Part-M Subpart G approved organisation shall be surveyed in every 24-month period.

#### **T.B.705 Findings**

In addition to the requirements of M.B.705, for organisations managing the continuing airworthiness of aircraft referred to in T.A.101 the competent authority shall also take actions when during audits, ramp inspections or by other means evidence is found showing non-compliance with the Part-T requirements.

## **Appendix I to Part-T: Continuing airworthiness management contract**

1. The contract shall be developed taking into account the requirements of Part-T and those mandated by the State of Registry.
2. It shall contain, as a minimum, the:
  - aircraft registration and State of Registry;
  - aircraft manufacturer/type/model;
  - aircraft serial number;
  - aircraft operator contact details;
  - type of operation
  - continuing airworthiness management organisation name, address and approval reference;
  - State of Registry's regulation applicable to the aircraft.

3. It shall state the following:

The operator is responsible to ensure that the aircraft holds an aircraft maintenance programme acceptable to the State of Registry.

The operator entrusts to the approved continuing airworthiness management organisation (CAMO) the performance of the T.A.708 continuing airworthiness management tasks, including the organisation of the maintenance of the aircraft according to the said maintenance programme in a maintenance organisation.

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

The operator declares to the best of its belief that all the information given to the approved CAMO 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 CAMO.

In case of any non-conformity with this contract, by either of the signatories, it will become null. In such a case, the operator will retain full responsibility for every task linked to the continuing airworthiness of the aircraft and will inform its competent authority within two weeks.

4. The obligations of each party shall be shared as follows:

### 4.1. Obligations of the contracted CAMO:

1. have the aircraft type in the scope of its approval;
2. respect the conditions which are listed below to maintain the continuing airworthiness of the aircraft:
  - (a) organise for all maintenance to be carried out by a maintenance organisation;
  - (b) organise for all T.A.201 (1)(f) mandatory information to be applied;
  - (c) organise for all defects discovered during scheduled maintenance or reported by the owner to be corrected by a maintenance organisation;

- (d) coordinate scheduled maintenance, the application of all T.A.201 (1)(f) mandatory information, the replacement of life-limited parts, and component inspection requirements;
  - (e) inform the owner each time the aircraft is brought to a maintenance organisation;
  - (f) manage all technical records;
  - (g) archive all technical records;
3. organise the approval of any modification and any repair to the aircraft in accordance with the State of Registry requirements;
  4. inform the operator's competent authority whenever the aircraft is not presented to the maintenance organisation by the operator as requested by the CAMO;
  5. inform the both the operator's competent authority and the CAMO competent authority whenever the present contract is not respected;
  6. carry out all occurrence reporting mandated by the applicable regulations;
  7. inform the CAMO's competent authority whenever the present contract is denounced by either party.

#### 4.2. Obligations of the operator:

1. have a general understanding of this Annex (Part-T);
2. provide the CAMO with the maintenance programme;
3. present the aircraft to the maintenance organisation agreed with the CAMO at the due time designated by the CAMO;
4. not modify the aircraft without first consulting the CAMO;
5. inform the CAMO of all maintenance exceptionally carried out without the knowledge and control of the CAMO;
6. report to the CAMO through the logbook all defects found during operations;
7. inform the operator's competent authority whenever the present contract is denounced by either party;
8. inform the operator's competent authority and the CAMO whenever the aircraft is sold;
9. inform the CAMO on a regular basis about the aircraft flying hours and any other utilisation data, as agreed with the CAMO.