

# ML.A.201 Responsibilities

## Regulation (EU) 2020/270

1. The owner of the aircraft shall be responsible for the continuing airworthiness of the aircraft and shall ensure that no flight takes place unless all of the following requirements are met:
  1. the aircraft is maintained in an airworthy condition;
  2. any operational and emergency equipment fitted is correctly installed and serviceable or clearly identified as unserviceable;
  3. the airworthiness certificate is valid;
  4. the maintenance of the aircraft is performed in accordance with the Aircraft Maintenance Program ('AMP') specified in point [ML.A.302](#).
2. By derogation from point (a), where the aircraft is leased, the responsibilities set out in point (a) shall apply to the lessee, if the lessee is identified either in the registration document of the aircraft or in the leasing contract.
3. Any person or organisation performing maintenance of aircraft and components shall be responsible for the maintenance tasks being performed.
4. The pilot-in-command of the aircraft shall be responsible for the satisfactory accomplishment of the preflight inspection. That inspection shall be carried out by the pilot or another qualified person but need not be carried out by an approved maintenance organisation or by certifying staff.
5. For aircraft operated by commercial Approved Training Organisations ('ATO') and commercial Declared Training Organisations ('DTO') referred to in Article 10a of Regulation (EU) No 1178/2011 or not operated in accordance with Annex VII to Regulation (EU) No 965/2012 (Part-NCO) or operated in accordance with Subpart-ADD of Annex II (Part-BOP) to Regulation (EU) 2018/395 or Subpart-DEC of Annex II (Part-SAO) to Regulation (EU) 2018/1976<sup>1)</sup>, the operator shall:
  1. be approved as a CAMO or as a CAO for the management of the continuing airworthiness of its aircraft in accordance with Annex Vc (Part-CAMO), Subpart G of Annex I (Part-M) or Annex Vd (Part-CAO), or contract such an organisation using the contract set out in Appendix I to this Annex;
  2. ensure that all maintenance is performed by maintenance organisations approved in accordance with point (c)(2) of point [ML.1.](#);
6. For aircraft not included in point (e), in order to satisfy the requirements of point (a), the owner of the aircraft may contract the tasks associated with continuing airworthiness management to an organisation approved as a CAMO or CAO in accordance with Annex Vc (Part-CAMO), Subpart G of Annex I (Part-M) or Annex Vd (Part-CAO). In that case, the contracted organisation shall assume responsibility for the proper performance of those tasks and a written contract shall be concluded in accordance with Appendix I to this Annex. If the owner does not contract such an organisation, the owner is responsible for the proper performance of the tasks associated with the continuing airworthiness management.
7. The owner shall grant the competent authority access to the aircraft and the aircraft records, in order for the competent authority to determine whether the aircraft complies with the requirements of this Annex.
8. In the case of an aircraft included in an air operator certificate is used for non-commercial or specialised operations under point ORO.GEN.310 of Annex III or point NCO.GEN.104 of Annex VII to Regulation (EU) No 965/2012<sup>2)</sup>, the operator shall ensure that the tasks associated with continuing airworthiness are performed by the CAMO approved in accordance with Annex Vc (Part-CAMO) or Subpart G of Annex I (Part-M) or the combined airworthiness organisation

(“CAO”) approved in accordance with Annex Vd (Part-CAO), whichever applicable, of the air operator certificate holder.

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The following tables provide a summary of Part-ML main provisions and alleviations established in [ML.A.201](#), [ML.A.302](#), [ML.A.801](#) and [ML.A.901](#).

In the tables, the term ‘CAO(-CAM)’ designate a CAO with continuing airworthiness management privileges.

	<b>Balloon</b>		
	<b>Part-BOP Support ADD</b>	<b>Part-BOP non-Subpart ADD</b>	
		<b>commercial ATO/DTO</b>	<b>Non-ATO/DTO or non-commercial ATO/DTO</b>
<b>Contract with CAMO/CAO (CAM) required?</b>	yes	yes	no <sup>A</sup>
<b>Aircraft maintenance programme (AMP)</b>	The AMP document must be approved by the contracted CAMO/CAO(-CAM)		If there is no CAMO/CAO(-CAM), the AMP must be declared by the owner. If there is a contracted CAMO/CAO(-CAM), the AMP must be approved by the CAMO/CAO(-CAM)
	If ML.A.302(e) conditions are met, producing an AMP document is not required.		
<b>Maintenance</b>	By a maintenance organisation		By a maintenance organisation or by independent certifying staff or the pilot-owner <sup>B</sup>
<b>Airworthiness review (AR) and airworthiness review certificate (ARC)</b>	By a maintenance organisation <sup>C</sup> or by the contracted CAMO/CAO(-CAM) or by the competent authority		By a maintenance organisation or independent certifying staff or by the CAMO/CAO(-CAM) (if contracted) or by the competent authority
	<b>Sailplane</b>		
	<b>Part-SAO Subpart-DEC</b>	<b>Part-SAO non-Subpart-DEC</b>	
		<b>commercial ATO/DTO</b>	<b>Non-ATO/DTO or non-commercial ATO/DTO</b>
<b>Contract with CAMO/CAO (CAM) required?</b>	yes	yes	no <sup>A</sup>
<b>AMP</b>	The AMP document must be approved by the contracted CAMO/CAO(-CAM)		If there is no CAMO/CAO(-CAM), the AMP must be declared by the owner. If there is a contracted CAMO/CAO(-CAM), the AMP must be approved by the CAMO/CAO(-CAM)
	If ML.A.302(e) conditions are met, producing an AMP document is not required.		

		<b>Sailplane</b>	
		<b>Part-SAO non-Subpart-DEC</b>	
		<b>Part-SAO Subpart-DEC</b>	<b>commercial ATO/DTO</b>
			<b>Non-ATO/DTO or non-commercial ATO/DTO</b>
<b>Maintenance</b>	By a maintenance organisation		By a maintenance organisation or by independent certifying staff or the pilot-owner <sup>B</sup>
<b>AR and ARC</b>	By a maintenance organisation <sup>C</sup> or by the contracted CAMO/CAO(-CAM) or by the competent authority		By a maintenance organisation or independent certifying staff or by the CAMO/CAO(-CAM) (if contracted) or by the competent authority
		<b>Aircraft (other than balloons and sailplanes)</b>	
		<b>Part-NCO</b>	
		<b>non Part-NCO</b>	<b>commercial ATO/DTO</b>
			<b>Non-ATO/DTO or non-commercial ATO/DTO</b>
<b>Contract with CAMO/CAO (CAM) required?</b>	yes	yes	no <sup>A</sup>
<b>AMP</b>	The AMP document must be approved by the contracted CAMO/CAO(-CAM)		If there is no CAMO/CAO(-CAM), the AMP must be declared by the owner.
			If there is a contracted CAMO/CAO(-CAM), the AMP must be approved by the CAMO/CAO(-CAM)
If ML.A.302(e) conditions are met, producing an AMP document is not required.			
<b>Maintenance</b>	By a maintenance organisation		By a maintenance organisation or by independent certifying staff or the pilot-owner <sup>B</sup>
<b>AR and ARC</b>	By a maintenance organisation <sup>C</sup> or by the contracted CAMO/CAO(-CAM) or by the competent authority		By a maintenance organisation or independent certifying staff or by the CAMO/CAO(-CAM) (if contracted) or by the competent authority

- A: A CAMO/CAO(-CAM) is not required but the owner may decide to contract a CAMO/CAO(-CAM).
- B: in the limit of their privileges
- C: together with the 100-h/annual inspection

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### COMMERCIAL ATO/DTO

According to industry practice, the following are examples of aircraft not considered to be operated by a commercial ATO or a commercial DTO:

1. Aircraft operated by an organisation holding an ATO certificate or a DTO declaration, created with the aim of promoting aerial sport or leisure aviation, on the conditions that:
  1. the aircraft is operated by the organisation on the basis of ownership or dry lease;
  2. the ATO/DTO is a non-profit organisation; and
  3. whenever non-members of the organisation are involved, such flights represent only a

marginal activity of the organisation.

2. Aircraft operated under Part-NCO by its owner together with an ATO or a DTO flight instructor for the purpose of training, when the contract between the owner and the training organisation and the procedures of the training organisation allow it. The continuing airworthiness of such aircraft remains under the responsibility of the owner, or of the CAMO or CAO contracted by the owner, if the owner has elected to contract a CAMO or CAO in accordance with ML.A.201(f).
3. Aircraft used for very limited training flights due to the specific configuration of the aircraft and limited need for such flights.

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If an owner (see definition in point ML.1(c)(3)) decides not to make a contract with a CAMO or CAO, the owner is fully responsible for the proper accomplishment of the corresponding continuing airworthiness management tasks. As a consequence, it is expected that the owner properly and realistically self-assesses his or her own competence to accomplish those tasks or otherwise seek the necessary expertise.

## GM1 ML.A.201(h) Responsibilities

*ED Decision 2020/002/R*

### USE OF AIRCRAFT INCLUDED IN AN AOC FOR NON-COMMERCIAL OPERATIONS OR SPECIALISED OPERATIONS

As point (h) is not a derogation, points ML.A.201(e) and (f) are still applicable. Therefore, the management of continuing airworthiness of the aircraft by the CAMO or CAO of the AOC holder means that the other operator has established a written contract as per Appendix I to Part-ML with this CAMO or CAO.

→ [ML.A.202](#)

<sup>1)</sup>

Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L326, 20.12.2018, p. 64

<sup>2)</sup>

Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

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