

CORRIGENDA**Corrigendum to 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**

(Official Journal of the European Union L 228 of 4 September 2019)

On page 2, Articles 1 and 2 are replaced as follows:

'Article 1

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

(1) Article 3 is replaced by the following:

"Article 3

Continuing airworthiness requirements

1. The continuing airworthiness of aircraft referred to in point (a) of Article 1 and components for installation thereon shall be ensured in accordance with the requirements of Annex I (Part-M), except for aircraft listed in the first subparagraph of paragraph 2 to which the requirements of Annex Vb (Part-ML) shall apply.

2. The requirements of Annex Vb (Part-ML) shall apply to the following other than complex motor-powered aircraft:

- (a) aeroplanes of 2 730 kg maximum take-off mass or less;
- (b) rotorcraft of 1 200 kg maximum take-off mass or less, certified for a maximum of up to 4 occupants;
- (c) other ELA2 aircraft.

Where aircraft referred to points (a), (b) and (c) of the first subparagraph is listed in the air operator certificate of an air carrier licensed in accordance with Regulation (EC) No 1008/2008, the requirements of Annex I (Part-M) shall apply.

3. In order to be listed in the air operator certificate of an air carrier licensed in accordance with Regulation (EC) No 1008/2008, aircraft referred to in points (a), (b) and (c) of the first subparagraph of paragraph 2 shall comply with all of the following requirements:

- (a) its aircraft maintenance programme has been approved by the competent authority in accordance with point M.A.302 of Annex I (Part-M);
- (b) due maintenance required by the maintenance programme referred to in point (a) has been performed and certified in accordance with point 145.A.48 and 145.A.50 of Annex II (Part-145);
- (c) an airworthiness review has been performed and a new airworthiness review certificate has been issued in accordance with point M.A.901 of Annex I (Part-M).

4. By way of derogation from paragraph 1 of this Article, the continuing airworthiness of aircraft referred to in point (a) of Article 1, for which a permit to fly has been issued, shall be ensured on the basis of the specific continuing airworthiness arrangements defined in the permit to fly issued in accordance with Annex I (Part-21) to Commission Regulation (EU) No 748/2012 (*).

5. Aircraft maintenance programmes for aircraft referred to in point (a) of Article 1 that comply with the requirements specified in point M.A.302 of Annex I (Part-M) applicable before 24 September 2019 shall be deemed to comply with the requirements specified in point M.A.302 of Annex I (Part-M) or point M.L.A.302 of Annex Vb (Part-ML), as applicable, in accordance with paragraphs 1 and 2.

6. Operators shall ensure the continuing airworthiness of aircraft referred to in point (b) of Article 1 and components for installation thereon in accordance with the requirements of Annex Va (Part-T).

7. The continuing airworthiness of aeroplanes with a maximum certificated take-off mass at or below 5 700 kg which are equipped with multiple turboprop engines shall be ensured in accordance with the requirements applicable to other than complex motor-powered aircraft as set out in points M.A.201, M.A.301, M.A.302, M.A.601 and M.A.803 of Annex I (Part-M), point 145.A.30 of Annex II (Part-145), points 66.A.5, 66.A.30, 66.A.70, Appendix V and VI of Annex III (Part-66), point CAMO.A.315 of Annex Vc (Part-CAMO), point CAO.A.010 and Appendix I of Annex Vd (Part-CAO) to the extent that they apply to other than complex motor-powered aircraft.

(*) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).";

(2) Article 4 is replaced by the following:

"Article 4

Approvals for organisations involved in the continuing airworthiness

1. Organisations involved in the continuing airworthiness of aircraft and components for installation thereon, including maintenance, shall be approved, upon their request, by the competent authority in accordance with the requirements of Annex II (Part-145), Annex Vc (Part-CAMO) or Annex Vd (Part-CAO), as applicable to the respective organisations.

2. By way of derogation from paragraph 1, until 24 September 2020 organisations may, upon their request, be issued approvals by the competent authority in accordance with the requirements of Subpart F and Subpart G of Annex I (Part-M). Those approvals shall be valid until 24 September 2021.

3. Maintenance approvals issued or recognised by a Member State in accordance with the certification specification JAR-145 referred to in Annex II to Council Regulation (EEC) No 3922/91 (*) and valid before 29 November 2003 shall be deemed to have been issued in accordance with the requirements of Annex II (Part-145) to this Regulation.

4. Organisations that hold a valid approval issued in accordance with Subpart F or Subpart G of Annex I (Part-M) or with Annex II (Part-145) shall, upon their request, be issued by the competent authority a Form 3-CAO as set out in Appendix 1 to Annex Vd (Part-CAO).

The privileges of such an organisation under the approval issued in accordance with Annex Vd (Part-CAO) shall be the same as privileges under the approval issued in accordance with Subpart F or Subpart G of Annex I (Part-M) or with Annex II (Part-145). However, those privileges shall not exceed the privileges of an organisation referred to in Section A of Annex Vd (Part-CAO).

The organisation may correct any findings of non-compliance with Annex Vd (Part-CAO) until 24 September 2021. If after that date the findings are not corrected, the approval shall be revoked.

Until the organisation complies with Annex Vd (Part-CAO) or until 24 September 2021, whichever of the two comes first, it shall be certified and overseen in accordance with Subpart F or Subpart G of Annex I (Part-M) or Annex II (Part-145), as applicable.

5. Valid approvals of continuing airworthiness management organisations issued in accordance with Subpart G of Annex I (Part-M) shall be deemed to have been issued in accordance with Annex Vc (Part-CAMO).

The organisation may correct any findings of non-compliance with Annex Vc (Part-CAMO) until 24 September 2021.

If the organisation corrects the findings by that date, the competent authority shall issue a new Form 14 approval certificate in accordance with Annex Vc (Part-CAMO). If after that date the findings are not corrected, the approval shall be revoked.

Until the organisation complies with Annex Vc (Part-CAMO) or 24 September 2021, whichever of the two comes first, it shall be certified and oversight in accordance with Subpart G of Annex I (Part-M).

6. Certificates of release to service and authorised release certificates issued before 28 October 2008 by a maintenance organisation approved in accordance with the requirements laid down in the national law of the Member State where the organisation is established, to other than complex motor-powered aircraft not involved in commercial air transport, including any component for installation thereto, shall be deemed to have been issued in accordance with points M.A.801, M.A.802 of Annex I (Part-M) and point 145.A.50 of Annex II (Part-145).

(*) Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation (OJ L 373, 31.12.1991, p. 4).";

(3) in Article 5, paragraph 1 is replaced by the following:

"1. Certifying staff shall be qualified in accordance with the requirements of Annex III (Part-66), except as provided for in points M.A.606(h), M.A.607(b), M.A.801(d) and M.A.803 of Annex I (Part-M), in points ML.A.801(c) and ML.A.803 of Annex Vb (Part-ML), in points CAO.A.035(d) and CAO.A.040(b) of Annex Vd (Part-CAO) and in points 145.A.30(j) of and Appendix IV to Annex II (Part-145).";

(4) the following Article 7a is inserted:

"Article 7a

Competent authorities

1. Where a Member State designates more than one entity as competent authority with the necessary powers and allocated responsibilities for the certification and oversight of persons and organisations subject to this Regulation, the following requirements shall be complied with:

- (a) the areas of competence of each competent authority shall be clearly defined, in particular in terms of responsibilities and geographic limitations;
- (b) coordination shall be established between those authorities in order to ensure effective certification and oversight of all organisations and persons subject to this Regulation within their respective remits.

2. Member States shall ensure that the personnel of their competent authorities do not perform certification and oversight activities when there are indications that this could result, directly or indirectly, in a conflict of interest, in particular when relating to family or financial interest.

3. Where necessary to carry out certification or oversight tasks under this Regulation, the competent authorities shall be empowered to:

- (a) examine the records, data, procedures, and any other material relevant to the execution of the certification and/or oversight tasks;
- (b) make copies or extracts from such records, data, procedures and other material;
- (c) ask for an oral explanation on-site from any of the personnel of those organisations;
- (d) enter relevant premises, operating sites or means of transport owned or used by those persons;
- (e) perform audits, investigations, assessments, inspections, including unannounced inspections, in respect of those organisations;
- (f) take or initiate enforcement measures as appropriate.

4. The powers referred to in paragraph 3 shall be exercised in compliance with the legal provisions of the relevant Member State.";

(5) Article 9 is deleted;

(6) Annex I is amended in accordance with Annex I to this Regulation;

(7) Annex II is amended in accordance with Annex II to this Regulation;

(8) Annex III is amended in accordance with Annex III to this Regulation;

(9) Annex IV is amended in accordance with Annex IV to this Regulation;

- (10) Annex Va is amended in accordance with Annex V to this Regulation;
- (11) the text set out in Annex VI to this Regulation is inserted as Annex Vb;
- (12) the text set out in Annex VII to this Regulation is inserted as Annex Vc;
- (13) the text set out in Annex VIII to this Regulation is inserted as Annex Vd.

Article 2

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

It shall apply from **24 March 2020**.

Corrigendum to Commission Implementing Regulation (EU) 2019/1384 of 24 July 2019 amending Regulations (EU) No 965/2012 and (EU) No 1321/2014 as regards the use of aircraft listed on an air operator certificate for non-commercial operations and specialised operations, the establishment of operational requirements for the conduct of maintenance check flights, the establishment of rules on non-commercial operations with reduced cabin crew on board and introducing editorial updates concerning air operations requirements

(Official Journal of the European Union L 228 of 4 September 2019)

On page 108, Article 1(3):

for: '(3) the following Article 9aa is inserted:

“Article 9aa

Flight crew requirements for maintenance check flights

A pilot having acted, before 20 August 2019, as a pilot-in-command on a maintenance check flight that in accordance with the definition in point SPO.SPEC.MCF.100 in Annex VIII is categorised as a Level A maintenance check flight, shall be given credit for the purpose of complying with point SPO.SPEC.MCF.115(a)(1) of that Annex. In that case, the operator shall ensure that the pilot-in-command receives a briefing on any differences identified between the operating practices established before 20 August 2019 and the obligations provided in Sections 5 and 6 of Subpart E of Annex VII to this Regulation including those derived from the related procedures established by the operator.”;

read: '(3) the following Article 9aa is inserted:

“Article 9aa

Flight crew requirements for maintenance check flights

A pilot having acted, before **24 September 2019**, as a pilot-in-command on a maintenance check flight that in accordance with the definition in point SPO.SPEC.MCF.100 in Annex VIII is categorised as a Level A maintenance check flight, shall be given credit for the purpose of complying with point SPO.SPEC.MCF.115(a)(1) of that Annex. In that case, the operator shall ensure that the pilot-in-command receives a briefing on any differences identified between the operating practices established before **24 September 2019** and the obligations provided in Sections 5 and 6 of Subpart E of Annex VII to this Regulation including those derived from the related procedures established by the operator.”;
