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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	28 January 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject:	ANNEX to the COMMISSION DELEGATED REGULATION amending and correcting Regulation (EU) No 748/2012 as regards the alignment of rules for continuing airworthiness of aircraft and aeronautical products, parts and appliances with Regulation (EU) No 1321/2014

Delegations will find attached document C(2020) 336 final - Annex.

Encl.: C(2020) 336 final - Annex



Brussels, 28.1.2020
C(2020) 336 final

ANNEX

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to the

COMMISSION DELEGATED REGULATION

amending and correcting Regulation (EU) No 748/2012 as regards the alignment of rules for continuing airworthiness of aircraft and aeronautical products, parts and appliances with Regulation (EU) No 1321/2014

ANNEX

Annex I (Part 21) to Regulation (EU) No 748/2012 is amended as follows:

- (1) in the table of contents the reference to Appendix II is replaced by the following:
“Appendix II — EASA Form 15a and 15c — Airworthiness Review Certificate”;
- (2) in point 21.A.93, point (2) of point (c) is replaced by the following:
“2. apply for an extension of the time period provided for in the first sentence of point (c) for the original application and propose a new date for the issuance of the approval. In that case, the applicant shall comply with the type-certification basis, operational suitability data certification basis and environmental protection requirements, as established by the Agency in accordance with point 21.A.101 and notified in accordance with point 21.B.105, for a date to be selected by the applicant. However, that date shall not precede the new date proposed by the applicant for the issuance of the approval by more than five years for an application for a change to type-certificate or restricted type-certificate for a large aeroplane or a large rotorcraft, and by more than three years for an application for any other change to type-certificate or restricted type certificate.”;
- (3) in point 21.A.165, point (3) of point (c) is replaced by the following:
“3. Additionally, in the case of environmental requirements determine that:
 - (i) the completed engine is in compliance with the applicable engine exhaust emissions requirements on the date of manufacture of the engine, and;
 - (ii) the completed aeroplane is in compliance with the applicable CO₂ emissions requirements on the date its first certificate of airworthiness is issued.”;
- (4) in point 21.A.174, point (3) of point (b) is replaced by the following:
“3. with regard to used aircraft originating from:
 - (i) a Member State, an airworthiness review certificate issued in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014*;
 - (ii) a third country:
 - a statement by the competent authority of the State where the aircraft is, or was, registered, reflecting the airworthiness status of the aircraft on its register at the time of transfer;
 - a weight and balance report with a loading schedule;
 - the flight manual when such a manual is required by the airworthiness code for the aircraft;

- historical records to establish the production, modification and maintenance standard of the aircraft, including all limitations associated with a restricted certificate of airworthiness issued in accordance with point 21.B.327;
- a recommendation for the issuance of a certificate of airworthiness or restricted certificate of airworthiness and for an airworthiness review certificate pursuant to an airworthiness review in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Regulation (EU) No 1321/2014.;

* 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, 17.12.2014, p. 1).;

(5) in point 21.A.179, point (i) of point (a)(2) is replaced by the following:

“(i) upon presentation of the former certificate of airworthiness and of a valid airworthiness review certificate issued in accordance with Annex I (Part-M) or Annex Vb (Part-ML) of Regulation (EU) No 1321/2014;”;

(6) in point 21.A.441, point (a) is replaced by the following:

“(a) the embodiment of a repair shall be made in accordance with Annex I (Part-M), Annex II (Part-145), Annex Vb (Part-ML) or Annex Vd (Part-CAO) of Regulation (EU) No 1321/2014, or by a production organisation approved in accordance with Subpart G of this Annex, in accordance with the privilege provided for in point 21.A.163(d);”;

(7) in point 21.A.604, point (b) is replaced by the following:

“(b) by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and design changes from other applicants classified as a minor change, and the requirements of Subpart E shall apply to the approval of design changes by other applicants classified as a major change. Where the requirements of Subpart E apply, a separate ETSO authorisation shall be issued instead of a supplemental type certificate; and”;

(8) in point 21.A.711, point (d) is replaced by the following:

“(d) An approved organisation may issue a permit to fly (EASA Form 20b, see Appendix IV) under the privilege granted in accordance with point CAMO.A.125 of Annex Vc (Part-CAMO) of Regulation (EU) No 1321/2014 or point CAO.A.095 of Annex Vd (Part-CAO) of Regulation (EU) No 1321/2014, when the flight conditions referred to in point 21.A.708 of this Annex have been approved in accordance with point 21.A.710 of this Annex;”;

(9) in point 21.B.325, point (c) is replaced by the following:

“(c) for a new aircraft or used aircraft originating from a non-member State, in addition to the appropriate airworthiness certificate referred to in point (a) or (b), the competent authority of the Member State of registry shall issue an initial airworthiness review certificate (EASA Form 15a or 15c, see Appendix II).”;

(10) in point 21.B.326, point (iii) of point (b)(1) is replaced by the following:

“(iii) the aircraft has been inspected in accordance with the provisions of Annex I (Part-M) or Annex Vb (Part-ML) of Regulation (EU) No 1321/2014, as appropriate.”;

(11) in point 21.B.327, point (C) of point (a)(2)(i) is replaced by the following:

“(C) the aircraft has been inspected in accordance with the provisions of Annex I (Part-M) or Annex Vb (Part-ML) of Regulation (EU) No 1321/2014, as appropriate.”;

(12) in the list of Appendices ‘EASA FORMS’ the reference to ‘Appendix II — EASA Form 15a Airworthiness Review Certificate’ is replaced by the following:

“Appendix II — EASA Form 15a and 15c — Airworthiness Review Certificate”;

(13) Appendix II is replaced by the following:

“Appendix II

EASA Form 15a — Airworthiness Review Certificate

[MEMBER STATE]	
A Member State of the European Union (*)	
AIRWORTHINESS REVIEW CERTIFICATE (ARC)	
ARC reference:.....	
Pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council the [COMPETENT AUTHORITY OF THE MEMBER STATE] hereby certifies that the following aircraft:	
Aircraft manufacturer:.....	
Manufacturer’s designation:.....	
Aircraft registration:.....	
Aircraft serial number:.....	
is considered airworthy at the time of the review.	
Date of issue:.....	Date of expiry:.....
Airframe flight hours (FH) at date of issue (**):.....	
Signed:	Authorisation No:
1st extension: The aircraft has remained in a controlled environment in accordance with point M.A.901 of Annex I (Part-M) to Commission Regulation (EU) No 1321/2014 for the last year. The aircraft is considered to be airworthy at the time of the issuance of this certificate.	
Date of issue:.....	Date of expiry:.....
Airframe flight hours (FH) at date of issue (**):.....	
Signed:.....	Authorisation No:.....
Company name:.....	Approval reference:.....
2nd extension: The aircraft has remained in a controlled environment in accordance with point M.A.901 of Annex I (Part-M) to Commission Regulation (EU) No 1321/2014 for the last year. The aircraft is considered to be airworthy at the time of the issuance of the certificate.	
Date of issue:.....	Date of expiry:.....
Airframe flight hours (FH) at date of issue (**):.....	
Signed:.....	Authorisation No:.....
Company name:.....	Approval reference:.....

EASA Form 15a — Issue 5

(*) Delete for non-EU Member States.

(**) Except for airships.

EASA Form 15c — Airworthiness review certificate

AIRWORTHINESS REVIEW CERTIFICATE (ARC) (for aircraft complying with Part-ML)

ARC reference:.....

Pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council:

[NAME OF THE COMPETENT AUTHORITY]

or

[NAME OF APPROVED ORGANISATION, ADDRESS and APPROVAL REFERENCE]

or

[FULL NAME OF THE CERTIFYING STAFF AND PART-66 LICENCE NUMBER (OR NATIONAL EQUIVALENT)]

hereby certifies that it has performed an airworthiness review in accordance with Regulation (EU) No 1321/2014 on the following aircraft:

Aircraft manufacturer:..... Manufacturer's designation:.....

Aircraft registration:..... Aircraft serial number:.....

and this aircraft is considered airworthy at the time of the review.

Date of issue:..... Date of expiry:

Airframe flight hours (FH) at date of review (*):

Signed:..... Authorisation No (if applicable):.....

1st extension: The aircraft complies with the conditions of point ML.A.901(c) of Annex Vb (Part-ML)

Date of issue:..... Date of expiry:.....

Airframe flight hours (FH) at date of issue (*):

Signed:..... Authorisation No:.....

Company name:..... Approval reference:.....

2nd extension: The aircraft complies with the conditions of point ML.A.901(c) of Annex Vb (Part-ML)

Date of issue:..... Date of expiry:.....

Airframe flight hours (FH) at date of issue (*):.....

Signed:..... Authorisation No:.....

Company name:..... Approval reference:.....

(*) Except for balloons and airships.

EASA Form 15c — Issue 3”.