

AVIATION MAINTENANCE TECHNICIAN CERTIFICATION SERIES

# AVIATION LEGISLATION

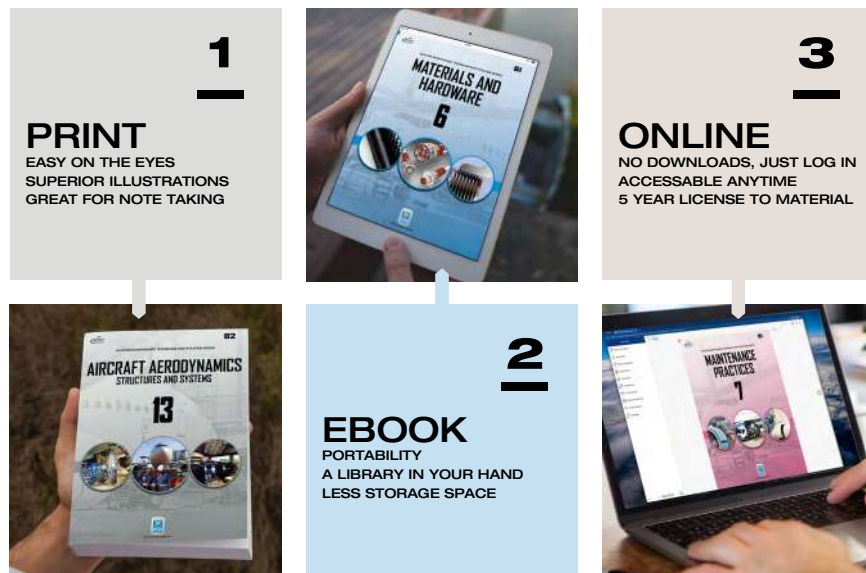
## 10



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# TABLE OF CONTENTS

## AVIATION LEGISLATION

|                                            |     |
|--------------------------------------------|-----|
| Revision Log .....                         | iii |
| Measurement Standards .....                | iv  |
| Basic Knowledge Requirements .....         | v   |
| Part 66 Basic Knowledge Requirements ..... | vi  |
| Table of Contents .....                    | vii |

## 10.1 REGULATORY FRAMEWORK..... 1.1

|                                                                               |      |
|-------------------------------------------------------------------------------|------|
| International Civil Aviation Organization (ICAO) .....                        | 1.1  |
| The Chicago Convention .....                                                  | 1.2  |
| Second Freedom Agreement .....                                                | 1.2  |
| Fifth Freedom Agreement .....                                                 | 1.2  |
| ICAO Goals and Objectives .....                                               | 1.2  |
| ICAO Strategic Objectives .....                                               | 1.2  |
| ICAO Composition and Concerns .....                                           | 1.3  |
| Technical Annexes .....                                                       | 1.3  |
| Annex 1 – Personnel Licensing .....                                           | 1.3  |
| Annex 6 – Operation of Aircraft .....                                         | 1.3  |
| Annex 8 – Airworthiness of Aircraft .....                                     | 1.4  |
| Annex 10 – Aeronautical Telecommunications .....                              | 1.4  |
| European Union Institutions .....                                             | 1.4  |
| The Role of the European Commission .....                                     | 1.4  |
| European Union Aviation Safety System .....                                   | 1.5  |
| European Union Aviation Safety Agency (EASA) .....                            | 1.6  |
| EASA Responsibilities .....                                                   | 1.6  |
| Independence and Supervision .....                                            | 1.7  |
| Working Methods .....                                                         | 1.7  |
| Studies and Research .....                                                    | 1.7  |
| EASA Internal Structure and Operation .....                                   | 1.8  |
| Staff And Language .....                                                      | 1.8  |
| Management Board .....                                                        | 1.8  |
| Member States Advisory and Technical Bodies (MAB and TEBS) .....              | 1.9  |
| Executive Director .....                                                      | 1.9  |
| Board of Appeals .....                                                        | 1.9  |
| Financial Requirements .....                                                  | 1.9  |
| European Union Member States and National Aviation Authority .....            | 1.9  |
| Sharing of Roles .....                                                        | 1.10 |
| Member State Obligations .....                                                | 1.10 |
| Bilateral Agreements Concluded by the European Commission .....               | 1.10 |
| EASA Relations with Other Aviation Authorities .....                          | 1.10 |
| Multilateral Cooperation .....                                                | 1.10 |
| Bilateral Cooperation .....                                                   | 1.10 |
| International Cooperation .....                                               | 1.10 |
| Rules and Authority .....                                                     | 1.10 |
| Regulation 2018/1139 (the Basic Regulation) .....                             | 1.10 |
| Regulation No 748/2012 (Initial Airworthiness) .....                          | 1.11 |
| Regulation 1321/2014 (Continued Airworthiness) .....                          | 1.12 |
| Relationship Between the Annexes .....                                        | 1.12 |
| Relationship Between "Hard Law" and Soft Law (AMC, GM and CSS Soft Law) ..... | 1.12 |
| Hard Law .....                                                                | 1.12 |
| Soft Law .....                                                                | 1.12 |
| Acceptable Means of Compliance (AMC) .....                                    | 1.12 |
| Guidance Material (GM) .....                                                  | 1.13 |

|                                                                              |      |
|------------------------------------------------------------------------------|------|
| Certification Specifications (CS) .....                                      | 1.13 |
| Special Conditions .....                                                     | 1.13 |
| Occurrence Reporting According to Regulation EU 376/2014 .....               | 1.13 |
| Mandatory Reporting .....                                                    | 1.13 |
| Voluntary Reporting .....                                                    | 1.13 |
| Occurrence Reporting System .....                                            | 1.13 |
| Storage of Safety Occurrences and Recommendations .....                      | 1.13 |
| Risk Classification .....                                                    | 1.14 |
| Exchange of Information .....                                                | 1.14 |
| Protection of Data and Confidentiality .....                                 | 1.14 |
| Relationship Between the Annexes .....                                       | 1.14 |
| Relationship Between The Annexes (Parts) .....                               | 1.14 |
| Interactions Between Different Parts .....                                   | 1.14 |
| Relationship Between Regulation (EU) No 965/2012 and (EU) No 1178/2011 ..... | 1.15 |
| Regulation (EU) No 965/2012 (Air Operations) .....                           | 1.16 |
| Regulation (EU) No 1178/2011 (Aircrew) .....                                 | 1.16 |
| How (EU) No 965/2012 and (EU) No 1178/2011 Complement Each Other .....       | 1.16 |
| Submodule 1 Practice Questions .....                                         | 1.17 |
| Submodule 1 Practice Answers .....                                           | 1.18 |

## 10.2 - CERTIFYING STAFF.....2.1

|                                                              |      |
|--------------------------------------------------------------|------|
| General .....                                                | 2.1  |
| Part 66 .....                                                | 2.1  |
| Aircraft Maintenance Licenses .....                          | 2.1  |
| Obtaining an EASA B1 or B2 Part 66 License .....             | 2.2  |
| Aircraft Groups .....                                        | 2.2  |
| Application for an Aircraft Maintenance License .....        | 2.2  |
| Privileges of Aircraft Maintenance Licenses .....            | 2.4  |
| Requirements for Exercising Privileges .....                 | 2.4  |
| Definitions for Exercising Privileges .....                  | 2.4  |
| Basic Knowledge Requirements .....                           | 2.4  |
| Basic Experience Requirements .....                          | 2.5  |
| License Extension .....                                      | 2.5  |
| Alternate Experience .....                                   | 2.5  |
| Continued Validity of the Aircraft Maintenance License ..... | 2.5  |
| Aircraft Rating Requirements .....                           | 2.6  |
| Limitations .....                                            | 2.6  |
| Evidence of Qualification .....                              | 2.6  |
| Information In Part 66 Appendices .....                      | 2.6  |
| Submodule 2 Forms .....                                      | 2.8  |
| Submodule 2 Practice Questions .....                         | 2.15 |
| Submodule 2 Practice Answers .....                           | 2.16 |

## 10.3 - APPROVED MAINTENANCE ORGANIZATIONS .....3.1

|                                                             |     |
|-------------------------------------------------------------|-----|
| Part 145 .....                                              | 3.2 |
| Part 145 – Maintenance Organization Requirements .....      | 3.2 |
| General .....                                               | 3.2 |
| Scope .....                                                 | 3.2 |
| Application .....                                           | 3.2 |
| Terms of Approval .....                                     | 3.2 |
| Facility Requirements .....                                 | 3.2 |
| Personnel Requirements .....                                | 3.3 |
| Certifying Staff And Category B1 and B2 Support Staff ..... | 3.4 |
| Equipment, Tools and Material .....                         | 3.6 |

# TABLE OF CONTENTS

|                                                                  |            |                                                                   |            |
|------------------------------------------------------------------|------------|-------------------------------------------------------------------|------------|
| Acceptance of Components . . . . .                               | 3.6        | Authorizations . . . . .                                          | 5.4        |
| Maintenance Data . . . . .                                       | 3.6        | Aircraft Operator Certificate – AOC . . . . .                     | 5.4        |
| Production Planning . . . . .                                    | 3.7        | Self-declaration Authorizations. . . . .                          | 5.4        |
| Certification of Maintenance. . . . .                            | 3.7        | Air Operator's Certificate (Subpart AOC). . . . .                 | 5.5        |
| Maintenance Records . . . . .                                    | 3.8        | Operator's Responsibilities . . . . .                             | 5.5        |
| Occurrence Reporting . . . . .                                   | 3.8        | Aircraft Maintenance Programs . . . . .                           | 5.5        |
| Safety and Quality Policy . . . . .                              | 3.8        | Specialized Operations . . . . .                                  | 5.6        |
| Maintenance Organization Exposition (MOE) . . . . .              | 3.9        | Performance Based Navigation . . . . .                            | 5.6        |
| Privileges of the Organization. . . . .                          | 3.9        | Reduced Vertical Separation Minima (RVSM) . . . . .               | 5.6        |
| Part CAO. . . . .                                                | 3.10       | Low Visibility Approach Operations (Cat II/III). . . . .          | 5.6        |
| General. . . . .                                                 | 3.10       | Definitions . . . . .                                             | 5.6        |
| Scope . . . . .                                                  | 3.10       | Low Visibility Operations - General Operating Rules. . . . .      | 5.6        |
| Terms of Approval. . . . .                                       | 3.10       | Extended Diversion Time Operations (EDTO/ETOPS) . . . . .         | 5.7        |
| Combined Airworthiness Exposition . . . . .                      | 3.11       | Definitions . . . . .                                             | 5.7        |
| Facilities. . . . .                                              | 3.11       | Minimum Equipment List (MEL) and Configuration Deviation          |            |
| Personnel Requirements . . . . .                                 | 3.11       | List (CDL). . . . .                                               | 5.7        |
| Certifying Staff . . . . .                                       | 3.11       | MELS and MMELS. . . . .                                           | 5.7        |
| Components, Equipment and Tools . . . . .                        | 3.12       | Rectification Intervals . . . . .                                 | 5.7        |
| Maintenance Data and Work Orders . . . . .                       | 3.12       | Configuration Deviation List . . . . .                            | 5.7        |
| Aircraft Certificate of Release to Service . . . . .             | 3.12       | Aircraft Placarding and Markings . . . . .                        | 5.8        |
| Component Certificate of Release to Service . . . . .            | 3.12       | Emergency Exit Markings. . . . .                                  | 5.8        |
| Record Keeping . . . . .                                         | 3.12       | National Registration Markings . . . . .                          | 5.8        |
| Privileges of the Organization. . . . .                          | 3.13       | Product Data Plates . . . . .                                     | 5.8        |
| Quality System and Organizational Review. . . . .                | 3.13       | Documents To Be Carried OnBoard. . . . .                          | 5.8        |
| Submodule 3 Practice Questions. . . . .                          | 3.15       | Flight Manual . . . . .                                           | 5.9        |
| Submodule 3 Practice Answers . . . . .                           | 3.16       | Certificate of Registration . . . . .                             | 5.9        |
|                                                                  |            | Certificate of Airworthiness (COA) . . . . .                      | 5.9        |
|                                                                  |            | Noise Certificate . . . . .                                       | 5.9        |
| <b>10.4 - INDEPENDENT CERTIFYING STAFF . . . . .</b>             | <b>4.1</b> | Air Operators Certificate. . . . .                                | 5.10       |
| Independent Certifying Staff Authorization . . . . .             | 4.1        | Operations Specifications . . . . .                               | 5.10       |
| Airworthiness Reviews Performed by Independent                   |            | Radio License. . . . .                                            | 5.10       |
| Certifying Staff. . . . .                                        | 4.1        | Technical Log with Certificate of Release to Service . . . . .    | 5.10       |
| Authorized Independent Airworthiness Review Staff (Part          |            | Minimum Equipment List . . . . .                                  | 5.11       |
| MLA.904). . . . .                                                | 4.2        | Flight Plan . . . . .                                             | 5.11       |
| Airworthiness Review. . . . .                                    | 4.2        | Mass and Balance Form. . . . .                                    | 5.11       |
| Airworthiness Review Certificate. . . . .                        | 4.2        | Submodule 5 Forms. . . . .                                        | 5.12       |
| Airworthiness Review Checklist. . . . .                          | 4.2        | Submodule 5 Practice Questions. . . . .                           | 5.17       |
| Independent Certifying Staff and Component Maintenance . . . . . | 4.2        | Submodule 5 Practice Answers . . . . .                            | 5.18       |
| Basic Maintenance Experience. . . . .                            | 4.2        |                                                                   |            |
| Submodule 4 Forms . . . . .                                      | 4.3        |                                                                   |            |
| Submodule 4 Practice Questions. . . . .                          | 4.9        |                                                                   |            |
| Submodule 4 Practice Answers . . . . .                           | 4.10       |                                                                   |            |
|                                                                  |            | <b>10.6 - CERTIFICATION OF AIRCRAFT, PARTS, AND</b>               |            |
| <b>10.5 - AIR OPERATIONS. . . . .</b>                            | <b>5.1</b> | <b>APPLIANCES. . . . .</b>                                        | <b>6.1</b> |
| General Understanding of EU-OPS . . . . .                        | 5.2        | Certification Specifications. . . . .                             | 6.2        |
| Differences Between Commercial and Non Commercial                |            | CS 22 – Sailplanes and Powered Sailplanes . . . . .               | 6.2        |
| Air Operations Maintenance . . . . .                             | 5.2        | CS 23 – Normal Utility Aerobatic and Commuter Airplanes . . . . . | 6.2        |
| Non Commercial Operation . . . . .                               | 5.2        | CS 25 – Large Airplanes. . . . .                                  | 6.2        |
| Complex Aircraft Operators . . . . .                             | 5.3        | CS 27 – Small Rotorcraft . . . . .                                | 6.3        |
| Airworthiness . . . . .                                          | 5.3        | CS 29 - Large Rotorcraft. . . . .                                 | 6.3        |
| Maintenance of Commercial and Non Commercial Aircraft. . . . .   | 5.4        | CS VLA – Very Light Airplanes. . . . .                            | 6.4        |
| Regulatory Environment. . . . .                                  | 5.4        | CS STAN – Standard Changes and Repairs . . . . .                  | 6.4        |
| Maintenance Standards and Schedules. . . . .                     | 5.4        | Production Organization Approval . . . . .                        | 6.4        |
| Scale and Complexity . . . . .                                   | 5.4        | Approval Requirements (21A.145) . . . . .                         | 6.4        |
| Maintenance Personnel . . . . .                                  | 5.4        | Privileges (21A.163). . . . .                                     | 6.5        |
| Documentation and Record Keeping . . . . .                       | 5.4        | Obligations of the Holder (21A.165) . . . . .                     | 6.5        |
| Air Operator Certificate (AOC) and Self-declaration              |            | Duration and Continued Validity (21A.159) . . . . .               | 6.5        |
|                                                                  |            | Design Organization Approval. . . . .                             | 6.5        |
|                                                                  |            | Part 21 – Subpart J. . . . .                                      | 6.5        |

# TABLE OF CONTENTS

|                                                              |            |                                                        |      |
|--------------------------------------------------------------|------------|--------------------------------------------------------|------|
| Approval Requirements (21A.245) .....                        | 6.5        | "D" Check .....                                        | 7.6  |
| Privileges (21A.263) .....                                   | 6.5        | Airworthiness Directives .....                         | 7.6  |
| Duration and Continued Validity (21A.259) .....              | 6.6        | Purpose .....                                          | 7.6  |
| Documents .....                                              | 6.6        | Issuance .....                                         | 7.7  |
| Type Certificates .....                                      | 6.6        | Service Bulletins .....                                | 7.7  |
| Scope .....                                                  | 6.6        | Scope .....                                            | 7.7  |
| Validity .....                                               | 6.6        | Types of Service Bulletins (SB) .....                  | 7.8  |
| Supplemental Type Certificates .....                         | 6.6        | Alert Service Bulletin .....                           | 7.8  |
| Certificates of Airworthiness .....                          | 6.9        | Standard Service Bulletin .....                        | 7.8  |
| Restricted Certificates Of Airworthiness .....               | 6.9        | Engine Conversion Service Bulletin .....               | 7.8  |
| Permits to Fly .....                                         | 6.9        | Service Bulletin Contents .....                        | 7.8  |
| Aircraft Registration .....                                  | 6.9        | Planning Information .....                             | 7.8  |
| Noise Certification .....                                    | 6.11       | Material Information .....                             | 7.8  |
| Weight Schedule .....                                        | 6.11       | Service Letter (SL) .....                              | 7.8  |
| Mass and Balance Documentation .....                         | 6.12       | Modifications and Repairs .....                        | 7.9  |
| Radio Station License and Approval .....                     | 6.12       | Maintenance Documentation .....                        | 7.9  |
| Submodule 6 Forms .....                                      | 6.13       | Part M – Subpart D: Maintenance Standards .....        | 7.9  |
| Submodule 6 Practice Questions .....                         | 6.19       | Critical Maintenance Tasks .....                       | 7.10 |
| Submodule 6 Practice Answers .....                           | 6.20       | Independent Inspection .....                           | 7.10 |
| <b>10.7 - CONTINUING AIRWORTHINESS .....</b>                 | <b>7.1</b> | Aircraft Defects .....                                 | 7.10 |
| Failures, Malfunctions and Defects .....                     | 7.1        | Part M – Subpart E: Components .....                   | 7.10 |
| System for Collection, Investigation and Analysis of Data .. | 7.1        | Part M – Subpart F: Maintenance Organization .....     | 7.10 |
| Reporting to EASA .....                                      | 7.1        | Part M – Subpart G: Continuing Airworthiness           |      |
| Investigation of Reported Occurrences .....                  | 7.2        | Management Organization .....                          | 7.10 |
| Airworthiness Directives .....                               | 7.2        | Part M – Subpart H: Aircraft Certificate of Release to |      |
| Subpart P: Issue A Permit To Fly .....                       | 7.2        | Service (CRS) .....                                    | 7.10 |
| PART M .....                                                 | 7.2        | Pilot/Owner .....                                      | 7.11 |
| Part M Subpart A: General .....                              | 7.2        | Part M – Subpart I: Airworthiness Review Certificate   |      |
| Solvency of Air Carriers .....                               | 7.2        | (ARC) .....                                            | 7.11 |
| Which Part M is Applicable? .....                            | 7.2        | Physical Survey .....                                  | 7.11 |
| Part M – Subpart B: Accountability .....                     | 7.2        | Part Camo (Annex VC): Continuing Airworthiness         |      |
| Occurrence Reporting .....                                   | 7.3        | Management Organization .....                          | 7.11 |
| Part M – Subpart C: Continuing Airworthiness .....           | 7.3        | Mandatory Occurrence Reporting .....                   | 7.11 |
| Preflight Inspection .....                                   | 7.3        | Management System .....                                | 7.11 |
| Minimum Equipment and Configuration Deviation Lists:         |            | CAMO Requirements in Addition to the                   |      |
| MEL/CDL .....                                                | 7.3        | Management System .....                                | 7.12 |
| Aircraft Maintenance Program (AMP) .....                     | 7.3        | Contracting and Subcontracting .....                   | 7.12 |
| Certificate of Release to Service (CRS) .....                | 7.3        | Facilities .....                                       | 7.12 |
| Effectiveness .....                                          | 7.3        | Continuing Airworthiness Management Records .....      | 7.12 |
| Modifications and Repairs .....                              | 7.3        | Personnel Requirements .....                           | 7.12 |
| Mass and Balance (M&B) Statement .....                       | 7.4        | Continuing Airworthiness Management .....              | 7.12 |
| Maintenance Check Flights (MCF) .....                        | 7.4        | Airworthiness Review .....                             | 7.12 |
| Aircraft Maintenance Program (AMP) .....                     | 7.4        | Part ML (Annex VB) .....                               | 7.12 |
| Basic Principles .....                                       | 7.4        | Continuing Airworthiness Management .....              | 7.12 |
| Continuing Airworthiness Record System .....                 | 7.4        | Occurrence Reporting .....                             | 7.13 |
| Maintenance Modes .....                                      | 7.5        | Part ML - Continuing Airworthiness .....               | 7.13 |
| Hard Time .....                                              | 7.5        | Part ML - Aircraft Maintenance Program (AMP) .....     | 7.13 |
| On-Condition .....                                           | 7.5        | Aircraft Continuing Airworthiness Record System .....  | 7.13 |
| Condition Monitoring .....                                   | 7.5        | Part ML – Subpart D: Maintenance Standards .....       | 7.13 |
| Aircraft Technical Log System .....                          | 7.5        | Part ML – Subpart E: Components .....                  | 7.13 |
| Aircraft Maintenance Programs .....                          | 7.6        | Service Life Limited Components .....                  | 7.14 |
| Maintenance Checks and Inspections .....                     | 7.6        | Part ML – Subpart H: Certificate of Release            |      |
| "A" Check .....                                              | 7.6        | to Service (CRS) .....                                 | 7.14 |
| "B" Check .....                                              | 7.6        | Limited tasks of the Pilot Owner .....                 | 7.14 |
| "C" Check .....                                              | 7.6        | Part CAO Combined Airworthiness Organization .....     | 7.14 |
|                                                              |            | Submodule 7 Forms .....                                | 7.15 |

# TABLE OF CONTENTS

---

|                                          |      |
|------------------------------------------|------|
| Submodule 7 Practice Questions . . . . . | 7.27 |
| Submodule 7 Practice Answers . . . . .   | 7.28 |

## 10.8 - OVERSIGHT PRINCIPLES IN CONTINUING

### AIRWORTHINESS.....8.1

|                                                                                                  |     |
|--------------------------------------------------------------------------------------------------|-----|
| Aircraft Continuing Airworthiness Monitoring (ACAM). . . . .                                     | 8.1 |
| Oversight Principles Regulations . . . . .                                                       | 8.1 |
| Reg. EU 2021/1963 Oversight Principles . . . . .                                                 | 8.1 |
| ED Decision 2022/011/R - Management System Assessment . . . . .                                  | 8.1 |
| Information Deemed Necessary For Oversight. . . . .                                              | 8.2 |
| Reg. EU 2021/1963 - Oversight Program. . . . .                                                   | 8.2 |
| ED Decision 2022/011/R - Annual Review. . . . .                                                  | 8.2 |
| ED Decision 2022/011/R - Subcontracted Activities. . . . .                                       | 8.2 |
| ED Decision 2022/011/R - Oversight Planning Cycle . . . . .                                      | 8.2 |
| ED Decision 2022/011/R - Audit . . . . .                                                         | 8.3 |
| ED Decision 2022/011/R - Extension Of The Oversight<br>Planning Cycle Beyond 24-Months . . . . . | 8.3 |
| Submodule 8 Practice Questions. . . . .                                                          | 8.5 |
| Submodule 8 Practice Answers . . . . .                                                           | 8.6 |

## 10.9 - MAINTENANCE AND CERTIFICATION BEYOND CURRENT

### EU REGULATIONS.....9.1

|                                                                                                                           |      |
|---------------------------------------------------------------------------------------------------------------------------|------|
| Maintenance of European Union Aircraft Not Within the Scope of<br>Regulation EU No 2018/1139 (Annex I Aircraft) . . . . . | 9.1  |
| Aircraft Not Subject to the Regulation EU No 2018/1139 . . . . .                                                          | 9.1  |
| Mechanic Licenses Specific for General Aviation. . . . .                                                                  | 9.1  |
| B2L Avionics License . . . . .                                                                                            | 9.1  |
| B2L Aircraft Maintenance License Privileges . . . . .                                                                     | 9.2  |
| L License . . . . .                                                                                                       | 9.2  |
| Light Part M . . . . .                                                                                                    | 9.2  |
| European Military Airworthiness Requirement (EMAR)<br>66 License. . . . .                                                 | 9.2  |
| Military Airworthiness Requirement License (MAML)<br>Categories . . . . .                                                 | 9.2  |
| Application for a MAML License . . . . .                                                                                  | 9.2  |
| Privileges of an MAML License. . . . .                                                                                    | 9.2  |
| Category A MAML . . . . .                                                                                                 | 9.2  |
| Category B1 MAML. . . . .                                                                                                 | 9.3  |
| Category B2 MAML. . . . .                                                                                                 | 9.3  |
| Category C MAML . . . . .                                                                                                 | 9.3  |
| Military Aircraft Type Ratings . . . . .                                                                                  | 9.3  |
| Applicable Requirements for Component Maintenance . . . . .                                                               | 9.3  |
| Component Maintenance . . . . .                                                                                           | 9.3  |
| Key Elements Typically Found in a CMM. . . . .                                                                            | 9.3  |
| Welding . . . . .                                                                                                         | 9.4  |
| Aircraft Painting . . . . .                                                                                               | 9.4  |
| Safety Regulations. . . . .                                                                                               | 9.4  |
| Non-Destructive Testing (NDT) . . . . .                                                                                   | 9.5  |
| Submodule 9 Practice Questions. . . . .                                                                                   | 9.9  |
| Submodule 9 Practice Answers . . . . .                                                                                    | 9.10 |

## 10.10 - CYBERSECURITY IN AVIATION MAINTENANCE..... 10.1

|                                                     |      |
|-----------------------------------------------------|------|
| Cybersecurity In Aviation Maintenance. . . . .      | 10.1 |
| Securing Aeronautical Information Systems . . . . . | 10.1 |
| Types Of Cyber-Attacks . . . . .                    | 10.1 |
| Ransomware Attacks. . . . .                         | 10.1 |

|                                                                                  |      |
|----------------------------------------------------------------------------------|------|
| Phishing Attacks . . . . .                                                       | 10.1 |
| Data Breaches . . . . .                                                          | 10.1 |
| Exploitation Of IT Vulnerabilities . . . . .                                     | 10.1 |
| Insider Threats . . . . .                                                        | 10.1 |
| Distributed Denial of Service (DDoS) Attacks . . . . .                           | 10.2 |
| Preventing Cyberattacks . . . . .                                                | 10.2 |
| Network Segmentation and Access Control . . . . .                                | 10.2 |
| Regular Software Updates And Patch Management . . . . .                          | 10.2 |
| Employee Training And Awareness Programs . . . . .                               | 10.2 |
| Implementation Of Intrusion Detection And Prevention Systems<br>(IDPS) . . . . . | 10.2 |
| Data Encryption . . . . .                                                        | 10.2 |
| Secure Communication . . . . .                                                   | 10.2 |
| Regular Security Audits And Vulnerability Assessments. . . . .                   | 10.2 |
| Incident Response And Recovery Plans . . . . .                                   | 10.2 |
| Personal Protection Against Cyberattacks . . . . .                               | 10.2 |
| Strong Passwords And Multifactor Authentication . . . . .                        | 10.2 |
| Regular Software Updates. . . . .                                                | 10.2 |
| Email And Internet Caution . . . . .                                             | 10.3 |
| Data Backup. . . . .                                                             | 10.3 |
| Education And Awareness. . . . .                                                 | 10.3 |
| Aviation Cybersecurity Regulations And Standards . . . . .                       | 10.3 |
| Federal Aviation Administration (FAA) . . . . .                                  | 10.3 |
| EASA/EU Regulation . . . . .                                                     | 10.3 |
| EASA Regulations Part IS . . . . .                                               | 10.3 |
| Regulation (EU) 2023/203. . . . .                                                | 10.4 |
| Information Security Management System (ISMS). . . . .                           | 10.4 |
| Risk Identification . . . . .                                                    | 10.4 |
| Risk Assessment . . . . .                                                        | 10.4 |
| Risk Management Strategy. . . . .                                                | 10.4 |
| Submodule 10 Practice Questions. . . . .                                         | 10.7 |
| Submodule 10 Practice Answers . . . . .                                          | 10.8 |

|                               |     |
|-------------------------------|-----|
| Acronym Definitions . . . . . | A.1 |
|-------------------------------|-----|

# Independent Certifying Staff



## SUBMODULE KNOWLEDGE DESCRIPTIONS

| SUBMODULE KNOWLEDGE DESCRIPTIONS |                                                                                                                                                           | LEVEL |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
|                                  |                                                                                                                                                           | B1/B2 |
| 10.4                             | <b>Independent Certifying Staff</b><br>Privileges, responsibilities, record-keeping, limitations, and oversight according to Part-M, Part-66 and Part-ML. | 3     |

## 10.4 - INDEPENDENT CERTIFYING STAFF

For private aircraft, independent engineers may be used, often referred to as Independent Certifying Staff (ICS). ICS is a certifying staff who does not work on behalf of an approved maintenance organization. ICS must hold a license issued in accordance with Annex III (Part 66) rated for the corresponding aircraft or, if Annex III is not applicable to the particular aircraft, a national certifying staff qualification valid for that aircraft.

[Figure 4-1]

### INDEPENDENT CERTIFYING STAFF AUTHORIZATION

Part ML provides a proportionate framework for continuing airworthiness to correspond to the lower risks associated with 'Light Aircraft' in general aviation. Part ML sets out requirements to ensure that 'Light Aircraft' remain airworthy and are in a condition for safe operation.

- Part ML introduces an independent certifying staff authorization, which allows licensed engineers to carry out the airworthiness review and issue the Airworthiness Review Certificate (ARC) in conjunction with the annual inspection for light aircraft within the scope of Part ML.
- The authorization is issued after the applicant has carried out a satisfactory airworthiness review under supervision by the civil aviation authority.
- The authorization is limited by Part ML and the scope of aircraft on the applicant's license.

### AIRWORTHINESS REVIEWS PERFORMED BY INDEPENDENT CERTIFYING STAFF

An aircraft may not fly unless it has a valid ARC. This certificate is issued after a successful airworthiness review and has a validity of one year. The review entails a full review of the aircraft records and a physical survey of the aircraft.

Under Part ML Independent certifying staff holding a license issued in accordance with Annex III (Part 66), may perform airworthiness reviews and issue the ARC for aircraft registered in any member state. In accordance with ML.A.903, Airworthiness Review can be performed and ARC certificate issued for the following aircraft categories.

- Airplanes of 2 730kg maximum take off mass (MTOM) or less.
- Rotorcraft of 1 200kg MTOM or less, certified for a maximum of up to four occupants.
- Other ELA2 aircraft such as sailplanes or balloons.

This airworthiness review process may only be carried out by the authorized independent airworthiness review staff, who is releasing the aircraft from the 100 hour or annual inspection contained in the aircraft maintenance program. However, independent certifying staff holding a national qualification shall only perform airworthiness reviews and issue the ARC for aircraft registered in the member state responsible for the national qualification.

ARCs issued by independent certifying staff holding a national qualification shall not benefit from mutual recognition when transferring the aircraft to another member state. Whenever



Figure 4-1. Independent certifying staff working on a general aviation aircraft.

circumstances reveal the existence of a potential safety threat, the competent authority shall carry out the airworthiness review and issue the ARC itself.

### **AUTHORIZED INDEPENDENT AIRWORTHINESS REVIEW STAFF (PART ML.A.904)**

Authorized Independent Airworthiness Review Staff may be authorized by the competent authority who issued the license issued in accordance with Annex III (Part 66). If Annex III is not applicable, the competent authority responsible for the national certifying staff.

Authorized independent airworthiness review staff must meet the criteria of independent certifying staff. Initial authorization shall be issued by the competent authority when:

1. The competent authority has assessed that the person has the knowledge of the parts of Part ML relevant to continuing airworthiness management, performance of airworthiness reviews and issuance of ARCs;
2. The person has satisfactorily performed an airworthiness review under the supervision of the competent authority.

This authorization shall remain valid for a duration of five years as long as the holder has performed at least one airworthiness review every 12 months. If this is not the case, a new airworthiness review shall be satisfactorily performed under the supervision of the competent authority.

Upon expiration of its validity, the authorization shall be renewed for another 5 years subject to a new compliance with points (1) and (2) above. There is no limit to the number of renewals. The holder of the authorization shall keep records of all the airworthiness reviews performed and shall make them available, upon request, to any competent authority and to any aircraft owner for whom they are performing an airworthiness review. At a minimum, such records should include, for each airworthiness review performed, a copy of:

- The documented airworthiness review carried out (documentation review and physical survey)
- The ARC issued and evidence that it was sent to the competent authority of the member state of registry.
- The CRS for the annual inspection (This is in addition to the records which must be retained for any maintenance released in accordance with ML.A.801 b-2).
- The aircraft maintenance program and AMP review, where applicable.
- All findings reported to the owner.

This authorization may be revoked by the competent authority at any time if it is not satisfied with the competence of the holder or with the use of such an authorization. [Form 4-1]

### **AIRWORTHINESS REVIEW**

Authorized independent airworthiness review staff may perform airworthiness reviews. The airworthiness review consists of a review of the aircraft's continuing airworthiness records and a physical survey of the aircraft. Airworthiness review tasks shall not be subcontracted. The effectiveness of the AMP may be reviewed in conjunction with the airworthiness review.

### **AIRWORTHINESS REVIEW CERTIFICATE**

Authorized independent airworthiness review staff may issue the ARC for aircraft registered in any member state. However, independent authorized airworthiness review staff holding a national qualification shall only perform Airworthiness Reviews and issue the ARC for aircraft registered in the member state responsible for the national qualification. Airworthiness review certificates (EASA Form 15c) may only be issued upon completion of a satisfactory airworthiness review. [Form 4-2A-B]

Note that persons and organizations performing the airworthiness review in combination with the 100h/annual inspection may use the reverse side of this form in order to issue the CRS referred to in point ML.A.801 Corresponding to the 100 hour or annual inspection.

### **AIRWORTHINESS REVIEW CHECKLIST**

Details of the inspection and documentation review that is to be carried out may be found in Part ML.A.903 Airworthiness Review Process. This checklist may be used as a guide, but the authorized independent airworthiness review staff must carry out an airworthiness review in accordance with the requirements of Part ML. A sample documentation review and physical review checklist is shown in Form 4-4.

Before issuing the ARC, independent airworthiness review staff should ensure the aircraft is in compliance with the shown checklist in Form 4-5, and that all of the listed items are properly entered and certified in the aircraft continuing airworthiness record system and/or in the operator's technical log.

### **INDEPENDENT CERTIFYING STAFF AND COMPONENT MAINTENANCE**

Part M (M.A.502) allows the performance of certain component maintenance, in accordance with component maintenance data, to independent certifying staff, subject to the agreement of the authority of the member state of registry.

This should only be permitted by the competent authority in the case of simple component maintenance, where the competent authority is satisfied that the certifying staff are appropriately qualified and the proper tooling and facilities are available. It is important to note that for more complex component maintenance, special qualifications may be required and it is not enough with holding a Part 66 aircraft maintenance license.

### **BASIC MAINTENANCE EXPERIENCE**

According to AMC 66.A.30(a), aircraft maintenance experience can be gained under the supervision of independent certifying staff, if accepted by the competent authorities. This means that the aircraft maintenance experience may be accepted by the competent authority when such maintenance is not performed in an organization with EASA Part 145 approval. A CRS shall be issued after the required maintenance has been carried out properly on an aircraft by independent certifying staff. [Form 4-5]

## EASA Form 4 (Authorised Independent Airworthiness Review Staff)

| IRISH AVIATION AUTHORITY                                                                                                                                                                                                                                                                                        |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Details of Management Personnel required to be accepted as specified in Part-ML.A.904.                                                                                                                                                                                                                          |  |
| <b>1. Name:</b> _____                                                                                                                                                                                                                                                                                           |  |
| <b>2. Position:</b> <u>Authorised Independent Airworthiness Review Staff</u>                                                                                                                                                                                                                                    |  |
| This authorises the holder to perform Airworthiness Reviews and issue Airworthiness Review Certificates (Form 15c) for aircraft subject to Part ML and meeting the criteria of ML.A.901(b)(4) when the holder is also issuing the CRS for the Annual/100-h inspection per the Aircraft's Maintenance Programme. |  |
| Holders with a national qualification shall only perform airworthiness reviews and issue the ARC for aircraft registered in Ireland.                                                                                                                                                                            |  |
| <b>3. Qualifications relevant to the item (2) position:</b>                                                                                                                                                                                                                                                     |  |
| <b>4. Work experience relevant to the item (2) position:</b>                                                                                                                                                                                                                                                    |  |
| <b>Signature:</b> ..... <b>Date:</b> .....                                                                                                                                                                                                                                                                      |  |
| <i>This Form 4 is only valid if the holder has performed at least 1 airworthiness review in the previous 12 months.</i>                                                                                                                                                                                         |  |
| =====                                                                                                                                                                                                                                                                                                           |  |
| <b><u>Irish Aviation Authority use only</u></b>                                                                                                                                                                                                                                                                 |  |
| <i>AIARS No.:</i> ..... <i>VALIDITY: This Form 4 is valid until</i> .....                                                                                                                                                                                                                                       |  |
| <b>Name and signature of competent authority staff member accepting this person:</b>                                                                                                                                                                                                                            |  |
| <b>Signature</b> ..... <b>Date</b> .....                                                                                                                                                                                                                                                                        |  |
| <b>Name</b> ..... <b>Office</b> .....                                                                                                                                                                                                                                                                           |  |

Form 4-1. Example of Irish aviation authorities application form for Authorized independent airworthiness review staff.