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COMMISSION IMPLEMENTING REGULATION (EU) …/...

of XXX

amending Regulation (EU) No 1321/2014 as regards transitional measures for organisations involved in the continuing airworthiness for general aviation and continuing airworthiness management and correcting that Regulation

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91[[1]](#footnote-1), and in particular Article 17(1) and Article 62(14) and (15) thereof,

1. Commission Implementing Regulation (EU) 2019/1383[[2]](#footnote-2) has introduced more flexible requirements for maintenance of light aircraft established by Commission Regulation (EU) No 1321/2014[[3]](#footnote-3). It has also added safety risk management measures for organisations that manage the continuing airworthiness of aircraft operated by holders of an air operator certificate.
2. In order to move toward full compliance with the new rules and procedures it introduced, Implementing Regulation (EU) 2019/1383 provided for transitional measures for organisations involved in the continuing airworthiness of aircraft and components. In order to clarify the oversight requirements of those organisations, the transitional measures should be amended.
3. Some missing or wrong references between Annexes to Implementing Regulation 2019/1383 should also be corrected.
4. As the intention of the Commission is not to extend further the transition period, application date of this amendment should be aligned with the one laid down in Regulation (EU) 2019/1383.
5. The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 127(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EU) No 1321/2014 is replaced by the following:

‘Article 4

**Approvals for organisations involved in the continuing airworthiness [of aircraft]**

1. Organisations involved in the continuing airworthiness of aircraft and components for installation thereon, including maintenance, shall be approved, upon their request, by the competent authority in accordance with the requirements of Annex II (Part-145), Annex Vc (Part-CAMO) or Annex Vd (Part-CAO), as applicable to the respective organisations.
2. By way of derogation from paragraph 1, until 24 September 2020 organisations may, upon their request, be issued approvals by the competent authority in accordance with Subpart F and Subpart G of Annex I (Part-M). All approvals issued in accordance with Subpart F and Subpart G of Annex I (Part-M) shall be valid until 24 September 2021.
3. Maintenance organisation approval certificates issued or recognised by a Member State in accordance with the certification specification JAR-145 referred to in Annex II to Council Regulation (EEC) No 3922/91\* and valid before 29 November 2003 shall be deemed to have been issued in accordance with the requirements of Annex II (Part-145) to this Regulation.
4. Organisations that hold a valid organisation approval certificate issued in accordance with Subpart F or Subpart G of Annex I (Part-M) or with Annex II (Part-145) shall, upon their request, be issued by the competent authority a Form 3-CAO as set out in Appendix I to Annex Vd (Part-CAO) and thereafter be overseen by the competent authority in accordance with Annex Vd (Part-CAO).

The privileges of such an organisation under the approval issued in accordance with Annex Vd (Part-CAO) shall be the same as privileges under the approval issued in accordance with Subpart F or Subpart G of Annex I (Part-M) or with Annex II (Part-145). However, those privileges shall not exceed the privileges of an organisation referred to in Section A of Annex Vd (Part-CAO).

By way of derogation from point CAO.B.060 of Annex Vd (Part-CAO), until 24 September 2021, the organisation may correct any findings of non-compliance related to requirements introduced by Annex Vd (Part-CAO) which are not included in Subpart F or Subpart G of Annex I (Part-M) or in Annex II (Part-145).

If after 24 September 2021 the organisation has not closed these findings,, the approval certificate shall be revoked, limited or suspended in whole or in part.

1. Organisations that hold a valid continuing airworthiness management organisation approval certificate issued in accordance with Subpart G of Annex I (Part-M) shall, upon their request, be issued by the competent authority an EASA Form 14 approval certificate in accordance with Annex Vc (Part-CAMO) and thereafter be overseen by the competent authority in accordance with Annex Vc (Part-CAMO).

By way of derogation from point CAMO.B.350 of Annex Vc (Part-CAMO), until 24 September 2021, the organisation may correct any findings of non-compliance related to requirements introduced by Annex Vc (Part-CAMO) and not included in Subpart G of Annex I (Part-M).

If after 24 September 2021 the organisation has not closed these findings, the approval certificate shall be revoked, limited or suspended in whole or in part.

1. Certificates and aircraft maintenance programme approvals issued pursuant to Regulation (EU) No 1321/2014 as applicable before 24 March 2020 shall be deemed to have been issued in accordance with this Regulation.

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\* Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation (OJ L 373, 31.12.1991, p. 4).’.

Article 2

Annexes I, II, III, IV, Va, Vb, Vc and Vd to Regulation (EU) No 1321/2014 are corrected in accordance with the Annex to this Regulation.

Article 3

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

It shall apply from 24 March 2020.

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

Done at Brussels,

For the Commission

The President  
 […]

1. OJ L 212, 22.8.2018, p. 1. [↑](#footnote-ref-1)
2. Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and alleviations for general aviation aircraft concerning maintenance and continuing airworthiness management (OJ L 228, 4.9.2019, p. 1). [↑](#footnote-ref-2)
3. Commission Regulation (EU) No 1321/2014 of 26 November 2014 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 362, 17.12.2004, p. 1). [↑](#footnote-ref-3)