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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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I

(Legislative acts)

DIRECTIVES

DIRECTIVE (EU) 2015/1535 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 9 September 2015****laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification)****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 114, 337 and 43 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinions of the European Economic and Social Committee ⁽¹⁾,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) Directive 98/34/EC of the European Parliament and of the Council ⁽³⁾ has been substantially amended several times ⁽⁴⁾. In the interests of clarity and rationality, that Directive should be codified.
- (2) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured. Therefore, the prohibition of quantitative restrictions on the movement of goods and of measures having an equivalent effect is one of the basic principles of the Union.
- (3) In order to promote the smooth functioning of the internal market, as much transparency as possible should be ensured as regards national initiatives for the establishment of technical regulations.
- (4) Barriers to trade resulting from technical regulations relating to products may be allowed only where they are necessary in order to meet essential requirements and have an objective in the public interest of which they constitute the main guarantee.

⁽¹⁾ Opinion of 14 July 2010 (OJ C 44, 11.2.2011, p. 142) and opinion of 26 February 2014 (OJ C 214, 8.7.2014, p. 55).

⁽²⁾ Position of the European Parliament of 15 April 2014 (not yet published in the Official Journal) and decision of the Council of 13 July 2015.

⁽³⁾ Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services (OJ L 204, 21.7.1998, p. 37). The original title was 'Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations'. It was amended by Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998 amending Directive 98/34/EC laying down a procedure for the provision of information in the field of technical standards and regulations (OJ L 217, 5.8.1998, p. 18).

⁽⁴⁾ See Annex III, Part A.

- (5) It is essential for the Commission to have the necessary information at its disposal before the adoption of technical provisions. Consequently, the Member States, which are required to facilitate the achievement of its task pursuant to Article 4(3) of the Treaty on European Union (TEU), must notify it of their projects in the field of technical regulations.
- (6) All the Member States must also be informed of the technical regulations envisaged by any one Member State.
- (7) The aim of the internal market is to create an environment that is conducive to the competitiveness of undertakings. Increased provision of information is one way of helping undertakings to make more of the advantages inherent in this market. It is therefore necessary to enable economic operators to give their assessment of the impact of the national technical regulations proposed by other Member States, by providing for the regular publication of the titles of notified drafts and by means of the provisions relating to the confidentiality of such drafts.
- (8) It is appropriate, in the interests of legal certainty, that Member States publicly announce that a national technical regulation has been adopted in accordance with the formalities laid down in this Directive.
- (9) As far as technical regulations for products are concerned, the measures designed to ensure the proper functioning or the continued development of the market include greater transparency of national intentions and a broadening of the criteria and conditions for assessing the potential effect of the proposed regulations on the market.
- (10) It is therefore necessary to assess all the requirements laid down in respect of a product and to take account of developments in national practices for the regulation of products.
- (11) Requirements, other than technical specifications, referring to the life cycle of a product after it has been placed on the market are liable to affect the free movement of that product or to create obstacles to the proper functioning of the internal market.
- (12) It is necessary to clarify the concept of a de facto technical regulation. In particular, the provisions by which the public authority refers to technical specifications or other requirements, or encourages the observance thereof, and the provisions referring to products with which the public authority is associated, in the public interest, have the effect of conferring on such requirements or specifications a more binding value than they would otherwise have by virtue of their private origin.
- (13) The Commission and the Member States must also be allowed sufficient time in which to propose amendments to an envisaged measure, in order to remove or reduce any barriers which it might create to the free movement of goods.
- (14) The Member State concerned must take account of those amendments when formulating the definitive text of the measure envisaged.
- (15) It is inherent in the internal market that, in particular where the principle of mutual recognition cannot be implemented by the Member States, the Commission adopts or proposes the adoption of binding acts. A specific temporary standstill period has been established in order to prevent the introduction of national measures from compromising the adoption of binding acts by the European Parliament and the Council or by the Commission in the same field.
- (16) The Member State concerned is to, pursuant to the general obligations laid down in Article 4(3) TEU, defer implementation of the envisaged measure for a period sufficient to allow either a joint examination of the proposed amendments or the preparation of a proposal for a legislative act or the adoption of a binding act of the Commission.
- (17) With a view to facilitating the adoption of measures by the European Parliament and the Council, Member States should refrain from adopting technical regulations once the Council has adopted a position at first reading on a Commission proposal concerning that sector.

- (18) It is necessary to provide for a Standing Committee, the members of which are appointed by the Member States, with the task of cooperating in the efforts of the Commission to lessen any adverse effects on the free movement of goods.
- (19) This Directive should be without prejudice to the obligations of the Member States relating to the time limits for the transposition into national law of the Directives set out in Part B of Annex III,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. For the purposes of this Directive, the following definitions apply:

- (a) 'product' means any industrially manufactured product and any agricultural product, including fish products;
- (b) 'service' means any Information Society service, that is to say, any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services.

For the purposes of this definition:

- (i) 'at a distance' means that the service is provided without the parties being simultaneously present;
- (ii) 'by electronic means' means that the service is sent initially and received at its destination by means of electronic equipment for the processing (including digital compression) and storage of data, and entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means;
- (iii) 'at the individual request of a recipient of services' means that the service is provided through the transmission of data on individual request.

An indicative list of services not covered by this definition is set out in Annex I;

- (c) 'technical specification' means a specification contained in a document which lays down the characteristics required of a product such as levels of quality, performance, safety or dimensions, including the requirements applicable to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures.

The term 'technical specification' also covers production methods and processes used in respect of agricultural products, as referred to in the second subparagraph of Article 38(1) of the Treaty on the Functioning of the European Union (TFEU), products intended for human and animal consumption, and medicinal products as defined in Article 1 of Directive 2001/83/EC of the European Parliament and of the Council ⁽¹⁾, as well as production methods and processes relating to other products, where these have an effect on their characteristics;

- (d) 'other requirements' means a requirement, other than a technical specification, imposed on a product for the purpose of protecting, in particular, consumers or the environment, and which affects its life cycle after it has been placed on the market, such as conditions of use, recycling, reuse or disposal, where such conditions can significantly influence the composition or nature of the product or its marketing;
- (e) 'rule on services' means a requirement of a general nature relating to the taking-up and pursuit of service activities within the meaning of point (b), in particular provisions concerning the service provider, the services and the recipient of services, excluding any rules which are not specifically aimed at the services defined in that point.

For the purposes of this definition:

- (i) a rule shall be considered to be specifically aimed at Information Society services where, having regard to its statement of reasons and its operative part, the specific aim and object of all or some of its individual provisions is to regulate such services in an explicit and targeted manner;

⁽¹⁾ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

- (ii) a rule shall not be considered to be specifically aimed at Information Society services if it affects such services only in an implicit or incidental manner;
- (f) 'technical regulation' means technical specifications and other requirements or rules on services, including the relevant administrative provisions, the observance of which is compulsory, de jure or de facto, in the case of marketing, provision of a service, establishment of a service operator or use in a Member State or a major part thereof, as well as laws, regulations or administrative provisions of Member States, except those provided for in Article 7, prohibiting the manufacture, importation, marketing or use of a product or prohibiting the provision or use of a service, or establishment as a service provider.

De facto technical regulations shall include:

- (i) laws, regulations or administrative provisions of a Member State which refer either to technical specifications or to other requirements or to rules on services, or to professional codes or codes of practice which in turn refer to technical specifications or to other requirements or to rules on services, compliance with which confers a presumption of conformity with the obligations imposed by the aforementioned laws, regulations or administrative provisions;
- (ii) voluntary agreements to which a public authority is a contracting party and which provide, in the general interest, for compliance with technical specifications or other requirements or rules on services, excluding public procurement tender specifications;
- (iii) technical specifications or other requirements or rules on services which are linked to fiscal or financial measures affecting the consumption of products or services by encouraging compliance with such technical specifications or other requirements or rules on services; technical specifications or other requirements or rules on services linked to national social security systems are not included.

This comprises technical regulations imposed by the authorities designated by the Member States and appearing on a list drawn up and updated, where appropriate, by the Commission, in the framework of the Committee referred to in Article 2.

The same procedure shall be used for amending this list;

- (g) 'draft technical regulation' means the text of a technical specification or other requirement or of a rule on services, including administrative provisions, formulated with the aim of enacting it or of ultimately having it enacted as a technical regulation, the text being at a stage of preparation at which substantial amendments can still be made.

2. This Directive shall not apply to:

- (a) radio broadcasting services;
- (b) television broadcasting services covered by point (e) of Article 1(1) of Directive 2010/13/EU of the European Parliament and of the Council ⁽¹⁾.

3. This Directive shall not apply to rules relating to matters which are covered by Union legislation in the field of telecommunications services, as covered by Directive 2002/21/EC of the European Parliament and of the Council ⁽²⁾.

4. This Directive shall not apply to rules relating to matters which are covered by Union legislation in the field of financial services, as listed non-exhaustively in Annex II to this Directive.

5. With the exception of Article 5(3), this Directive shall not apply to rules enacted by or for regulated markets within the meaning of Directive 2004/39/EC of the European Parliament and of the Council ⁽³⁾ or by or for other markets or bodies carrying out clearing or settlement functions for those markets.

⁽¹⁾ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1).

⁽²⁾ Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (OJ L 108, 24.4.2002, p. 33).

⁽³⁾ Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC (OJ L 145, 30.4.2004, p. 1).

6. This Directive shall not apply to those measures Member States consider necessary under the Treaties for the protection of persons, in particular workers, when products are used, provided that such measures do not affect the products.

Article 2

A Standing Committee shall be set up consisting of representatives appointed by the Member States who may call on the assistance of experts or advisers; its chairman shall be a representative of the Commission.

The Committee shall draw up its own rules of procedure.

Article 3

1. The Committee shall meet at least twice a year.

The Committee shall meet in a specific composition to examine questions concerning Information Society services.

2. The Commission shall submit to the Committee a report on the implementation and application of the procedures set out in this Directive, and shall present proposals aimed at eliminating existing or foreseeable barriers to trade.

3. The Committee shall express its opinion on the communications and proposals referred to in paragraph 2 and may, in that regard, propose, in particular, that the Commission:

- (a) ensure where necessary, in order to avoid the risk of barriers to trade, that initially the Member States concerned decide amongst themselves on appropriate measures;
- (b) take all appropriate measures;
- (c) identify the areas where harmonisation appears necessary, and, should the case arise, undertake appropriate harmonisation in a given sector.

4. The Committee must be consulted by the Commission:

- (a) when deciding on the actual system through which the exchange of information provided for in this Directive is to be effected and on any change to it;
- (b) when reviewing the operation of the system provided for in this Directive.

5. The Committee may be consulted by the Commission on any preliminary draft technical regulation received by the latter.

6. Any question regarding the implementation of this Directive may be submitted to the Committee at the request of its chairman or of a Member State.

7. The proceedings of the Committee and the information to be submitted to it shall be confidential.

However, the Committee and the national authorities may, provided that the necessary precautions are taken, consult, for an expert opinion, natural or legal persons, including persons in the private sector.

8. With respect to rules on services, the Commission and the Committee may consult natural or legal persons from industry or academia, and where possible representative bodies, capable of delivering an expert opinion on the social and societal aims and consequences of any draft rule on services, and take note of their advice whenever requested to do so.

Article 4

Member States shall communicate to the Commission, in accordance with Article 5(1), all requests made to standards institutions to draw up technical specifications or a standard for specific products for the purpose of enacting a technical regulation for such products in the form of draft technical regulations, and shall state the grounds for their enactment.

Article 5

1. Subject to Article 7, Member States shall immediately communicate to the Commission any draft technical regulation, except where it merely transposes the full text of an international or European standard, in which case information regarding the relevant standard shall suffice; they shall also let the Commission have a statement of the grounds which make the enactment of such a technical regulation necessary, where those grounds have not already been made clear in the draft.

Where appropriate, and unless it has already been sent with a prior communication, Member States shall simultaneously communicate the text of the basic legislative or regulatory provisions principally and directly concerned to the Commission, should knowledge of such text be necessary to assess the implications of the draft technical regulation.

Member States shall communicate the draft technical regulation again to the Commission under the conditions set out in the first and second subparagraphs of this paragraph if they make changes to the draft that have the effect of significantly altering its scope, shortening the timetable originally envisaged for implementation, adding specifications or requirements, or making the latter more restrictive.

Where, in particular, the draft technical regulation seeks to limit the marketing or use of a chemical substance, preparation or product on grounds of public health or of the protection of consumers or the environment, Member States shall also forward either a summary or the references of all relevant data relating to the substance, preparation or product concerned and to known and available substitutes, where such information may be available, and communicate the anticipated effects of the measure on public health and the protection of the consumer and the environment, together with an analysis of the risk carried out as appropriate in accordance with the principles provided for in the relevant part of Section II.3 of Annex XV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽¹⁾.

The Commission shall immediately notify the other Member States of the draft technical regulation and all documents which have been forwarded to it; it may also refer this draft, for an opinion, to the Committee referred to in Article 2 of this Directive and, where appropriate, to the committee responsible for the field in question.

With respect to the technical specifications or other requirements or rules on services referred to in point (iii) of the second subparagraph of point (f) of Article 1(1) of this Directive, the comments or detailed opinions of the Commission or Member States may concern only aspects which may hinder trade or, in respect of rules on services, the free movement of services or the freedom of establishment of service operators and not the fiscal or financial aspects of the measure.

2. The Commission and the Member States may make comments to the Member State which has forwarded a draft technical regulation; that Member State shall take such comments into account as far as possible in the subsequent preparation of the technical regulation.

3. Member States shall communicate the definitive text of a technical regulation to the Commission without delay.

4. Information supplied under this Article shall not be confidential except at the express request of the notifying Member State. Any such request shall be supported by reasons.

In cases of that kind, if the necessary precautions are taken, the Committee referred to in Article 2 and the national authorities may seek expert advice from physical or legal persons in the private sector.

⁽¹⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

5. When draft technical regulations form part of measures which are required to be communicated to the Commission at the draft stage under another Union act, Member States may make a communication within the meaning of paragraph 1 under that other act, provided that they formally indicate that the said communication also constitutes a communication for the purposes of this Directive.

The absence of a reaction from the Commission under this Directive to a draft technical regulation shall not prejudice any decision which might be taken under other Union acts.

Article 6

1. Member States shall postpone the adoption of a draft technical regulation for three months from the date of receipt by the Commission of the communication referred to in Article 5(1).

2. Member States shall postpone:

- for four months the adoption of a draft technical regulation in the form of a voluntary agreement within the meaning of point (ii) of the second subparagraph of point (f) of Article 1(1),
- without prejudice to paragraphs 3, 4 and 5 of this article, for six months the adoption of any other draft technical regulation except for draft rules on services,

from the date of receipt by the Commission of the communication referred to in Article 5(1), if the Commission or another Member State delivers a detailed opinion, within three months of that date, to the effect that the measure envisaged may create obstacles to the free movement of goods within the internal market,

- without prejudice to paragraphs 4 and 5, for four months the adoption of any draft rule on services, from the date of receipt by the Commission of the communication referred to in Article 5(1), if the Commission or another Member State delivers a detailed opinion, within three months of that date, to the effect that the measure envisaged may create obstacles to the free movement of services or to the freedom of establishment of service operators within the internal market.

With regard to draft rules on services, detailed opinions from the Commission or Member States may not affect any cultural policy measures, in particular in the audiovisual sphere, which Member States might adopt in accordance with the law of the Union, taking account of their linguistic diversity, their specific national and regional characteristics and their cultural heritage.

The Member State concerned shall report to the Commission on the action it proposes to take on such detailed opinions. The Commission shall comment on this reaction.

With respect to rules on services, the Member State concerned shall indicate, where appropriate, the reasons why the detailed opinions cannot be taken into account.

3. With the exclusion of draft rules relating to services, Member States shall postpone the adoption of a draft technical regulation for 12 months from the date of receipt by the Commission of the communication referred to in Article 5(1) of this Directive, if, within three months of that date, the Commission announces its intention to propose or adopt a directive, regulation or decision on the matter in accordance with Article 288 TFEU.

4. Member States shall postpone the adoption of a draft technical regulation for 12 months from the date of receipt by the Commission of the communication referred to in Article 5(1) of this Directive, if, within the three months following that date, the Commission announces its finding that the draft technical regulation concerns a matter which is covered by a proposal for a directive, regulation or decision presented to the European Parliament and the Council in accordance with Article 288 TFEU.

5. If the Council adopts a position at first reading during the standstill period referred to in paragraphs 3 and 4, that period shall, subject to paragraph 6, be extended to 18 months.

6. The obligations referred to in paragraphs 3, 4 and 5 shall lapse:
 - (a) when the Commission informs the Member States that it no longer intends to propose or adopt a binding act;
 - (b) when the Commission informs the Member States of the withdrawal of its draft or proposal;
 - (c) when a binding act has been adopted by the European Parliament and the Council or by the Commission.
7. Paragraphs 1 to 5 shall not apply in cases where:
 - (a) for urgent reasons, occasioned by serious and unforeseeable circumstances relating to the protection of public health or safety, the protection of animals or the preservation of plants, and for rules on services, also for public policy, in particular the protection of minors, a Member State is obliged to prepare technical regulations in a very short space of time in order to enact and introduce them immediately without any consultations being possible; or
 - (b) for urgent reasons occasioned by serious circumstances relating to the protection of the security and the integrity of the financial system, in particular the protection of depositors, investors and insured persons, a Member State is obliged to enact and implement rules on financial services immediately.

In the communication referred to in Article 5, the Member State shall give reasons for the urgency of the measures taken. The Commission shall give its views on the communication as soon as possible. It shall take appropriate action in cases where improper use is made of this procedure. The European Parliament shall be kept informed by the Commission.

Article 7

1. Articles 5 and 6 shall not apply to those laws, regulations and administrative provisions of the Member States or voluntary agreements by means of which Member States:
 - (a) comply with binding Union acts which result in the adoption of technical specifications or rules on services;
 - (b) fulfil the obligations arising out of international agreements which result in the adoption of common technical specifications or rules on services in the Union;
 - (c) make use of safeguard clauses provided for in binding Union acts;
 - (d) apply Article 12(1) of Directive 2001/95/EC of the European Parliament and of the Council ⁽¹⁾;
 - (e) restrict themselves to implementing a judgment of the Court of Justice of the European Union;
 - (f) restrict themselves to amending a technical regulation within the meaning of point (f) of Article 1(1), in accordance with a Commission request, with a view to removing a barrier to trade or, in the case of rules on services, to the free movement of services or the freedom of establishment of service operators.
2. Article 6 shall not apply to the laws, regulations and administrative provisions of the Member States prohibiting manufacture in so far as they do not impede the free movement of products.
3. Paragraphs 3 to 6 of Article 6 shall not apply to the voluntary agreements referred to in point (ii) of the second subparagraph of point (f) of Article 1(1).
4. Article 6 shall not apply to the technical specifications or other requirements or the rules on services referred to in point (iii) of the second subparagraph of point (f) of Article 1(1).

Article 8

The Commission shall report every two years to the European Parliament, the Council and the European Economic and Social Committee on the results of the application of this Directive.

⁽¹⁾ Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (OJ L 11, 15.1.2002, p. 4).

The Commission shall publish annual statistics on the notifications received in the *Official Journal of the European Union*.

Article 9

When Member States adopt a technical regulation, it shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of its official publication. The methods of making such reference shall be laid down by Member States.

Article 10

Directive 98/34/EC, as amended by the acts listed in Part A of Annex III to this Directive, is repealed, without prejudice to the obligations of the Member States relating to the time limits for the transposition into national law of the Directives set out in Part B of Annex III to the repealed Directive and in Part B of Annex III to this Directive.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex IV.

Article 11

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

Article 12

This Directive is addressed to the Member States.

Done at Strasbourg, 9 September 2015.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
N. SCHMIT

ANNEX I

Indicative list of services not covered by the second subparagraph of point (b) of Article 1(1)*1. Services not provided 'at a distance'*

Services provided in the physical presence of the provider and the recipient, even if they involve the use of electronic devices:

- (a) medical examinations or treatment at a doctor's surgery using electronic equipment where the patient is physically present;
- (b) consultation of an electronic catalogue in a shop with the customer on site;
- (c) plane ticket reservation at a travel agency in the physical presence of the customer by means of a network of computers;
- (d) electronic games made available in a video arcade where the customer is physically present.

2. Services not provided 'by electronic means'

— services having material content even though provided via electronic devices:

- (a) automatic cash or ticket dispensing machines (banknotes, rail tickets);
- (b) access to road networks, car parks, etc., charging for use, even if there are electronic devices at the entrance/exit controlling access and/or ensuring correct payment is made,

— offline services: distribution of CD-ROMs or software on diskettes,

— services which are not provided via electronic processing/inventory systems:

- (a) voice telephony services;
- (b) telefax/telex services;
- (c) services provided via voice telephony or fax;
- (d) telephone/telefax consultation of a doctor;
- (e) telephone/telefax consultation of a lawyer;
- (f) telephone/telefax direct marketing.

3. Services not supplied 'at the individual request of a recipient of services'

Services provided by transmitting data without individual demand for simultaneous reception by an unlimited number of individual receivers (point to multipoint transmission):

- (a) television broadcasting services (including near-video on-demand services), covered by point (e) of Article 1(1) of Directive 2010/13/EU;
 - (b) radio broadcasting services;
 - (c) (televised) teletext.
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ANNEX II

Indicative list of the financial services covered by Article 1(4)

- Investment services,
- insurance and reinsurance operations,
- banking services,
- operations relating to pension funds,
- services relating to dealings in futures or options.

Such services include in particular:

- (a) investment services referred to in the Annex to Directive 2004/39/EC; services of collective investment undertakings;
- (b) services covered by the activities subject to mutual recognition referred to in Annex I to Directive 2013/36/EU of the European Parliament and of the Council ⁽¹⁾;
- (c) operations covered by the insurance and reinsurance activities referred to in Directive 2009/138/EC of the European Parliament and of the Council ⁽²⁾.

⁽¹⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

⁽²⁾ Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 335, 17.12.2009, p. 1).

ANNEX III

PART A

Repealed Directive with list of the successive amendments thereto

(referred to in Article 10)

Directive 98/34/EC of the European Parliament and of the Council

(OJ L 204, 21.7.1998, p. 37)

Directive 98/48/EC of the European Parliament and of the Council

(OJ L 217, 5.8.1998, p. 18)

Part 1, Title H of Annex II to Act of Accession 2004

(OJ L 236, 23.9.2003, p. 68)

Only as regards the reference, in point 2, to Directive 98/34/EC

Council Directive 2006/96/EC

(OJ L 363, 20.12.2006, p. 81)

Only as regards the reference, in Article 1, to Directive 98/34/EC

Regulation (EU) No 1025/2012 of the European Parliament and of the Council

(OJ L 316, 14.11.2012, p. 12)

Only Article 26(2)

PART B

Time-limits for transposition into national law

(referred to in Article 10)

Directive	Time-limit for transposition
98/34/EC	—
98/48/EC	5 August 1999
2006/96/EC	1 January 2007

ANNEX IV

Correlation Table

Directive 98/34/EC	This Directive
Article 1, first paragraph, introductory wording	Article 1(1), introductory wording
Article 1, first paragraph, point (1)	Article 1(1), point (a)
Article 1, first paragraph, point (2), first subparagraph	Article 1(1), point (b), first subparagraph
Article 1, first paragraph, point (2), second subparagraph, first indent	Article 1(1), point (b), second subparagraph, point (i)
Article 1, first paragraph, point (2), second subparagraph, second indent	Article 1(1), point (b), second subparagraph, point (ii)
Article 1, first paragraph, point (2), second subparagraph, third indent	Article 1(1), point (b), second subparagraph, point (iii)
Article 1, first paragraph, point (2), third subparagraph	Article 1(1), point (b), third subparagraph
Article 1, first paragraph, point (2), fourth subparagraph, introductory wording	Article 1(2), introductory wording
Article 1, first paragraph, point (2), fourth subparagraph, first indent	Article 1(2), point (a)
Article 1, first paragraph, point (2), fourth subparagraph, second indent	Article 1(2), point (b)
Article 1, first paragraph, point (3)	Article 1(1), point (c)
Article 1, first paragraph, point (4)	Article 1(1), point (d)
Article 1, first paragraph, point (5), first subparagraph	Article 1(1), point (e), first subparagraph
Article 1, first paragraph, point (5), second subparagraph	Article 1(3)
Article 1, first paragraph, point (5), third subparagraph	Article 1(4)
Article 1, first paragraph, point (5), fourth subparagraph	Article 1(5)
Article 1, first paragraph, point (5), fifth subparagraph, introductory sentence	Article 1(1), point (e), second subparagraph, introductory sentence
Article 1, first paragraph, point (5), fifth subparagraph, first indent	Article 1(1), point (e), second subparagraph, point (i)
Article 1, first paragraph, point (5), fifth subparagraph, second indent	Article 1(1), point (e), second subparagraph, point (ii)
Article 1, first paragraph, point (11), first subparagraph	Article 1(1), point (f), first subparagraph
Article 1, first paragraph, point (11), second subparagraph, introductory sentence	Article 1(1), point (f), second subparagraph, introductory sentence
Article 1, first paragraph, point (11) second subparagraph, first indent	Article 1(1), point (f), second subparagraph, point (i)
Article 1, first paragraph, point (11), second subparagraph, second indent	Article 1(1), point (f), second subparagraph, point (ii)

Directive 98/34/EC	This Directive
Article 1, first paragraph, point (11), second subparagraph, third indent	Article 1(1), point (f), second subparagraph, point (iii)
Article 1, first paragraph, point (11), third subparagraph	Article 1(1), point (f), third subparagraph
Article 1, first paragraph, point (11), fourth subparagraph	Article 1(1), point (f), fourth subparagraph
Article 1, first paragraph, point (12)	Article 1(1), point (g)
Article 1, second paragraph	Article 1(6)
Article 5	Article 2
Article 6(1) and (2)	Article 3(1) and (2)
Article 6(3), introductory wording	Article 3(3), introductory wording
Article 6(3), second indent	Article 3(3), point (a)
Article 6(3), third indent	Article 3(3), point (b)
Article 6(3), fourth indent	Article 3(3), point (c)
Article 6(4), introductory wording	Article 3(4), introductory wording
Article 6(4), point (c)	Article 3(4), point (a)
Article 6(4), point (d)	Article 3(4), point (b)
Article 6(5) to (8)	Article 3(5) to (8)
Article 7	Article 4
Article 8	Article 5
Article 9(1) to (5)	Article 6(1) to (5)
Article 9(6), introductory wording	Article 6(6), introductory wording
Article 9(6), first indent	Article 6(6), point (a)
Article 9(6), second indent	Article 6(6), point (b)
Article 9(6), third indent	Article 6(6), point (c)
Article 9(7), first subparagraph, introductory wording	Article 6(7), first subparagraph, introductory wording
Article 9(7), first subparagraph, first indent	Article 6(7), first subparagraph, point (a)
Article 9(7), first subparagraph, second indent	Article 6(7), first subparagraph, point (b)
Article 9(7), second subparagraph	Article 6(7), second subparagraph
Article 10(1), introductory wording	Article 7(1), introductory wording
Article 10(1), first indent	Article 7(1), point (a)
Article 10(1), second indent	Article 7(1), point (b)
Article 10(1), third indent	Article 7(1), point (c)

Directive 98/34/EC	This Directive
Article 10(1), fourth indent	Article 7(1), point (d)
Article 10(1), fifth indent	Article 7(1), point (e)
Article 10(1), sixth indent	Article 7(1), point (f)
Article 10(2), (3) and (4)	Article 7(2), (3) and (4)
Article 11, first sentence	Article 8, first paragraph
Article 11, second sentence	Article 8, second paragraph
Article 12	Article 9
Article 13	—
—	Article 10
Article 14	Article 11
Article 15	Article 12
Annex III	—
Annex IV	—
Annex V	Annex I
Annex VI	Annex II
—	Annex III
—	Annex IV

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2015/1536

of 16 September 2015

amending Regulation (EU) No 1321/2014 as regards alignment of rules for continuing airworthiness with Regulation (EC) No 216/2008, critical maintenance tasks and aircraft continuing airworthiness monitoring**(Text with EEA relevance)**

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 ⁽¹⁾, and in particular Articles 5(5) and 8(5) thereof,

Whereas:

- (1) Commission Regulation (EU) No 1321/2014 ⁽²⁾ establishes detailed rules on the continuing airworthiness of aircraft and aeronautical products, parts and appliances.
- (2) Annex IV to Regulation (EC) 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. Regulation (EU) No 1321/2014 should be updated to ensure that those requirements are implemented.
- (3) It is necessary to establish the conditions under which air carriers licenced in accordance with Regulation (EC) No 1008/2008 of the European Parliament and of the Council ⁽³⁾ may operate aircraft registered in a third country, in order to ensure that the relevant essential requirements set out in Annex IV to Regulation (EC) No 216/2008 are complied with.
- (4) It is necessary to ensure uniform application of the requirements of the aircraft continuing airworthiness monitoring programme within the Union. To that end, the provisions contained in Annex I to Regulation (EU) No 1321/2014 concerning the implementation by the competent authorities of an aircraft continuing airworthiness monitoring programme should be amended.
- (5) It is necessary to mitigate the risks associated to the performance of maintenance and in particular to ensure that the necessary measures are taken by the persons and organisations concerned to detect errors made during the performance of maintenance that may affect flight safety. Therefore, the requirements for performance of maintenance set out in Annex I and Annex II to Regulation (EU) No 1321/2014 should be amended.

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ 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).

⁽³⁾ Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3).

- (6) Regulation (EU) No 1321/2014 should therefore be amended accordingly.
- (7) It is necessary to provide sufficient time for the aeronautical industry and Member States' administrations to adapt to the amended regulatory framework. A differed application date should therefore be provided for this Regulation as a whole.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the European Aviation Safety Agency submitted pursuant to Article 19(1) of Regulation (EC) No 216/2008.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1321/2014 is amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

Subject-matter and scope

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

- (a) the continuing airworthiness of aircraft, including any component for installation thereto, which are:
 - (i) registered in a Member State, unless their regulatory safety oversight has been delegated to a third country and they are not used by an EU operator; or
 - (ii) registered in a third country and used by an EU operator, where their regulatory safety oversight has been delegated to a Member State;
- (b) compliance with the essential requirements set out in Regulation (EC) No 216/2008 for continuing airworthiness of aircraft registered in a third country and components for installation thereon for which their regulatory safety oversight has not been delegated to a Member State that are dry leased-in by a licence air carrier in accordance with Regulation (EC) No 1008/2008 of the European Parliament and the Council (*).

(*) Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OJ L 293, 31.10.2008, p. 3).'

- (2) Article 2 is amended as follows:

- (a) Point (g) is replaced by the following:

'(g) "commercial air transport (CAT) operation" means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration;'

- (b) The following points are added:

'(n) "critical maintenance task" means a maintenance task that involves the assembly or any disturbance of a system or any part on an aircraft, engine or propeller that, if an error occurred during its performance, could directly endanger the flight safety;

(o) "commercial specialised operations" means those operations subject to the requirements of Part-ORO, Subpart-SPO set out in Annex III to Commission Regulation (EU) No 965/2012 (*);

- (p) “limited operations” means the operations of other-than-complex motor-powered aircraft for:
- (i) cost-shared flights by private individuals, on the condition that the direct cost is shared by all the occupants of the aircraft, pilot included and the number of persons sharing the direct costs is limited to six;
 - (ii) competition flights or flying displays, on the condition that the remuneration or any valuable consideration given for such flights is limited to recovery of direct costs and a proportionate contribution to annual costs, as well as prizes of no more than a value specified by the competent authority;
 - (iii) introductory flights, parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in a Member State and approved in accordance with Commission Regulation (EU) No 1178/2011 (**), or by an organisation created with the aim of promoting aerial sport or leisure aviation, on the condition that the aircraft is operated by the organisation on the basis of ownership or dry lease, that the flight does not generate profits distributed outside of the organisation, and that whenever non-members of the organisation are involved, such flights represent only a marginal activity of the organisation;

For the purpose of this Regulation, “limited operations” are not considered as CAT operations or commercial specialised operations;

- (q) “introductory flight” means “introductory flight” as defined in Article 2(9) of Regulation (EU) No 965/2012;
- (r) “competition flight” means “competition flight” as defined in Article 2(10) of Regulation (EU) No 965/2012;
- (s) “flying display” means “flying display” as defined in Article 2(11) of Regulation (EU) No 965/2012.

(*) Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

(**) Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).’

(3) Article 3 is amended as follows:

(a) Paragraphs 1, 2 and 3 are replaced by the following:

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

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

3. By way of derogation from paragraph 1, the continuing airworthiness of aircraft referred to in Article 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 Annex I (Part-21) to Commission Regulation (EU) No 748/2012.’

(b) The following paragraph 5 is added:

‘5. The continuing airworthiness of aircraft referred to in Article 1(b) and components for installation thereon shall be ensured in accordance with the provisions of Annex Va.’

(4) In Article 4, paragraph 1 is replaced by the following:

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

(5) Article 8 is amended as follows:

(a) In paragraph 2, the following point (c) is added:

‘(c) for aircraft registered in a third country and dry leased-in by air carriers licenced in accordance with Regulation (EC) No 1008/2008, until 25 August 2017, the requirements of Annex Va.’

(b) The following paragraph 2a is inserted:

‘2a. By way of derogation from paragraph 1, the requirements for aircraft used for commercial specialised operations and CAT other than those by air carriers licenced in accordance with Regulation (EC) No 1008/2008, set out in Regulation (EU) No 965/2012, as amended by Regulation (EU) No 379/2014 (*), shall apply from 21 April 2017.

Until that time:

- The provisions of Annex I, point M.A.201(f) shall apply to complex motor-powered aircraft used by operators requested by a Member State to hold a certificate for commercial operations other than licence air carriers in accordance with Regulation (EC) No 1008/2008 and to commercial ATOs;
- The provisions of Annex I, point M.A.201(h) shall apply to other than complex motor-powered aircraft, used by operators requested by a Member State to hold a certificate for commercial operations other than licence air carriers in accordance with Regulation (EC) No 1008/2008 and to commercial ATOs;
- The provisions of Annex I, point M.A.306(a) shall apply to aircraft used by licence air carriers in accordance with Regulation (EC) No 1008/2008 and aircraft used by operators requested by a Member State to hold a certificate for commercial operations;
- The provisions of Annex I, point M.A.801(c) shall apply to ELA1 not used by licence air carriers in accordance with Regulation (EC) No 1008/2008 and not used by commercial ATOs;
- The provisions of Annex I, point M.A.803(b) shall apply to non-complex motor-powered aircraft of 2 730 kg MTOM and below, sailplane, powered sailplane or balloon, not used by licence air carriers in accordance with Regulation (EC) No 1008/2008, or by operators requested by a Member State to hold a certificate for commercial operations, or by commercial ATOs;
- The provisions of Annex I, point M.A.901(g) shall apply to ELA1 aircraft not used by licence air carriers in accordance with Regulation (EC) No 1008/2008, or by operators requested by a Member State to hold a certificate for commercial operations, or by commercial ATOs.

(*) Commission Regulation (EU) No 379/2014 of 7 April 2014 amending Commission Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 123, 24.4.2014, p. 1).’

(6) Annex I (Part-M) is amended in accordance with Annex I to this Regulation.

(7) Annex II (Part-145) is amended in accordance with Annex II to this Regulation.

(8) Annex III (Part-66) is amended in accordance with Annex III to this Regulation.

(9) The text set out in Annex IV to this Regulation is inserted as Annex Va (Part-T).

Article 2

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 25 August 2016.

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

Done at Brussels, 16 September 2015.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Annex I (Part-M) to Regulation (EU) No 1321/2014 is amended as follows:

(1) The table of contents is amended as follows:

- (a) The title of point M.A.306 is replaced by 'M.A.306 **Aircraft technical log system**';
- (b) Appendix I is replaced by 'Appendix I — Continuing airworthiness management contract';

(2) In point M.1, point 4 is replaced by the following:

‘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 principal 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(i)(3) has been made by the owner.’;

(3) In point M.A.201, points (d), (e), (f), (g), (h), (i) and (j) are replaced by the following:

- ‘(d) The pilot-in-command or, in the case of air carriers licenced in accordance with Regulation (EC) No 1008/2008, the operator shall be responsible for the satisfactory accomplishment of the pre-flight inspection. This inspection must be carried out by the pilot or another qualified person but need not be carried out by an approved maintenance organisation or by Part-66 certifying staff.
- (e) In the case of aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, 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 point (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 (CAMO) 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) For complex motor-powered aircraft used for commercial specialised operations, or CAT other than those by air carriers licenced in accordance with Regulation (EC) No 1008/2008, or commercial ATOs, the operator shall ensure that:
 - (1) no flight takes place unless the conditions defined in paragraph (a) are met;
 - (2) the tasks associated with continuing airworthiness are performed by an approved CAMO. When the operator is not CAMO approved itself then the operator shall establish a written contract in accordance with Appendix I with such an organisation, and
 - (3) the CAMO 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 organisations.

- (g) For complex motor-powered aircraft not included in point (e) or point (f), the owner shall ensure that:
- (1) no flight takes place unless the conditions defined in paragraph (a) are met;
 - (2) the tasks associated with continuing airworthiness are performed by an approved CAMO. When the owner is not CAMO approved itself then the owner shall establish a written contract in accordance with Appendix I with such an organisation, and
 - (3) the CAMO 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 organisations.
- (h) For other than complex motor-powered aircraft, used for commercial specialised operations, or CAT other than those by licenced air carriers in accordance with Regulation (EC) No 1008/2008, or commercial ATOs, the operator shall ensure that:
- (1) no flight takes place unless the conditions defined in point (a) are met;
 - (2) the tasks associated with continuing airworthiness are performed by an approved CAMO. When the operator is not CAMO approved itself then the operator shall establish a written contract in accordance with Appendix I with such an organisation, and
 - (3) the CAMO referred to in point (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 organisations.
- (i) For other than complex motor-powered aircraft not included in point (e) or (h), or used for “limited operations”, the owner is responsible for ensuring that no flight takes place unless the conditions defined in point (a) are met. To that end, the owner shall:
- (1) contract the tasks associated with continuing airworthiness to an approved CAMO through a written contract in accordance with Appendix I, which will transfer the responsibility for the accomplishment of these tasks to the contracted CAMO, or;
 - (2) manage the continuing airworthiness of the aircraft under its own responsibility, without contracting an approved CAMO, or;
 - (3) manage the continuing airworthiness of the aircraft under its own responsibility and establish a limited contract for the development of the maintenance programme and for processing its approval in accordance with point M.A.302 with:
 - an approved CAMO, or
 - in the case of ELA2 aircraft, a Part-145 or M.A. Subpart F maintenance organisation.

This limited contract transfers the responsibility for the development and, except in the case where a declaration is issued by the owner in accordance with M.A.302(h), processing the approval of the maintenance programme to the contracted organisation.

- (j) 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) Point M.A.301 is amended as follows:
- (a) Point 2 is replaced by the following:
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, when applicable;;

(b) Point 4 is replaced by the following:

‘4. for all complex motor-powered aircraft or aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, the analysis of the effectiveness of the M.A.302 approved maintenance programme;’;

(c) Point 7 is replaced by the following:

‘7. for non-mandatory modifications and/or inspections, for all complex motor-powered aircraft or aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, the establishment of an embodiment policy;’;

(5) Point M.A.302 is amended as follows:

(a) Point (c) is replaced by the following:

‘(c) When the continuing airworthiness of the aircraft is managed by a continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part M) or when there is a limited contract between the owner and this organisation in accordance with point M.A.201(i)(3), the aircraft maintenance programme and its amendments may be approved through an indirect approval procedure.

(i) In that case, the indirect approval procedure shall be established by the continuing airworthiness management organisation as part of the Continuing Airworthiness Management Exposition and shall be approved by the competent authority responsible for that continuing airworthiness management organisation.

(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.’;

(b) Point (f) is replaced by the following:

‘(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.’;

(6) In point M.A.305, point 2 of point (b) is replaced by the following:

‘2. when required in point M.A.306, the operator’s technical log.’;

(7) Point M.A.306 is amended as follows:

(a) The title is replaced by the following:

‘M.A.306 **Aircraft technical log system**’;

(b) point (a) is replaced by the following:

‘(a) For CAT, commercial specialised operations and commercial ATO operations, in addition to the requirements of M.A.305, the operator shall use a technical log system containing the following information for each aircraft:

1. information about each flight, necessary to ensure continued flight safety, and;

2. the current aircraft certificate of release to service, and;
3. the current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due except that the competent authority may agree to the maintenance statement being kept elsewhere, and;
4. all outstanding deferred defects rectifications that affect the operation of the aircraft, and;
5. any necessary guidance instructions on maintenance support arrangements.;

(8) Point M.A.402 is replaced by the following:

M.A.402 Performance of maintenance

Except for maintenance performed by a maintenance organisation approved in accordance with Annex II (Part-145), any person or organisation performing maintenance shall:

- (a) be qualified for the tasks performed, as required by this part;
- (b) ensure that the area in which maintenance is carried out is well organised and clean in respect of dirt and contamination;
- (c) use the methods, techniques, standards and instructions specified in the M.A.401 maintenance data;
- (d) use the tools, equipment and material specified in the M.A.401 maintenance data. If necessary, tools and equipment shall be controlled and calibrated to an officially recognised standard;
- (e) ensure that maintenance is performed within any environmental limitations specified in the M.A.401 maintenance data;
- (f) ensure that proper facilities are used in case of inclement weather or lengthy maintenance;
- (g) ensure that the risk of multiple errors during maintenance and the risk of errors being repeated in identical maintenance tasks are minimised;
- (h) ensure that an error capturing method is implemented after the performance of any critical maintenance task; and
- (i) carry out a general verification after completion of maintenance to ensure the aircraft or component is clear of all tools, equipment and any extraneous parts or material, and that all access panels removed have been refitted.;

(9) In point M.A.403, points (b) and (c) are replaced by the following

- (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.;

(10) In point M.A.502, point (d) is replaced by the following:

‘(d) By derogation from point (a) and point M.A.801(b)2, maintenance of a component while installed or temporarily removed from an ELA1 aircraft used by other than licenced air carriers in accordance with Regulation (EC) No 1008/2008, and performed in accordance with component maintenance data, may be performed by certifying staff referred to in point M.A.801(b)2, except for:

1. overhaul of components other than engines and propellers, and;
2. overhaul of engines and propellers for aircraft other than CS-VLA, CS-22 and LSA.

Component maintenance performed in accordance with point (d) is not eligible for the issuance of an EASA Form 1 and shall be subject to the aircraft release requirements provided for in point M.A.801.’;

(11) In point M.A.504, point (b) is replaced by the following:

‘(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 by licenced air carriers in accordance with Regulation (EC) No 1008/2008 and 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) Point M.A.601 is replaced by the following:

‘M.A.601 Scope

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 other than complex motor powered aircraft and components to be installed therein not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008.’;

(13) Point M.A.606 is amended as follows:

Point (g) is replaced by the following:

‘(g) The maintenance organisation shall have sufficient certifying staff to issue M.A.612 and M.A.613 certificates of release to service for aircraft and components. They shall comply with the requirements of Article 5 of Regulation (EU) No 1321/2014’;

(14) In point M.A.703, point (b) is replaced by the following:

‘(b) Notwithstanding point (a), for licenced air carriers in accordance with Regulation (EC) No 1008/2008, the approval shall be part of the air operator certificate issued by the competent authority, for the aircraft operated.’;

(15) In point M.A.704 point (a), point 9 is replaced by the following:

‘9. the list of approved aircraft maintenance programmes, or, for aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, the list of “generic” and “baseline” maintenance programmes.’;

(16) Point M.A.706 is amended as follows:

(a) Point (b) is replaced by the following:

‘(b) For licenced air carriers in accordance with Regulation (EC) No 1008/2008 the accountable manager referred to in point (a) shall be the person who also has corporate authority for ensuring that all the operations of the operator can be financed and carried out to the standard required for the issue of an air operator’s certificate.’;

(b) Point (d) is replaced by the following:

‘(d) For licenced air carriers in accordance with Regulation (EC) No 1008/2008, the accountable manager shall designate a nominated post holder. This person shall be responsible for the management and supervision of continuing airworthiness activities, pursuant to point (c).’;

(c) Point (k) is replaced by the following:

‘(k) For complex motor-powered aircraft and for aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, 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’;

(17) Point M.A.707 is amended as follows:

Point (a) is replaced by the following:

‘(a) To be approved to carry out airworthiness reviews and, if applicable, to issue permits to fly, an approved continuing airworthiness management organisation shall have appropriate airworthiness review staff to issue airworthiness review certificates or recommendations referred to in Section A of Subpart I and, if applicable, to issue a permit to fly in accordance with point M.A.711(c):

1. For aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, and aircraft above 2 730 kg MTOM, except balloons, these staff shall have acquired:

- (a) at least 5 years’ experience in continuing airworthiness, and;
- (b) an appropriate license in compliance with Annex III (Part-66) or an aeronautical degree or a national equivalent, and;
- (c) formal aeronautical maintenance training, and;
- (d) a position within the approved organisation with appropriate responsibilities.
- (e) Notwithstanding points (a) to (d), the requirement laid down in point M.A.707(a)1(b) may be replaced by 5 years of experience in continuing airworthiness additional to those already required by point M.A.707(a)1(a).

2. For aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008 of 2 730 kg MTOM and below, and balloons, these staff shall have acquired:

- (a) at least 3 years’ experience in continuing airworthiness, and;
- (b) an appropriate license in compliance with Annex III (Part-66) or an aeronautical degree or a national equivalent, and;
- (c) appropriate aeronautical maintenance training, and;
- (d) a position within the approved organisation with appropriate responsibilities;
- (e) Notwithstanding points (a) to (d), the requirement laid down in point M.A.707(a)2(b) may be replaced by 4 years of experience in continuing airworthiness additional to those already required by point M.A.707(a)2(a).’;

(18) Point M.A.708 is amended as follows:

(a) In point (b), point (2) is replaced by the following:

‘2. present the aircraft maintenance programme and its amendments to the competent authority for approval, unless covered by an indirect approval procedure in accordance with point M.A.302(c), and for aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008 provide a copy of the programme to the owner or operator responsible in accordance with M.A.201’;

(b) Point (c) is replaced by the following:

‘(c) In the case of complex motor-powered aircraft or aircraft used for CAT, or aircraft used for commercial specialised operations or commercial ATO operations, when the continuing airworthiness management organisation is not appropriately approved to Part-145 or Part-M.A. Subpart-F, the organisation shall in consultation with the operator, 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).’;

(c) The following point (d) is added:

‘(d) Notwithstanding point (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.’;

(19) In point M.A.709, point (b) is replaced by the following:

‘(b) For aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, the approved continuing airworthiness management organisation may develop “baseline” and/or “generic” maintenance programmes in order to allow for the initial approval and/or the extension of the scope of an approval without having the contracts referred to in Appendix I to this Annex (Part M). These “baseline” and/or “generic” maintenance programmes however do not preclude the need to establish an adequate Aircraft Maintenance Programme in compliance with point M.A.302 in due time before exercising the privileges referred to in point M.A.711.’;

(20) In point M.A.711 point (a), points 1 and 2 are replaced by the following:

- ‘1. manage the continuing airworthiness of aircraft, except those used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, as listed on the approval certificate.
2. manage the continuing airworthiness of aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, when listed both on its approval certificate and on its Air Operator Certificate (AOC).’;

(21) In point M.A.712 points (e) and (f) are replaced by the following:

- ‘(e) For licenced air carriers in accordance with Regulation (EC) No 1008/2008 the M.A. Subpart G quality system shall be an integrated part of the operator’s quality system.
- (f) In the case of a small organisation not managing the continuing airworthiness of aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, the quality system may be replaced by regular organisational reviews subject to the approval of the competent authority, except when the organisation issues airworthiness review certificates for aircraft above 2 730 kg MTOM other than balloons. In the case where there is no quality system, the organisation shall not contract continuing airworthiness management tasks to other parties.’;

(22) In point M.A.801, points (c) and (d) are replaced by the following:

‘(c) By derogation from point M.A.801(b)2 for ELA1 aircraft not used in CAT or not used in commercial specialised operations or not used in commercial ATO 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 3 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 7 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 7 days of the issuance of such certification authorisation.;

(23) In point M.A.803, point (b) is replaced by the following:

‘(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 CAT, or not used in commercial specialised operations or not used in commercial ATO operations, the pilot-owner may issue a certificate of release to service after limited pilot-owner maintenance as specified in Appendix VIII.’;

(24) Point M.A.901 is amended as follows:

(a) Points (c), (d) and (e) are replaced by the following:

‘(c) For all aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, and aircraft above 2 730 kg MTOM, except balloons, that are in a controlled environment, the organisation referred to in (b) managing the continuing airworthiness of the aircraft may, if appropriately approved, and subject to compliance with point (k):

1. issue an airworthiness review certificate in accordance with point M.A.710, and;
2. for the airworthiness review certificates it has issued, when the aircraft has remained within a controlled environment, extend twice the validity of the airworthiness review certificate for a period of 1 year each time;

(d) For all aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008 and aircraft above 2 730 kg MTOM, except balloons, that

(i) are not in a controlled environment, or

(ii) which continuing airworthiness is managed by a continuing airworthiness management organisation that does not hold the privilege to carry out airworthiness reviews,

the airworthiness review certificate shall be issued by the competent authority upon satisfactory assessment based on a recommendation made by a continuing airworthiness management organisation appropriately approved in accordance with Section A, Subpart G of this Annex (Part M) 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;

(e) For aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008 of 2 730 kg MTOM and below, and balloons, any continuing airworthiness management organisation approved in accordance with Section A, Subpart G of this Annex (Part M) and appointed by the owner or operator may, if appropriately approved and subject to point (k):

1. issue the airworthiness review certificate in accordance with point M.A.710, and;
2. for airworthiness review certificates it has issued, when the aircraft has remained within a controlled environment under its management, extend twice the validity of the airworthiness review certificate for a period of 1 year each time;';

(b) Point (g) is replaced by the following:

'(g) By derogation from points M.A.901(e) and M.A.901(i)2, for ELA1 aircraft not used in CAT or not used in commercial specialised operations or not used in commercial ATO 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;';

(25) In point M.B.105, point (a) is replaced by the following:

'(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 Regulation (EC) No 216/2008;'

(26) Points M.B.303 and M.B.304 are replaced by the following:

M.B.303 Aircraft continuing airworthiness monitoring

- (a) The competent authority shall develop a survey programme on a risk-based approach to monitor the airworthiness status of the fleet of aircraft on its register.
- (b) The survey programme shall include sample product surveys of aircraft and shall cover all aspects of airworthiness key risk elements.
- (c) The product survey shall sample the airworthiness standards achieved, on the basis of the applicable requirements, and identify any findings.
- (d) Any findings identified shall be categorised against the requirements of this Part and confirmed in writing to the person or organisation accountable according to M.A.201. The competent authority shall have a process in place to analyse findings for their safety significance.
- (e) The competent authority shall record all findings and closure actions.
- (f) If during aircraft surveys evidence is found showing non-compliance with this Part or with any other Part, the finding shall be dealt with as prescribed by the relevant Part.
- (g) If so required to ensure appropriate enforcement action, the competent authority shall exchange information on non-compliances identified in accordance with point (f) with other competent authorities.

M.B.304 Revocation and suspension

The competent authority shall:

- (a) suspend an airworthiness review certificate on reasonable grounds in the case of potential safety threat, or;
- (b) suspend or revoke an airworthiness review certificate pursuant to M.B.903(1).';

(27) In point M.B.701, point (a) is replaced by the following:

‘(a) For licenced air carriers in accordance with Regulation (EC) No 1008/2008 the competent authority shall receive for approval with the initial application for the air operator’s certificate and where applicable any variation applied for and for each aircraft type to be operated:

1. the continuing airworthiness management exposition;
2. the operator’s aircraft maintenance programmes;
3. the aircraft technical log;
4. where appropriate the technical specification of the maintenance contracts between the CAMO and Part-145 approved maintenance organisation.’;

(28) In M.B.703, point (d) is replaced by the following:

‘(d) In the case of licenced air carriers in accordance with Regulation (EC) No 1008/2008, the information contained on an EASA Form 14 will be included on the air operator’s certificate.’;

(29) In point M.B.902 point (b) is replaced by the following:

‘(b) The competent authority shall have appropriate airworthiness review staff to carry out the airworthiness reviews.

1. For all aircraft used by licenced air carriers in accordance with Regulation (EC) No 1008/2008, and aircraft above 2 730 kg MTOM, except balloons, these staff shall have acquired:

- (a) at least 5 years’ experience in continuing airworthiness, and;
- (b) an appropriate licence in compliance with Annex III (Part-66) or a nationally recognised maintenance personnel qualification appropriate to the aircraft category (when Article 5(6) refers to national rules) or an aeronautical degree or equivalent, and;
- (c) formal aeronautical maintenance training, and;
- (d) a position with appropriate responsibilities.

Notwithstanding points (a) to (d), the requirement laid down in point M.B.902(b)1b may be replaced by 5 years of experience in continuing airworthiness additional to those already required by point M.B.902(b)1a.

2. For aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008 of 2 730 kg MTOM and below, and balloons, these staff shall have acquired:

- (a) at least 3 years’ experience in continuing airworthiness, and;
- (b) an appropriate licence in compliance with Annex III (Part-66) or a nationally recognised maintenance personnel qualification appropriate to the aircraft category (when Article 5(6) refers to national rules) or an aeronautical degree or equivalent, and;
- (c) appropriate aeronautical maintenance training, and;
- (d) a position with appropriate responsibilities.

Notwithstanding points (a) to (d), the requirement shown in point M.B.902(b)2b may be replaced by 4 years of experience in continuing airworthiness additional to those already required by point M.B.902(b)2a.’;

(30) Appendix I is replaced by the following:

‘Appendix I

Continuing airworthiness management contract

1. When an owner/operator 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/operator 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/operator 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/operator 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/operator 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/operator contracts a CAMO in accordance 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/operator;
 - (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 coordinate scheduled maintenance, the application of airworthiness directives, the replacement of life limited parts, and component inspection requirements;
 - (i) inform the owner each time the aircraft shall be brought to an approved maintenance organisation;
 - (j) manage all technical records;
 - (k) 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 (EU) 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/operator:

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).';
- (31) Appendix VI is replaced by the following:

'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 (EU) No 1321/2014 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 (EU) No 1321/2014, 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 (EU) No 1321/2014.
2. This approval requires compliance with the approved continuing airworthiness management exposition procedures specified in Annex I (Part-M) and, if applicable, Annex Va (Part-T) to Regulation (EU) No 1321/2014.
3. This approval is valid whilst the approved continuing airworthiness management organisation remains in compliance with Annex I (Part-M), and if applicable, Annex Va (Part-T) to Regulation (EU) No 1321/2014.
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 licenced air carriers in accordance with Regulation (EC) No 1008/2008, 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 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 MEMBER STATE (*)]

Page 1 of 2.

CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATION**APPROVAL SCHEDULE**

Reference: [MEMBER STATE CODE (*).MG.XXXX]

(ref. AOC XX.XXXX)

Organisation: [COMPANY NAME AND ADDRESS]

Aircraft type/series/group	Airworthiness review authorised	Permits to fly authorised	Organisation(s) working under quality system
	[YES/NO] (***)	[YES/NO] (***)	
	[YES/NO] (***)	[YES/NO] (***)	
	[YES/NO] (***)	[YES/NO] (***)	
	[YES/NO] (***)	[YES/NO] (***)	

This approval schedule is limited to that specified in the scope of approval contained in the approved Continuing Airworthiness Management Exposition section

Continuing Airworthiness Management Exposition Reference:

Date of original issue:

Signed:

Date of this revision: Revision No:

For the Competent Authority: [COMPETENT AUTHORITY OF THE MEMBER STATE (*)]

EASA Form 14 Issue 4

(*) or EASA if EASA is the competent authority

(**) Delete for non-EU Member State or EASA

(***) Delete as appropriate if the organisation is not approved.

(32) In Appendix VIII: Limited Pilot-Owner Maintenance, point 1 of point (b) is replaced by the following

‘1. is a critical maintenance task’.

ANNEX II

Annex II (Part-145) to Regulation (EU) No 1321/2014 is amended as follows:

(1) The table of contents is amended as follows:

(a) The following point 145.A.48 is added:

‘145.A.48 Performance of maintenance’;

(2) In point 145.A.30, points (h) and (i) are replaced by the following:

‘(h) Any organisation maintaining aircraft, except where stated otherwise in point (j) shall:

1. in the case of base maintenance of complex motor-powered aircraft, have appropriate aircraft type rated certifying staff qualified as category C in accordance with Part-66 and 145.A.35. In addition the organisation shall have sufficient aircraft type rated staff qualified as category B1, B2 as appropriate in accordance with Part-66 and 145.A.35 to support the category C certifying staff.

(i) B1 and B2 support staff shall ensure that all relevant tasks or inspections have been carried out to the required standard before the category C certifying staff issues the certificate of release to service.

(ii) The organisation shall maintain a register of any such B1 and B2 support staff.

(iii) The category C certifying staff shall ensure that compliance with paragraph (i) has been met and that all work required by the customer has been accomplished during the particular base maintenance check or work package, and shall also assess the impact of any work not carried out with a view to either requiring its accomplishment or agreeing with the operator to defer such work to another specified check or time limit.

2. in the case of base maintenance of aircraft other than complex motor-powered aircraft have either:

(i) appropriate aircraft rated certifying staff qualified as category B1, B2, B3, as appropriate, in accordance with Annex III (Part-66) and point 145.A.35 or,

(ii) appropriate aircraft rated certifying staff qualified in category C assisted by support staff as specified in point 145.A.35(a)(i).

(i) Component certifying staff shall comply with the provisions of Article 5(6) of Regulation (EU) No 1321/2014.’;

(3) The following point 145.A.48 is inserted:

‘145.A.48 Performance of maintenance

The organisation shall establish procedures to ensure that:

(a) after completion of maintenance a general verification is carried out to ensure that the aircraft or component is clear of all tools, equipment and any extraneous parts or material, and that all access panels removed have been refitted;

(b) an error capturing method is implemented after the performance of any critical maintenance task;

(c) the risk of multiple errors during maintenance and the risk of errors being repeated in identical maintenance tasks are minimised; and,

(d) damage is assessed and modifications and repairs are carried out using data specified in point M.A.304.’;

(4) In point 145.A.65, point (b) is replaced by the following:

‘(b) The organisation shall establish procedures agreed by the competent authority taking into account human factors and human performance to ensure good maintenance practices and compliance with the applicable requirements established in 145.A.25 to 145.A.95. The procedures under this point shall:

1. ensure that a clear work order or contract has been agreed between the organisation and the organisation requesting maintenance to clearly establish the maintenance to be carried out so that aircraft and components may be released to service in accordance with 145.A.50; and,
 2. cover all aspects of carrying out maintenance, including the provision and control of specialised services and lay down the standards to which the organisation intends to work.’
-

ANNEX III

Annex III (Part-66) to Commission Regulation (EU) No 1321/2014 is amended as follows:

(1) In point 66.A.30 point (a), points (3) and 4 are replaced by the following:

‘3. for category C with respect to complex motor-powered aircraft:

(i) 3 years of experience exercising category B1.1, B1.3 or B2 privileges on complex motor-powered aircraft or as support staff according to point 145.A.35, or, a combination of both; or

(ii) 5 years of experience exercising category B1.2 or B1.4 privileges on complex motor-powered aircraft or as support staff according to point 145.A.35, or a combination of both;

4. For category C with respect to other than complex motor-powered aircraft: 3 years of experience exercising category B1 or B2 privileges on other than complex motor-powered aircraft or as support staff according to point 145.A.35, or a combination of both;’;

(2) In point 66.A.70, point (d) is replaced by the following:

‘(d) By derogation from point (c), for aircraft not used by licenced air carriers in accordance with Regulation (EC) No 1008/2008 other than complex motor-powered aircraft, the aircraft maintenance licence shall contain limitations in accordance with point 66.A.50 to ensure that the certifying staff privileges valid in the Member State before the entry into force of this Regulation and the privileges of the converted Part-66 aircraft maintenance licence remain the same.’.

(3) Appendix V is replaced by the following:

‘Appendix V

Application Form — EASA Form 19:

APPLICATION FOR INITIAL/AMENDMENT/RENEWAL OF PART-66 AIRCRAFT MAINTENANCE LICENCE (AML)	EASA FORM 19																																	
APPLICANT’S DETAILS: Name: Address: Nationality: Date and Place of Birth:																																		
PART-66 AML DETAILS (if applicable): Licence No: Date of Issue:																																		
EMPLOYER’S DETAILS: Name: Address: Maintenance Organisation Approval Reference: Tel. Fax																																		
APPLICATION FOR: (Tick relevant boxes) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Initial AML <input type="checkbox"/></td> <td style="width: 33%;">Amendment of AML <input type="checkbox"/></td> <td style="width: 34%;">Renewal of AML <input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">Rating</td> <td style="text-align: center;">A</td> <td style="text-align: center;">B1</td> </tr> <tr> <td style="text-align: center;">B2</td> <td style="text-align: center;">B3</td> <td style="text-align: center;">C</td> </tr> <tr> <td>Aeroplane Turbine</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Aeroplane Piston</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Helicopter Turbine</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Helicopter Piston</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Avionics</td> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Piston engine non-pressurised aeroplanes of MTOM of 2t and below</td> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Complex motor-powered aircraft</td> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Aircraft other than complex motor-powered aircraft</td> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Type endorsement/Rating endorsement/Limitation removal (if applicable):		Initial AML <input type="checkbox"/>	Amendment of AML <input type="checkbox"/>	Renewal of AML <input type="checkbox"/>	Rating	A	B1	B2	B3	C	Aeroplane Turbine	<input type="checkbox"/>	<input type="checkbox"/>	Aeroplane Piston	<input type="checkbox"/>	<input type="checkbox"/>	Helicopter Turbine	<input type="checkbox"/>	<input type="checkbox"/>	Helicopter Piston	<input type="checkbox"/>	<input type="checkbox"/>	Avionics		<input type="checkbox"/>	Piston engine non-pressurised aeroplanes of MTOM of 2t and below		<input type="checkbox"/>	Complex motor-powered aircraft		<input type="checkbox"/>	Aircraft other than complex motor-powered aircraft		<input type="checkbox"/>
Initial AML <input type="checkbox"/>	Amendment of AML <input type="checkbox"/>	Renewal of AML <input type="checkbox"/>																																
Rating	A	B1																																
B2	B3	C																																
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Aeroplane Piston	<input type="checkbox"/>	<input type="checkbox"/>																																
Helicopter Turbine	<input type="checkbox"/>	<input type="checkbox"/>																																
Helicopter Piston	<input type="checkbox"/>	<input type="checkbox"/>																																
Avionics		<input type="checkbox"/>																																
Piston engine non-pressurised aeroplanes of MTOM of 2t and below		<input type="checkbox"/>																																
Complex motor-powered aircraft		<input type="checkbox"/>																																
Aircraft other than complex motor-powered aircraft		<input type="checkbox"/>																																
I wish to apply for initial/amendment/renewal of Part-66 AML as indicated and confirm that the information contained in this form was correct at the time of application. I herewith confirm that: 1. I am not holding any Part-66 AML issued in another Member State, 2. I have not applied for any Part-66 AML in another Member State and 3. I never had a Part-66 AML issued in another Member State which was revoked or suspended in any other Member State. I also understand that any incorrect information could disqualify me from holding a Part-66 AML. Signed: Name: Date:																																		

I wish to claim the following credits (if applicable):

.....
.....
.....

Experience credit for Part-147 training

.....
.....
.....

Examination credit for equivalent exam certificates

.....
.....
.....

Please enclose all relevant certificates

Recommendation (if applicable): It is hereby certified that the applicant has met the relevant maintenance knowledge and experience requirements of Part-66 and it is recommended that the competent authority grants or endorses the Part-66 AML.

Signed: Name:

Position: Date:

(4) Appendix VI is replaced by the following:

Appendix VI

Aircraft Maintenance Licence referred to in Annex III (Part-66):

<p style="text-align: center;">I. EUROPEAN UNION (*) [STATE] [AUTHORITY NAME & LOGO]</p> <p style="text-align: center;">II. Part-66 AIRCRAFT MAINTENANCE LICENCE</p> <p style="text-align: center;">III. Licence No. [MEMBER STATE CODE].66..[XXXX]</p> <p style="text-align: left; margin-top: 20px;">EASA FORM 26 Issue 4</p>	<p>IVa. Full name of holder:</p> <p>IVb. Date and place of birth:</p> <p>V. Address of holder:</p> <p>VI. Nationality of holder:</p> <p>VII. Signature of holder:</p> <p style="height: 100px; border: 1px solid black; margin-top: 10px;"></p> <p>III. Licence No:</p>
---	---

<p>VIII. CONDITIONS:</p> <p>This licence shall be signed by the holder and be accompanied by an identity document containing a photograph of the licence holder.</p> <p>Endorsement of any categories on the page(s) entitled Part-66 CATEGORIES only, does not permit the holder to issue a certificate of release to service for an aircraft.</p> <p>This licence when endorsed with an aircraft rating meets the intent of ICAO annex 1.</p> <p>The privileges of the holder of this licence are prescribed by Regulation (EU) No 1321/2014 and in particular its Annex III (Part-66).</p> <p>This licence remains valid until the date specified on the limitation page unless previously suspended or revoked.</p> <p>The privileges of this licence may not be exercised unless in the preceding 2-year period the holder has had either 6 months of maintenance experience in accordance with the privileges granted by the licence, or met the provision for the issue of the appropriate privileges.</p> <p style="margin-top: 20px;">III. Licence No:</p>	<p>IX. Part-66 CATEGORIES</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 40%;">VALIDITY:</th> <th style="width: 5%;">A</th> <th style="width: 5%;">B1</th> <th style="width: 5%;">B2</th> <th style="width: 5%;">B3</th> <th style="width: 5%;">C</th> </tr> </thead> <tbody> <tr> <td>Aeroplanes Turbine</td> <td></td> <td></td> <td>n/a</td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Aeroplanes Piston</td> <td></td> <td></td> <td>n/a</td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Helicopters Turbine</td> <td></td> <td></td> <td>n/a</td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Helicopters Piston</td> <td></td> <td></td> <td>n/a</td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Avionics</td> <td>n/a</td> <td>n/a</td> <td></td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Complex motor-powered aircraft</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td></td> </tr> <tr> <td>Aircraft other than complex motor-powered aircraft</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td></td> </tr> <tr> <td>Piston-engine non-pressurised aeroplanes of 2 000 kg MTOM and below</td> <td>n/a</td> <td>n/a</td> <td>n/a</td> <td></td> <td>n/a</td> </tr> </tbody> </table> <p>X. Signature of issuing officer & date:</p> <p>XI. Seal or stamp of issuing Authority:</p> <p style="margin-top: 20px;">III. Licence No:</p>	VALIDITY:	A	B1	B2	B3	C	Aeroplanes Turbine			n/a	n/a	n/a	Aeroplanes Piston			n/a	n/a	n/a	Helicopters Turbine			n/a	n/a	n/a	Helicopters Piston			n/a	n/a	n/a	Avionics	n/a	n/a		n/a	n/a	Complex motor-powered aircraft	n/a	n/a	n/a	n/a		Aircraft other than complex motor-powered aircraft	n/a	n/a	n/a	n/a		Piston-engine non-pressurised aeroplanes of 2 000 kg MTOM and below	n/a	n/a	n/a		n/a
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XII. PART-66 AIRCRAFT RATINGS		
Aircraft Rating	Category	Stamp & Date
III. Licence No:		

XIII. PART-66 LIMITATIONS
Valid until:
III. Licence No:

Annex to EASA FORM 26
XIV. NATIONAL PRIVILEGES outside the scope of Part-66, in accordance with [National Legislation] (Valid only in [Member State])
Official Stamp & Date
III. Licence No:

INTENTIONALLY LEFT BLANK

ANNEX IV

The following Annex Va (Part-T) is added to Regulation (EU) No 1321/2014:

‘ANNEX Va

PART-T

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Subpart B — REQUIREMENTS

T.A.201 Responsibilities

Subpart E — MAINTENANCE ORGANISATION

Subpart G — ADDITIONAL REQUIREMENTS FOR CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATIONS APPROVED PURSUANT TO ANNEX I (PART-M) SUBPART G

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T.A.706 Personnel requirements

T.A.708 Continuing airworthiness management

T.A.709 Documentation

T.A.711 Privileges

T.A.712 Quality system

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T.A.716 Findings

Section B — Procedures for competent authorities

Subpart A — GENERAL

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T.B.102 Competent authority

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Subpart B — ACCOUNTABILITY

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T.B.202 Findings

Subpart G — ADDITIONAL REQUIREMENTS FOR CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATIONS APPROVED PURSUANT TO ANNEX I (PART-M) SUBPART G

T.B.704 Continuing oversight**T.B.705 Findings****T.1 Competent authority**

For the purpose of this Part, the competent authority for the oversight of the aircraft and the organisations shall be the authority designated by the Member State that has issued the Air Operator Certificate to the operator.

SECTION A**TECHNICAL REQUIREMENTS****SUBPART A****GENERAL****T.A.101 Scope**

This section establishes requirements to ensure that continuing airworthiness of aircraft referred to in Article 1(b) 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 of such aircraft.

SUBPART B**CONTINUING AIRWORTHINESS****T.A.201 Responsibilities**

1. (a) The operator is responsible for the airworthiness of the aircraft and it shall ensure that it is not operated unless 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 the State of Registry and the applicable requirements of ICAO Annex 6.
- (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 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.
- (h) the aircraft is inspected, through a pre-flight inspection, before each flight
- (i) all modifications and repairs comply with the airworthiness requirements established by the State of Registry

- (j) the following aircraft records are available until the information contained has been superseded by new information equivalent in scope and detail but not less than 24 months:
 - (1) the total time in service (hours, cycles and calendar time, as appropriate) of the aircraft and all life-limited components;
 - (2) current status of compliance with T.A.201 (1)(f) requirements;
 - (3) current status of compliance with the maintenance programme;
 - (4) 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.
- 2. The tasks specified in T.A.201 (1) shall be controlled by the operator's continuing airworthiness management organisation. For this purpose the organisation shall comply with the additional requirements of T.A. Subpart G
- 3. The continuing airworthiness management organisation referred to in (2) 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 organisations.

SUBPART E

MAINTENANCE ORGANISATION

The continuing airworthiness management organisation shall ensure that the aircraft and its components are maintained by organisations complying with the following requirements:

- (1) The organisation holds a maintenance organisation approval issued or acceptable to the State of Registry.
- (2) The scope of approval of the organisation includes the appropriate aircraft and/or component capability.
- (3) 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.
- (4) 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, 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, the M.A.706 (c) and (d) personnel shall have adequate knowledge of the applicable third country regulations.

T.A.708 Continuing airworthiness management

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 (1)(j);
- (g) ensure that modifications and repairs are approved in accordance with the requirements of the State of Registry.

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.

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 for the aircraft included in its Air Operator Certificate provided that the organisation has established procedures, approved by the competent authority, to ensure compliance with Part-T.

T.A.712 Quality system

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.

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(1)(j).

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

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 be appropriately qualified and have the appropriate knowledge, experience, initial training and continuation training to perform their allocated tasks.

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) and (c) of Annex I shall apply.

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) reports from any inspection and survey performed to the aircraft,
- d) 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.

4. The records specified in (2) shall be retained until 4 years after the end of the dry lease-in period.

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

The requirements of M.B.105 of Annex I shall apply.

SUBPART B

ACCOUNTABILITY

T.B.201 **Responsibilities**

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

2. The competent authority shall perform inspections and investigations before the approval of the dry lease in accordance with ARO.OPS.110 (a)(1), to verify that the requirements of T.A.201 are then complied with.
3. The competent authority shall ensure coordination with the State of Registry as necessary to exercise the oversight responsibilities of the aircraft contained in this Annex Va (Part-T).

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 Article 1(b), 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 Article 1(b) managed by the 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 Article 1(b) 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.'

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1537**of 16 September 2015****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 16 September 2015.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	217,5
	MK	39,0
	XS	48,7
	ZZ	101,7
0707 00 05	MK	57,9
	TR	126,8
	ZZ	92,4
0709 93 10	TR	121,5
	ZZ	121,5
0805 50 10	AR	129,5
	BO	136,6
	CL	123,5
	UY	134,3
	ZA	131,0
	ZZ	131,0
	ZZ	131,0
0806 10 10	EG	178,1
	TR	128,9
	ZZ	153,5
0808 10 80	AR	121,5
	BR	92,3
	CL	156,9
	NZ	136,8
	US	113,3
	ZA	123,7
	ZZ	124,1
	ZZ	124,1
0808 30 90	AR	131,8
	CL	100,0
	CN	82,3
	TR	120,8
	ZA	113,5
	ZZ	109,7
	ZZ	109,7
0809 30 10, 0809 30 90	MK	80,2
	TR	158,1
	ZZ	119,2
0809 40 05	BA	53,5
	MK	39,3
	XS	61,9
	ZZ	51,6

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

CORRIGENDA**Corrigendum to Commission Implementing Regulation (EU) 2015/131 of 23 January 2015 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries**

(Official Journal of the European Union L 23 of 29 January 2015)

On the cover page and on page 1, the title:

for: 'Commission Implementing Regulation (EU) 2015/131 of 23 January 2015 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries',

read: 'Commission Implementing Regulation (EU) 2015/131 of 26 January 2015 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries';

on page 2, signature:

for: 'Done at Brussels, 23 January 2015.',

read: 'Done at Brussels, 26 January 2015.'

