



TERMS OF REFERENCE

Task Nr:	145.023
Issue:	1
Date:	17 June 2008
Regulatory reference:	<p>Commission Regulation (EC) No 2042/2003 of 20 November 2003¹ on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.</p> <p>Decision 2003/19/RM of the Executive Director of the Agency of 28 November 2003² Annex II on acceptable means of compliance (AMC to Part-145) and Annex III on guidance material (GM to Part-145) to Commission Regulation.</p> <p>Management Board Decision 3/2004 of 3 February 2004³ concerning the general principles related to certification procedures to be applied by the Executive Director of the Agency for issuing certificates for organizations ("Organisations Certification Procedure").</p>
Reference documents:	Approval and Standardisation Directorate Internal Working procedures (MOAP).

1. Subject:

Amendment to Decision 2003/19/RM (AMC to Part 145) to adapt them to the process of granting Part-145 approvals to maintenance organisations located outside the territories of the Member States.

2. Problem / Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

For the purposes of Annex II Part 145 to Commission Regulation (EC) No 2042/2003, the Agency is the competent Authority for the issuance of approvals of maintenance organisations located outside the territories of the Member States, called "third countries". To issue these approvals, the Approval and Standardisation Directorate of the Agency follows the applicable provisions of Commission Regulation (EC) No 2042/2003 and the current Annex II (AMC to Part-145) to Decision 2003/19/RM.

The Agency performs approvals of organisations located in "third countries" in accordance with the current AMC/GM, but in some cases, it seemed that the Agency encountered situations where these AMC were not accurate enough.

¹ OJ L 315, 28.11.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 376/2007 (OJ L 94, 4.4.2007, p. 18).

² http://www.easa.europa.eu/ws_prod/g/doc/Agency_Mesures/Certification_Spec/decision_ED_2003_19_RM.pdf

³ http://www.easa.europa.eu/ws_prod/g/doc/About_EASA/Manag_Board/2004/mb_decision_0304.pdf

When the Member States meets a similar situation and need an AMC more adapted to specific scenario, they may issue a national AMC, but the Agency may not adapt any AMC without a rulemaking task.

3. Objective:

The Agency, acting as the competent authority for approval of maintenance organisations in third countries, envisage to modify and adopt additional Acceptable Means of Compliance (AMC) to Part-145, in order to solve current shortcomings and inconsistencies when dealing with foreign organisations. Some of these amended AMC may also be applicable to the approval of organisations within the EU.

In most of the cases, these proposals cover issues that have already been discussed with accredited NAAs working for the Agency or issues where the Agency has provided interpretation.

4. Specific tasks and interface issues (Deliverables):

Amend Annex II (AMC to Part-145) to Decision 2003/19/RM

5. Working Methods (in addition to the applicable Agency procedures):

Agency

6. Time scale, milestones:

The NPA is scheduled for June 2008.