



27.3.2024

## NOTICE TO MEMBERS

**Subject: Petition No 0731/2023 by Hermann Thissen (German) on category L aircraft maintenance licenses in the aviation industry under Regulation (EU) No 1321/2014**

### 1. Summary of petition

The petitioner points out that Annex III (Part-66) to Regulation (EU) No 1321/2014 regulates the aircraft maintenance licenses and sets out the various requirements for different licences. According to the petitioner, since the category L2 licence also automatically includes category L1, each applicant for a category L2 licence must demonstrate that they have practical experience with sailplanes, powered sailplanes and ELA1 aeroplanes. An applicant for a category L1 licence needs only to have practical experience with sailplanes. In the petitioner's view, this constitutes unequal treatment, as applicants for category L1 licences have the advantage of being able to gain the necessary practical experience with the sailplanes that are available in their sailplane flying clubs. However, whilst applicants for category L2 licences are indeed able to gain practical experience with the ELA1 aeroplanes that are available in their flying club, they are unable to gain the necessary practical experience for sailplanes there because, generally speaking, a standard flying club does not have access to sailplanes. The petitioner suggests that in order to treat applicants for category L1 and L2 licences fairly, applicants for category L2 licences should be able to obtain their licence without holding a category L1 licence.

### 2. Admissibility

Declared admissible on 27 March 2024. Information requested from Commission under Rule 227(6).

### 3. Commission reply, received on 27 March 2024

The requirements for issuing an aircraft maintenance licence in category L, and in particular

subcategories L1 and L2, are laid down in Annex III (Part-66) to Regulation (EU) No 1321/2014. The requirements are focused on ensuring that applicants for an aircraft maintenance licence possess the necessary knowledge and experience to perform maintenance tasks on aircraft safely and effectively.

The privileges associated with an aircraft maintenance licence are regulated under point 66.A.20 of Annex III (Part-66) to Regulation (EU) No 1321/2014. These privileges, which define what maintenance activities the holder of an aircraft maintenance licence is permitted to certify, are subject to different provisions than those required for the issuance of the licence itself. These privileges are maintained valid upon meeting specific recency requirements as listed in particular in point 66.A.20(b). It is on this basis that the provision of point 66.A.20(a)(6), which provides that subcategory L2 privileges include subcategory L1 privileges, must be understood.

The basic experience requirements for aircraft maintenance licence in category L are defined in point 66.A.30(a)(2b) of Annex III (Part-66) to Regulation (EU) No 1321/2014. The subcategory L2 was established for both powered sailplanes and ELA1 aeroplanes, on the principle that the nature of maintenance activities performed on both types of aircraft would be similar. The rule requires the basic experience to be representative for subcategory L2 upon evaluation by the competent authority that issues the aircraft maintenance licence. The rule does not explicitly indicate whether experience is required on both types of aircraft or if experience on one type of aircraft is sufficient, which have led to variations in the implementation of the aforementioned EU rule by the Member States.

### Conclusion

Given the elements set out above, the petition proposal to withdraw the privilege associated with L1 subcategory from licence holder who are granted the L2 subcategory is not relevant since this additional L1 privileges is not connected to an additional basic experience requirement.

However, the petition highlights possible differences in the issuance of an aircraft maintenance licence in subcategory L2, therefore the European Commission and the European Union Aviation Safety Agency will initiate a thorough assessment of the current situation with the purpose to determine whether there is a need to review the existing rules on the issuance of that aircraft maintenance licence.