

ANNEX II

Annex II to draft Commission Regulation (EU) .../... amending Commission Regulation (EU) No 748/2012 of 03 August 2012 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council

A. Commission Regulation (EU) No 748/2012 is amended as follows¹:

1) 'ARTICLE 1 – SCOPE and DEFINITIONS' the following definition is added:

- (k) 'Part-26' means additional airworthiness requirements for operations and design approval holders laid down in Annex I to Commission Regulation (EU) 2015/640;

B. Annex I (Part-21) to Commission Regulation (EU) No 748/2012 is amended as follows:

2) '21.A.21' is amended as follows:

The following point is added under 21.A.21 (a)(3)

- '(iii) the applicable Part-26 requirements are complied with.'

3) '21.A.61' is amended as follows:

(a) is replaced by the following:

- '(a) The holder of the type-certificate or restricted type-certificate shall furnish at least one set of complete instructions for continued airworthiness, comprising descriptive data and accomplishment instructions prepared in accordance with the applicable type-certification basis and Part-26 to each known owner of one or more aircraft, engine or propeller upon its delivery or upon issue of the first certificate of airworthiness for the affected aircraft, whichever occurs later and thereafter make those instructions available on request to any other person required to comply with any of the terms of those instructions. The availability of some manuals or portion of the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles

4) '21.A.101' is amended as follows:

The following new (h) is added:

- '(h) An applicant for a change to a type-certificate shall comply with the requirements laid down in Part-26 for applicants for a change to a type certificate.'

5) '21.A.120' is amended as follows:

(a) is replaced by the following:

- '(a) The holder of the supplemental type-certificate for an aircraft, engine, or propeller, shall furnish at least one set of the associated variations to the instructions for continued airworthiness, prepared in accordance with the applicable type-certification basis and Part-26, to each known owner of one or

¹ The proposal is based on the latest proposal for changes to Regulation (EU) No 748/2012 made by the Agency in its Opinion 07/2016.

more aircraft, engine, or propeller incorporating the features of the supplemental type-certificate, upon its delivery, or upon issuance of the first certificate of airworthiness for the affected aircraft, whichever occurs later, and thereafter make those variations in instructions available, on request, to any other person required to comply with any of the terms of those instructions. The availability of some manuals or portion of the variations to the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.'

6) '21.A.433' is amended as follows:

(a)(1) is replaced by the following (the remaining points are not affected):

'(a) A repair design shall only be approved:

1. when it has been demonstrated, following the certification programme under 21.A.432C(b), where applicable, that the repair design complies with the type-certification basis incorporated by reference in the type-certificate or supplemental type-certificate or APU ETSO authorisation, as applicable, and the requirements laid down in Part-26 for applicants for approval of a repair design, as well as with any amendments established and notified, when applicable, by the Agency in accordance with 21.B.113;'