

COMMISSION IMPLEMENTING REGULATION (EU) 2022/410**of 10 March 2022****amending Regulation (EU) No 1321/2014 as regards the continuing airworthiness management in a single air carrier business grouping****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 17(1) and Article 62(14) and (15) thereof,

Whereas:

- (1) Commission Regulation (EU) No 1321/2014 ⁽²⁾ lays down the requirements for the continuing airworthiness of aircraft, including the requirements for its management.
- (2) Pursuant to Annex I (Part-M) to Regulation (EU) No 1321/2014, in the case of aircraft used by air carriers licensed in accordance with Regulation (EC) No 1008/2008 of the European Parliament and of the Council ⁽³⁾, the operator is to be responsible for the continuing airworthiness of the aircraft it operates and shall be approved, as part of its air operator certificate, as a continuing airworthiness management organisation ('CAMO') pursuant to Annex Vc (Part-CAMO).
- (3) When air carriers form part of a single business grouping, this requirement creates certain barriers to the establishment and implementation of a common continuing airworthiness ('CAW') management system for all aircraft that are operated by that grouping. The lack of such a common CAW management system results in duplication of tasks because the organisations do not benefit from having similar objectives and procedures, and in prevention of short-time interoperability of aircraft between different air operator certificate ('AOC') holders.
- (4) Moreover, the current situation is considered by industry to create a competitive disadvantage compared to other non-EU air operators, which are not subject to such legal constraints.
- (5) Regulation (EU) No 1321/2014 should therefore be amended in order to allow air carriers licensed in accordance with Regulation (EC) No 1008/2008 that form part of a single air carrier business grouping to contract a CAMO within that grouping for the continuing airworthiness management of aircraft operated by them.
- (6) The measures provided for in this Regulation are based on Opinion No 04/2021 ⁽⁴⁾ of the European Union Aviation Safety Agency in accordance with Articles 75(2), point (b), and 76(1) of Regulation (EU) 2018/1139.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 127(1) of Regulation (EU) 2018/1139,

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ Commission Regulation (EU) No 1321/2014 of 26 November 2014 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 362, 17.12.2014, p. 1).

⁽³⁾ Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (Recast) (OJ L 293, 31.10.2008, p. 3).

⁽⁴⁾ <https://www.easa.europa.eu/document-library/opinions>

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1321/2014 is amended as follows:

(1) in Article 2, the following point (t) is added:

‘(t) ‘management systems harmonisation’ means the coordinated process by which the management systems of two or more organisations interact and share information and methods to reach common or consistent safety and compliance monitoring objectives.’;

(2) Annex I (Part-M) is amended in accordance with Annex I to this Regulation;

(3) Annex Vc (Part-CAMO) is amended in accordance with Annex II to this Regulation.

Article 2

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

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

Done at Brussels, 10 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I (Part-M) to Regulation (EU) No 1321/2014 is amended as follows:

(1) in point M.A.201, the following points (ea) and (eb) are inserted:

‘(ea) By derogation to point (e)(2), at least two operators forming part of a single air carrier business grouping may use the same CAMO to assume the responsibility for the continuing airworthiness management of all the aircraft they operate, provided that all of the following requirements are met:

(1) the CAMO is approved in accordance with Annex Vc (Part-CAMO) for the aircraft to be managed;

(2) the CAMO forms part of the same air carrier business grouping as the operators concerned;

(3) a contract is established in accordance with Appendix I to this Annex between the CAMO and the AOC holder not itself approved as a CAMO;

(4) the CAMO has its principal place of business in the territory to which the Treaties apply;

(5) the individual management systems of the organisations concluding a contract are harmonised with each other.

(eb) By derogation to point (e)(2), when the termination or revocation of an air operator certificate results in a situation where an air carrier licensed in accordance with Regulation (EC) No 1008/2008 and forming part of an air carrier business grouping is no longer in compliance with point M.A.201(ea), that licensed air carrier shall define and implement an action plan to the satisfaction of the competent authority to comply with point M.A.201(e)(2) as soon as practicable.’;

(2) Appendix I is amended as follows:

(a) point 4 is replaced by the following:

‘4. It shall state the following:

‘The owner or operator entrusts the CAMO or CAO with the management of the continuing airworthiness of the aircraft, including but not limited to the development of an AMP that shall be approved by the competent authority as detailed in point M.1 and the organisation of the maintenance of the aircraft according to said AMP.

According to the present contract, both signatories undertake to follow the respective obligations of this contract.

The owner or operator declares to the best of their knowledge that all the information given to the CAMO or CAO concerning the continuing airworthiness of the aircraft is and will continue to be accurate, and that the aircraft will not be repaired or modified without prior agreement of the CAMO or CAO.

In case of any non-conformity with this contract, by either of the signatories, the CAMO or CAO and the owner or operator shall assess if it impacts the continuation of the contract and shall inform the competent authority(ies) of such organisations. The assessment carried out by the organisations shall consider the safety significance of the non-conformity and if it is of repetitive nature. If either of the signatories concludes after this assessment that they cannot fulfil their responsibilities due to their own limitations or due to the failures of the signatory, the contract shall be cancelled and the competent authority(ies) of the organisations shall be informed immediately. In such a case, the owner or operator will retain full responsibility for every task linked to the continuing airworthiness of the aircraft, and the owner or operator will inform the competent authorities of the Member State of registry within 2 weeks about such non-conformity with the contract. In the case of contract concluded in accordance with M.A.201(ea), the competent authority of the Member State of registry shall be informed immediately.’;

- (b) the introductory part of point 5 is replaced by the following:

‘When an owner or operator contracts a CAMO or a CAO in accordance with point M.A.201, the contract shall specify the obligations of each party as follows:’;

- (c) in point 5.1(2) point (e) is replaced by the following:

‘(e) establish and order the necessary maintenance to ensure an appropriate bridging with the former aircraft maintenance programme;’;

- (d) in point 5.1(2) point (i) is replaced by the following:

‘(i) coordinate the accomplishment of scheduled maintenance, including inspection of components, replacement of life-limited parts and the accomplishment of any applicable AD, and ensure compliance with operational requirements having a continuing airworthiness impact, continuing airworthiness requirements established by the Agency and measures required by the competent authority in immediate reaction to a safety problem;’;

- (e) in point 5.1(2) points (j), (k) and (l) are replaced by the following:

‘(j) inform the owner or operator each time the aircraft is to be brought to an approved maintenance organisation;

(k) manage and archive the aircraft continuing airworthiness records;

(l) coordinate with the operator or owner on any request to the relevant competent authority for any deviation from the aircraft maintenance programme;’

- (f) in point 5.1(2) the following point (m) is added:

‘(m) support the operator or pilot-owner as regards the aircraft continuing airworthiness when they conduct maintenance check flights;’;

- (g) in point 5.2, the following points 13, 14 and 15 are added:

‘13. ensure compliance with the approved maintenance programme and coordinate with the CAMO or CAO on any request to the relevant competent authority for any one-time extension to a maintenance programme interval;

14. inform the CAMO or CAO of any non-compliance with operational requirements that may affect the continuing airworthiness of the aircraft;

15. inform the CAMO or CAO of any operational requirement (e.g. specific approvals) necessary to be fulfilled in order to maintain the aircraft in the required configuration.’;

- (h) the following point 7 is added:

‘7. Additional requirements in the case of applying point M.A.201(ea)

In addition to the above-listed requirements and obligations in points 5.1 and 5.2, when a contract between the CAMO and the operator is concluded in accordance with point M.A.201(ea), the continuing airworthiness management contract shall also comply with the requirements of points 7.1 to 7.3.

Before the contract is signed, the operator shall assess the CAMO to ensure that the CAMO has the capability and capacity to comply with the contract.

7.1. Eligibility

The continuing airworthiness contract in accordance with M.A.201(ea) shall only be concluded if the air carrier concerned is licensed in accordance with Regulation (EC) No 1008/2008 and the CAMO forms part of the same air carrier business grouping. The continuing airworthiness management contract shall contain a clear description of how the conditions described in M.A.201(ea) are met. It shall in particular describe how the individual management systems of the organisations are harmonised between each other.

7.2. Additional obligations of the CAMO:

1. become knowledgeable about the operator's procedure related to the monitoring of the contract;
2. obtain the agreement from the operator before subcontracting continuing airworthiness tasks;
3. inform immediately the competent authority of the Member State of registry whenever the aircraft is not presented to the approved maintenance organisation by the operator as requested by the CAMO, when the present contract is not respected or when the contract is denounced by either party;
4. provide training for the operator's staff to ensure that they have an understanding of the CAMO's:
 - (a) policies and procedures, responsibilities, obligations, duties and areas of interface;
 - (b) lines of communication (for example aircraft records, exchange of accurate airworthiness information in a timely manner including outside of normal working hours);
 - (c) procedures pertaining specifically to the CAMO such as customised software utilisation, reliability monitoring, use of the aircraft technical log system, and interoperability provisions.

7.3. Additional obligations of the operator:

1. develop interface procedures with the CAMO to address the issue and renewal of the airworthiness review certificate;
 2. in case of unexpected maintenance needs in locations where no maintenance organisation approved in accordance with Annex II (Part-145) to this Regulation is contracted, inform immediately the CAMO;
 3. inform immediately the competent authority of the Member State of registry whenever the contract is denounced by either party;
 4. provide training for the CAMO staff in order to ensure that they have an understanding of the operator's:
 - (a) policies and procedures, responsibilities, obligations, duties and areas of interface;
 - (b) lines of communication;
 - (c) procedures pertaining specifically to the operator such as operational procedures, customised software utilisation, use of the aircraft technical log system, and interoperability provisions.
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ANNEX II

Annex Vc (Part-CAMO) to Regulation (EU) No 1321/2014 is amended as follows:

(1) point CAMO.A.105 is replaced by the following:

‘CAMO.A.105 Competent authority

For the purpose of this Annex, the competent authority shall be:

- (a) for organisations having their principal place of business in a territory for which a Member State is responsible under the Chicago Convention, one of the following:
 - (i) the authority designated by that Member State where that organisation’s principal place of business is located, if the approval is not included in an air operator certificate or if the CAMO is contracted in accordance with M.A.201(ea);
 - (ii) the authority designated by the Member State of the operator, if the approval is included in an air operator certificate;
 - (iii) the authority designated by a Member State other than (i) or (ii), if the responsibility has been reallocated to that Member State in accordance with Article 64 of Regulation (EU) 2018/1139;
 - (iv) the Agency if the responsibility has been reallocated to the Agency in accordance with Articles 64 or 65 of Regulation (EU) 2018/1139;
- (b) the Agency if the organisation’s principal place of business is located outside a territory for which a Member State is responsible under the Chicago Convention.’;

(2) in point CAMO.A.125, point (b) is replaced by the following:

‘(b) Notwithstanding point (a), for air carriers licensed in accordance with Regulation (EC) No 1008/2008, the approval shall be part of the air operator certificate issued by the competent authority for the aircraft operated except when, in accordance with point M.A.201(ea) of Annex I (Part-M), the CAMO is contracted by operators forming part of a single air carrier business grouping.’;

(3) in point (d) of CAMO.A.125, point (2) is replaced by the following:

‘(2) manage the continuing airworthiness of aircraft used by air carriers licensed in accordance with Regulation (EC) No 1008/2008, when listed both on its certificate and on the air operator certificate or when M.A.201(ea) applies.’;

(4) in point CAMO.A.135, point (c) is replaced by the following:

‘(c) Notwithstanding point (b), when the CAMO is contracted by operators forming part of a single air carrier business grouping in accordance with point M.A.201(ea) of Annex I (Part-M), the termination, suspension or revocation of the air operator certificate does not automatically invalidate the CAMO’s certificate. In this case, the contract in accordance with Appendix I to Annex I (Part-M) to this Regulation becomes void.’;

(5) in point CAMO.A.135, the following point (d) is added:

‘(d) Upon revocation or surrender, the organisation certificate shall be returned to the competent authority without delay.’;

(6) in point CAMO.A.200, the following point (e) is added:

‘(e) When, in accordance with point M.A.201(ea) of Annex I (Part-M), a contract is concluded between a CAMO and operators forming part of a single air carrier business grouping, the CAMO shall ensure that its management system is harmonised with the management systems of the operators forming part of that business grouping.’;

(7) in point CAMO.A.305, the following point (ba) is inserted:

‘(ba) If involved in continuing airworthiness management activities related to a contract established in accordance with point M.A.201(ea), the person or persons nominated in accordance with point (a)(3) of point CAMO.A.305 shall not be employed by an organisation approved in accordance with Annex II (Part-145) under contract to the CAMO, unless specifically agreed by the competent authority.’;

(8) in point CAMO.B.300, the following point (g) is added:

‘(g) When a contract is concluded in accordance with point M.A.201(ea) of Annex I (Part-M), the competent authority responsible for the oversight of the CAMO and the competent authorities responsible for the oversight of the operators concerned shall cooperate to ensure the exchange of information which is relevant for the performance of their tasks. This cooperation shall include the exchange of information on results of the oversight activities performed by those competent authorities and may include the performance of oversight tasks on the CAMO by the competent authorities responsible for the operators.’;

(9) Appendix I is replaced by the following:

‘Appendix I

Continuing Airworthiness Management Organisation Certificate – EASA Form 14

[MEMBER STATE (*)]

A Member of the European Union (**)

CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATION CERTIFICATE

Reference: [MEMBER STATE CODE *].CAMO.XXXX

(Reference(s): include here the AOC approval(s) AOC XX.XXXX)

Pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency and to Commission Regulation (EU) No 1321/2014, and subject to the conditions specified below, the [COMPETENT AUTHORITY OF THE MEMBER STATE*] hereby certifies:

[COMPANY NAME AND ADDRESS]

as a continuing airworthiness management organisation in compliance with Section A of Annex Vc (Part-CAMO) to Commission Regulation (EU) No 1321/2014.

CONDITIONS:

1. This certificate is limited to the scope specified in the scope of work section of the approved continuing airworthiness management exposition (CAME) as referred to in Section A of Annex Vc (Part-CAMO) to Commission Regulation (EU) No 1321/2014.
2. This certificate requires compliance with the procedures specified in the CAME approved in accordance with Annex Vc (Part-CAMO) to Commission Regulation (EU) No 1321/2014.
3. This certificate is valid whilst the approved continuing airworthiness management organisation remains in compliance with Annex I (Part-M), Annex Vb (Part-ML) and Annex Vc (Part-CAMO) to Commission Regulation (EU) No 1321/2014.
4. Where the continuing airworthiness management organisation subcontracts under its management system the service of an (several) organisation(s), this certificate remains valid subject to such organisation(s) fulfilling the applicable contractual obligations.
5. Subject to compliance with the conditions 1 to 4 above, this certificate shall remain valid for an unlimited duration unless the certificate has previously been surrendered, superseded, suspended or revoked.

If this form is also used for air operator certificate (AOC) holders (air carriers licensed in accordance with Regulation (EC) No 1008/2008), the AOC number, or if in accordance with point M.A.201(ea) of Annex I (Part – M) to Commission Regulation (EU) No 1321/2014, the AOC numbers, shall be added to the reference, in addition to the standard number, and condition 5 shall be replaced with the following additional conditions:

6. This certificate does not constitute an authorisation to operate the types of aircraft referred to in condition 1. The authorisation to operate the aircraft is the AOC.
7. Termination, suspension or revocation of the AOC of an air carrier licensed in accordance with Regulation (EC) No 1008/2008 automatically invalidates the present certificate in relation to the aircraft registrations specified in the AOC except when the CAMO is contracted in accordance with point M.A.201(ea) of Annex I (Part – M) to Commission Regulation (EU) No 1321/2014, unless otherwise explicitly stated by the competent authority.
8. Subject to compliance with the previous conditions, this certificate shall remain valid for an unlimited duration unless the certificate has previously been surrendered, superseded, suspended or revoked.

Date of original issue:

Signed:

Date of this revision: Revision No:

For the competent authority: [COMPETENT AUTHORITY OF THE MEMBER STATE (*)]

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CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATION

TERMS OF APPROVAL

Reference: [MEMBER STATE CODE *].CAMO.XXXX

(Reference(s) AOC XX.XXXX)

Organisation: [COMPANY NAME AND ADDRESS]

Aircraft type/series/group	Airworthiness review authorised	Permits to fly authorised	Subcontracted organisations
	[YES/NO] ***	[YES/NO] ***	
	[YES/NO] ***	[YES/NO] ***	
	[YES/NO] ***	[YES/NO] ***	
	[YES/NO] ***	[YES/NO] ***	

The terms of approval are limited to the scope of work contained in the approved CAME section

CAME reference:

Date of original issue:

Signed:

Date of this revision: Revision No:

For the Competent Authority: [COMPETENT AUTHORITY OF THE MEMBER STATE *]

EASA Form 14 Issue 6

(*) or 'EASA', if EASA is the competent authority

(**) delete for non-EU Member State or EASA

(***) delete as appropriate if the organisation is not approved.'