



OPINION No 06/2010

OF THE EUROPEAN AVIATION SAFETY AGENCY

of 29 November 2010

on the opportunity to amend 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

'Part-145 Single and Multiple Release'

I. General

1. The purpose of this Opinion is to clarify the Agency's position as regards the opportunity to amend Commission Regulation (EC) No 2042/2003¹ in relation to the issue of 'Part-145 Single and Multiple Release'. The reasons for this rulemaking activity are described below.
2. The Opinion has been adopted following the procedure specified by the European Aviation Safety Agency's (the Agency) Management Board², in accordance with the provisions of Article 19 of Regulation (EC) No 216/2008³ (the Basic Regulation).
3. Paragraph 145.A.50(a) of Annex II to Commission Regulation (EC) No 2042/2003 states: 'A certificate of release to service shall be issued by appropriately authorised certifying staff on behalf of the organisation when it has been verified that all maintenance ordered has been properly carried out by the organisation in accordance with the procedures specified in 145.A.70, taking into account the availability and use of the maintenance data specified in point 145.A.45 and that there are no non-compliances which are known to endanger flight safety.'

Furthermore, paragraph 145.A.50(b) states that 'A certificate of release to service shall be issued before flight at the completion of any maintenance.'

From the wording of point 145.A.50(b) it is possible to draw the following two interpretations:

- **Interpretation 1:** There must be a single certificate of release to service covering all the maintenance performed before flight [since 145.A.50(b) states '**A** certificate of release to service ...'].
 - **Interpretation 2:** The maintenance performed before flight can be divided in as many maintenance items as desired [since 145.A.50(b) states '... at the completion of **any** maintenance'], and for each one of those maintenance items a certificate of release to service is issued.
4. This ambiguity of the Regulation has originated in Europe different methods of releasing an aircraft, including single release, multiple releases and variations/combinations of both, each one with its own advantages and disadvantages, which could be summarised as follows:
 - **Single release:** The aircraft certificate of release to service is issued by a single person following single or multiple maintenance actions, which are appropriately signed off by authorised personnel.

¹ Commission Regulation (EC) No 2042/2003 of 20 November 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 (OJ L 315, 28.11.2003, p. 1). Regulation as last amended by Commission Regulation (EC) No 962/2010 of 26 October 2010 (OJ L 281, 27.10.2010, p. 78).

² Decision of the Management Board concerning the procedure to be applied by the Agency for the issuing of Opinions, Certifications Specifications and Guidance Material. EASA MB 08-2007 of 11.06.2007 ('Rulemaking Procedure').

³ 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/EC (OJ L 79, 19.03.2008, p. 1). Regulation as last amended by Regulation (EC) No 1108/2009 of the European Parliament and of the Council of 21 October 2009 (OJ L 309, 24.11.2009, p. 51).

- Advantages:
 - The pilot receives a single release which tells him/her that all the maintenance ordered by the operator has been completed.
 - If properly implemented, it should ensure that all the maintenance actions have been properly coordinated.
 - Disadvantages:
 - Implies that the person signing the single release to service (and his/her organisation) must have in the scope of work/authorisation all the tasks covered by the release.
 - The full responsibility for all the maintenance actions falls on that person.
 - Very difficult to implement when several maintenance organisations are involved in a maintenance event.
 - **Multiple release:** Several certificates of release to service are issued, each one of them covering certain maintenance tasks.
 - Advantages:
 - Each organisation and each certifying staff can take responsibility only for the maintenance tasks they have performed and certified.
 - Disadvantages:
 - The pilot receives several certificates of release to service, making more difficult to verify that all the maintenance ordered by the operator has been completed.
 - They do not clearly address the coordination activities needed between the different certifying staff or between different organisations.
5. In order to address these issues, the Agency created a Rulemaking task (145.012) and a drafting group was set up composed of representatives from authorities, associations of aircraft maintenance personnel, representatives of industry and EASA experts.
6. The task of the group was described in the corresponding Terms of Reference (ToR), published on the Agency's website at:
<http://easa.europa.eu/rulemaking/terms-of-reference-and-group-composition.php>.

This document stated that:

'In Europe two systems of release to service coexist: single release and multiple releases. This can lead to misunderstandings and possibly to safety issues. It was therefore requested by industry and national aviation authorities to clarify this issue so that only one system remains, if possible.'

7. However, the work performed during the task 145.012 led to the conclusion that it was not reasonable to retain only one of those systems, because each one of them has its own advantages and disadvantages. It was better to create a system that takes on board the benefits of both systems providing at the same time flexibility to the operator and to the maintenance organisations. This system should ensure and clearly notify the pilot that all tasks have been accomplished and appropriately coordinated, should provide a clear line of responsibilities and, at the same time, should allow typical practices such as the release of

maintenance when defects are found (i.e. NDT inspections), or when the aircraft is left in a non-approved configuration (i.e. removal of an engine for preservation).

All this, complemented by sufficient AMC/GM material, should ensure a higher harmonisation during implementation and improvement of safety.

II. Consultation

8. Based on the input of the drafting group, the Agency issued NPA 2007-09 on 28 June 2007 and published it on its website at: http://www.easa.europa.eu/ws_prod/r/r_archives.php.
9. By the closing date of 28 October 2007 (which included a one-month extension to the initial 3-month consultation period), the Agency had received 242 comments from National Aviation Authorities, professional organisations and private companies.
10. The comments received through the external consultation of the NPA showed a significant concern from National Authorities and stakeholders about the complexity and implications of the concept proposed in the NPA.
11. In order to address these concerns, a review group was set up, composed of the members of the working group in charge of drafting the NPA plus one expert from the Standardisation Department (EASA) and one expert from Industry representing the European Regional Airlines (ERA). The objective was to prepare the corresponding CRD (Comment-Response Document).
12. After reviewing the comments, the review group decided to simplify significantly the concept proposed while maintaining the objectives of the task. The changes could be summarised as follows:
 - a. The concept proposed in the NPA, which was based on the issuance of three different certificates [Maintenance Release Certificate (MRC), Base Maintenance Release Certificate (BMRC), and Certificate of Release to Service (CRS)], was replaced by a much more simplified concept based on the issuance of one or several Certificates of Release to Service and a Final Certificate of Release to Service. In particular:
 1. Certificates of Release to Service (CRS):
 - They were issued by each Part-145 organisation involved in a maintenance event.
 - Their purpose was to certify the maintenance performed by that organisation and, as a consequence, they had to be issued by certifying staff with the appropriate licence categories and type/group ratings.
 - The Part-M Subpart G organisation (CAMO) may decide whether it preferred to use a Technical Log where every task is released or a Technical Log where tasks are signed off and then they are released as a block of tasks.
 - They could be issued even if non-compliances were found (i.e. NDT inspection performed by a D1 rated organisation, where cracks are found) or even if the aircraft was left in a non-airworthy configuration (i.e. the work order requires removing the engines for preservation purposes) as long as this was properly recorded in the CRS and it was notified to the CAMO.

Nevertheless, all these non-compliances or non-approved configurations would need to be eventually rectified or properly deferred, with the corresponding CRS.

- Certifying staff would take full responsibility for the maintenance and deferred items covered by the Certificate of Release to Service they had issued.
2. Final Certificate of Release to Service (Final CRS):
- It was issued by the Part-145 organisation which had been designated by the CAMO to do so.
 - Its purpose was to certify and notify the pilot that all the maintenance ordered by the CAMO had been completed or properly deferred. However, it did not act as certification of the maintenance performed or as certification of those items deferred, since this was already accomplished by the corresponding CRS described above. This was the reason why, for example, a B1 certifying staff with the appropriate type/group rating could issue a Final CRS covering line and base maintenance.
 - As a consequence, the certifying staff issuing the Final CRS fully relied on the CRS issued by each Part-145 organisation and in the coordination performed following the procedures established by the CAMO and following the conditions of the contract between the CAMO and the Part-145 organisation.
- b. The certification statement contained in the CRS and in the Final CRS was identical to the one contained in the current rule.
- c. The GM 145.A.50 introduced in the NPA in order to better describe the certification process and in order to provide examples of Technical Logs had been removed for the following reasons:
1. The new proposed system was much simpler, which made unnecessary the guidance for the certification process.
 2. The examples of Technical Log had been now introduced as AMC material to Part-M (operator's responsibility), under point AMC M.A.306(a). In addition, AMC 145.A.50 incorporated now guidance on how Part-145 organisation may complete the operator's Technical Log.
- d. The concept of Primary Maintenance Organisation (PMO), which was introduced in the NPA, was removed. Instead, it was emphasised in M.A.708(b)7 and in AMC M.A.708(b)7 that the responsibility for coordination remained on the Continuing Airworthiness Management Organisation (CAMO). This was also clarified in AMC M.A.306(a)3.
- e. It was clarified in AMC M.A.306(a)3 that, although the issuance by a Part-145 organisation of a final certificate of release to service certified that all maintenance ordered by the CAMO had been performed or properly deferred, this did not necessarily mean that the aircraft was airworthy at that moment. The CAMO was still responsible for the airworthiness of the aircraft and for ensuring that all the continuing airworthiness requirements were met before a flight took place. This was the purpose of the maintenance statement required by point M.A.306(a)3.
- f. The changes proposed in the NPA under point 145.A.55 'Maintenance Records' were removed due to the more simplified certification process and the removal of the PMO.

- g. In order to provide sufficient time to the affected stakeholders and competent authorities, it was proposed that the entry into force would be one year after the publication of the new Regulation in the *Official Journal of the European Union*.
13. These proposed changes and the replies to all the comments received during the NPA external consultation were published by the Agency in CRD 2007-09 on 5 August 2010. This CRD can be found on the Agency's website at:
http://www.easa.europa.eu/ws_prod/r/r_archives.php.
14. After CRD 2007-09 was published, the Agency organised on 30 September 2010 a workshop in Cologne in order to explain its content and to help stakeholders understand the proposal before reactions were submitted. Feedback received during the workshop included the following:
- Some competent authorities requested the extension of the reaction period to the CRD in order to have more time to reflect on the information received during the workshop. The Agency agreed and extended the standard 2-month reaction period to 3 more weeks until 26 October 2010.
 - Several competent authorities, maintenance organisations and association of airlines were still opposing to the concept proposed, mainly in relation to the Final CRS, which they understood as a transfer of responsibilities from the Operator/CAMO to the Part-145 organisation.
 - It became clear that further work is needed in order to clarify the responsibilities of the Operator/CAMO, which is an issue considered by the Agency as part of future rulemaking action (task M.029, scheduled to start in 2011).
15. As a result of the external consultation of the CRD 2007-09, which finished on 26 October 2010, the Agency received reactions from:
- five competent authorities: Ministry of Transport Austria, CAA-Denmark, CAA-Netherlands, CAA-Sweden, CAA-United Kingdom.
 - 11 organisations and associations: Aerlyper, Aircraft Engineers International (AEI), Association of Dutch Aviation Technicians (NVLT), Association of European Airlines (AEA), Association of Licensed Aircraft Engineers (ALAE, UK), Baines Simmons Limited, International Air Carrier Association (IACA), KLM Engineering & Maintenance, Nayak Aircraft Service NL, Norwegian Union of Licensed Engineers (NFO) and Transavia.com.
 - 89 individual persons (most of them licensed maintenance personnel).

These reactions are detailed in the Attachment.

III. Content of the Opinion of the Agency

a. Policy considerations

16. The present Opinion takes into account as much as possible the suggestions made by many stakeholders and national authorities who participated in the consultation and reacted to the CRD.
17. At this point the Agency would like to note that the feedback provided by the community of aircraft maintenance personnel and aircraft maintenance licence holders (both from associations and individuals) clearly supported the CRD proposal.
18. However, and although the number of stakeholders and competent authorities providing negative feedback to the CRD proposal has been reduced significantly in relation to the NPA, this feedback shows (see the Attachment contained in this Opinion) that there is still significant disagreement with the proposal from the following stakeholders and competent authorities:
 - Competent authorities: CAA-UK, CAA-Netherlands, CAA-Denmark, CAA-Sweden and Ministry of Transport Austria.
 - Associations of airlines: 'Association of European Airlines (AEA)' and 'International Air Carrier Association (IACA)'.
 - Individual airlines: 'Transavia.com'.
 - Maintenance organisations: 'KLM Engineering & Maintenance' and 'Nayak Aircraft Service NL'.
 - Training/Consultancy organisations: 'Baines & Simmons Limited'.
 - A limited number of individual persons.
19. This feedback highlights the following main concerns:
 - It is felt that the task is not properly justified from a safety point of view and that there is no need for the task.
 - It is felt that there is a significant impact on the industry because of the need to amend procedures and documents and the need to provide training.
 - It is felt that some CAMO responsibilities (mainly the coordination function and the issuance of the final CRS) have been transferred to the maintenance organisation. Furthermore, the utility of the final CRS is questioned.
 - Different procedures should have been developed for line and base maintenance.
 - There is a need to further clarify Part-M, in particular:
 - CAMO responsibilities and procedures.
 - Issuance, update and distribution of the 'maintenance statement'.
 - Differences between a CRS, a final CRS and a 'maintenance statement', and their relation to the maintenance/airworthiness status of the aircraft.

20. The Agency is of the opinion, opposite to what some stakeholders and competent authorities have expressed, that a rulemaking action can be adopted to improve safety even if there are no records of accidents directly linked to the particular issue. Rulemaking action is not solely driven by accidents: it can also be initiated when feedback from stakeholders and competent authorities shows that there are very different interpretations of the same requirements, many of them against the intent of the regulator. This is clearly the case when the regulation is ambiguous or when there is a lack of guidance material.
21. In the particular case of this task, as indicated in the Terms of Reference, the task was initiated at the request of stakeholders and competent authorities. In addition, the comments received during the consultation phase of the NPA and CRD, the comments received during the workshop held on 30 September 2010 and the discussions held between the Agency and the competent authorities during recent Standardisation conferences, have shown to the Agency that there is still a significant number of misinterpretations as well as areas where the regulation may not be fully consistent or accurate in relation to Part-145 and CAMO responsibilities, as well as in relation to the accountability of the certifying staff when releasing maintenance.
22. Furthermore, the Agency has become aware of AAIB Bulletin 9/2010 (issued by the Air Accidents Investigation Branch, UK), related to a serious incident taking place on 12 January 2009 and involving a Boeing 737, registration G-EZJK. This incident happened following a process where the operator was handing back an aircraft which was previously on lease, and where the operator and its base maintenance provider had put in place various contracts with third party companies to carry out and supervise any associated maintenance as discrete packages of work. Among other safety recommendations contained in this AAIB Bulletin, Safety Recommendation 2010-072 recommends the Agency to review the regulations and guidance in OPS1, Part-M and Part-145 in order to ensure they adequately address complex, multi-tier, sub-contract maintenance and operational arrangements. It further highlights the need for assessing the overall organisational structure, interfaces, procedures, roles, responsibilities and qualifications/competency of key personnel across all sub-contract levels.
23. This has reinforced the opinion of the Agency that there was, and there still is, a need for rulemaking action in this area.
24. The Agency also believes that any rulemaking action has an impact — which must be reduced as much as possible. The fact that procedures and documents have to be amended or the fact that training has to be provided is common in almost every change to the regulation, but this impact should be offset by the benefits of the rulemaking action.
25. In relation to this task, the Agency is still of the opinion that the text proposed in the CRD provides the following benefits:
 - Clear line of responsibilities:
 - Certification of maintenance (CRS): Each Part-145 organisation certifies and is responsible for its own work with the issuance of the CRS, even in those cases where the work is incomplete or leaves the aircraft in a non-airworthy condition. This can be detailed even further, so each certifying staff certifies their own work (their own CRS).
 - Final release of the aircraft (Final CRS) to the pilot:

- Only in relation to the maintenance ordered by the CAMO.
 - Relies on the certification of maintenance performed with the CRS.
 - Responsibility for the airworthiness of the aircraft and for defining the coordination procedures remains in the CAMO.
 - It is possible to certify work even if non-compliances are found (i.e. NDT inspection performed by a D1 rated organisation, where cracks are found) or even if the aircraft is left in a non-airworthy configuration (i.e. the work order requires removing the engines for preservation purposes).
 - The pilot receives a single release (Final CRS) which tells him/her that all the maintenance ordered by the operator has been completed.
 - If properly implemented it should ensure that all the maintenance actions have been properly coordinated.
26. Furthermore, the Agency proposed in the CRD transition measures to reduce the impact on stakeholders and competent authorities.

b. Conclusions

27. The Agency is therefore of the opinion that rulemaking is necessary to address the issue of single and multiple release and that the CRD proposal met that objective. Nevertheless, the Agency also recognises, taking into account the comments received, that its proposal may need some improvement. Furthermore, Safety Recommendation 2010-072 issued by the AAIB in Bulletin 9/2010 shows that this task may be insufficient to address some of the issues. Indeed, the responsibilities of the CAMO and their relation to the airworthiness of the aircraft are not addressed in the proposal. Clarifying this is necessary. However, the issue of CAMO responsibilities is planned to be addressed by task M.029 contained in the Rulemaking Programme, scheduled to start in 2011. Consequently, the Agency has decided to merge these two activities, which are linked.

28. As a consequence, the final Opinion of the Agency is the following:

- **Closing the task 145.012 without proposing any changes to the current regulations or AMC/GM material at this stage.**
- **In line with AAIB Safety Recommendation 2010-072 contained in Bulletin 9/2010, take the benefit of the work performed during task 145.012 and expand the scope of the task M.029, scheduled to start in 2011, in order to address simultaneously:**
 - **the responsibilities of CAMOs and Part-145 organisations, and**
 - **the procedures for maintenance, coordination, aircraft release and airworthiness determination.**

IV. Regulatory Impact Assessment

29. Since the current Opinion does not propose any change to the current regulation or to AMC/GM, there is no associated impact.

Cologne, 29 November 2010

P. GOUDOU
Executive Director

ATTACHMENT: Reactions to CRD 2007-09**Reactions supporting the proposed amendments:**

- (1) **Aircraft Engineers International (AEI), the Association of Dutch Aviation Technicians (NVLT), the Association of Licensed Aircraft Engineers (ALAE, UK), the Norwegian Union of Licensed Engineers (NFO), and 75 out of 89 individual persons (most of them licensed maintenance personnel)** support the content of the text proposed in CRD 2007-09. The reasons they have exposed include the following:
- The proposal removes the ambiguities of the current regulation and promotes harmonisation of certification procedures, which is especially needed because of the current trend to increase outsourcing and third party maintenance.
 - The proposal clearly defines responsibilities.
 - The proposal does not interfere with the CAMO oversight responsibilities.
 - The maintenance status of the aircraft becomes obvious to the flight crew.
 - The proposal will increase safety.

Reactions requesting minor changes to the proposed amendments:

- (2) **The Association of Dutch Aviation Technicians (NVLT)** proposed, apart from some minor wording changes, the following:
- To further clarify in AMC 145.A.50(b)1 that by issuing a final CRS the aircraft shall be considered 'ready for release to service' after maintenance.
 - That certifying staff issuing the final CRS has to ensure that all the maintenance complaints are corrected and/or deferred by the proper authorised persons instead of merely verifying that the corresponding CRS has been issued.
 - To clarify the meaning of the sentence 'all maintenance ordered by the operator has been completed or properly deferred', which is contained in 145.A.50(b).
 - To further clarify the meaning of the 'sign-off' contained in AMC 145.A.65(b)3.
- (3) **Aircraft Engineers International (AEI), the Association of Licensed Aircraft Engineers (ALAE, UK) and certain number of individual persons** requested to make absolutely clear that Category A privileges do not include 'system troubleshooting'.
The Agency notes that this issue was addressed in task 66.006 and in Opinion 05/2009.
- (4) **'Aerlyper'** requested to further clarify the ratings required for maintenance organisations and for Part-66 licence holders in order for them to issue the final CRS.

- (5) **One individual person** requested that the possibility of releasing a 'daily check or equivalent' after the final CRS has been issued is extended to cover also tasks with an interval of up to seven days per MRB/MPD.

Reactions opposing to the proposed amendments:

- (6) **The Association of European Airlines (AEA) and 'KLM Engineering & Maintenance'**, apart from considering that the NPA should have been completely withdrawn, has rejected the proposal in the CRD stating the following reasons:
- The CAMO is much better placed than the Part-145 organisation for exercising the duties involved in aircraft release.
 - The proposed changes are against the proven principles of the current regulation, transferring responsibilities from the CAMO to the Part-145 organisation.
 - The proposed final CRS contains statements on the existence of CRS and the completeness of maintenance ordered by the CAMO and performed by other maintenance organisations, which they believe is the responsibility and privilege of the CAMO.
 - The proposal does not allow category A certifying staff to sign the final CRS if there are other persons involved in the maintenance.
 - There is no demonstrated safety risk and the safety benefit has been overestimated, with the change being a risk during the transition period.
 - The economic impact on Part-145 organisations has been underestimated, including training and amendment of procedures and of the Technical Log.

AEA and KLM propose that if the perceived risk involved in the current regulations is demonstrated, EASA should evaluate the Part-M domain procedures and leave Part-145 unchanged.

- (7) **'IACA International Air Carrier Association'** has rejected the proposal in the CRD stating the following reasons:
- They do not agree that the lack of standardisation of the current system leads to possible additional safety issues.
 - The positive safety impact of the proposal has been overestimated and not justified.
 - The final CRS will lead to possible safety issues for organisations and authorities.
 - They do not see the need for a final CRS since they believe that:
 - If there is only one Part-145 organisation working on the aircraft, it has the option to issue a CRS for each task or for a group of tasks. Ultimately, the Part-145 organisation could issue a single CRS for all the work it has performed and coordinated as accepted under the work order of the CAMO, which is nothing new and generally accepted.
 - If a Part-145 organisation has subcontracted other Part-145 organisations, this Part-145 organisation may decide to issue a single CRS for all the works performed and coordinated as accepted under the work order of the CAMO, which is nothing new and generally accepted.

- If the CAMO has contracted several Part-145 organisations, the final CRS transfers CAMO responsibilities to the Part-145 organisation.
- From the pilot's point of view, the final CRS creates a false sense of completeness because, in any case, the pilot has to check for maintenance statements related to scheduled and out-of-phase maintenance, deferred items, etc.
- There will be a negative impact due to the need for new Exposition Manuals, procedures, work instructions, training, Technical Logs, contracts.
- There will be a social and cultural impact within the industry.

IACA proposes the following:

- To maintain both options of single and multiple releases.
- Not to implement the concept of final CRS.
- If a single release is still found necessary by EASA for the case where the CAMO contracts several Part-145 organisations, this document should not be labelled as a 'CRS' but as a 'summary sheet'.

(8) **'Nayak Aircraft Service NL'** has rejected the proposal in the CRD stating the following reasons:

- They do not see a justification for the task and do not believe that this proposal improves flight safety.
- There is a transfer of responsibilities from the CAMO to the contracted Part-145 organisation. The responsibility for the final CRS should be in the CAMO.
- The final CRS is an administrative document and should be called 'maintenance statement' or 'administrative final'.
- The final CRS is required for all line and base maintenance, while Nayak believes that differentiation should be made between line and base maintenance.
- Similarly to Category B and C certifying staff, Category A certifying staff should be also allowed to issue a final CRS independently of the scope of tasks, since this is an administrative task.

'Nayak Aircraft Service NL' proposes to completely withdraw the proposed changes.

(9) **'Transavia.com'** has rejected the proposal in the CRD stating the following reasons:

- They do not see a justification for the task.
- Positive safety impact has been overestimated.
- The proposal dilutes responsibilities.
- The final CRS concept is not needed for operators contracting only one Part-145 organisation.
- There will be a negative impact due to the need for new Exposition Manuals, procedures, work instructions, training, Technical Logs, contracts.
- There will be a social and cultural impact within the industry and national authorities.

(10) **'Baines Simmons Limited'** has rejected the proposal in the CRD stating the following reasons:

- The proposal transfers the responsibility of maintenance coordination from the CAMO to Part-145 organisation.
- The proposal includes two different types of releases (CRS and final CRS) with the same wording.
- There is a clear ambiguity in the current regulation between Part-M and Part-145, where the maintenance organisation is 'releasing the aircraft to service' in relation to individual tasks, but this does not necessarily mean that the aircraft is airworthy.

'Baines Simmons Limited' proposes the following:

- EASA should put its efforts into developing regulation/AMC material to Part-M in relation to M.A.306(a)3 'maintenance statement', in particular how it should be updated and distributed in a timely manner in relation to each maintenance event and not only to base maintenance events.
- EASA should discourage owners/operators from creating complex contracted maintenance arrangements that may appear to lead to complicated scenarios, whereby multiple Part-145 organisations are being presented to the pilot, especially in the case of line maintenance environment.
- If EASA still wants to have two different releases, then they should be quite different, differentiating between 'certification of maintenance' and 'release to service'.
- Create a more appropriate 'maintenance release' within Part-145 and an 'airworthiness release to service' more properly defined in Part-M.

(11) **CAA-Netherlands, the Ministry of Transport of Austria and Mr Walter Gessky (Austrian member of the EASA Committee)**, apart from considering that the NPA should have been completely withdrawn or should have been limited to AMC/GM material, have rejected the proposal in the CRD stating the following reasons:

- The positive safety impact is very limited while there is a large bureaucratic and administrative burden on industry.
- The final CRS dilutes the current split of responsibilities between CAMOs and Part-145 organisations, especially in the area of coordination of maintenance activities. CAMO responsibilities are being transferred to Part-145 organisation.
- The final CRS creates a false sense of certainty on the pilot since he/she does not always know (or need to know) what maintenance has been ordered.
- In the case of aircraft not involved in Commercial Air Transport the proposal may introduce the risk of confusion for the pilot, mainly if maintenance has been performed by both Part-145 and Subpart F maintenance organisations. In that case, a final CRS may not always be present.

CAA-Netherlands, the Ministry of Transport of Austria and Mr Walter Gessky propose to do nothing.

(12) **CAA-Denmark**, apart from considering that the NPA should have been completely withdrawn or should have been limited to AMC/GM material, has rejected the proposal in the CRD stating the following reasons:

- The proposal makes existing systems more complicated rather than clarifying them.
- The positive safety impact is very limited while there is a large bureaucratic and administrative burden on industry. This includes new procedures and documents, as well as a huge task of implementation in the organisations.
- The final CRS dilutes the current split of responsibilities between CAMOs and Part-145 organisations, especially in the area of coordination of maintenance activities. CAMO responsibilities are being transferred to Part-145 organisation.
- The CRS may give the impression to the pilot that the aircraft is fit for flight, not knowing that there has to be a final CRS.

CAA-Denmark proposes to only revise the existing AMC/GM material in order to clarify the interpretation of a CRS.

(13) **CAA-Sweden** has rejected the proposal in the CRD stating the following reasons:

- The proposal makes the release to service concept a bigger problem than it is, more complicated and with different versions.
- All operators must develop their Technical Log System and certification of maintenance (CRS) even if they do not use more than one maintenance organisation at a time.
- All operators must change their Technical Log System because a few have developed something else.
- All maintenance organisations must develop procedures and train their staff. This creates costs without an increase of the safety level.
- If some CAMO/Operators want to use more than one maintenance organisation at the same maintenance event they must take full responsibility. There is enough space in the legal system today to arrange the use of more than one maintenance organisation at the same event.
- The clear 'responsibilities concept' today for the CAMO and the Part-145 organisation will be diluted. It destroys the 'clear work order concept'.
- It will be difficult for the designated Part-145 organisation to coordinate because of no insight/access to the other maintenance contracts.
- Most certifying staff will experience a lot of unnecessary signing which will lead to confusion about what they sign for. The value and intention of the signature will be diluted.
- A Part-145 organisation working with CAT and non-CAT aircraft must have two systems for certification of maintenance.
- How coordination responsibilities will be in a situation where a 'stand-alone' CAMO has a contract with an operator complying with M.A.201(i) and the operator has contracts with Part-145 and Subpart F maintenance organisations?
- How certification of maintenance will be performed when an operator complying with M.A.201(i), who uses a Technical Log System with CRS and final CRS, has contracts with Part-145 and Subpart F maintenance organisations?

CAA-Sweden proposes just to clarify the CAMO/Operator responsibilities in M.A.708.

(14) **CAA-United Kingdom** opposes to the CRD proposal stating the following reasons:

- CAA-UK is unable to identify any specific safety concern in this area that requires Agency action.
- The proposal complicates the working practices in a Part-145 organisation leading to unnecessary bureaucracy and non-defined safety benefit.
- It complicates the relationship and blurs the responsibilities between the CAMO and the contracted Part-145 organisation.
- The statement for the final CRS should not be a CRS in accordance with 145.A.50 since it is an administrative task not falling within the definition of maintenance set out in Article 2 of Regulation (EC) No 2042/2003.
- The proposal does not allow category A certifying staff to sign the final CRS if there are other persons involved in the maintenance. UK-CAA proposes to separate scheduled line maintenance and simple defect rectification, allowing in such a case that the final CRS is issued by category A certifying staff even if the work has been performed by other persons.
- The UK-CAA does not support that B, C and D rated organisations performing work on the aircraft can issue a CRS at the level of the aircraft, and believes that a Form 1 should be used.
- The examples of Technical Log contained in AMC 145.A.50 are not accurate enough since they do not contain, for example, reference to details of serialised components. This could lead to think that the fields contained in the examples are sufficient.

(15) **One individual person** has rejected the proposal in the CRD stating the following reasons:

- The proposal includes two different types of releases (CRS and final CRS) with the same wording.
- The person signing the final CRS does not take responsibility for the work covered by other CRS.
- This person sees as an inconsistency in the fact that it is allowed to sign the daily check after the final CRS without issuing another final CRS.

This person proposes either one of the two options:

- Abolish the final CRS and replace it by a statement in the Technical Log to the effect that the maintenance has been carried out and/or deferred by appropriately licensed/authorised/approved staff and the aircraft is safe for flight. The single CRS statement having two signatures (B1 and B2) should be sufficient.
- If the final CRS is retained, then it should have two signatures (B1 and B2) in order to certify and take responsibility for all the tasks.

This person also proposes that B2 certifying staff should be involved in the certification of the daily check.

(16) **Two individual persons** have rejected the proposal in the CRD stating the following reasons:

- The proposal is supporting operators at the cost of safety, allowing further outsourcing of maintenance.

- This outsourcing promotes the existence of maintenance organisations specialised in particular works, making difficult for its certifying staff to gain knowledge and experience on the whole aircraft, which is necessary to obtain a licence.
- (17) **One individual person** has expressed his disagreement with the fact that the final CRS can be issued by a single person, even if such a person has not had any input on the maintenance performed and even if some of the work is outside the scope of his/her licence.
- (18) **One individual person** has expressed the view that the CRD proposal is not needed because all the areas are already covered and developed to such a point that this is the day-to-day standard business of the industry.
- (19) **One individual person** has commented that the proposal removes the responsibility from the persons in charge of the aircraft maintenance.

Other reactions:

- (20) **The Association of Dutch Aviation Technicians (NFLT)** asked whether the CRD proposal already includes the extension of B2 privileges (NPA 2007-07) in 66.A.20, point 3.
- The Agency notes that the CRD did not contain this change because it has not been formally adopted by the Commission yet. The extension of B2 privileges is part of the adoption process of Opinion 05/2009.
- (21) **One individual person** requested that the UK-CAA reverts to full oral examination in order to get an aircraft maintenance licence.
- The Agency notes that this is not possible under the current EU regulations.
- (22) **One individual person** incorrectly submitted to this CRD 2007-09 a comment related to NPA 2010-09, in relation to the terms 'contracting' and 'subcontracting'.
- (23) **One individual person has commented the following:**
- He supports harmonisation of the way the aircraft is released.
 - He supports the multiple release concept since it places the responsibility solely on the person who certifies the work.
 - He mentions that the single release concept promotes the issuance of a CRS without seeing or knowing what has been done on the aircraft, especially for large and complex works, and it also promotes the performance of maintenance by non-qualified personnel.
 - He is completely against the practice where many works are signed off by company-approved persons with no licence.