

Review of EASA Part 145 Major Changes Introduced with Regulation 2021_1963

Sofema Aviation Services (SAS) www.sassofia.com considers forthcoming changes to be introduced within the EASA Part 145 Environment.

Reg 2021_1963 amends Continuing Airworthiness Regulation (EU) No 1321/2014 and introduces a management system concept and safety management systems

As appropriate to the type of activity, organisation approvals must be issued when the following conditions are met:

- (a) the organisation must have all the means necessary for the scope of work. Those means comprise but are not limited to, the following: facilities, personnel, equipment, tools and material, documentation of tasks, responsibilities, and procedures, access to relevant data, and record-keeping;
- (b) as appropriate for the type of activity undertaken and the size of the organisation, the organisation must implement and maintain a management system to ensure compliance with the essential requirements set out in this Annex, manage safety risks and aim for continuous improvement of that system;
- (c) the organisation shall establish arrangements with other relevant organisations, as necessary, to ensure continuing compliance with the essential requirements for airworthiness set out in this Annex;
- (d) the organisation shall establish an occurrence reporting system as part of the management system under point (b) and the arrangements under point (c), in order to contribute to the aim of continuous improvement of safety. The occurrence reporting system shall be compliant with the applicable Union law.

SMS & Management System

Addition of Clause 145.A.200 - Management System

- (a) The organisation shall establish, implement and maintain a management system that includes:
 - clearly defined accountability and lines of responsibility throughout the organisation, including a direct safety accountability of the accountable manager;
 - a description of the overall philosophies and principles of the organisation with regard to safety ("the safety policy"), and the related safety objectives;

- 145.A.200(a)(3); the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of the associated risks, including taking actions to mitigate the risks and verify their effectiveness;
- maintaining personnel trained and competent to perform their tasks;
- documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending that documentation;
- a function to monitor the compliance of the organisation with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure the effective implementation of corrective actions as necessary.

(b) The management system shall correspond to the size of the organisation and the nature and complexity of its activities, taking into account the hazards and the associated risks inherent in those activities.

(c) If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held.';

Addition of Clause 145.A.202 - Internal safety reporting scheme

(a) As part of its management system, the organisation shall establish an internal safety reporting scheme to enable the collection and evaluation of such occurrences that are to be reported under point 145.A.60.

(b) The scheme shall also enable the collection and evaluation of those errors, near misses and hazards reported internally that do not fall under point (a).

(c) Through that scheme, the organisation shall:

- identify the causes of, and contributing factors to, the errors, near misses and hazards reported, and address them as part of its safety risk management process in accordance with point 145.A.200(a)(3);
- ensure an evaluation of all known, relevant information relating to errors, near misses, hazards and the inability to follow procedures, and a method to circulate the information as necessary.

(d) The organisation shall make arrangements to ensure the collection of safety issues related to subcontracted activities.’;

Note – Recognizing the importance of addressing contributing factors was addressed many years ago by Boeing with the introduction of the MEDA Program Applicability & Implementation (Deadline) 2 December 2024

- By way of derogation from points (1) and (2) of point 145.B.350(d) of Annex II (Part-145), a maintenance organisation that holds a valid approval certificate issued in accordance with Annex II (Part-145) may correct, until 2 December 2024, any findings of non-compliance related to the Annex II requirements introduced by Commission Regulation (EU) 2021/1963 (*1).
- Where after 2 December 2024 the organisation has not closed such findings, the approval certificate shall be revoked, limited, or suspended in whole or in part.

Additional Clause 145.A.120 Means of Compliance

Provides an opportunity for the organisation to use alternate means of compliance (AMOC) to comply with the requirements – An interesting note is that once the organisations formally submits a requests for approval – it may, in fact, commence using said AMOC !

(a) An organisation may use any alternative means of compliance to establish compliance with this Regulation.

(b) If an organisation wishes to use an alternative means of compliance, it shall, prior to using it, provide the competent authority with a full description.

The description shall include any revisions to manuals or procedures that may be relevant, as well as an explanation indicating how compliance with this Regulation is achieved.

The organisation may use those alternative means of compliance subject to prior approval from the competent authority.’;

Additional Clause 145.A.140 – Access

Concerns the ability of the regulatory authority to be provided with access to any aspect of the organisations systems, process and data needed to demonstrate compliance.

For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall ensure

that access to any facility, aircraft, document, records, data, procedures or to any other material relevant to its activity subject to certification, whether it is subcontracted or not, is granted to any person authorised by one of the following authorities:

- (a) the competent authority defined in point 145.1;
- (b) the authority performing the oversight tasks in accordance with point 145.B.300(d).';

Additional Clause 145.A.140 - Immediate reaction to a safety problem

The organisation shall implement:

- (a) any safety measures mandated by the competent authority in accordance with point 145.B.135;
- (b) any relevant mandatory safety information issued by the Agency.';

Additional Reference to Competent Authority Requirements

145.B.135 Immediate reaction to a safety problem

- (a) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, the competent authority shall implement a system to appropriately collect, analyse and disseminate safety information.
- (b) The Agency shall implement a system to appropriately analyse any relevant safety information received and, without undue delay, provide the relevant authority of the Member States and the Commission with any information, including recommendations or corrective actions to be taken, that is necessary for them to react in a timely manner to a safety problem involving products, parts, appliances, persons or organisations that are subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.

Note 1 – EASA is responsible to collect analyse and disseminate safety information.

Note 2 – Once information is provided by EASA to the CA

- The CA Shall take measures to address the issues identified by informing any organisations which need to comply
- The CA shall advise EASA on such steps taken

The effectiveness of this process depends on EASA managing the received information and making the necessary recommendations.

Introduction to EASA Part 145.A.37

A new Airworthiness Review Certificate (EASA Form 15c) is introduced that can be issued by the CAA, by an approved organisation (For example EASA Part 145 Organisations) or by independent Part-66 engineers with appropriate authorization.

Form 15c is applicable to Part-ML & applies to the following aircraft when not listed in the air operator certificate (AOC) of an air carrier licensed in accordance with regulation (EC) No 1008/2008 and not classified as a complex motor-powered aircraft. (It is applicable to both private and commercial operations of aeroplanes):

- Aeroplanes of 2730 kg maximum take-off mass (MTOM) or less.
- Rotorcrafts with a 1200 kg MTOM or less, certified with a maximum of 4 occupants.
- Other EL2 aircraft (Note – This means that all sailplanes and balloons are also included.)

ARC Requirements

(a) In order to be approved to carry out airworthiness reviews and to issue the corresponding airworthiness review certificates (ARC) for aircraft covered by Annex Vb (Part-ML), the organisation shall have airworthiness review staff that comply with all of the following requirements:

- They have acquired experience in continuing airworthiness of at least 1 year for sailplanes and balloons and of at least 3 years for all other aircraft;
- They hold a certifying staff authorisation for the corresponding aircraft;
- They have acquired knowledge of Annex I (Part-M), Subpart C, or of Annex Vb (Part-ML), Subpart C;
- They have acquired knowledge of the procedures of the maintenance organisation relevant to the airworthiness review and issue of the airworthiness review certificate.

(b) Before the organisation issues an airworthiness review authorisation to a candidate, that person shall perform an airworthiness review under the supervision of the competent authority or under the supervision of a person that is already authorised as airworthiness review staff by the organisation.

If this airworthiness review under supervision is satisfactory, the competent authority shall formally accept that person to become airworthiness review staff.

(c) The organisation shall ensure that the airworthiness review staff can demonstrate appropriate recent continuing airworthiness experience.

Specific Requirement Related to Contracting and Subcontracting

Introduction to EASA Part 145.A.205 Contracting and subcontracting

The organisation shall ensure that when contracting or subcontracting any part of its maintenance activities:

- The maintenance conforms to the applicable requirements;
- Any aviation safety hazard associated with such contracting or subcontracting is considered as part of the organization's management system.

If the organisation subcontracts any part of its maintenance activities to another organisation, the subcontracted organisation shall work under the scope of approval of the subcontracting organisation.';

Management system, contracting and subcontracting records

The organisation shall ensure that the following records are retained for a minimum period of 5 years:

- Records of management system key processes referred to in point 145.A.200;
- Contracts, both for contracting and subcontracting, referred to in point 145.A.205.

Personnel records

- The organisation shall ensure that the following records are retained:
 - Records of the qualifications, training and experience of the personnel involved in maintenance, compliance monitoring and safety management;
 - Records of the qualifications, training and experience of all airworthiness review staff.

Note - The records of all airworthiness review staff shall include:

- Details of any appropriate qualifications held, together with
- A summary of their relevant continuing airworthiness experience and training, and
- A copy of the airworthiness review authorisation issued to that staff by the organisation.

The records of all the certifying staff and support staff shall include the following:

- The details of any aircraft maintenance license held under Annex III (Part-66) or equivalent;
- The scope of the certification authorisations that were issued to that staff, where relevant;

- The particulars of the staff that held limited or one-off certification authorisations referred to in point 145.A.30(j).

Note - Personnel records shall be kept for as long as a person works for the organisation additionally:

- shall be retained for at least 3 years after the person has left the organisation,
- or after an authorisation issued to that person has been withdrawn.
- Staff may access personal records and receive a copy of their personal records when leaving the organisation.

Record Keeping

The organisation shall establish a record-keeping system that allows adequate storage and reliable traceability of all its activities.

- The format of the records shall be specified in the organisation's procedures.
- The records shall be stored in a manner that ensures that they are protected from damage, alteration and theft.';

Introduction - EASA Part 145.A.70 Concerns The Structure & Format of the MOE – The following points shall be complied with:

- A statement signed by the accountable manager confirming that the maintenance organisation will at all times work in accordance with this Annex, Annex I (Part-M), and Annex Vb (Part-ML), as applicable, and with the approved MOE.

Note If the accountable manager is not the chief executive officer of the organisation, then the chief executive officer shall countersign the statement;

- The organisation's safety policy and the related safety objectives referred to in point 145.A.200(a)(2);
- The title(s) and name(s) of the person(s) nominated under points 145.A.30(b), (c) and (ca);
- The duties and responsibilities of the persons nominated under points 145.A.30(b), (c) and (ca), including the matters on which they may deal directly with the competent authority on behalf of the organisation;
- An organisation chart showing the accountability and associated lines of responsibility, established in accordance with point 145.A.200(a)(1), between all the persons referred to in points 145.A.30(a), (b), (c) and (ca);
- A list of the certifying staff and, if applicable, support staff and airworthiness review staff with their scope of authorisation;
- A general description of the manpower resources and of the system that is in place to plan the availability of staff, as required by point 145.A.30(d);

- A general description of the facilities at each approved location;
- A specification of the scope of work of the organisation that is relevant to the terms of approval as required by point 145.A.20;
- The procedure that sets out the scope of changes not requiring prior approval and that describes how such changes will be managed and notified to the competent authority, as required by point 145.A.85(c);
- The procedure for amending the MOE;
- The procedures specifying how the organisation ensures compliance with this Annex;
- A list of the commercial operators to which the organisation provides regular aircraft maintenance services, and the associated procedures;
- Where applicable, a list of the subcontracted organisations referred to in point 145.A.75(b);
- A list of the approved locations including, where applicable, line maintenance locations referred to in point 145.A.75(d);
- A list of the contracted organisations;
- A list of the currently approved alternative means of compliance used by the organisation.

The initial issue of the MOE shall be approved by the competent authority. It shall be amended as necessary so that it remains an up-to-date description of the organisation.

Amendment Process – (Previously Referred to as Indirect Approval)

- The procedure that sets out the scope of changes not requiring prior approval and that describes how such changes will be managed and notified to the competent authority, as required by point 145.A.85(c);

Concerning Changes to the Organisation – EASA Part 145.A.85

The following changes to the organisation shall require prior approval by the competent authority:

- Changes to the certificate, including the terms of approval of the organisation;
- Changes of the persons referred to in points 145.A.30(a), (b), (c) and (ca);
- Changes to the reporting lines between the personnel nominated in accordance with points 145.A.30(b), (c) and (ca), and the accountable manager;

For all other changes requiring prior, the organisation shall apply for and obtain an approval issued by the competent authority.

- The application shall be submitted before such changes take place in order to enable the competent authority to determine that there is continued compliance with this Annex and to amend, if necessary, the organisation certificate and the related terms of approval that are attached to it.
- The organisation shall provide the competent authority with any relevant documentation.
- The change shall only be implemented upon the receipt of a formal approval from the competent authority in accordance with point 145.B.330.
- The organisation shall operate under the conditions prescribed by the competent authority during such changes, as applicable.

Note – All changes not requiring prior approval shall be managed and notified to the competent authority as set out in a procedure which is approved by the competent authority in accordance with point 145.B.310(h)

145.A.50 Concerning New Text – (see italics)

(a) A certificate of release to service shall be issued by appropriately authorised certifying staff on behalf of the organisation ***when that certifying staff has verified that all the maintenance that was ordered has been properly carried out by the organisation in accordance with the procedures specified in point 145.A.70***, taking into account the availability and use of the maintenance data specified in point 145.A.45, and that there are no known non-compliances which endanger flight safety.’;

Important Note Regarding This Change

Reference the Previous Text for Comparison

- Regulation (EU) 2020/270 - A certificate of release to service shall be issued by appropriately authorised certifying staff on behalf of the organisation when it has been verified that all maintenance ordered has been properly carried out by the organisation in accordance with the procedures specified in point 145.A.70

Change identifies the Certifying Staff as the Person Responsible for the Verification.

Point C - New defects or incomplete maintenance work orders identified during the maintenance shall be brought to the attention of the person or organisation responsible for the aircraft continuing airworthiness for the specific purpose of obtaining agreement to rectify such defects or completing the missing elements of the maintenance work order.

Note – Change from the need to communicate with the Operator to now the Need to Communicate with the CAMO responsible for CAW – Better !

Point D – Concerns internal Component CRS not requiring an EASA Form 1

When an organisation maintains a component for its own use, the EASA Form 1 may not be necessary if the organization's internal release procedures in its MOE so provides.';

Point F concerns the fitment of a component without the full paperwork – the change again identifies the CAMO responsible rather than the Operator

fit a component without the appropriate release certificate for a maximum of 30 flight hours or until the aircraft first returns to the main line station or main maintenance base, whichever is the sooner, subject to the agreement of the person or organisation responsible for the aircraft's continuing airworthiness and subject to that component having a suitable release certificate but otherwise in compliance with all applicable maintenance and operational requirements. Such components shall be removed by the time limit provided for in the first sentence of this point unless an appropriate release certificate has been obtained in the meantime under points 145.A.50(a) and 145.A.42.';

Next Steps

Sofema Aviation Services www.sassofia.com & Sofema Online www.sofemaonline.com provide Classroom, Webinar & Online Regulatory Training & Consulting Related to EASA Part 145. Please see the websites or email Team@sassofia.com