



Brussels, **XXX**  
[...](2013) **XXX** draft

**ANNEX TO EASA OPINION 12/2013**

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

**of **XXX****

**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**

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

**of XXX**

**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 EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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/EC<sup>1</sup> and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) 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<sup>2</sup>,

Whereas:

- (1) Regulation (EC) No 216/2008 aims at establishing and maintaining a high uniform level of civil aviation safety in Europe. This Regulation provides for the means of achieving that objective in the field of civil aviation safety.
- (2) Regulation (EC) No 2042/2003 establishes the implementing rules on the continuing airworthiness of aircraft and aeronautical products, parts and appliances and on the approval of organisations and personnel involved in these tasks.
- (3) During performance of maintenance, it is common that persons or organisations use components, parts or material provided by third parties. It is necessary to mitigate the risks associated to the acceptance of such components, parts or material from third parties and in particular to ensure that the necessary measures are taken by persons and organisations to ensure proper acceptance, classification and segregation of components.
- (4) Regulation (EC) No 2042/2003 should therefore be amended accordingly.
- (5) It is necessary to provide sufficient time for the aeronautical industry and Member States' administrations to adapt to the new regulatory framework.
- (6) The European Aviation Safety Agency (hereinafter referred to as 'the Agency') prepared draft implementing rules and submitted them as an opinion to the European Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of the Regulation (EC) No 216/2008.

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<sup>1</sup> OJ 79, 19.3.2008, p.1.

<sup>2</sup> OJ L 315, 28.11.2003.

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 3(2) of Commission Regulation (EC) No 2042/2003 is amended as follows:

- (2) Organisations and personnel involved in the continuing airworthiness of aircraft and components, including maintenance, shall comply with the applicable provisions of Annex I and where appropriate those specified in Articles 4 and 5.

*Article 2*

The Annex I (Part M) and Annex II (Part 145) are amended in accordance with the Annex to this Regulation.

*Article 3*

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.

It shall apply from [1 year after its entry into force].

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

Done at Brussels,

*For the Commission  
The President*

## ANNEX

### Annex I (Part M) to Commission Regulation (EC) No 2042/2003 is amended as follows:

1. In the table of contents, the titles of point M.A.501 and M.A.504 are amended as follows:  
M.A.501 Classification and installation  
M.A.504 Segregation of components
  
2. Point M.A.501 is replaced by the following:  
**M.A.501 Classification and installation**
  - (a) All components shall be classified into the following categories:
    - (1) Components which are in a satisfactory condition, released on an EASA Form 1 or equivalent and marked in accordance with Subpart Q of the Annex (Part 21) to Regulation (EU) No 748/2012, unless otherwise specified in Annex (Part 21) to Regulation (EU) No 748/2012 or in this Annex I (Part M).
    - (2) Unserviceable components which shall be maintained in accordance with this Regulation.
    - (3) Components categorised as unsalvageable because they have reached their certified life limit or contain a non-repairable defect.
    - (4) Standard parts used on an aircraft, engine, propeller or other aircraft component when specified in the maintenance data and accompanied by evidence of conformity traceable to the applicable standard.
    - (5) Material both raw and consumable used in the course of maintenance when the organisation is satisfied that the material meets the required specification and has appropriate traceability. All materials must be accompanied by documentation clearly relating to the particular material and containing a conformity to specification statement plus both the manufacturing and supplier source.
  - (b) Components, standard parts and material shall only be installed on an aircraft or a component when they are in a satisfactory condition, meet the applicable requirements of point (a), and the applicable maintenance data specifies the particular component, standard part or material.
  
3. Point M.A.502 (d) is replaced by the following:
  - (d) By derogation from paragraph (a) and point M.A.801(b)2, certifying staff referred to in point M.A.801(b)2 may perform, in accordance with component maintenance data, the following:
    - (1) Maintenance other than overhaul of components, while the component is installed or temporarily removed from ELA1 aircraft not used in commercial air transport; and

- (2) Overhaul of engines and propellers while installed or temporarily removed from CS-VLA, CS-22 and LSA aircraft not used in commercial air transport.

Component maintenance performed in accordance with paragraph (d) is not eligible for the issuance of an EASA Form 1 and shall be subject to the aircraft release requirements provided for in point M.A.801.

4. Point M.A.504 is replaced by the following:

**M.A.504 Segregation of components**

- (a) Unserviceable and unsalvageable components shall be segregated from serviceable components, standard parts and materials.
- (b) Unsalvageable components shall not be permitted to re-enter the component supply system unless certified life limits have been extended or a repair solution has been approved according to Regulation (EU) No 748/2012.

5. Point M.A.608(c) is replaced by the following:

- (c) The organisation shall inspect, classify and appropriately segregate all incoming components, standard parts and materials.

6. In the first paragraph of Appendix VII, the reference to M.A.502(d)(3) is deleted as follows:

The following constitutes the complex maintenance tasks referred to in M.A.801(b)2 and M.A.801(c):

**Annex II (Part 145) to Regulation (EC) No 2042/2003 is amended as follows:**

7. In the table of contents, the titles of point 145.A.40 and 145.A.42 are amended as follows:

145.A.40 Equipment and tools

145.A.42 Components

8. The title of point 145.A.40 is replaced by the following:

145.A.40 Equipment and tools

9. The first paragraph of point 145.A.40 (a) is replaced by the following:

- (a) The organisation shall have available and use the necessary equipment and tools to perform the approved scope of work.

10. Point 145.A.42 is replaced by the following:

**145.A.42 Components**

- (a) Classification of components. All components shall be classified into the following categories:

- (1) Components which are in a satisfactory condition, released on an EASA Form 1 or equivalent and marked in accordance with Subpart Q of the Annex (Part 21) to Regulation (EU) No 748/2012, unless otherwise specified in Annex (Part 21) to Regulation (EU) No 748/2012, or in this Annex II (Part 145).
  - (2) Unserviceable components which shall be maintained in accordance with this Regulation.
  - (3) Components categorised as unsalvageable because they have reached their certified life limit or contain a non-repairable defect.
  - (4) Standard parts used on an aircraft, engine, propeller or other aircraft component when specified in the maintenance data and accompanied by evidence of conformity traceable to the applicable standard.
  - (5) Material both raw and consumable used in the course of maintenance when the organisation is satisfied that the material meets the required specification and has appropriate traceability. All materials must be accompanied by documentation clearly relating to the particular material and containing a conformity to specification statement plus both the manufacturing and supplier source.
- (b) Components, standard parts and materials for installation
- (1) The organisation shall establish procedures for the acceptance of components, standard parts and materials for installation to ensure that components, standard parts and materials are in satisfactory condition and meet the applicable requirements of point (a).
  - (2) The organisation shall establish procedures to ensure that components, standard parts and materials shall only be installed on an aircraft or a component when they are in satisfactory condition, meet the applicable requirements of point (a), and the applicable maintenance data specifies the particular component, standard part or material.
  - (3) The organisation may fabricate a restricted range of parts to be used in the course of undergoing work within its own facilities provided procedures are identified in the exposition.
  - (4) Components referred to in point 21.A.307(c) of the Annex (Part 21) to Regulation (EU) No 748/2012 shall only be installed if considered eligible for installation by the aircraft owner on its own aircraft.
- (c) Segregation of components
- (1) Unserviceable and unsalvageable components shall be segregated from serviceable components, standards parts and materials.
  - (2) Unsalvageable components shall not be permitted to re-enter the component supply system unless certified life limits have been extended or a repair solution has been approved according to Regulation (EU) No 748/2012.