

Proposal for a
COMMISSION REGULATION (EC) No .../...
of [...]

amending Commission Regulation (EC) No 2042/2003 laying down 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

(Text with EEA relevance)

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 ("the Basic Regulation"), and in particular Articles 5(5) thereof,

Having regard to Commission Regulation (EC) No 2042/2003 of 20 November 2003 laying down 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 tasks²,

Whereas:

- (1) Regulation (EC) No 216/2008 is implemented by 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, as well as by Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations;
- (2) Paragraph 21A.163(c) (Annex, section A) of Commission Regulation (EC) No 1702/2003 gives the privilege to production organisation approval holders to issue Authorised Release Certificates (EASA Form 1) for parts and appliances;
- (2) Paragraph 21A.130 (Annex, section A) of Commission Regulation (EC) No 1702/2003, requires the raising of a statement of conformity (EASA Form 1) to be validated by the Competent Authority for parts and appliances manufactured under Subpart F of the Annex to that Regulation;
- (3) Paragraphs M.A.615 (Annex I, section A) and 145.A.75 (Annex II, section A) of Commission Regulation (EC) No 2042/2003 give the privilege to approved maintenance organisations to issue Authorised Release Certificates (EASA Form 1) for the release of parts and appliances after maintenance;
- (4) The European Aviation Safety Agency (the Agency) has found it necessary to propose amendments to Appendix II to Annex I (PART-M) and to Appendix I to Annex II (PART-145) – EASA Form 1 Authorised Release Certificate of Commission Regulation (EC) No

¹ OJ L 79, 19.03.2008, p.1

² OJ L 315, 28.11.2003, p.1. Regulation as last amended by Regulation (EC) No 376/2007 (OJ L 94, 04.04.2007, p. 18)

2042/2003, in order to improve the understanding of the data to be entered on the EASA Form 1 as well as to enhance global acceptance of the EASA Form 1;

- (4) The Commission has agreed that the amendments proposed by the Agency will improve the system established under Regulation (EC) No 2042/2003;
- (5) The measures provided for in this Regulation are based on the opinion issued by the Agency³ in accordance with Articles 17(2)(b) and 19(1) of Regulation (EC) No 216/2008;
- (6) The measures provided for in this Regulation are in accordance with the opinion⁴ of the European Aviation Safety Agency Committee established by Article 65(3) of Regulation (EC) No 216/2008;
- (7) Commission Regulation (EC) No 2042/2003 should therefore be amended accordingly;

HAS ADOPTED THIS REGULATION:

Article 1

(1) Appendix II (EASA Form 1 Authorised Release Certificate) of the Annex I (Part-M) to Commission Regulation (EC) 2042/2003 is replaced by the following revised Appendix II:

Appendix II

AUTHORISED RELEASE CERTIFICATE – EASA FORM 1

These instructions relate only to the use of the EASA Form 1 for maintenance purposes. Attention is drawn to Appendix I to Part-21 which cover the use of the EASA Form 1 for production purposes.

1. PURPOSE AND USE

A primary purpose of the Certificate is to declare the airworthiness of maintenance work undertaken on products, parts and appliances (hereafter referred to as 'item(s)').

Correlation must be established between the Certificate and the item(s). The originator must retain a Certificate in a form that allows verification of the original data.

The Certificate is acceptable to many airworthiness authorities, but may be dependent on bilateral agreements and/or the policy of the airworthiness authority. The 'approved design data' mentioned in this Certificate then means approved by the airworthiness authority of the importing country.

The Certificate is not a delivery or shipping note.

Aircraft are not to be released using the Certificate.

The Certificate does not constitute approval to install the item on a particular aircraft, engine, or propeller but helps the end user determine its airworthiness approval status.

A mixture of production released and maintenance released items is not permitted on the same Certificate.

2. GENERAL FORMAT

The Certificate must comply with the format attached including block numbers and the location of each block. The size of each block may however be varied to suit the individual application, but not to the extent that would make the Certificate unrecognisable.

³ Opinion 06/2008

⁴ (To be issued)

The Certificate must be in 'landscape' format but the overall size may be significantly increased or decreased so long as the Certificate remains recognisable and legible. If in doubt consult the Competent Authority.

The User/Installer responsibility statement can be placed on either side of the form.

All printing must be clear and legible to permit easy reading.

The Certificate may either be pre-printed or computer generated but in either case the printing of lines and characters must be clear and legible and in accordance with the defined format.

The Certificate should be in English, and if appropriate, in one or more other languages.

The details to be entered on the Certificate may be either machine/computer printed or hand-written using block letters and must permit easy reading.

Limit the use of abbreviations to a minimum, to aid clarity.

The space remaining on the reverse side of the Certificate may be used by the originator for any additional information but must not include any certification statement. Any use of the reverse side of the Certificate must be referenced in the appropriate block on the front side of the Certificate

3. COPIES

There is no restriction in the number of copies of the Certificate sent to the customer or retained by the originator.

4. ERROR(S) ON A CERTIFICATE

If an end-user finds an error(s) on a Certificate, he must identify it/them in writing to the originator. The originator may issue a new Certificate if they can verify and correct the error(s).

The new Certificate must have a new tracking number, signature and date.

The request for a new Certificate may be honoured without re-verification of the item(s) condition. The new Certificate is not a statement of current condition and should refer to the previous Certificate in block 12 by the following statement; "This Certificate corrects the error(s) in block(s) [enter block(s) corrected] of the Certificate [enter original tracking number] dated [enter original issuance date] and does not cover conformity/condition/release to service". Both Certificates should be retained according to the retention period associated with the first.

5. COMPLETION OF THE CERTIFICATE BY THE ORIGINATOR

Block 1 Approving Competent Authority /Country

State the name and country of the Competent Authority under whose jurisdiction this Certificate is issued. When the Competent Authority is the Agency, only "EASA" must be stated.

Block 2 EASA Form 1 header

"AUTHORISED RELEASE CERTIFICATE"
EASA FORM 1

Block 3 Form Tracking Number

Enter the unique number established by the numbering system/procedure of the organisation identified in block 4; this may include alpha/numeric characters.

Block 4 Organisation Name and Address

Enter the full name and address of the approved organisation (refer to EASA form 3) releasing the work covered by this Certificate. Logos, etc., are permitted if the logo can be contained within the block.

Block 5 Work Order/Contract/Invoice

To facilitate customer traceability of the item(s), enter the work order number, contract number, invoice number, or similar reference number.

Block 6 Item

Enter line item numbers when there is more than one line item. This block permits easy cross-referencing to the Remarks block 12.

Block 7 Description

Enter the name or description of the item. Preference should be given to the term used in the instructions for continued airworthiness or maintenance data (e.g. Illustrated Parts Catalogue, Aircraft Maintenance Manual, Service Bulletin, Component Maintenance Manual).

Block 8 Part Number

Enter the part number as it appears on the item or tag/packaging. In case of an engine or propeller the type designation may be used.

Block 9 Quantity

State the quantity of items.

Block 10 Serial Number

If the item is required by regulations to be identified with a serial number, enter it here. Additionally, any other serial number not required by regulation may also be entered. If there is no serial number identified on the item, enter "N/A".

Block 11 Status/Work

The following table describes the permissible entries for block 11. Enter only one of these terms – where more than one may be applicable, use the one that most accurately describes the majority of the work performed and/or the status of the article.

Entry	Meaning
Overhauled	Means a process that ensures the item is in complete conformity with all the applicable service tolerances specified in the type certificate holder's, or equipment manufacturer's instructions for continued airworthiness, or in the data which is approved or accepted by the Authority. The item will be at least disassembled, cleaned, inspected, repaired as necessary, reassembled and tested in accordance with the above specified data.
Repaired	Rectification of defect(s) using an applicable standard.*
Inspected/Tested	Examination, measurement, etc. in accordance with an applicable standard* (e.g. visual inspection, functional testing, bench testing etc.).
Modified	Alteration of an item to conform to an applicable standard.*

* Applicable standard means a manufacturing/design/maintenance/quality standard, method, technique or practice approved by or acceptable to the Competent Authority. The applicable standard shall be described in block 12.

Block 12 Remarks

Describe the work identified in Block 11, either directly or by reference to supporting documentation, necessary for the user or installer to determine the airworthiness of item(s) in relation to the work being certified. If necessary, a separate sheet may be used and referenced from the main EASA Form 1. Each statement must clearly identify which item(s) in Block 6 it relates to.

Examples of information to be entered in block 12 are:

- Maintenance data used, including the revision status and reference.
- Compliance with airworthiness directives or service bulletins.
- Repairs carried out.
- Modifications carried out.
- Replacement parts installed.
- Life limited parts status.
- Deviations from the customer work order.
- Release statements to satisfy a foreign Civil Aviation Authority maintenance requirement.
- Information needed to support shipment with shortages or re-assembly after delivery.
- The component certificate of release to service statement referred to in point M.A.613:

“Certifies that, unless otherwise specified in this block, the work identified in block 11 and described in this block was accomplished in accordance with Section A, Subpart F, of Annex I (Part-M) to Regulation (EC) No 2042/2003, requirements and in respect to that work the item is considered ready for release to service. THIS IS NOT A RELEASE UNDER ANNEX II (PART-145) TO REGULATION (EC) NO 2042/2003.”

If printing the data from an electronic EASA Form 1 any data not appropriate in other blocks should be entered in this block.

Block 13a-13e

General Requirements for blocks 13a-13e:

Not used for maintenance release. Shade, darken, or otherwise mark to preclude inadvertent or unauthorised use.

Block 14a

Mark the appropriate box(es) indicating which regulations apply to the completed work. If the box “other regulations specified in block 12” is marked, then the regulations of the other airworthiness authority(ies) must be identified in block 12. At least one box must be marked, or both boxes may be marked, as appropriate.

For all maintenance carried out by maintenance organisations approved in accordance with Section A, Subpart F of Annex I (Part M) to Regulation (EC) No 2042/2003, the box “other regulation specified in block 12” shall be ticked and the certificate of release to service statement made in block 12.

The certification statement “unless otherwise specified in this block” is intended to address the following cases;

- (a) Where the maintenance could not be completed.
- (b) Where the maintenance deviated from the standard required by this Annex (Part-M).
- (c) Where the maintenance was carried out in accordance with a requirement other than specified in this Annex (Part-M). In this case block 12 shall specify the particular national regulation.

Block 14b Authorised Signature

This space shall be completed with the signature of the authorised person. Only persons specifically authorised under the rules and policies of the Competent Authority are permitted to sign this block. To aid recognition, a unique number identifying the authorised person may be added.

Block 14c Certificate/Approval Number

Enter the Certificate/Approval number/reference. This number or reference is issued by the Competent Authority.

Block 14d Name

Enter the name of the person signing block 14b in a legible form.

Block 14e Date

Enter the date on which block 13b is signed, the date must be in the format dd = 2 digit day, mmm = first 3 letters of the month, yyyy = 4 digit year

User/Installer Responsibilities

Place the following statement on the Certificate to notify end users that they are not relieved of their responsibilities concerning installation and use of any item accompanied by the form:

“This Certificate does not automatically constitute authority to install.

Where the user/installer performs work in accordance with regulations of an airworthiness authority different than the airworthiness authority specified in block 1, it is essential that the user/installer ensures that his/her airworthiness authority accepts items from the airworthiness authority specified in block 1.

Statements in blocks 13a and 14a do not constitute installation certification. In all cases aircraft maintenance records must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown.”

1. Approving Competent Authority / Country		2. AUTHORISED RELEASE CERTIFICATE EASA FORM 1			3. Form Tracking Number
4. Organisation Name and Address:					
6. Item	7. Description	8. Part No.	9. Qty.	10. Serial No.	11. Status/Work
12. Remarks					
13a. Certifies that the items identified above were manufactured in conformity to: approved design data and are in a condition for safe operation non-approved design data specified in block 12		14a. Part-145.A.50 Release to Service Other regulation specified in block 12 Certifies that unless otherwise specified in block 12, the work identified in block 11 and described in block 12, was accomplished in accordance with Part-145 and in respect to that work the items are considered ready for release to service.			
13b. Authorised Signature		13c. Approval/ Authorisation Number		14b. Authorised Signature	
13d. Name		13e. Date (dd mmm yyyy)		14c. Certificate/Approval Ref. No.	
				14d. Name	
				14e. Date (dd mmm yyyy)	
USER/INSTALLER RESPONSIBILITIES					
This certificate does not automatically constitute authority to install the item(s). Where the user/installer performs work in accordance with regulations of an airworthiness authority different than the airworthiness authority specified in block 1, it is essential that the user/installer ensures that his/her airworthiness authority accepts items from the airworthiness authority specified in block 1. Statements in blocks 13a and 14a do not constitute installation certification. In all cases aircraft maintenance records must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown. [EASA Form 1 - Issue 2]					

(2) Appendix I (EASA Form 1 Authorised Release Certificate) of the Annex II (Part-145) to Commission Regulation (EC) 2042/2003 is replaced by the following revised Appendix I:

Appendix I

AUTHORISED RELEASE CERTIFICATE – EASA FORM 1

These instructions relate only to the use of the EASA Form 1 for maintenance purposes. Attention is drawn to Appendix I to Part-21 which cover the use of the EASA Form 1 for production purposes.

1. PURPOSE AND USE

A primary purpose of the Certificate is to declare the airworthiness of maintenance work undertaken on products, parts and appliances (hereafter referred to as 'item(s)').

Correlation must be established between the Certificate and the item(s). The originator must retain a Certificate in a form that allows verification of the original data.

The Certificate is acceptable to many airworthiness authorities, but may be dependent on bilateral agreements and/or the policy of the airworthiness authority. The 'approved design data' mentioned in this Certificate then means approved by the airworthiness authority of the importing country.

The Certificate is not a delivery or shipping note.

Aircraft are not to be released using the Certificate.

The Certificate does not constitute approval to install the item on a particular aircraft, engine, or propeller but helps the end user determine its airworthiness approval status.

A mixture of production released and maintenance released items is not permitted on the same Certificate.

2. GENERAL FORMAT

The Certificate must comply with the format attached including block numbers and the location of each block. The size of each block may however be varied to suit the individual application, but not to the extent that would make the Certificate unrecognisable.

The Certificate must be in 'landscape' format but the overall size may be significantly increased or decreased so long as the Certificate remains recognisable and legible. If in doubt consult the Competent Authority.

The User/Installer responsibility statement can be placed on either side of the form.

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5. COMPLETION OF THE CERTIFICATE BY THE ORIGINATOR

Block 1 Approving Competent Authority /Country

State the name and country of the Competent Authority under whose jurisdiction this Certificate is issued. When the Competent Authority is the Agency, only "EASA" must be stated.

Block 2 EASA Form 1 header

"AUTHORISED RELEASE CERTIFICATE"
EASA FORM 1

Block 3 Form Tracking Number

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Enter line item numbers when there is more than one line item. This block permits easy cross-referencing to the Remarks block 12.

Block 7 Description

Enter the name or description of the item. Preference should be given to the term used in the instructions for continued airworthiness or maintenance data (e.g. Illustrated Parts Catalogue, Aircraft Maintenance Manual, Service Bulletin, Component Maintenance Manual).

Block 8 Part Number

Enter the part number as it appears on the item or tag/packaging. In case of an engine or propeller the type designation may be used.

Block 9 Quantity

State the quantity of items.

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Repaired	Rectification of defect(s) using an applicable standard.*
Inspected/Tested	Examination, measurement, etc. in accordance with an applicable standard.* (e.g. visual inspection, functional testing, bench testing etc.)
Modified	Alteration of an item to conform to an applicable standard.*

* Applicable standard means a manufacturing/design/maintenance/quality standard, method, technique or practice approved by or acceptable to the Competent Authority. The applicable standard shall be described in block 12.

Block 12 Remarks

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- Maintenance data used, including the revision status and reference.
- Compliance with airworthiness directives or service bulletins.
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- Replacement parts installed.
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- Deviations from the customer work order.
- Release statements to satisfy a foreign Civil Aviation Authority maintenance requirement.
- Information needed to support shipment with shortages or re-assembly after delivery.

If printing the data from an electronic EASA Form 1 any data not appropriate in other blocks should be entered in this block.

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Block 14a

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The certification statement "unless otherwise specified in this block" is intended to address the following cases;

(a) Where the maintenance could not be completed.

(b) Where the maintenance deviated from the standard required by this Annex (Part-145).

Block 14b Authorised Signature(c) Where the maintenance was carried out in accordance with a requirement other than that specified in this Annex (Part-145). In this case block 12 shall specify the particular national regulation.

This space shall be completed with the signature of the authorised person. Only persons specifically authorised under the rules and policies of the Competent Authority are permitted to sign this block. To aid recognition, a unique number identifying the authorised person may be added.

Block 14c Certificate/Approval Number

Enter the Certificate/Approval number/reference. This number or reference is issued by the Competent Authority.

Block 14d Name

Enter the name of the person signing block 14b in a legible form.

Block 14e Date

Enter the date on which block 13b is signed, the date must be in the format dd = 2 digit day, mmm = first 3 letters of the month, yyyy = 4 digit year

User/Installer Responsibilities

Place the following statement on the Certificate to notify end users that they are not relieved of their responsibilities concerning installation and use of any item accompanied by the form:

"This Certificate does not automatically constitute authority to install.

Where the user/installer performs work in accordance with regulations of an airworthiness authority different than the airworthiness authority specified in block 1, it is essential that the user/installer ensures that his/her airworthiness authority accepts items from the airworthiness authority specified in block 1.

Statements in blocks 13a and 14a do not constitute installation certification. In all cases aircraft maintenance records must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown."

1. Approving Competent Authority / Country		3. AUTHORISED RELEASE CERTIFICATE EASA FORM 1			3. Form Tracking Number
4. Organisation Name and Address:					
6. Item	7. Description	8. Part No.	9. Qty.	10. Serial No.	11. Status/Work
12. Remarks					
13a. Certifies that the items identified above were manufactured in conformity to: approved design data and are in a condition for safe operation non-approved design data specified in block 12		14a. Part-145.A.50 Release to Service Other regulation specified in block 12 Certifies that unless otherwise specified in block 12, the work identified in block 11 and described in block 12, was accomplished in accordance with Part-145 and in respect to that work the items are considered ready for release to service.			
13b. Authorised Signature		13c. Approval/ Authorisation Number		14b. Authorised Signature	
13d. Name		13e. Date (dd mmm yyyy)		14c. Certificate/Approval Ref. No.	
				14d. Name	
				14e. Date (dd mmm yyyy)	
USER/INSTALLER RESPONSIBILITIES					
This certificate does not automatically constitute authority to install the item(s). Where the user/installer performs work in accordance with regulations of an airworthiness authority different than the airworthiness authority specified in block 1, it is essential that the user/installer ensures that his/her airworthiness authority accepts items from the airworthiness authority specified in block 1. Statements in blocks 13a and 14a do not constitute installation certification. In all cases aircraft maintenance records must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown. [EASA Form 1 - Issue 2]					

Article 2
Entry into force

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

(2) By way of derogation from Article 1 of this Regulation, section A of Part-M subpart F and section A of Part-145 maintenance organisations may continue to issue Authorised Release Certificates by using the EASA Form 1 issue 1, as laid down in Appendix II of the Annex I (Part-M) as well as Appendix I to the Annex II (Part 145) to Commission Regulation (EC) 2042/2003, until dd/mm/yy [one year following entry into force].

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

Done at Brussels,

For the Commission

Member of the Commission