

Information and Advisory Notice No. 24

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Regulation (EU) No 1321/2014 Updates

1. Introduction

Regulation (EU) No 1321/2014 has been revised by the following:

Regulation (EU) No 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. (with [corrigendum](#))

Regulation (EU) No 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 specialized 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.

Regulation (EU) 2020/270 of 25 February 2020 amending Regulation (EU) No 1321/2014 as regards transitional measures for organisations involved in the continuing airworthiness for general aviation and the continuing airworthiness management, and correcting that Regulation.

Regulation (EU) No 2019/1383 has a major implication of continuing airworthiness requirements as it introduces safety management systems in CAMOs and other alleviations for general aviation aircraft with the introduction of Part-ML and other measures.

The regulation also introduces a new approval the Part-CAO (Combined Airworthiness Organisation) which will combine continuing airworthiness management approval and maintenance organization approval to replace Part-M.F and M.G for aircraft covered by Part-ML.

AMC & GM to Commission Regulation (EU) No 1321/2014

EASA has issued ED Decision 2020/002/R amending the Acceptable Means of Compliance and Guidance Material to Annex I (Part-M), Annex II (Part-145), Annex III (Part-66), Annex IV (Part-147) and Annex Va (Part-T) to as well as to the articles of Commission Regulation (EU) No 1321/2014, and issuing Acceptable Means of Compliance and Guidance Material to Annex Vb (Part-ML), Annex Vc (Part-CAMO) and Annex Vd (Part-CAO) to that Regulation.

The Articles of Regulation (EU) No 1321/2014

The Articles set the scene for the compliance with the technical requirements found in the Annexes by defining the scope and the compliance timescales and include important definitions for understanding of compliance scope.

Article 1

Article 1 sets the scope of the regulation to the following:

The continuing airworthiness of aircraft, including any component for installation thereto, which are:

- (i) registered in a Member State, unless their regulatory safety oversight has been delegated to a third country and they are not used by an EU operator; or
- (ii) registered in a third country and used by an EU operator, where their regulatory safety oversight has been delegated to a Member State;

To ensure:

compliance with the essential requirements set out in Regulation (EU) No 2018/1139 for continuing airworthiness of aircraft registered in a third country and components for installation thereon for which their regulatory safety oversight has not been delegated to a Member State that are dry leased-in by a licence air carrier in accordance with Regulation (EC) No 1008/2008 of the European Parliament and the Council.

Article 2

The following are noteworthy definitions:

'ELA1 aircraft' means the following manned European light aircraft:

- (i) an aeroplane with a maximum take-off mass (MTOM) of 1 200 kg or less that is not classified as complex motor-powered aircraft;
- (ii) a sailplane or powered sailplane of 1 200 kg MTOM or less;
- (iii) a balloon with a maximum design lifting gas or hot air volume of not more than 3 400 m³ for hot air balloons, 1 050 m³ for gas balloons, 300 m³ for tethered gas balloons;
- (iv) an airship designed for not more than four occupants and a maximum design lifting gas or hot air volume of not more than 3 400 m³ for hot air airships and 1 000 m³ for gas airships;

'ELA2 aircraft' means the following manned European Light Aircraft:

- (i) an aeroplane with a Maximum Take-off Mass (MTOM) of 2 000 kg or less that is not classified as complex motor-powered aircraft;
- (ii) a sailplane or powered sailplane of 2 000 kg MTOM or less;
- (iii) a balloon;
- (iv) a hot air ship;
- (v) a gas airship complying with all of the following characteristics:
 - 3 % maximum static heaviness,
 - non-vectored thrust (except reverse thrust),
 - conventional and simple design of structure, control system and ballonnet system, and
 - non-power assisted controls;
- (vi) a Very Light Rotorcraft;

'LSA aircraft' means a light sport aeroplane which has all of the following characteristics:

- (i) a Maximum Take-off Mass (MTOM) of not more than 600 kg;
- (ii) a maximum stalling speed in the landing configuration (VS0) of not more than 45 knots Calibrated Airspeed (CAS) at the aircraft's maximum certificated take-off mass and most critical centre of gravity;
- (iii) a maximum seating capacity of no more than two persons, including the pilot;
- (iv) a single, non-turbine engine fitted with a propeller;
- (v) a non-pressurised cabin;

'principal place of business' means the head office or the registered office of the undertaking within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised;

'critical maintenance task' means a maintenance task that involves the assembly or any disturbance of a system or any part on an aircraft, engine or propeller that, if an error occurred during its performance, could directly endanger the flight safety;

'commercial specialised operations' means those operations subject to the requirements of Part-ORO, Subpart-SPO set out in Annex III to Commission Regulation (EU) No 965/2012 ;

'limited operations' means the operations of other-than-complex motor-powered aircraft for:

(i) cost-shared flights by private individuals, on the condition that the direct cost is shared by all the occupants of the aircraft, pilot included and the number of persons sharing the direct costs is limited to six;

(ii) competition flights or flying displays, on the condition that the remuneration or any valuable consideration given for such flights is limited to recovery of direct costs and a proportionate contribution to annual costs, as well as prizes of no more than a value specified by the competent authority;

(iii) introductory flights, parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in a Member State and approved in accordance with Commission Regulation (EU) No 1178/20112 , or by an organisation created with the aim of promoting aerial sport or leisure aviation, on the condition that the aircraft is operated by the organisation on the basis of ownership or dry lease, that the flight does not generate profits distributed outside of the organisation, and that whenever non-members of the organisation are involved, such flights represent only a marginal activity of the organisation;

For the purpose of this Regulation, 'limited operations' are not considered as CAT operations or commercial specialised operations;

'introductory flight' means 'introductory flight' as defined in Article 2(9) of Regulation (EU) No 965/2012;

'competition flight' means 'competition flight' as defined in Article 2(10) of Regulation (EU) No 965/2012;

'flying display' means 'flying display' as defined in Article 2(11) of Regulation (EU) No 965/2012.

'owner' means the person responsible for the continuing airworthiness of the aircraft, including, alternatively:

- (i) the registered owner of the aircraft;
- (ii) the lessee in the case of a leasing contract;
- (iii) the operator.

Article 3

Part-ML applies to the following other than complex motorpowered 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.

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.

Article 4

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.

Organisations involved in the continuing airworthiness of aircraft and components for installation thereon, until 24 September 2020 organisations may, upon their request, be issued approvals by the competent authority in accordance with Subpart F and Subpart G of Annex I (Part-M). All approvals issued in accordance with Subpart F and Subpart G of Annex I (Part-M) shall be valid until 24 September 2021.

Organisations that hold a valid organisation approval certificate 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 I to Annex Vd (Part-CAO) and thereafter be overseen by the competent authority in accordance with 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).

By way of derogation from point CAO.B.060 of Annex Vd (Part-CAO), until 24 September 2021, the organisation may correct any findings of non-compliance related to requirements introduced by Annex Vd (Part-CAO) which are not included in Subpart F or Subpart G of Annex I (Part-M) or in Annex II (Part-145).

If after 24 September 2021 the organisation has not closed these findings, the approval certificate shall be revoked, limited or suspended in whole or in part.

Organisations that hold a valid continuing airworthiness management organisation approval certificate issued in accordance with Subpart G of Annex I (Part-M) shall, upon their request, be issued by the competent authority an EASA Form 14 approval certificate in accordance with

Annex Vc (Part-CAMO) and thereafter be overseen by the competent authority in accordance with Annex Vc (Part-CAMO).

By way of derogation from point CAMO.B.350 of Annex Vc (Part-CAMO), until 24 September 2021, the organisation may correct any findings of non-compliance related to requirements introduced by Annex Vc (Part-CAMO) and not included in Subpart G of Annex I (Part-M).

If after 24 September 2021 the organisation has not closed these findings, the approval certificate shall be revoked, limited or suspended in whole or in part.

Certificates and aircraft maintenance programme approvals issued pursuant to Regulation (EU) No 1321/2014 as applicable before 24 March 2020 shall be deemed to have been issued in accordance with this Regulation.

New Annexes to Regulation (EU) No 1321/2014

The regulation now has the following annexes:

Annex I	Part-M
Annex II	Part-145
Annex III	Part-66
Annex IV	Part-147
Annex Va	Part-T
Annex Vb	Part-ML
Annex Vc	Part-CAMO
Annex Vd	Part-CAO

The Table below resumes the Transition Timescales of Part-M.F and Part-M.G organizations to Part-CAO and Part-CAMO

Transition Chronology		
Til 24 March 2020	24 March 2020 - 24 September 2021	24 September 2021 onwards
Issue of Part-M.F and Part-M.G approvals	Issue of Part-CAO and Part-CAMO and	Issue of Part-CAO and Part-CAMO approvals only.
	Transition from Part-M.F and Part-M.G to Part-CAO and Part-CAMO by correcting any findings of non-compliance related to requirements introduced by Annex Vb and Vd	If after 24 September 2021 the organisation has not closed these findings,, the approval certificate shall be revoked, limited or suspended in whole or in part.

The Table below resumes the Continuing Airworthiness Responsibilities (**refer also to GM M.A.201**)

CA Responsibilities (Part-M.A.201)	
Responsibility For CA	Type of aircraft/operation
The owner shall ensure that flight takes place only if the conditions set out in point M.A. 201(a) are met, and the owner shall alternatively: (1) attribute the continuing airworthiness tasks referred to in point M.A.301 to a CAMO or CAO through a written contract concluded in accordance with Appendix I, (2) carry out these tasks himself, if the owner chooses to carry out those tasks himself then he may decide not to carry out the tasks of the development of and the processing of the approval of the AMP only if those tasks are performed by a CAMO or CAO through a written contract concluded in accordance with point M.A.302	For aircraft other than complex motor-powered aircraft for PRIVATE USE under Part-NCO or used for limited operations,'
Part-CAMO approval or owner has an Appendix I written contract with an appropriately approved Part-CAMO	For complex motor-powered aircraft for PRIVATE USE under Part-NCC
Part-CAO approval or owner has an Appendix I written contract with an appropriately approved Part-CAO or Part-CAMO	Other than complex motor-powered aircraft used for commercial specialised operations or for CAT operations other than those performed by air carriers licensed in accordance with Regulation (EC) No 1008/2008
Part-CAO approval or owner has an Appendix I written contract with an appropriately approved Part-CAO or Part-CAMO	Other than complex motor-powered aircraft used by commercial ATOs and commercial DTOs referred to in Article 10a of Regulation (EU) No 1178/2011
Part-CAMO approval or owner has an Appendix I written contract with an appropriately approved Part-CAMO	Complex motor-powered aircraft used for commercial specialised operations, for CAT operations other than those performed by air carriers licensed in accordance with Regulation (EC) No 1008/2008 or by commercial Approved Training Organisations ('ATO') and Declared Training Organisations ('DTO')
Part-CAMO approval	CAT operations performed by air carriers licensed in accordance with Regulation (EC) No 1008/2008

Note 1: “Specialised operation” means any operation, other than commercial air transport operation, where the aircraft is used for specialised activities such as agriculture, construction, photography, surveying, observation and patrol, aerial advertisement, **maintenance check flights;**

Note 2: flights carrying no passengers or cargo, where the aeroplane or helicopter is ferried for refurbishment, repair, inspections, delivery, export or similar purposes, provided that the aircraft is not listed on an air operator certificate or on a declaration are deemed not to fall under EASA regulations as per Article 6 of Regulation (EU) No 965/2012.

Note 3: “maintenance check flight (‘MCF’)” means a flight of an aircraft with an airworthiness certificate or with a permit to fly which is carried out for troubleshooting purposes or to check the functioning of one or more systems, parts or appliances after maintenance, if the functioning of the systems, parts or appliances cannot be established during ground checks and which is carried out in any of the following situations:

- (a) as required by the aircraft maintenance manual (“AMM”) or any other maintenance data issued by a design approval holder being responsible for the continuing airworthiness of the aircraft;
- (b) after maintenance, as required by the operator or proposed by the organisation responsible for the continuing airworthiness of the aircraft;
- (c) as requested by the maintenance organisation for verification of a successful defect rectification;
- (d) to assist with fault isolation or troubleshooting;

Note 4: As per **Part-SPO.SPEC.MCF.100 Levels of maintenance check flight**, Before conducting a maintenance check flight, the operator shall determine the applicable level of the maintenance check flight as follows:

(a) a “Level A” maintenance check flight for a flight where the use of abnormal or emergency procedures is expected as defined in the aircraft flight manual or where it is required to prove the functioning of a backup system or other safety devices;

(b) a “Level B” maintenance check flight for any maintenance check flights other than a “Level A” maintenance check flight.