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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, ...
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Draft

COMMISSION REGULATION (EU) No .../...

of [...]

amending Commission Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks

(Text with EEA relevance)

Draft

COMMISSION REGULATION (EU) No .../...

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amending Commission Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, in particular Article 80(2) thereof,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC¹ (hereafter referred to as the 'Basic Regulation'), and in particular Article 5(5) thereof,

Whereas:

- (1) Regulation (EC) No 216/2008 aims at establishing and maintaining a high uniform level of civil aviation safety in Europe. That Regulation provides for the means of achieving that objective and other objectives in the field of civil aviation safety.
- (2) With the replacement of Regulation (EC) No 1592/2002 by Regulation (EC) No 216/2008, Article 5 dealing with airworthiness was extended to include the elements of operational suitability evaluation into the implementing rules for type certification.
- (3) The European Aviation Safety Agency (hereafter referred to as the 'Agency') has found it necessary to propose amendments to Regulation (EC) No 1702/2003 in order to allow the Agency to approve operational suitability data as part of the type certification process.
- (4) The operational suitability data will include mandatory training elements for type rating training of maintenance certifying staff which shall be the basis for developing type training courses.
- (5) The requirements related to the establishment of maintenance certifying staff type rating training courses need to be amended to refer to the operational suitability data.
- (6) The measures provided for in this Regulation are based on the Opinion issued by the Agency² in accordance with Articles 17(2)(b) and 19(1) of Regulation (EC) No 216/2008.
- (7) The measures provided for in this Regulation are in accordance with the Opinion³ of the European Aviation Safety Agency Committee established by Article 65(3) of Regulation (EC) No 216/2008.

¹ OJ L 79, 19.03.2008, p.1.

² Opinion 06/2008.

(8) Commission Regulation (EC) No 2042/2003 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2042/2003 is amended as follows:

1. In Article 6, the following paragraph (6) is added:

6. Type training courses approved before the approval of the minimum syllabus of maintenance certifying staff type rating training in the operational suitability data for the relevant type in accordance with Part-21 shall include the mandatory training elements of the operational suitability data within four years after entry into force of this Regulation or within two years after the operational suitability data was approved, whichever is the latest.

2. The Annex III (Part-66) to Commission Regulation (EC) 2042/2003 is amended as set out in the Annex to this Regulation.

Article 2

Entry into force

1. This Regulation shall enter into force the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, XXXX.

For the Commission

[...]

The President

³ (To be issued).

ANNEX

The Annex III (Part-66) to Commission Regulation (EC) 2042/2003 is amended as follows:

1. Paragraph (a)(ii) in Chapter 1 ‘General’ of Appendix III is replaced by the following:
 - (ii) Shall comply, except as permitted by the differences training described below, with:
 - the mandatory training elements for the relevant type as defined in the operational suitability data established in accordance with Part-21 or, if such elements are not available, the standard described in paragraph 3.1 of this Appendix III, and
 - the type training examination standard described in paragraph 4.1 of this Appendix III.
2. Paragraph (b)(ii) in Chapter 1 ‘General’ of Appendix III is replaced by the following:
 - (ii) Shall comply, except as permitted by the differences training described below, with:
 - the mandatory training elements for the relevant type as defined in the operational suitability data established in accordance with Part-21 or, if such elements are not available, the standard described in paragraph 3.2 of this Appendix III, and
 - the type training assessment standard described in paragraph 4.2 of this Appendix III.