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COMMISSION DELEGATED REGULATION (EU) 2026/56

of 23 October 2025

amending Regulation (EU) No 748/2012 as regards certificate of airworthiness and restricted certificate of airworthiness

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ([1]), and in particular Article 19(1), point (e), and Article 62(13), point (a), thereof,

Whereas:

(1) Commission Regulation (EU) No 748/2012 ([2]) lays down the requirements for the initial airworthiness of aircraft, including the requirements for the issuance of the certificate of airworthiness and restricted certificate of airworthiness.

(2) The complexity of those implementing rules should be reduced to align them with the risks associated with different categories of aircraft, types of operations and the history of aircraft. It is necessary to simplify and harmonise the rules set out in the Annexes to Regulations (EU) No 748/2012 in order to make them clearer and to avoid misinterpretations.

(3) Due to the complex dependencies between Regulation (EU) No 748/2012 and Commission Regulation (EU) No 1321/2014 ([3]) in relation to respectively airworthiness certificate and airworthiness review certificate, it is necessary to enhance the alignment between those two Regulations, particularly for aircraft transferred between Member States or imported into the Union.

(4) In order to enhance the free movement of aircraft within the Union it is necessary to facilitate the process for issuing airworthiness certificates when aircraft are transferred between Member States and allow applicants to request an airworthiness certificate from the national competent authority of the Member State where they wish to register the aircraft.

(5) Application requirements for certificates of airworthiness and restricted certificates of airworthiness should be amended to include cases of used aircraft other than aircraft originating from third countries, such as aircraft previously used for activities or services defined in Article 2(3), point (a), of Regulation (EU) 2018/1139.

(6) When applying for a certificate of airworthiness or a restricted certificate of airworthiness for an aircraft imported from a third country, a statement reflecting the airworthiness status of an aircraft is required. Where that statement is unavailable and cannot be obtained, an alternative mechanism based on investigation and evaluation activities should be introduced.

([1]) OJ L 212, 22.8.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1139/oj.

([2]) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification or declaration of compliance of aircraft and related products, parts, appliances, control and monitoring units and control and monitoring unit components, as well as for the capability requirements of design and production organisations (OJ L 224, 21.8.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/748/oj).

([3]) Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/1321/oj).

(7) Regulation (EU) No 748/2012 should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with Opinion No 08/2024 ([4]), issued by the European Union Aviation Safety Agency in accordance with Article 76(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 748/2012 is amended as follows:

(1) Annex I (Part 21) is amended in accordance with Annex I to this Regulation;

(2) Annex Ib (Part 21 Light) is amended in accordance with Annex II to this Regulation.

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 7 August 2026.

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

Done at Brussels, 23 October 2025.

For the Commission
The President
Ursula VON DER LEYEN

([4]) Opinion No 08/2024 of 17 December 2024 of the European Union Aviation Safety Agency, Airworthiness review process – Import of aircraft from other regulatory systems, and Part 21 Subpart H review – Alignment of the IRs of the EASA Basic Regulation with Regulation (EU) No 376/2014 (https://www.easa.europa.eu/en/document-library/opinions/opinion-no-082024).

ANNEX I

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

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

(a) the entry on point 21.A.179 is replaced by the following:
'21.A.179 Transferability';

(b) the entry on Appendix II is replaced by the following:
'Appendix II – reserved';

(2) point 21.A.174 is amended as follows:

(a) point (b) is amended as follows

(i) in point (2), points (ii) and (iii) are replaced by the following:

'(ii) the mass and balance statement corresponding to the aircraft current configuration, as applicable;

(iii) the flight manual if required by the applicable type-certification basis.';

(ii) point 3 is replaced by the following:

'3. with regard to used aircraft that at the time of the application:

(i) has an airworthiness certificate issued in accordance with this Annex, a copy of such certificate and one of the following documents:

(A) a valid airworthiness review certificate (ARC) issued in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014 (*), or with Annex I (Part-ML.UAS) to Delegated Regulation (EU) 2024/1107, as applicable;

(B) a recommendation for the issuance of an airworthiness review certificate pursuant to an airworthiness review in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014, where the conditions set out in point M.A.901(b)(1) of Annex I (Part-M) to Regulation (EU) No 1321/2014 are not met;

(ii) does not have an airworthiness certificate issued in accordance with this Annex:

(A) a statement from the appropriate authority that was responsible for the oversight of the aircraft reflecting the airworthiness status of the aircraft at the time that authority ceased its oversight responsibilities;

(B) the mass and balance statement corresponding to the aircraft current configuration, as applicable;

(C) the flight manual if required by the applicable type-certification basis;

(D) historical records necessary to establish the production, configuration and maintenance standard of the aircraft, including all limitations associated with a restricted certificate of airworthiness issued in accordance with point 21.B.327;

(E) a recommendation for the issuance of an airworthiness review certificate pursuant to an airworthiness review in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014 or an airworthiness review certificate in accordance with Annex Vb (Part-ML) to Regulation (EU) No 1321/2014 or with Annex I (Part-ML.UAS) to Delegated Regulation (EU) 2024/1107, unless it is agreed that the airworthiness review is to be carried out by the competent authority;

(F) the date on which the first certificate of airworthiness was issued and, if the standards set out in Volume III of Annex 16 to the Chicago Convention apply, the CO_2 metric value data;

(G) if the former airworthiness certificate of the aircraft was issued in accordance with this Annex but has been subsequently revoked or surrendered, alternatively to the statement required in point (A), all of the following documentation:

(a) a statement containing:

(1) the details of the reasons for the revocation or surrender of the airworthiness certificate;

(2) the details of how the aircraft has been preserved and maintained since the revocation or surrender of the airworthiness certificate;

(3) all other relevant information related to the condition and history of the aircraft;

(b) an evaluation programme developed and carried out in accordance with points 21.A.174(d)(3) and 21.A.174(d)(4), unless otherwise agreed by the competent authority of the Member State of registry.

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(*) 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, ELI: http://data.europa.eu/eli/reg/2014/1321/oj).';

(b) the following point (d) is added:

'(d) By way of derogation from point 21.A.174(b)(3)(ii)(A), in exceptional cases and with prior agreement by the competent authority, an application may be made without a statement reflecting the airworthiness status of the aircraft, provided that all the following conditions are met:

(1) the competent authority of the Member State of registry is satisfied that the airworthiness statement has not been denied by the former aviation authority because of airworthiness concerns, unless those concerns have been addressed and corrected;

(2) there is evidence available to the competent authority of the Member State of registry as to the approved design according to which the aircraft was initially built and delivered;

(3) an evaluation programme is developed detailing the investigations which are necessary to compensate for the lack of the airworthiness statement referred to in point 21.A.174(b)(3)(ii)(A);

(4) the investigation activities were conducted in accordance with the evaluation programme, and the results have been summarised in an evaluation report;

(5) upon request by the competent authority of the Member State of registry, the applicant provides access to, and copies of, any information that was used to generate the evaluation programme and evaluation report.

The evaluation programme referred to in the first paragraph, point (3), shall ensure that the aircraft and its records are in a condition that makes the aircraft eligible for the issuance of an airworthiness certificate, through comprehensive investigations conducted by an approved organisation or the competent authority. The programme shall identify any discrepancies or deficiencies which, after the necessary corrective actions, will bring the aircraft into compliance with the applicable airworthiness standards. The evaluation programme shall not replace the tasks carried out by the person or organisation responsible for continuing airworthiness or airworthiness review tasks, but shall complement them.

The evaluation programme shall be developed, and the investigations detailed in it shall be performed, by:

(i) an organisation approved in accordance with point CAMO.A.125(g) of Annex Vc (Part-CAMO) or point CAO.A.095(c)(3) of Annex Vd (Part-CAO) to Regulation (EU) No 1321/2014, or in accordance with Annex II (Part-CAO.UAS) to Delegated Regulation (EU) 2024/1107, as applicable;

(ii) the competent authority of the Member State of registry, only for aircraft of 2 730 kg MTOM and below and upon the acceptance of that authority.

The evaluation programme shall specify the activities to be performed to identify the status of the aircraft with regard to conformity to the approved type design, existing modifications and repairs and maintenance, and continuing airworthiness status. The evaluation programme, if developed by an organisation referred to in the third paragraph, point (i), shall be accepted by the competent authority of the Member State of registry before the evaluation is conducted.';

(3) point 21.A.179 is replaced by the following:

'**21.A.179 Transferability**

The airworthiness certificate and the airworthiness review certificate shall be transferred together with the aircraft provided that the aircraft remains on the same register.';

(4) in the list of Appendices (EASA FORMS), the entry on Appendix II is replaced by the following:
'Appendix II – reserved';

(5) Appendix II is deleted.

ANNEX II

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

(1) point 21L.A.143 is amended as follows:

(a) in point (c), point 2 is replaced by the following:

'2. the mass and balance statement corresponding to the aircraft current configuration, as applicable;';

(b) in point (d), point 2 is replaced by the following:

'2. the mass and balance statement corresponding to the aircraft current configuration, as applicable;';

(c) points (e) and (f) are replaced by the following:

'(e) For a used aircraft which at the time of the application has an airworthiness certificate issued in accordance with this Annex, the applicant shall include in the application a copy of such certificate and one of the following:

1. a valid airworthiness review certificate (ARC) issued in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Regulation (EU) No 1321/2014, as applicable;

2. a recommendation for the issuance of an airworthiness review certificate pursuant to an airworthiness review in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014, where the conditions set out in point M.A.901(b)(1) of Annex I (Part-M) to Regulation (EU) No 1321/2014 are not met.

(f) For a used aircraft which at the time of the application does not have an airworthiness certificate issued in accordance with this Annex, the applicant shall include all of the following documentation in the application:

1. a statement from the appropriate authority that was responsible for the oversight of the aircraft reflecting the airworthiness status of the aircraft at the time that authority ceased its oversight responsibilities;

2. the historical records necessary to establish the production, configuration and maintenance standard of the aircraft;

3. the mass and balance statement corresponding to the aircraft current configuration, as applicable;

4. the flight manual if required by the applicable type-certification basis or by the applicable detailed technical specifications for the declaration of design compliance;

5. a recommendation for the issuance of an airworthiness review certificate pursuant to an airworthiness review in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014 or an airworthiness review certificate in accordance with Annex Vb (Part-ML) to Regulation (EU) No 1321/2014, unless it is agreed that the airworthiness review is to be carried out by the competent authority;

6. if the former airworthiness certificate of the aircraft was issued in accordance with this Annex but has been subsequently revoked or surrendered, alternatively to the statement required in point 1, all of the following documentation:

(i) a statement containing:

(A) the details of the reasons for the revocation or surrender of the airworthiness certificate;

(B) the details of how the aircraft has been preserved and maintained since the revocation or surrender of the airworthiness certificate;

(C) all other relevant information related to the condition and history of the aircraft;

(ii) an evaluation programme developed and carried out in accordance with points 21L.A.143(h)(3) and 21L.A.143(h)(4), unless otherwise agreed by the competent authority of the Member State of registry.';

(d) the following point (h) is added:

'(h) By way of derogation from point 21L.A.143(f)(1), in exceptional cases and with prior agreement by the competent authority, an application may be made without a statement reflecting the airworthiness status of the aircraft, provided that all the following conditions are met:

1. the competent authority of the Member State of registry is satisfied that the airworthiness statement has not been denied by the former aviation authority because of airworthiness concerns, unless those concerns have been addressed and corrected;

2. there is evidence available to the competent authority of the Member State of registry as to the approved design according to which the aircraft was initially built and delivered;

3. an evaluation programme is developed detailing the investigations which are necessary to compensate for the lack of the airworthiness statement referred to in point 21L.A.143(f)(1).

4. the investigation activities were conducted in accordance with the evaluation programme, and the results have been summarised in an evaluation report;

5. upon request by the competent authority of the Member State of registry, the applicant provides access to, and copies of, any information that was used to generate the evaluation programme and evaluation report.

The evaluation programme referred to in the first paragraph, point (3), shall ensure that the aircraft and its records are in a condition that makes the aircraft eligible for the issuance of an airworthiness certificate, through comprehensive investigations conducted by an approved organisation or the competent authority. The programme shall identify any discrepancies or deficiencies which, after the necessary corrective actions, will bring the aircraft into compliance with the applicable airworthiness standards. The evaluation programme shall not replace the tasks carried out by the person or organisation responsible for continuing airworthiness or airworthiness review tasks, but shall complement them.

The evaluation programme shall be developed, and the investigations detailed in it shall be performed, by:

(i) an organisation approved in accordance with point CAMO.A.125(g) of Annex Vc (Part-CAMO) or point CAO.A.095(c)(3) of Annex Vd (Part-CAO) to Regulation (EU) No 1321/2014;

(ii) the competent authority of the Member State of registry, only for aircraft of 2 730 kg MTOM and below and upon the acceptance of that authority.

The evaluation programme shall specify the activities to be performed to identify the status of the aircraft with regard to conformity to the approved type design, existing modifications and repairs and maintenance, and continuing airworthiness status. The evaluation programme, if developed by an organisation referred to in the third paragraph, point (i), shall be accepted by the competent authority of the Member State of registry before the evaluation is conducted.';

(2) point 21L.A.145 is replaced by the following:

'**21L.A.145 Transferability**

The airworthiness certificate and the airworthiness review certificate shall be transferred together with the aircraft provided that the aircraft remains on the same register.'.