

## Information and Advisory Notice No. 10

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# Regulation (EU) No 1321/2014 Part-M / ML Subpart I and Airworthiness Review Privileges

## 1. Introduction

- 1.1 This Notice is intended to give guidance to the operators and Part-CAMO / CAO / 145 Organisations on Part-M Subpart I, Airworthiness Review Certificates extensions and application for airworthiness review privileges and issue of ARC.
- 1.2 As from 28<sup>th</sup> September 2008 the provisions of Part-M Subpart I to aircraft involved in both Commercial Air Transport and Non-commercial Air Transport started to apply.
- 1.3 As **from** 24 March 2020 Annex Vb Part-ML came into force thus amending Regulation (EU) 1321/2014. This amendment introduced changes related to Airworthiness Reviews for aircraft covered by Part-ML.

## 2. Part-ML aircraft

### Note

(Part-ML) applies to the following other than complex motor-powered aircraft not listed in the air operator certificate of an air carrier licensed in accordance with Regulation (EC) No 1008/2008:

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

TM CAD may carry out Airworthiness Reviews if requested by aircraft owners under the provisions of **ML.A.901(b)**.

### Part-CAMO

- 1.4 Part-CAMO may also carry out airworthiness reviews in accordance with Part-ML.A.903, as applicable.

## Part-CAO

- 1.5 Part-CAO may be approved to carry out airworthiness reviews in accordance with point [ML.A.903](#) of Annex Vb (Part-ML),
- 1.6 Part-CAO ARS shall comply with the qualification requirements of CAO.A.045.
- 1.7 The CAO shall nominate the person who will perform an airworthiness review of an aircraft under supervision of TM CAD or under the supervision of a person already authorised as airworthiness review staff of the CAO.

## Part-145

- 1.8 For aircraft covered by Part-ML, ARCs may be issued by a Part-145 approved under the provisions of 145.A.75(f) by Airworthiness Review Staff authorized pursuant to Part-145.A.37. The ARC shall be issued under the provisions of ML.A.903.
- 1.9 Part-145 ARS shall comply with the qualification requirements of Part-145.A.37.
- 1.10 The Part-145 shall nominate the person who will perform an airworthiness review of an aircraft under supervision of TM CAD or under the supervision of a person already authorised as airworthiness review staff of the Part-145.

## Certifying staff

- 1.11 Airworthiness Reviews may be carried out and ARC issued by independent certifying staff under the provisions of **ML.A.904(c)**. In that case TM CAD would issue a letter authorizing the certifying staff to issue the recommendation or ARC, following the provisions of **ML.A.904(d)**.

### 3. Part-M Aircraft

TM CAD may also carry out Airworthiness Reviews of aircraft and issue ARC in the following cases:

1. when the continuing airworthiness of the aircraft is managed by a CAMO or CAO which has its principal place of business located in a third country,
2. for any other aircraft of 2 730 kg MTOM and below, if the owner so requests.

or whenever circumstances reveal the existence of a potential risk to aviation safety.

### Provisions of Part-M Subpart I and Part-CAMO.A.125 (e) Privileges

- 3.1 Part-CAMO.A.125(e) privileges enable a CAMO to issue ARC's or issue recommendations for the airworthiness review to an EASA member state of registry.
- 3.2 This means it can carry out these reviews both for its own AOC aircraft and also for third party aircraft, provided these aircraft types are included in the scope of approval of the CAMO. These reviews shall be carried out in accordance with the CAMO procedures as written in the Part 4 of the CAME.

- 3.3 In the case where the CAMO carries out the airworthiness review for its operated aircraft it can issue an EASA Form 15b, whereas in the case of third party aircraft it may only issue a recommendation to the state of registry.
- 3.4 The definition of '**controlled environment**' is found in M.A.901(b).
- 3.6 Those CAMO's (AOC holders) which do not wish to obtain CAMO.A.125(e) privileges would have to contract other appropriately approved CAMO's to perform the airworthiness review and issue an airworthiness review certificate recommendation for their managed/operated aircraft.
- 3.7 The recommendation for issue of an ARC referred to in par. 2.5 above has to be submitted to the TM CAD for assessment in accordance with M.B.901.
- 3.8 IAN No. 9 gives guidance on the contents of a Recommendation Report to be presented to TM CAD by a CAMO.

#### 4. **Application to obtain Part-CAMO.A.125(e) Privileges by CAMO's approved by the TM CAD**

- 4.1 Applications to obtain the privileges shall be submitted to the Airworthiness Inspectorate on an EASA Form 2.
- 4.2 As part of the application process the CAMO's shall accomplish the following:
- Submit the CAME Part 4 procedures and related forms and checklists for review and approval;
  - Submit a list of the proposed Airworthiness Review Staff (ARS);

NOTE: To qualify for Part-CAMO.A.125(e) privileges a CAMO shall have at least **two** qualified ARS

Submit all the documentation related to the competence assessment of the ARS having regards to **Part-CAMO.A.310** requirements for ARS qualifications, recency and experiences and independence from

- Arrange for the Airworthiness Review Staff to undergo/carry out a supervised airworthiness review with the Airworthiness Inspectors to comply with Part-CAMO.A.310(c);
  - Submit a sample recommendation report, aircraft and documentation report based on M.A.901 and its AMC. (Refer also to IAN No. 9 for the content of the recommendation report).
- 4.3 The Airworthiness Inspectorate will reserve the right to carry out documentation and aircraft inspection as necessary both as part of the oversight of the CAMO's and as part of the aircraft monitoring.

It is important that nominated ARS comply with **AMC1 CAMO.A.310(a)** to ensure independence in performing his/her work.

#### **Application to obtain Part-145.A.37 Privileges by Part-145 AMO's approved by the TM CAD**

4.4 Applications to obtain the privileges shall be submitted to the Airworthiness Inspectorate on an EASA Form 2.

4.5 As part of the application process the AMOs shall accomplish the following:

Submit the MOE revision (Heading 1.6, 1.9, 2.29, 3.11) procedures and related forms and checklists for review and approval,

Submit a list of the proposed Airworthiness Review Staff (ARS),

Submit all the documentation related to the competence assessment of the ARS having regards to **Part-145.A.37** requirements for ARS qualifications, recency and experience,

Arrange for the Airworthiness Review Staff to undergo/carry out a supervised airworthiness review with the Airworthiness Inspector.

Submit a sample recommendation report, aircraft and documentation report based on ML.A.901 and its AMC. (Refer also to IAN No. 9 for the content of the recommendation report).

4.6 The Airworthiness Inspectorate will reserve the right to carry out documentation and aircraft inspection as necessary both as part of the oversight of the Part-145 AMO's and as part of the aircraft monitoring.

#### **Application to obtain Part-CAO.A.095(c) Privileges by Part-CAO's approved by the TM CAD**

4.7 Applications to obtain the privileges shall be submitted to the Airworthiness Inspectorate on an EASA Form 2.

4.8 As part of the application process the CAOs shall accomplish the following:

Submit the CAE revision (Heading A.9, B.10, C.15, D.11, D.12) procedures and related forms and checklists for review and approval,

Submit a list of the proposed Airworthiness Review Staff (ARS),

Submit all the documentation related to the competence assessment of the ARS having regards to **Part-CAO.A.045** requirements for ARS qualifications, recency and experience,

Arrange for the Airworthiness Review Staff to undergo/carry out a supervised airworthiness review with the Airworthiness Inspector,

Submit a sample recommendation report, aircraft and documentation report based on M.A.901/ML.A.901 and its AMC. (Refer also to IAN No. 9 for the content of the recommendation report).

- 4.9 The Airworthiness Inspectorate will reserve the right to carry out documentation and aircraft inspection as necessary both as part of the oversight of the CAO's and as part of the aircraft monitoring.

## **5. Issue of ARC**

### **a) Import of aircraft from outside the EU**

- 5.1 In such cases M.A.904 applies. This means that for aircraft other than new, an airworthiness review shall be carried out by a CAMO with appropriate privileges. However It is envisaged that for used aircraft imported from outside the EU the TM CAD may opt to take an active part during the airworthiness review of the aircraft or in certain circumstances carry out the initial airworthiness review by itself.

### **b) Transfer of aircraft from inside the EU (other EASA member states)**

- 5.2 In such cases M.A.903 applies.
- 5.3 The TM CAD will only accept ARC's from EASA member states issued in accordance with Part-M and ML Subpart I.

## **6. Extension of ARC**

- 6.1 Extension of the ARC can be done when the conditions specified in ML.A.901(c) / M.A. 901(f) are fully met. The ARC can be extended twice for a period of one year, by the CAMO/CAO managing the continuing airworthiness of the aircraft under a controlled environment.
- 6.2 The privileges of the CAO / CAMO to extend twice the validity of ARC are obtained directly with the CAO / CAMO approval however for these privileges to be exercised the requirements of Part-CAO.A.095(c) Part-CAMO.A.305 shall be complied with.
- 6.3 The CAO / CAMO has to nominate and authorise persons who can extend the ARC (CAMO.A.305(f)).
- 6.4 TM CAD expects that CAMO's have a minimum of two persons who are authorised to extend the ARC.
- 6.5 The CAMO has to have a procedure for the nomination and authorisation of personnel extending the ARC and a procedure for the extension of the ARC itself. This should be done in Part 4 of the CAME. The list of nominated personnel have to be kept updated in the CAME.
- 6.6 The CAMO shall issue an authorisation number for the nominated staff to be entered in the ARC Form 15a/b/c at the time of extension.

**6.7 A copy of any airworthiness review certificate issued or extended shall be sent to TM CAD within 10 days. The ARC shall be sent via the TM CAD CENTRIK web platform.**