

2009/07

Applicability: Owners, Operators and Maintainers of Aircraft with an EASA Certificate of Airworthiness

IMPLEMENTATION OF PART M

1 Introduction

- 1.1 Important changes to Commission Regulation (EC) 2042/2003 Part M were introduced by Commission Regulation (EC) 1056/2008, published on the 27 October 2008.
- 1.2 The CAA has now completed implementation of all aspects of Part M. This AIRCOM supersedes the information published in AIRCOM 2008/04. It introduces an additional option for the renewal of Airworthiness Review Certificates (ARC) for light aircraft with a Maximum Take Off Mass less than 1000 kg^a

2 Background

- 2.1 Commission Regulation (EC) 2042/2003 Annex 1(Part M) came into force in all EU Member States on 28 September 2008. On 27 October 2008, an amendment to this Regulation was published as Commission Regulation (EC) 1056/2008. The amendment provides substantial alleviation from some of the more onerous requirements previously in place, primarily for owners/operators of general aviation aircraft. Both of these Regulations need to be read in conjunction with one another.

3 Information for Owners / Operators of Aircraft Not Operated for Commercial Air Transport (CAT)

- 3.1 The requirements for aircraft not used for the purposes of CAT, for aircraft below 2730 kg and for Balloons have been relaxed.
- 3.2 An owner may now choose to enter into a **limited** contract with a Continuing Airworthiness Management Organisation (CAMO) to provide support when reviewing and amending an aircraft maintenance programme. An owner may still also enter into a **full** contract with a CAMO where most owner/operator responsibilities are transferred to the CAMO^b.
- 3.3 The list of permissible pilot owner maintenance tasks has been revised^c to include new information aimed at helping pilot owners determine if they are able to carry out a particular task. New Acceptable Means of Compliance

^a (EC) 1056/2008, M.A.901(g)

^b (EC) 1056/2008, M.A.201(e)

^c (EC) 1056/2008, Appendix VIII

(AMC) material published by EASA provides further guidance and details of the tasks that may be performed^d.

3.4 CAMOs approved to manage continuing airworthiness of this class of aircraft are now allowed to issue Airworthiness Review Certificates (ARCs) directly, including when the aircraft under review is not in a controlled environment^e.

3.5 Two new categories of aircraft, ELA1 (European Light Aircraft) and LSA (Light Sports Aircraft)^f are introduced for continuing airworthiness purposes.

a) ELA1 is defined as:

- A non complex aircraft with a Maximum Take Off Mass (MTOM) of less than 1000 kg;
- Hot air balloons of not more than 3400 m³;
- Gas balloons of not more than 1050 m³;
- Tethered gas balloons of not more than 300 m³;
- Hot-air airships designed for not exceeding 2 occupants and not exceeding 2500 m³;
- Gas airships designed for not exceeding 2 occupants and not exceeding 1000 m³.

b) LSA is defined as meeting all of the following criteria:

- An aircraft with MTOM not exceeding 600 kg;
- A maximum stalling speed of 45 kts;
- Seating capacity not exceeding 2 persons including the pilot;
- A non-pressurised cabin; and
- A single non-turbine engine with a propeller.

3.6 When an aircraft is grounded at a location where no approved maintenance organisation, or appropriate certifying staff are available, the owner may authorise any person holding the proper qualifications to maintain and release the aircraft. The owner must keep details of the work carried out and of the qualifications of the individual who released the aircraft. The work must also be rechecked and released by an appropriately qualified person or organisation within 7 days^g.

NOTE: The term 'proper qualifications' is defined as not less than 3 years of appropriate maintenance experience and holding a valid maintenance licence or certification authorisation to release the aircraft^h.

4 Information for Continuing Airworthiness Management Organisations

4.1 The qualification criteria for the continuing airworthiness post holder and ARC signatories have been relaxed. Where no formal relevant qualifications are held, candidates may now be accepted on the basis of an **additional** 5 years relevant work experience. Therefore a minimum of 10 years relevant

^d EASA Executive Director's Decision No. 2008/013/R, Annex 1 AMC to M.A.803

^e (EC) 1056/2008, M.A.901(b)

^f (EC) 1056/2008, Article 1 amended to article 2 of EC 2042/2003

^g (EC) 1056/2008, M.A.801(d) and EASA Executive Director's Decision No. 2008/013/R AMC to M.A.801(d)

^h (EC) 1056/2008, M.A.801(d) and EASA Executive Director's Decision No. 2008/013/R AMC to M.A.801(d)

experience is required if no formal qualifications are heldⁱ. For ARC signatories involved only with aircraft not operated for CAT, not exceeding 2730 kg MTOM and/or balloons, the formal qualification requirements may be replaced with an additional 4 years relevant work experience^j. In this situation a minimum of 7 years relevant experience in total is required.

NOTE: Formal relevant qualifications are a Part 66 licence or aeronautical degree.

- 4.2 When agreed by the CAA, small CAMOs issuing ARCs to non-CAT aircraft not exceeding 2730 kg MTOM and/or balloons, may substitute Organisational Reviews in place of a Quality System^k. These provisions may only be used when the CAMO does not contract any airworthiness management tasks to other parties.

NOTE: Small CAMOs are defined as those with up to 5 full time staff.

5 Information for Aircraft Maintenance Organisations, Independent Certifying Staff and Pilot Owners Performing Maintenance

- 5.1 Part M Subpart F and Part 145 class 'A' rated organisations may carry out component maintenance in accordance with the Component Maintenance Data, whilst the component is fitted to the aircraft or temporarily removed to improve access, providing this has been agreed by the CAA and removal of the component does not generate a requirement for any additional maintenance^l. Work completed under these arrangements shall be subject to the appropriate aircraft release to service requirements.
- 5.2 For non-CAT ELA1 aircraft, a Part 66 licensed engineer may carry out component maintenance in accordance with Component Maintenance Data. The overhaul of components, engines or propellers is not permitted, except for CS-VLA, CS-22 and LSA aircraft where a Part 66 licensed engineer may overhaul engines and propellers⁽ⁱ⁾. When utilising this privilege it is the responsibility of the Part 66 licensed engineer to ensure that the correct data, tooling and facilities are available throughout the duration of the work. Work completed under these arrangements shall be subject to the aircraft release to service requirements.
- 5.3 Maintenance carried out on aircraft subject to EASA regulations shall be released to service in accordance with Part M, using the applicable release to service statement set out in the AMC^m material published by the Agency. This includes work accomplished by pilot owners and independent Part 66 certifying staff.

6 Revised ARC Renewal and Extension Options for Aircraft Owners and CAMOs

- 6.1 For aircraft in a controlled environmentⁿ, an ARC that has been issued by a CAMO or by the CAA may be extended by the CAMO managing the aircraft^o.

ⁱ (EC) 1056/2008, M.A.707(a)1

^j (EC) 1056/2008, M.A.707(a)2

^k (EC) 1056/2008, M.A.712(f)

^l (EC) 1056/2008, M.A.502(b) & M.A.502(d)

^m (EC) 1056/2008, M.A.801 and EASA Executive Director's Decision No. 2003/19/RM, AMC to M.A.801

ⁿ (EC) 1056/2008, M.A.901(b)

^o (EC) 1056/2008, M.A.901(c) & M.A.901(e)

This privilege also applies when the CAMO does not hold the privilege to issue an ARC^p.

NOTE: CAMOs that were approved before November 2008 without ARC issue privileges^q will need to make relevant changes to the procedures in their Exposition before extending the validity of an ARC. For further details of how to implement these changes please see the CAA website at: www.caa.co.uk/arc.

- 6.2 A CAMO with the Airworthiness Review privilege^r may now issue ARCs for non-CAT aircraft not exceeding 2730 kg and for Balloons, when the aircraft under review is not in a controlled environment^s. The only exception is the issue of the initial ARC when an aircraft is imported from outside the EU as this must be issued by the CAA^t.
- 6.3 Type rated Part 66 licensed personnel, when appropriately approved may make recommendations to the CAA for the issue of an ARC on an ELA1 aircraft, when not used for CAT^u. The recommendation is based on the satisfactory completion of an airworthiness review^v in the normal manner. Recommendations for an individual aircraft can be made for two consecutive years, after which the airworthiness review must be performed by a suitably approved CAMO.
- 6.4 Details of how Part 66 licensed personnel may apply for ELA approval can be found on the CAA website at: www.caa.co.uk/ela.
- 6.5 Figure 1 describes the decision-making process to follow for extending or issuing an ARC.

7 Queries

- 7.1 Any queries regarding the contents of this AIRCOM should be addressed to Airworthiness Strategy and Policy at the following e-mail address: Requirements@caa.co.uk.



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^p (EC) 1056/2008, M.A.711(a)

^q (EC) 1056/2008, M.A.711(b) (often referred to as subpart I approval)

^r (EC) 1056/2008, M.A.711(b) (often referred to as subpart I approval)

^s (EC) 1056/2008, M.A.901(b)

^t (EC) 1056/2008, M.A.904

^u (EC) 1056/2008, M.A.901(g)

^v (EC) 2042/2003, M.A.710

Recipients of new AIRCOMs are asked to ensure that these are copied to their 'in house' or contracted organisations, to relevant outside contractors, and to all members of their staff who could have an interest in the information or who need to take appropriate action in response to this Communication.

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FIGURE 1

