

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1963**of 8 November 2021****amending Regulation (EU) No 1321/2014 as regards safety management systems in maintenance organisations and correcting that Regulation****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 17(1), point (g), Article 62(14) and (15) and Article 72(5) thereof,

Whereas:

- (1) Commission Regulation (EU) No 1321/2014 ⁽²⁾ lays down the requirements for the continuing airworthiness of aircraft, including the requirements for maintenance organisations.
- (2) In accordance with point 3.1(b) of Annex II to Regulation (EU) 2018/1139, approved maintenance organisations must, as appropriate for the type of activity undertaken and the size of the organisation, implement and maintain a management system to ensure compliance with the essential requirements set out in that Annex, manage safety risks and aim for the continuous improvement of that system.
- (3) Pursuant to Annex 19 to the Convention on International Civil Aviation, signed in Chicago on 7 December 1944 ('the Chicago Convention'), competent authorities are to require approved maintenance organisations providing services to operators of aeroplanes or helicopters engaged in international commercial air transport to implement a safety management system.
- (4) Therefore, a management system should be introduced for all maintenance organisations falling within the scope of Annex II to Regulation (EU) No 1321/2014 ('Part-145 maintenance organisations') in order to comply with the International Civil Aviation Organisation ('ICAO') International Standards and Recommended Practices established in Annex 19 to the Chicago Convention.
- (5) All Part-145 maintenance organisations are required to establish an occurrence reporting system. Therefore, the provisions of Annex II to Regulation (EU) No 1321/2014 should be amended to ensure that the occurrence reporting system is established as part of the organisations' management system and that the requirements are aligned with those of Regulation (EU) No 376/2014 of the European Parliament and of the Council ⁽³⁾.
- (6) To account for Part-145 maintenance organisations that are also approved as Part-CAMO organisations, it is appropriate to harmonise the general provisions as well as the requirements for competent authorities set out in Annex II (Part-145) of Regulation (EU) No 1321/2014 with those set out in Annex Vc (Part-CAMO) to that Regulation.

⁽¹⁾ OJ L 212, 22.8.2018, 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 (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18).

- (7) There should be a sufficient transition period to allow maintenance organisations to comply with the new rules and procedures introduced by this Regulation.
- (8) Commission Regulation (EU) No 1178/2011 ⁽⁴⁾ does not contain provisions for issuing licences to flight engineers. Therefore, points 145.A.30(j)(3) and (4) of Annex II to Regulation (EU) No 1321/2014 should be amended to delete the reference to flight engineer licences. However, existing limited authorisations for maintenance certification issued to such flight engineers on the basis of those provisions should continue to remain valid until they expire or until they are revoked. Therefore, Article 5 should be amended accordingly.
- (9) Regulation (EU) No 1321/2014 should therefore be amended.
- (10) Point M.A.403(b) of Annex I (Part-M) to Regulation (EU) No 1321/2014 and Appendix VII to Annex I (Part-M) to that Regulation contain references to various elements of point M.A.801. Since point M.A.801 has been replaced by Commission Implementing Regulation (EU) 2019/1383 ⁽⁵⁾, point M.A.403(b) and Appendix VII should be amended accordingly.
- (11) Point M.A.904 of Annex I (Part-M) to Regulation (EU) No 1321/2014 was amended by Implementing Regulation (EU) 2019/1383 to extend the import provisions to aircraft that come from a regulatory system where Regulation (EU) 2018/1139 does not apply. The same amendment should be made also in point ML.A.906 of Annex Vb (Part-ML) to Regulation (EU) No 1321/2014, to harmonise the scope of the import provisions of Annex Vb (Part-ML) with that of Annex I (Part-M). Therefore, Regulation (EU) No 1321/2014 should be amended.
- (12) Point M.A.502(c) of Annex I (Part-M) to Regulation (EU) No 1321/2014 refers to B-rated organisations. Since there are no B-rated organisations in Annex Vd (Part-CAO), point M.A.502(c) should refer to 'engine maintenance organisation'. Therefore, point M.A.502(c) of Annex I (Part-M) to Regulation (EU) No 1321/2014 should be corrected.
- (13) The measures provided for in this Regulation are based on Opinion No 4/2020 ⁽⁶⁾ of the European Union Aviation Safety Agency pursuant to Article 75(2), point (b), and Article 76(1) of Regulation (EU) 2018/1139.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 127(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) in Article 4, the following paragraph 7 is added:

'7. 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 ^(*).

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.

^(*) OJ L 400, 12.11.2021, p. 18';

⁽⁴⁾ 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).

⁽⁵⁾ Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and alleviations for general aviation aircraft concerning maintenance and continuing airworthiness management (OJ L 228, 4.9.2019, p. 1).

⁽⁶⁾ <https://www.easa.europa.eu/document-library/opinions>

(2) in Article 5, the following paragraph 7 is added:

‘7. Limited certifying staff authorisations issued to flight engineer licence holders pursuant to point 145.A.30(j)(3) or (4) of Annex II (Part-145) before 2 December 2022 shall remain valid until they expire or until they are revoked by the maintenance organisation.’;

(3) Annex I (Part-M) is amended in accordance with Annex I to this Regulation;

(4) Annex II (Part-145) is amended in accordance with Annex II to this Regulation;

(5) Annex Vb (Part-ML) is amended in accordance with Annex III to this Regulation.

Article 2

Annex I (Part-M) to Regulation (EU) No 1321/2014 is corrected in accordance with Annex IV to this Regulation.

Article 3

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

It shall apply from 2 December 2022.

However, the following provisions shall apply from 2 December 2021:

(a) Article 2;

(b) Annex I, points (2) and (4);

(c) Annex III.

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

Done at Brussels, 8 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I (Part-M) is amended as follows:

- (1) in the table of contents, the title of Appendix IV is replaced by the following:

‘Appendix IV – Class and rating system for the terms of approval of maintenance organisations referred to in Annex I (Part-M), Subpart F’;

- (2) in point M.A.403, point (b) is replaced by the following:

‘(b) Only the certifying staff referred to in point M.A.801(b)(1) or in Subpart F of this Annex or in Annex II (Part-145) or in Annex Vd (Part-CAO), or the person authorised in accordance with point M.A.801(c) of this Annex can decide, using maintenance data referred to in point M.A.401 of this Annex, 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 certifying staff.’;

- (3) Appendix IV is amended as follows:

- (a) the title is replaced by the following:

‘Appendix IV

Class and rating system for the terms of approval of maintenance organisations referred to in Annex I (Part-M), Subpart F;

- (b) points 1 and 2 are replaced by the following:

- ‘1. Except as stated otherwise for the smallest organisations referred to in point 11, the table in point 12 provides for the standard system for the approval of a maintenance organisation referred to in Annex I (Part-M), Subpart F. An organisation must be granted an approval that ranges from a single class and rating with limitations to all classes and ratings with limitations.
2. In addition to the table referred to in point 12, the approved maintenance organisation is required to indicate its scope of work in its maintenance organisation manual.’;

- (c) points 8 to 12 are replaced by the following:

- ‘8. The *limitation* section is intended to give the competent authorities the flexibility to customise the approval to any particular organisation. Ratings shall be mentioned on the approval only when appropriately limited. The table referred to in point 12 specifies the types of limitation possible. Whilst maintenance is listed last in each class rating it is acceptable to stress the maintenance task rather than the aircraft or engine type or manufacturer, if this is more appropriate to the organisation (an example could be avionics systems installations and related maintenance). Such mention in the limitation section indicates that the maintenance organisation is approved to carry out maintenance up to and including this particular type/task.
9. When reference is made to *series, type and group* in the limitation section of class A and B, series means a specific type series such as Cessna 150 or Cessna 172 or Beech 55 series or continental O-200 series etc; type means a specific type or model such as Cessna 172RG type; any number of series or types may be quoted; group means for example Cessna single piston engine aircraft or Lycoming non-supercharged piston engines, etc.
10. When a *lengthy capability list* is used which could be subject to frequent amendments, then such amendments may be performed in accordance with the indirect approval procedure referred to in points M.A.604(c) and M.B.606(c).

11. A maintenance organisation which employs only one person to both plan and carry out all maintenance can only hold a limited scope of approval rating. The maximum permissible limits are:

CLASS	RATING	LIMITATION
CLASS AIRCRAFT	RATING A2 AEROPLANES 5 700 KG AND BELOW	PISTON ENGINE 5 700 KG AND BELOW
CLASS AIRCRAFT	RATING A3 HELICOPTERS	SINGLE PISTON ENGINE 3 175 KG AND BELOW
CLASS AIRCRAFT	RATING A4 AIRCRAFT OTHER THAN A1, A2 AND A3	NO LIMITATION
CLASS ENGINES	RATING B2 PISTON	LESS THAN 450 HP
CLASS COMPONENTS OTHER THAN COMPLETE ENGINES OR APUs.	C1 TO C22	AS PER CAPABILITY LIST
CLASS SPECIALISED	D1 NDT	NDT METHOD(S) TO BE SPECIFIED.

It should be noted that such an organisation may be further limited by the competent authority in the terms of approval depending on the capability of the particular organisation.

12. Table

CLASS	RATING	LIMITATION	BASE	LINE
AIRCRAFT	A2 Aeroplanes 5 700 kg and below	[Shall state aeroplane manufacturer or group or series or type and/or the maintenance task(s)] <i>Example: DHC-6 Twin Otter Series</i> State whether the issue of airworthiness review certificates is authorised	[YES/NO] (*)	[YES/NO] (*)
	A3 Helicopters	[Shall state helicopter manufacturer or group or series or type and/or the maintenance task(s)] <i>Example: Robinson R44</i>	[YES/NO] (*)	[YES/NO] (*)
	A4 Aircraft other than A1, A2 and A3	[Shall state aircraft category (sailplane, balloon, airship, etc.), manufacturer or group or series or type and/or the maintenance task(s)] State whether the issue of airworthiness review certificates is authorised	[YES/NO] (*)	[YES/NO] (*)

ENGINES	B1 Turbine	[Shall state engine series or type and/or the maintenance task(s)] <i>Example: PT6A Series</i>
	B2 Piston	[Shall state engine manufacturer or group or series or type and/or the maintenance task(s)]
	B3 APU	[Shall state engine manufacturer or series or type and/or the maintenance task(s)]
COMPO- NENTS OTHER THAN COMPLETE ENGINES OR APUs	C1 Air Cond & Press	[Shall state aircraft type or aircraft manufacturer or component manufacturer or the particular component and/or cross refer to a capability list in the exposition and/or the maintenance task(s).] <i>Example: PT6A Fuel Control</i>
	C2 Auto Flight	
	C3 Comms and Nav	
	C4 Doors – Hatches	
	C5 Electrical Power & Lights	
	C6 Equipment	
	C7 Engine – APU	
	C8 Flight Controls	
	C9 Fuel	
	C10 Helicopter – Rotors	
	C11 Helicopter – Trans	
	C12 Hydraulic Power	
	C13 Indicating – recording system	
	C14 Landing Gear	
	C15 Oxygen	
	C16 Propellers	
	C17 Pneumatic & Vacuum	
	C18 Protection ice/rain/fire	
	C19 Windows	
	C20 Structural	
	C21 Water ballast	
	C22 Propulsion Augmentation	

SPECIALISED SERVICES	D1 Non Destructive Testing	[Shall state particular NDT method(s)]
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(*) Delete as appropriate.'

(d) point 13 is deleted;

(4) in Appendix VII, the introductory phrase is replaced by the following:

'The following constitutes the complex maintenance tasks referred to in point M.A.801(b):'.

ANNEX II

Annex II (Part-145) is amended as follows:

1. the table of contents is replaced by the following:

'CONTENTS

145.1 Competent authority

SECTION A – TECHNICAL AND ORGANISATION REQUIREMENTS

145.A.10 Scope

145.A.15 Application for an organisation certificate

145.A.20 Terms of approval and scope of work

145.A.25 Facility requirements

145.A.30 Personnel requirements

145.A.35 Certifying staff and support staff

145.A.37 Airworthiness review staff

145.A.40 Equipment and tools

145.A.42 Components

145.A.45 Maintenance data

145.A.47 Production planning

145.A.48 Performance of maintenance

145.A.50 Certification of maintenance

145.A.55 Record-keeping

145.A.60 Occurrence reporting

145.A.65 Maintenance procedures

145.A.70 Maintenance organisation exposition (MOE)

145.A.75 Privileges of the organisation

145.A.85 Changes to the organisation

145.A.90 Continued validity

145.A.95 Findings

145.A.120 Means of compliance

145.A.140 Access

145.A.155 Immediate reaction to a safety problem

145.A.200 Management system

145.A.202 Internal safety reporting scheme

145.A.205 Contracting and subcontracting

SECTION B – AUTHORITY REQUIREMENTS

145.B.005 Scope

145.B.115 Oversight documentation

145.B.120 Means of compliance

145.B.125 Information to the Agency

145.B.135 Immediate reaction to a safety problem

- 145.B.200 Management system
- 145.B.205 Allocation of tasks to qualified entities
- 145.B.210 Changes in the management system
- 145.B.220 Record-keeping
- 145.B.300 Oversight principles
- 145.B.305 Oversight programme
- 145.B.310 Initial certification procedure
- 145.B.330 Changes – organisations
- 145.B.350 Findings and corrective actions; observations
- 145.B.355 Suspension, limitation and revocation
- Appendix I – Authorised Release Certificate – EASA Form 1
- Appendix II – Class and rating system for the terms of approval of Part-145 maintenance organisations
- Appendix III – Maintenance organisation certificate – EASA Form 3-145
- Appendix IV – Conditions for the use of staff not qualified in accordance with Annex III (Part-66) referred to in points 145.A.30(j)1 and 2;

2. point 145.1 is replaced by the following:

‘145.1 Competent authority

For the purpose of this Annex, the competent authority shall be:

1. for organisations that have their principal place of business in a territory for which a Member State is responsible under the Convention on International Civil Aviation, signed in Chicago on 7 December 1944 (“the Chicago Convention”), the authority designated by that Member State, or by another Member State in accordance with Article 64 of Regulation (EU) 2018/1139, or the Agency if the responsibility has been reallocated to the Agency in accordance with Articles 64 or 65 of Regulation (EU) 2018/1139; or
 2. for organisations that have their principal place of business outside a territory for which a Member State is responsible under the Chicago Convention, the Agency.’;
3. in Section A, the title is replaced by the following:

‘SECTION A

TECHNICAL AND ORGANISATION REQUIREMENTS’;

4. point 145.A.10 is replaced by the following:

‘145.A.10 Scope

This Section establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the maintenance of aircraft and components.’;

5. point 145.A.15 is replaced by the following:

‘145.A.15 Application for an organisation certificate

- (a) An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority, taking into account the applicable requirements of Annex I (Part-M), Annex Vb (Part-ML) and this Annex.
 - (b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with:
 1. the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;
 2. documentation demonstrating how they will comply with the requirements established in this Regulation.’;
6. point 145.A.20 is replaced by the following:

‘145.A.20 Terms of approval and scope of work

- (a) The organisation’s scope of work shall be specified in the maintenance organisation exposition (MOE) in accordance with point 145.A.70.
 - (b) The organisation shall comply with the terms of approval attached to the organisation certificate issued by the competent authority, and with the scope of work specified in the MOE.’;
7. point 145.A.30 is amended as follows:
- (a) points (a), (b) and (c) are replaced by the following:

‘(a) The organisation shall appoint an accountable manager that has corporate authority to ensure that all maintenance activities of the organisation can be financed and carried out in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts. The accountable manager shall:

1. ensure that all necessary resources are available to accomplish maintenance in accordance with this Annex, Annex I (Part-M) and Annex Vb (Part-ML), as applicable, to support the organisation certificate;

2. establish and promote the safety policy specified in point 145.A.200(a)(2);
 3. demonstrate a basic understanding of this Regulation.
- (b) The accountable manager shall nominate a person or group of persons representing the management structure for the maintenance functions and with the responsibility to ensure that the organisation works in accordance with the MOE and approved procedures. It shall be made clear in the procedures who deputises for a particular person in the case of lengthy absence of that person.
- (c) The accountable manager shall nominate a person or group of persons with the responsibility to manage the compliance monitoring function as part of the management system.;
- (b) the following points (ca), (cb) and (cc) are inserted:
- ‘(ca) The accountable manager shall nominate a person or group of persons with the responsibility to manage the development, administration and maintenance of effective safety management processes as part of the management system.
- (cb) The person or group of persons nominated in accordance with points (b), (c) and (ca) shall have a responsibility to the accountable manager and direct access to him/her to keep him/her properly informed on compliance and safety matters.
- (cc) The person or persons nominated in accordance with points (b), (c) and (ca) shall be able to demonstrate relevant knowledge, background and satisfactory experience related to aircraft or component maintenance and demonstrate a working knowledge of this Regulation.;
- (c) points (d) and (e) are replaced by the following:
- ‘(d) The organisation shall have a maintenance man-hour plan to ensure it has sufficient and appropriately qualified staff to plan, perform, supervise, inspect and monitor the organisation’s activities in accordance with the terms of approval. In addition, the organisation shall have a procedure to reassess the work intended to be carried out when the actual staff availability is reduced compared to the planned staffing level for a particular work shift or period.
- (e) The organisation shall establish and control the competency of the personnel involved in any maintenance, airworthiness reviews, safety management and compliance monitoring in accordance with a procedure and to a standard agreed with the competent authority. In addition to the necessary expertise related to the job function, the competency of the personnel must include an understanding of the application of safety management principles, including human factors and human performance issues, which is appropriate to their function and responsibilities in the organisation.;
- (d) point (j) is amended as follows:
- (a) The introductory phrase is replaced by the following:
- ‘(j) By way of derogation from points (g) and (h), in relation to the obligation to comply with Annex III (Part-66), the organisation may use certifying staff and support staff that are qualified in accordance with the following provisions:;
- (b) points (1) to (4) are replaced by the following:
- ‘1. For base maintenance carried out at a location outside a territory for which a Member State is responsible under the Chicago Convention, the certifying staff and support staff may be qualified in accordance with the national aviation regulations of the State in which the base maintenance facility is located, subject to the conditions specified in Appendix IV to this Annex.
 2. For line maintenance carried out at a line station located outside a territory for which a Member State is responsible under the Chicago Convention, the certifying staff may be qualified, subject to the conditions specified in Appendix IV to this Annex, in accordance with the following alternative conditions:
 - national aviation regulations of the State in which the line station is located,
 - national aviation regulations of the State in which the organisation’s principal place of business is located.

3. For a repetitive pre-flight airworthiness directive which specifically states that the flight crew may carry out such airworthiness directive, the organisation may issue a limited certification authorisation to the pilot on the basis of the flight crew licence held. In that case, the organisation shall ensure that the pilot has carried out sufficient practical training ensuring that the pilot can accomplish the airworthiness directive.
4. If an aircraft is operated away from a supported location, the organisation may issue a limited certification authorisation to the pilot on the basis of the flight crew licence held, subject to being satisfied that the pilot has carried out sufficient practical training ensuring that the pilot can accomplish the specified task.;

(e) point (k) is replaced by the following:

- ‘(k) If the organisation performs airworthiness reviews and issues the corresponding airworthiness review certificate in accordance with point ML.A.903 of Annex Vb (Part-ML), it shall have airworthiness review staff that are qualified and authorised in accordance with point 145.A.37.’;

8. point 145.A.35 is amended as follows:

(a) points (d), (e) and (f) are replaced by the following:

- ‘(d) The organisation shall ensure that all certifying staff and support staff receive sufficient recurrent training in each 2-year period to ensure that they have up-to-date knowledge of relevant technologies, organisation procedures and safety management, including human factor issues.
- (e) The organisation shall establish a programme for recurrent training for certifying staff and support staff, including a procedure to ensure compliance with the relevant provisions of this point and a procedure to ensure compliance with Annex III (Part-66).
- (f) With the exception of the unforeseen cases specified in point 145.A.30(j)(5), the organisation shall assess all certifying staff for their competency, qualifications and capability to carry out their intended certifying duties in accordance with a procedure in the MOE prior to the issue or reissue of a certification authorisation under this Annex to such staff.’;

(b) points (i) to (n) are replaced by the following:

- ‘(i) The person or persons referred to in point 145.A.30(c) that are responsible for the compliance monitoring function shall also remain responsible for issuing certification authorisations to certifying staff. That personnel may nominate other persons to effectively issue or revoke certification authorisations in accordance with a procedure in the MOE.
- (j) The organisation shall provide certifying staff with a copy of their certification authorisation in either a documented or electronic format.
- (k) Certifying staff shall produce their certification authorisation to any authorised person within 24 hours.
- (l) The minimum age for certifying staff and support staff is 21 years.
- (m) The holder of a category A aircraft maintenance licence may only exercise certification privileges on a specific aircraft type following the satisfactory completion of the relevant category A aircraft task training carried out by an organisation appropriately approved in accordance with Annex II (Part-145) or Annex IV (Part-147). This training shall include practical hands on training and theoretical training as appropriate for each task authorised. Satisfactory completion of training shall be demonstrated by an examination or by workplace assessment carried out by the organisation.

- (n) The holder of a category B2 aircraft maintenance licence may only exercise the certification privileges described in point 66.A.20(a)(3)(ii) of Annex III (Part-66) following the satisfactory completion of:
 - (i) the relevant category A aircraft task training; and
 - (ii) 6 months of documented practical experience covering the scope of the authorisation that will be issued.

The task training shall include practical hands on training and theoretical training as appropriate for each task authorised. Satisfactory completion of training shall be demonstrated by an examination or by workplace assessment. Task training and examination/assessment shall be carried out by the maintenance organisation issuing the certifying staff authorisation. The practical experience shall be also obtained within such maintenance organisation.;

- (c) point (o) is deleted;
9. point 145.A.36 is deleted;
10. the following point 145.A.37 is inserted:

‘145.A.37 Airworthiness review staff

- (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:
 - (1) 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;
 - (2) they hold a certifying staff authorisation for the corresponding aircraft;
 - (3) they have acquired knowledge of Annex I (Part-M), Subpart C, or of Annex Vb (Part-ML), Subpart C;
 - (4) 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.;
11. point 145.A.45 is amended as follows:
- (a) point (a) is replaced by the following:
 - ‘(a) The organisation shall hold and use applicable current maintenance data which is necessary in the performance of maintenance, including modifications and repairs. “Applicable” means relevant to any aircraft, component or process specified in the organisation’s terms of approval and in any associated capability list.
- In the case of maintenance data provided by the person or organisation requesting the maintenance, the organisation shall hold such data when the work is in progress, with the exception of the need to comply with point 145.A.55(a)(3).;
- (b) points (c), (d) and (e) are replaced by the following:
 - ‘(c) The organisation shall establish procedures to ensure that if inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction is found in the maintenance data used by maintenance personnel, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202 and notified to the author of the maintenance data.

- (d) The organisation may only modify maintenance instructions in accordance with a procedure that is specified in the MOE. With respect to changes to maintenance instructions, the organisation shall demonstrate that they result in equivalent or improved maintenance standards, and shall inform the author of the maintenance instructions of such changes. For the purposes of this point, “maintenance instructions” mean instructions on how to carry out a particular maintenance task; they exclude the engineering design of repairs and modifications.
- (e) The organisation shall provide a common work card or worksheet system to be used throughout the relevant parts of the organisation. In addition, the organisation shall either accurately transcribe the maintenance data referred to in points (b) and (d) onto such work cards or worksheets, or make precise reference to the particular maintenance task or tasks contained in that maintenance data. Work cards and worksheets may be computer generated and held in an electronic database that is adequately protected against unauthorised alteration, and for which there is a backup electronic database which shall be updated within 24 hours after an entry is made to the main electronic database. Complex or long maintenance tasks shall be transcribed onto the work cards or worksheets and subdivided into clear stages to ensure that there is a record of the accomplishment of the complete maintenance task.

When the organisation provides maintenance services to an aircraft operator which requires its own work card or worksheet system to be used, then such work card or worksheet system may be used. In that case, the organisation shall establish a procedure to ensure that those work cards or worksheets are correctly completed.’;

12. point 145.A.47 is amended as follows:

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

‘(b) As part of the management system, the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the threat of fatigue for maintenance personnel.’;

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

‘(d) The organisation shall ensure that aviation safety hazards associated with external working teams carrying out maintenance at the organisation’s facilities are considered by the organisation’s management system.’;

13. point 145.A.48 is replaced by the following:

‘145.A.48 Performance of maintenance

- (a) The organisation may only carry out maintenance on an aircraft or component for which it is approved when all the necessary facilities, equipment, tooling, material, maintenance data and personnel are available.
- (b) The organisation shall be responsible for the maintenance that is performed within the scope of its approval.
- (c) The organisation shall ensure that:
 - (1) after the completion of the 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 that were removed have been refitted;
 - (2) an error-capturing method is implemented after the performance of any critical maintenance task;
 - (3) the risk of errors during maintenance and the risk of errors being repeated in identical maintenance tasks are minimised;
 - (4) damage is assessed, and modifications and repairs are carried out using the data specified in point M.A.304 of Annex I (Part-M) or point ML.A.304 of Annex Vb (Part-ML), as applicable;
 - (5) the assessment of aircraft defects is carried out in accordance with point M.A.403(b) of Annex I (Part-M) or ML.A.403(b) of Annex Vb (Part-ML), as applicable.’;

14. point 145.A.50 is amended as follows:

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

‘(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.’;

(b) points (c) and (d) are replaced by the following:

‘(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. In the case where that person or organisation declines to have such maintenance carried out under this point, point (e) is applicable.

(d) A certificate of release to service shall be issued by appropriately authorised certifying staff on behalf of the organisation after the maintenance that was ordered has been carried out on a component whilst it was off the aircraft. The authorised release certificate “EASA Form 1” referred to in Appendix II of Annex I (Part-M) constitutes the component certificate of release to service except if otherwise specified in point M.A.502 of Annex I (Part-M) or ML.A.502 of Annex Vb (Part-ML), as applicable. When an organisation maintains a component for its own use, the EASA Form 1 may not be necessary if the organisation’s internal release procedures in its MOE so provides.’;

(c) point (f) is replaced by the following:

‘(f) By way of derogation from point 145.A.50(a) and point 145.A.42, when an aircraft is grounded at a location other than the main line station or main maintenance base due to the non-availability of a component with the appropriate release certificate, the organisation contracted for the maintenance of that aircraft may temporarily 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.’;

15. point 145.A.55 is replaced by the following:

‘145.A.55 **Record-keeping**

(a) Maintenance records

(1) The organisation shall record the details of the maintenance work that is carried out within the scope of its approval. As a minimum, the organisation shall retain all the records that are necessary to prove that all the requirements have been met for the issue of the certificate of release to service, including, if any, subcontractor’s release documents.

(2) The organisation shall provide a copy of each certificate of release to service to the operator or customer, together with copies of the detailed maintenance records that are associated with the work carried out and that are necessary to demonstrate compliance with point M.A.305 of Annex I (Part-M) or ML.A.305 of Annex Vb (Part-ML), as applicable.

(3) The organisation shall retain a copy of all detailed maintenance records (including certificates of release to service) and of any associated maintenance data for 3 years from the date when the aircraft or component to which the work relates was issued with a certificate of release to service.

- (4) If an organisation terminates its operation, it shall transfer all the retained maintenance records that cover the last 3 years to the last customer or owner of the respective aircraft or component, or shall store them in the manner specified by the competent authority.

(b) Airworthiness review records

- (1) If an organisation has the privilege referred to in point 145.A.75(f), it shall retain a copy of each airworthiness review certificate that it has issued, together with all the supporting documents, and shall make those records available, upon request, to the owner of the aircraft.
- (2) The organisation shall retain a copy of all the records referred to in point (1) for 3 years after the issue of the airworthiness review certificate.
- (3) If an organisation terminates its operation, it shall transfer all the retained airworthiness review records that cover the last 3 years to the last owner or operator of the respective aircraft, or shall store them in the manner specified by the competent authority.

(c) Management system, contracting and subcontracting records

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

- (i) records of management system key processes referred to in point 145.A.200;
- (ii) contracts, both for contracting and subcontracting, referred to in point 145.A.205.

(d) Personnel records

- (1) The organisation shall ensure that the following records are retained:

- (i) records of the qualifications, training and experience of the personnel involved in maintenance, compliance monitoring and safety management;
- (ii) records of the qualifications, training and experience of all airworthiness review staff.

- (2) 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.

- (3) The records of all the certifying staff and support staff shall include the following:

- (i) the details of any aircraft maintenance licence held under Annex III (Part-66) or equivalent;
- (ii) the scope of the certification authorisations that were issued to that staff, where relevant;
- (iii) the particulars of the staff that held limited or one-off certification authorisations referred to in point 145.A.30(j).

- (4) Personnel records shall be kept for as long as a person works for the organisation, and 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.

- (5) The organisation shall give to the staff referred to in points (2) and (3), upon their request, access to their personnel records as detailed in those points. In addition, upon their request, the maintenance organisation shall furnish each of them with a copy of their personnel records on leaving the organisation.

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

- (f) The format of the records shall be specified in the organisation's procedures.

- (g) The records shall be stored in a manner that ensures that they are protected from damage, alteration and theft.;

16 point 145.A.60 is replaced by the following:

‘145.A.60 Occurrence reporting

- (a) As part of its management system, the organisation shall establish and maintain an occurrence-reporting system, including mandatory and voluntary reporting. For organisations that have their principal place of business in a Member State, a single system may be established to meet the requirements of Regulation (EU) No 376/2014 and its implementing acts and of Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (b) The organisation shall report to its competent authority and to the design approval holder of the aircraft or component any safety-related event or condition of an aircraft or component identified by the organisation which endangers or, if not corrected or addressed, could endanger an aircraft, its occupants or any other person, and in particular any accident or serious incident.
- (c) The organisation shall also report any such event or condition that affects an aircraft to the person or organisation that is responsible for the continuing airworthiness of that aircraft in accordance with point M.A.201 of Annex I (Part-M) or point M.L.A.201 Annex Vb (Part-ML), as applicable. For events or conditions that affect aircraft components, the organisation shall report to the person or organisation that requested the maintenance.
- (d) For organisations that do not have their principal place of business in a Member State:
 - (1) the initial mandatory reports shall:
 - (i) appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in the report;
 - (ii) be made as soon as practicable, but in any case within 72 hours after the organisation has become aware of the occurrence unless exceptional circumstances prevent this;
 - (iii) be made in a form and manner established by the competent authority;
 - (iv) contain all pertinent information about the condition known to the organisation;
 - (2) where relevant, a follow-up report that provides details of the actions the organisation intends to take to prevent similar occurrences in the future shall be made as soon as those actions have been identified; those follow-up reports shall:
 - (i) be sent to the entities referred to in points (b) and (c) to which the initial report was sent;
 - (ii) be made in a form and manner established by the competent authority;’;

17. point 145.A.65 is replaced by the following:

‘145.A.65 Maintenance procedures

- (a) The organisation shall establish procedures which ensure that human factors and good maintenance practices are taken into account during maintenance, including subcontracted activities, and which comply with the applicable requirements of this Annex, Annex I (Part-M) and Annex Vb (Part-ML). Such procedures shall be agreed with the competent authority.
- (b) The maintenance procedures established under this point shall:
 - (1) ensure that a clear maintenance work order or contract has been agreed between the organisation and the person or organisation that requests the maintenance, to clearly establish the maintenance to be carried out so that the aircraft and components may be released to service in accordance with point 145.A.50;
 - (2) cover all the aspects of carrying out the maintenance, including the provision and control of specialised services, and lay down the standards according to which the organisation intends to work;’;

18 point 145.A.70 is replaced by the following:

‘145.A.70 Maintenance organisation exposition (MOE)

- (a) The organisation shall establish and maintain a maintenance organisation exposition (MOE) that includes, directly or by reference, all of the following:
- (1) 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. If the accountable manager is not the chief executive officer of the organisation, then the chief executive officer shall countersign the statement;
 - (2) the organisation's safety policy and the related safety objectives referred to in point 145.A.200(a)(2);
 - (3) the title(s) and name(s) of the person(s) nominated under points 145.A.30(b), (c) and (ca);
 - (4) 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;
 - (5) 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);
 - (6) a list of the certifying staff and, if applicable, support staff and airworthiness review staff with their scope of authorisation;
 - (7) 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);
 - (8) a general description of the facilities at each approved location;
 - (9) 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;
 - (10) 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);
 - (11) the procedure for amending the MOE;
 - (12) the procedures specifying how the organisation ensures compliance with this Annex;
 - (13) a list of the commercial operators to which the organisation provides regular aircraft maintenance services, and the associated procedures;
 - (14) where applicable, a list of the subcontracted organisations referred to in point 145.A.75(b);
 - (15) a list of the approved locations including, where applicable, line maintenance locations referred to in point 145.A.75(d);
 - (16) a list of the contracted organisations;
 - (17) a list of the currently approved alternative means of compliance used by the organisation.
- (b) 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.
- (c) Amendments to the MOE shall be managed as set out in the procedures referred to in points (a)(10) and (a)(11). Any amendments that are not included in the scope of the procedure referred to in point (a)(10), as well as any amendments related to the changes listed in point 145.A.85(a), shall be approved by the competent authority.’;

19 point 145.A.75 is amended as follows:

- (a) the introductory phrase is replaced by the following:

‘In accordance with the MOE, the organisation shall be entitled to carry out the following tasks: ’;

(b) points (a) and (b) are replaced by the following:

- ‘(a) maintain any aircraft or component for which it is approved at the locations identified in the certificate and in the MOE;
- (b) arrange for the maintenance of any aircraft or component for which it is approved at another subcontracted organisation that works under the management system of the organisation. This is limited to the work permitted under the procedures established in accordance with point 145.A.65 and it shall not include a base maintenance check of an aircraft, or a complete workshop maintenance check or overhaul of an engine or an engine module;’;

(c) point (f) is replaced by the following:

- ‘(f) if specifically approved to do so for aircraft covered by Annex Vb (Part-ML) and if it has its principal place of business in one of the Member States, the organisation may perform airworthiness reviews and issue the corresponding airworthiness review certificates under the conditions specified in point ML.A.903 of Annex Vb (Part-ML).’;

20. point 145.A.80 is deleted;

21. point 145.A.85 is replaced by the following:

‘145.A.85 Changes to the organisation

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

- (1) changes to the certificate, including the terms of approval of the organisation;
- (2) changes of the persons referred to in points 145.A.30(a), (b), (c) and (ca);
- (3) changes to the reporting lines between the personnel nominated in accordance with points 145.A.30(b), (c) and (ca), and the accountable manager;
- (4) the procedure as regards changes not requiring prior approval referred to in point (c);
- (5) additional locations of the organisation other than those that are subject to point 145.A.75(c).

(b) For the changes referred to in point (a) and for all other changes requiring prior approval in accordance with this Annex, 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.

(c) 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).’;

22. point 145.A.90 is replaced by the following:

‘145.A.90 Continued validity

(a) The organisation’s certificate shall remain valid, subject to compliance with all of the following conditions:

- (1) the organisation remaining in compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions of point 145.B.350 of this Annex related to the handling of findings;

- (2) the competent authority being granted access to the organisation as specified in point 145.A.140;
- (3) the certificate not being surrendered by the organisation, or suspended or revoked by the competent authority under point 145.B.355.
- (b) Upon surrender or revocation, the certificate shall be returned to the competent authority without delay.;

23 point 145.A.95 is replaced by the following:

‘145.A.95 Findings and observations

- (a) After the receipt of a notification of findings in accordance with point 145.B.350, the organisation shall:
 - (1) identify the root cause(s) of, and contributing factor(s) to, the non-compliance;
 - (2) define a corrective action plan;
 - (3) demonstrate the implementation of corrective action to the satisfaction of the competent authority.
- (b) The actions referred to in point (a) shall be performed within the period agreed with that competent authority in accordance with point 145.B.350.
- (c) The observations received in accordance with point 145.B.350(f) shall be given due consideration by the organisation. The organisation shall record the decisions taken in respect of those observations.;

24 the following point 145.A.120 is added:

‘145.A.120 Means of compliance

- (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.;

25 the following point 145.A.140 is added:

‘145.A.140 Access

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).;

26 the following point 145.A.155 is added:

‘145.A.155 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.;

27 the following point 145.A.200 is added:

‘145.A.200 Management system

- (a) The organisation shall establish, implement and maintain a management system that includes:
 - (1) clearly defined accountability and lines of responsibility throughout the organisation, including a direct safety accountability of the accountable manager;
 - (2) a description of the overall philosophies and principles of the organisation with regard to safety (“the safety policy”), and the related safety objectives;
 - (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;
 - (4) maintaining personnel trained and competent to perform their tasks;
 - (5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending that documentation;
 - (6) 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.’;

28 the following point 145.A.202 is added:

‘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:
 - (1) 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);
 - (2) 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.’;

29 the following point 145.A.205 is added:

‘145.A.205 Contracting and subcontracting

- (a) The organisation shall ensure that when contracting or subcontracting any part of its maintenance activities:
 - (1) the maintenance conforms to the applicable requirements;
 - (2) any aviation safety hazard associated with such contracting or subcontracting is considered as part of the organisation’s management system.
- (b) 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.’;

30 Section B is replaced by the following:

‘SECTION B

AUTHORITY REQUIREMENTS

145.B.005 Scope

This section establishes the conditions for conducting the certification, oversight and enforcement tasks as well as the administrative and management system requirements to be followed by the competent authority that is responsible for the implementation and enforcement of Section A.

145.B.115 Oversight documentation

The competent authority shall provide all the legislative acts, standards, rules, technical publications, and related documents to the relevant personnel in order to allow them to perform their tasks and to discharge their responsibilities.

145.B.120 Means of compliance

- (a) The Agency shall develop acceptable means of compliance (“AMC”) that may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (b) Alternative means of compliance may be used to establish compliance with this Regulation.
- (c) Competent authorities shall inform the Agency of any alternative means of compliance used by organisations under their oversight or by themselves for establishing compliance with this Regulation.

145.B.125 Information to the Agency

- (a) The competent authority of the Member State shall notify the Agency in case of any significant problems with the implementation of Regulation (EU) 2018/1139 and its delegated and implementing acts within 30 days from the time the authority became aware of the problems.
- (b) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, the competent authority shall provide the Agency as soon as possible with any safety-significant information stemming from the occurrence reports stored in the national database pursuant to Article 6(6) of Regulation (EU) No 376/2014.

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.
- (c) Upon receiving the information referred to in points (a) and (b), the competent authority shall take adequate measures to address the safety problem.
- (d) The competent authority shall immediately notify measures taken under point (c) to all persons or organisations which need to comply with them under Regulation (EU) 2018/1139 and its delegated and implementing acts. The competent authority shall also notify those measures to the Agency and, when combined action is required, to the other Member States concerned.

145.B.200 Management system

- (a) The competent authority shall establish and maintain a management system, including as a minimum:
- (1) documented policies and procedures to describe its organisation, the means and methods for establishing compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts. The procedures shall be kept up to date, and serve as the basic working documents within that competent authority for all its related tasks;
 - (2) a sufficient number of personnel to perform its tasks and discharge its responsibilities. A system shall be in place to plan the availability of personnel in order to ensure the proper completion of all tasks;
 - (3) personnel that are qualified to perform their allocated tasks and that have the necessary knowledge and experience and receive initial and recurrent training to ensure continuing competency;
 - (4) adequate facilities and office accommodation for personnel to perform their allocated tasks;
 - (5) a function to monitor the compliance of the management system with the relevant requirements, and the adequacy of the procedures, including the establishment of an internal audit process and a safety risk management process. Compliance monitoring shall include a feedback system of audit findings to the senior management of the competent authority to ensure the implementation of corrective actions as necessary;
 - (6) a person or group of persons having a responsibility to the senior management of the competent authority for the compliance monitoring function.
- (b) The competent authority shall, for each field of activity, including the management system, appoint one or more persons with the overall responsibility for the management of the relevant task(s).
- (c) The competent authority shall establish procedures for the participation in a mutual exchange of all necessary information and assistance with any other competent authorities concerned, whether from the same Member State or from other Member States, including on:
- (1) all findings raised and any follow-up actions taken as a result of the oversight of persons and organisations that carry out activities in the territory of a Member State, but certified by the competent authority of another Member State or by the Agency;
 - (2) information stemming from mandatory and voluntary occurrence reporting as required by 145.A.60.
- (d) A copy of the procedures related to the management system and their amendments shall be made available to the Agency for the purpose of standardisation.

145.B.205 Allocation of tasks to qualified entities

- (a) The competent authority may allocate tasks related to the initial certification or to the continuing oversight of organisations subject to Regulation (EU) 2018/1139 and its delegated and implementing acts, to qualified entities. When allocating tasks, the competent authority shall ensure that it has:
- (1) put a system in place to initially and continuously assess whether the qualified entity complies with Annex VI to Regulation (EU) 2018/1139. That system and the results of the assessments shall be documented;
 - (2) established a written agreement with the qualified entity, approved by both parties at the appropriate management level, which stipulates:
 - (i) the tasks to be performed;
 - (ii) the declarations, reports and records to be provided;
 - (iii) the technical conditions to be met when performing such tasks;
 - (iv) the related liability coverage;
 - (v) the protection given to the information acquired when carrying out such tasks.

- (b) The competent authority shall ensure that the internal audit process and safety risk management process established pursuant to point 145.B.200(a)(5) cover all the certification and continuing oversight tasks performed by the qualified entity on its behalf.

145.B.210 **Changes in the management system**

- (a) The competent authority shall have a system in place to identify the changes that affect its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139 and its delegated and implementing acts. That system shall enable the competent authority to take action necessary to ensure that its management system remains adequate and effective.
- (b) The competent authority shall update in a timely manner its management system to reflect any changes to Regulation (EU) 2018/1139 and its delegated and implementing acts so as to ensure its effective implementation.
- (c) The competent authority shall notify the Agency of any changes affecting its capability to perform its tasks and discharge its responsibilities as provided for in Regulation (EU) 2018/1139 and its delegated and implementing acts.

145.B.220 **Record-keeping**

- (a) The competent authority shall establish a record-keeping system that allows the adequate storage, accessibility and reliable traceability of:
 - (1) the management system's documented policies and procedures;
 - (2) the training, qualifications and authorisations of its personnel;
 - (3) the allocation of tasks, covering the elements required by point 145.B.205, as well as the details of tasks allocated;
 - (4) certification processes and continuing oversight of certified organisations, including:
 - (i) the application for an organisation certificate;
 - (ii) the competent authority's continuing oversight programme, including all the assessments, audits and inspection records;
 - (iii) the organisation certificate, including any changes to it;
 - (iv) a copy of the oversight programme, listing the dates when audits are due and when audits were carried out;
 - (v) copies of all formal correspondence;
 - (vi) recommendations for the issue or continuation of a certificate, details of findings and actions taken by the organisations to close those findings, including the date of closure, enforcement actions and observations;
 - (vii) any assessment, audit and inspection report issued by another competent authority pursuant to point 145.B.300(d);
 - (viii) copies of all the organisation MOEs or manuals, and of any amendments to them;
 - (ix) copies of any other documents approved by the competent authority;
 - (5) documents supporting the use of alternative means of compliance;
 - (6) safety information provided in accordance with point 145.B.125 and follow-up measures;
 - (7) the use of safeguard and flexibility provisions in accordance with Article 70, Article 71(1) and Article 76(4) of Regulation (EU) 2018/1139.
- (b) The competent authority shall maintain a list of all the organisation certificates it has issued.
- (c) All the records referred to in points (a) and (b) shall be kept for a minimum period of 5 years, subject to applicable data protection law.
- (d) All the records referred to in points (a) and (b) shall be made available, upon request, to a competent authority of another Member State or to the Agency.

145.B.300 Oversight principles

- (a) The competent authority shall verify:
- (1) compliance with the requirements that are applicable to organisations, prior to issuing an organisation certificate;
 - (2) continued compliance with the applicable requirements of the organisations it has certified;
 - (3) the implementation of appropriate safety measures mandated by the competent authority in accordance with points 145.B.135(c) and (d).
- (b) This verification shall:
- (1) be supported by documentation specifically intended to provide personnel responsible for oversight with guidance to perform their functions;
 - (2) provide the organisations concerned with the results of oversight activities;
 - (3) be based on assessments, audits and inspections and, if needed, unannounced inspections;
 - (4) provide the competent authority with the evidence needed in case further action is required, including the measures provided for in point 145.B.350.
- (c) The competent authority shall establish the scope of the oversight set out in points (a) and (b) taking into account the results of past oversight activities and the safety priorities.
- (d) If the facilities of an organisation are located in more than one State, the competent authority, as defined in point 145.1, may agree to have the oversight tasks performed by the competent authority(ies) of the Member State(s) where the facilities are located, or by the Agency for facilities that are located outside a territory for which Member States are responsible under the Chicago Convention. Any organisation that is subject to such an agreement shall be informed of its existence and of its scope.
- (e) For any oversight activities that are performed at facilities located in a Member State other than where the organisation has its principal place of business, the competent authority, as defined in point 145.1, shall inform the competent authority of that Member State before performing any on-site audit or inspection of the facilities.
- (f) The competent authority shall collect and process any information deemed necessary for performing oversight activities.

145.B.305 Oversight programme

- (a) The competent authority shall establish and maintain an oversight programme covering the oversight activities required by point 145.B.300.
- (b) The oversight programme shall take into account the specific nature of the organisation, the complexity of its activities, the results of past certification or oversight activities, or both, and it shall be based on the assessment of the associated risks. It shall include, within each oversight planning cycle:
- (1) assessments, audits and inspections, including, as appropriate:
 - (i) management system assessments and process audits;
 - (ii) product audits of a relevant sample of the maintenance carried out by the organisation;
 - (iii) sampling of the airworthiness reviews performed;
 - (iv) unannounced inspections;
 - (2) meetings convened between the accountable manager and the competent authority to ensure that both parties remain informed of all significant issues.
- (c) The oversight planning cycle shall not exceed 24 months.
- (d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months:
- (1) the organisation has demonstrated that it can effectively identify aviation safety hazards and manage the associated risks;

- (2) the organisation has continuously demonstrated compliance with point 145.A.85 and it has full control over all changes;
- (3) no level 1 findings have been issued;
- (4) all corrective actions have been implemented within the time period that was accepted or extended by the competent authority as provided for in point 145.B.350.

Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (d)(1) to (4), the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself.

- (e) The oversight planning cycle may be shortened if there is evidence that the safety performance of the organisation has decreased.
- (f) The oversight programme shall include records of the dates when assessments, audits, inspections and meetings are due, and when assessments, audits, inspections and meetings have been effectively carried out.
- (g) At the completion of each oversight planning cycle, the competent authority shall issue a recommendation report on the continuation of the approval, reflecting the results of the oversight.

145.B.310 **Initial certification procedure**

- (a) Upon receiving an application from an organisation for the initial issue of a certificate, the competent authority shall verify the organisation's compliance with the applicable requirements.
- (b) A meeting with the accountable manager of the organisation shall be convened at least once during the investigation for initial certification to ensure that that person understands his or her role and accountability.
- (c) The competent authority shall record all the findings issued, closure actions as well as the recommendations for the issue of the certificate.
- (d) The competent authority shall confirm to the organisation in writing all the findings raised during the verification. For initial certification, all findings must be corrected to the satisfaction of the competent authority before the certificate can be issued.
- (e) When satisfied that the organisation complies with the applicable requirements, the competent authority shall:
 - (1) issue the certificate as established in Appendix III "EASA Form 3-145" in accordance with the class and rating system provided for in Appendix II;
 - (2) formally approve the MOE.
- (f) The certificate reference number shall be included on the EASA Form 3-145 certificate in a manner specified by the Agency.
- (g) The certificate shall be issued for an unlimited duration. The privileges and the scope of the activities that the organisation is approved to conduct, including any limitations as applicable, shall be specified in the terms of approval attached to the certificate.
- (h) To enable the organisation to implement changes without prior competent authority approval in accordance with point 145.A.85(c), the competent authority shall approve the relevant MOE procedure that sets out the scope of such changes and describes how such changes will be managed and notified to the competent authority.

145.B.330 **Changes – organisations**

- (a) Upon receiving an application for a change that requires prior approval, the competent authority shall verify the organisation's compliance with the applicable requirements before issuing the approval.
- (b) The competent authority shall establish the conditions under which the organisation may operate during the change unless the competent authority determines that the organisation's certificate needs to be suspended.

- (c) When it is satisfied that the organisation complies with the applicable requirements, the competent authority shall approve the change.
- (d) Without prejudice to any additional enforcement measures, if the organisation implements changes requiring prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall consider the need to suspend, limit or revoke the organisation's certificate.
- (e) For changes not requiring prior approval, the competent authority shall include the review of such changes in its continuing oversight in accordance with the principles set forth in point 145.B.300. If any non-compliance is found, the competent authority shall notify the organisation, request further changes, and act in accordance with point 145.B.350.

145.B.350 Findings and corrective actions; observations

- (a) The competent authority shall have a system in place to analyse findings for their safety significance.
- (b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the organisation's certificate including the terms of approval, which lowers safety or seriously endangers flight safety.

Level 1 findings shall also include:

- (1) any failure to grant the competent authority access to the organisation's facilities referred to in point 145.A.140 during normal operating hours and after two written requests;
 - (2) obtaining the organisation certificate or maintaining its validity by falsification of the submitted documentary evidence;
 - (3) any evidence of malpractice or fraudulent use of the organisation certificate;
 - (4) the lack of an accountable manager.
- (c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the organisation's certificate including the terms of approval, which is not classified as a level 1 finding.
 - (d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EU) 2018/1139 and its delegated and implementing acts, communicate in writing the finding to the organisation and request corrective action to address the non-compliance identified. If a level 1 finding directly relates to an aircraft, the competent authority shall inform the competent authority of the Member State in which the aircraft is registered.
 - (1) If there are any level 1 findings, the competent authority shall take immediate and appropriate action to prohibit or limit the activities of the organisation involved and, if appropriate, it shall take action to revoke the certificate or to limit or suspend it in whole or in part, depending on the extent of the level 1 finding, until successful corrective action has been taken by the organisation.
 - (2) If there are any level 2 findings, the competent authority shall:
 - (i) grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, and that in any case shall initially not be more than 3 months. The period shall commence from the date of the written communication of the finding to the organisation requesting corrective action to address the non-compliance identified. At the end of that period, and subject to the nature of the finding, the competent authority may extend the 3-month period provided that a corrective action plan has been agreed with the competent authority;
 - (ii) assess the corrective action plan and implementation plan proposed by the organisation, and if the assessment concludes that they are sufficient to address the non-compliance, accept them.
 - (3) If the organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to level 1 and action shall be taken as laid down in point (d)(1).

- (4) The competent authority shall record all the findings that it has raised or that have been communicated to it in accordance with point (e) and, where applicable, the enforcement measures it has applied, as well as all corrective actions and the dates of the action closures for all the findings.
- (e) Without prejudice to any additional enforcement measures, when an authority performing the oversight tasks pursuant to point 145.B.300(d) identifies any non-compliance with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts by an organisation certified by the competent authority of another Member State or the Agency, it shall inform that competent authority and provide an indication of the level of the finding.
- (f) The competent authority may issue observations for any of the following cases not requiring level 1 or level 2 findings:
- (1) for any item whose performance has been assessed to be ineffective;
 - (2) when it has been identified that an item has the potential to cause a non-compliance under points (b) or (c);
 - (3) when suggestions or improvements are of interest for the overall safety performance of the organisation.

The observations issued under this point shall be communicated in writing to the organisation and recorded by the competent authority.

145.B.355 **Suspension, limitation and revocation**

The competent authority shall:

- (a) suspend a certificate when it considers that there are reasonable grounds that such action is necessary to prevent a credible threat to aircraft safety;
- (b) suspend, revoke or limit a certificate if such action is required pursuant to point 145.B.350;
- (c) suspend or limit in whole or in part a certificate if unforeseeable circumstances outside the control of the competent authority prevent its inspectors from discharging their oversight responsibilities over the oversight planning cycle.;

31. Appendix II is replaced by the following:

‘Appendix II

Class and rating system for the terms of approval of Part-145 maintenance organisations

- (a) Except as stated otherwise for the smallest organisations referred to in point (m), the table referred to in point (l) provides the possible classes and ratings to be used to establish the terms of approval of the certificate of the organisation approved in accordance with Annex II (Part-145) . An organisation must be granted terms of approval that range from a single class and rating with limitations to all classes and ratings with limitations.
- (b) In addition to the table in point (l), each maintenance organisation is required to indicate its scope of work in its MOE.
- (c) Within the approval class(es) and rating(s) established by the competent authority, the scope of work specified in the MOE defines the exact limits of its approval. It is therefore essential that the approval class(es) and rating(s) and the organisation’s scope of work match.
- (d) A *category A class rating* means that the maintenance organisation may carry out maintenance on aircraft and components (including engines and/or auxiliary power units (APUs)), in accordance with the aircraft maintenance data or, if agreed by the competent authority, in accordance with the component maintenance data, only while such components are fitted to the aircraft. Nevertheless, such an A-rated maintenance organisation may temporarily remove a component for maintenance in order to improve access to that component, except when its removal generates the need for additional maintenance that the organisation is not approved to perform. Such removal of component for maintenance by A-rated maintenance organisation shall be subject to an appropriate control procedure in the MOE.

The limitation column must specify the scope of such maintenance, thereby indicating the extent of the approval.

- (e) *Category A class ratings* are subdivided into “Base” or “Line” maintenance categories. Such an organisation may be approved for either “Base” or “Line” maintenance, or both. It should be noted that a “Line” facility located at a main base facility requires a “Line” maintenance approval.
- (f) A *category B class rating* means that the maintenance organisation may carry out maintenance on uninstalled engines and/or APUs and engine and/or APU components, in accordance with the engine and/or APU maintenance data or, if agreed by the competent authority, in accordance with the component maintenance data, only while such components are fitted to the engine and/or the APU. Nevertheless, such a B-rated approved maintenance organisation may temporarily remove a component for maintenance in order to improve access to that component, except when its removal generates the need for additional maintenance that the organisation is not approved to perform.

The limitation column must specify the scope of such maintenance, thereby indicating the extent of the approval.

A maintenance organisation that is approved with a category B class rating may also carry out maintenance on an installed engine during aircraft base and line maintenance, provided that an appropriate control procedure in the MOE has been approved by the competent authority. The scope of work in the MOE shall reflect those activities if they are permitted by the competent authority.

- (g) A *category C class rating* means that the maintenance organisation may carry out maintenance on uninstalled components (excluding complete engines and APUs) that are intended to be fitted on the aircraft or the engine/APU.

The limitation column must specify the scope of such maintenance, thereby indicating the extent of the approval.

A maintenance organisation that is approved with a category C class rating may also carry out maintenance on an installed component (other than a complete engine/APU) during aircraft base and line maintenance, or at an engine/APU maintenance facility provided that an appropriate control procedure in the MOE has been approved by the competent authority. The scope of work in the MOE shall reflect those activities if they are permitted by the competent authority.

- (h) A *category D class rating* is a self-contained class rating that is not necessarily related to a specific aircraft, engine or other component. The D1 – Non-Destructive Testing (NDT) rating is only necessary for a maintenance organisation that carries out NDT as a particular task for another organisation. A maintenance organisation that is approved with a class rating in the A, B or C category may carry out NDT on products that it maintains without the need for a D1 class rating provided that the MOE contains appropriate NDT procedures.
- (i) The *limitation* column is intended to give competent authorities the flexibility to customise an approval for any particular organisation. Ratings may only be mentioned on the approval if they are appropriately limited. The table in point (l) specifies the types of limitations that are possible. It is acceptable to stress in the limitation column the maintenance task rather than the type or manufacturer of the aircraft or engine, if that is more appropriate to the organisation (an example could be avionics systems installations and the related maintenance). If that is mentioned in the limitation column, it indicates that the maintenance organisation is approved to carry out maintenance up to and including that particular type/task.
- (j) When reference is made to the *series*, *type* and *group* in the limitation column of class A and B, it shall be understood as follows:

- “series” means a specific type series such as the Airbus 300, 310 or 319, or the Boeing 737-300 series, the RB211-524 series, the Cessna 150 or Cessna 172, the Beech 55 series, the continental O-200 series, etc.,
- “type” means a specific type or model such as the Airbus 310-240 type, the RB 211-524 B4 type, or the Cessna 172RG type.

Any number of series or types may be quoted,

- “group” means, for example, Cessna single piston engine aircraft or Lycoming non-supercharged piston engines, etc.

- (k) By way of derogation from point 145.A.85(a)(1), when a component *capability list* is used that could be subject to frequent amendments, then the organisation may propose to include such amendments in the procedure referred to in point 145.A.85(c) for changes not requiring prior approval.

(l) Table

CLASS	RATING	LIMITATION	BASE	LINE
AIRCRAFT	A1 Aeroplanes above 5 700 kg maximum take-off mass (MTOM)	[Shall state the aeroplane manufacturer or the group or series or type and/or the maintenance tasks] <i>Example: Airbus A320 Series</i>	[YES/NO] (*)	[YES/NO] (*)
	A2 Aeroplanes of 5 700 kg MTOM and below	[Shall state the aeroplane manufacturer or the group or series or type and/or the maintenance tasks] <i>Example: DHC-6 Twin Otter Series</i> State whether the issuing of airworthiness review certificates is authorised (only possible for aircraft covered by Annex Vb (Part-ML))	[YES/NO] (*)	[YES/NO] (*)
	A3 Helicopters	[Shall state the helicopter manufacturer or the group or series or type and/or the maintenance task(s)] <i>Example: Robinson R44</i> State whether the issuing of airworthiness review certificates is authorised (only possible for aircraft covered by Annex Vb (Part-ML))	[YES/NO] (*)	[YES/NO] (*)
	A4 Aircraft other than A1, A2 and A3 aircraft	[Shall state the aircraft category (sailplane, balloon, airship, etc.), the manufacturer or group or series or type and/or the maintenance task(s)] State whether the issuing of airworthiness review certificates is authorised (only possible for aircraft covered by Annex Vb (Part-ML))	[YES/NO] (*)	[YES/NO] (*)
ENGINES	B1 Turbine	[Shall state the engine series or type and/or the maintenance task(s)] <i>Example: PT6A Series</i>		
	B2 Piston	[Shall state the engine manufacturer or group or series or type and/or the maintenance task(s)]		
	B3 APU	[Shall state the engine manufacturer or series or type and/or the maintenance task(s)]		

COMPO- NENTS OTHER THAN COMPLETE ENGINES OR APUs	C1 Air Cond & Press	[Shall state the aircraft type or aircraft manufacturer or component manufacturer or the particular component and/or cross-refer to a capability list in the exposition and/or the maintenance task(s)] <i>Example: PT6A Fuel Control</i>
	C2 Auto Flight	
	C3 Comms and Nav	
	C4 Doors — Hatches	
	C5 Electrical Power & Lights	
	C6 Equipment	
	C7 Engine – APU	
	C8 Flight Controls	
	C9 Fuel	
	C10 Helicopter – Rotors	
	C11 Helicopter – Trans	
	C12 Hydraulic Power	
	C13 Indicating – recording system	
	C14 Landing Gear	
	C15 Oxygen	
	C16 Propellers	
	C17 Pneumatic & Vacuum	
	C18 Protection ice/rain/fire	
	C19 Windows	
	C20 Structural	
	C21 Water ballast	
	C22 Propulsion Augmentation	
SPECIALISED SERVICES	D1 Non-Destructive Testing	[Shall state particular NDT method(s)]

(*) Delete as appropriate.

- (m) A maintenance organisation which employs only one person to both plan and carry out all its maintenance activities can only hold limited terms of approval. The maximum permissible limits are as follows:

CLASS	RATING	LIMITATION
AIRCRAFT	A2	PISTON ENGINE AEROPLANE OF 5 700 KG MTOM OR LESS
AIRCRAFT	A3	SINGLE PISTON ENGINE HELICOPTER OF 3 175 KG MTOM OR LESS
AIRCRAFT	A4	NO LIMITATIONS
ENGINES	B2	LESS THAN 450 HP
COMPONENTS OTHER THAN COMPLETE ENGINES OR APUs	C1 TO C22	AS PER CAPABILITY LIST
SPECIALISED SERVICES	D1 NDT	NDT METHOD(S) TO BE SPECIFIED

It should be noted that such an organisation may be further limited by the competent authority in the terms of approval depending on the capabilities of the particular organisation.’.

ANNEX III

In Annex Vb (Part-ML), point ML.A.906(a), the introductory phrase is replaced by the following:

‘When importing an aircraft into a Member State’s register from a third country or from a regulatory system where Regulation (EU) 2018/1139 does not apply, the applicant shall:’.

ANNEX IV

In Annex I (Part-M), point M.A.502(c), the third sentence is replaced by the following:

‘Such engine maintenance organisation may temporarily remove the component for maintenance if this is necessary to improve access to the component, except where additional maintenance is required due to the removal.’
