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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	23 October 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2025) 6987 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... amending Regulation (EU) No 748/2012 as regards certificate of airworthiness and restricted certificate of airworthiness

Delegations will find attached document C(2025) 6987 final.

Encl.: C(2025) 6987 final



EUROPEAN
COMMISSION

Brussels, 23.10.2025
C(2025) 6987 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 23.10.2025

**amending Regulation (EU) No 748/2012 as regards certificate of airworthiness and
restricted certificate of airworthiness**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Since 28 September 2008, certificates of airworthiness and restricted certificates of airworthiness in the EU have been issued for an unlimited duration. To maintain their validity, aircraft must periodically undergo an airworthiness review (AR), and an airworthiness review certificate (ARC) must be issued, in accordance with Commission Regulation (EU) No 1321/2014¹. The introduction of the airworthiness review process brought significant changes, including new roles for national competent authorities (NCAs), privileges for continuing airworthiness management organisations, specific personnel requirements, and detailed processes for issuing ARCs.

As required by Article 85(8) of Regulation (EU) 2018/1139², the Agency has assessed the impact of the airworthiness review process through various activities such as standardisation inspections, evaluation of derogations, stakeholder feedback, and a survey conducted in September 2012.

With respect to the stakeholder feedback, concerns were raised that requirements in Regulations (EU) No 748/2012 and (EU) No 1321/2014 regarding the issuance of the airworthiness certificate and the ARC were inadequate, unclear or impossible to fulfil in certain situations, particularly when aircraft were imported from a different regulatory system.

This delegated act intends to address these cases by providing clearer requirements in order to ease the implementation of the rules and removing those requirements which, without a safety benefit, created an administrative burden.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In accordance with Article 128(4) of Regulation (EU) 2018/1139, before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. The subject draft delegated act was presented to the Expert Group on Aviation Safety, which includes representatives from the Member States, at its meeting on [...]. The draft delegated act concerned is based on EASA Opinion 08/2024 whose contents had been publicly consulted through Notice of Proposed Amendment (NPA) 2015-17 ‘Airworthiness review process’, NPA 2016-08 ‘Import of aircraft from other regulatory system, and Part-21 Subpart H review’, and NPA 2016-19 ‘Alignment of implementing rules and acceptable means of compliance/guidance material with Regulation (EU) No 376/2014 — Occurrence reporting’.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 19(1)(e) of Regulation (EU) 2018/1139 empowers the Commission to adopt delegated acts, in accordance with Article 128 of that Regulation, laying down detailed requirements with regard to the conditions for the issuing, amending, limiting, suspending or revoking of the certificates of airworthiness, as well as restricted certificates of airworthiness.

¹ 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, ELI: <http://data.europa.eu/eli/reg/2014/1321/oj>).

² OJ L 212, 22.8.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1139/oj>.

COMMISSION DELEGATED REGULATION (EU) .../...

of 23.10.2025

amending Regulation (EU) No 748/2012 as regards certificate of airworthiness and restricted certificate of airworthiness

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 ⁽³⁾, and in particular Article 19(1), point (e), and Article 62(13), point (a), thereof,

Whereas:

- (1) Commission Regulation (EU) No 748/2012 ⁽⁴⁾ lays down the requirements for the initial airworthiness of aircraft, including the requirements for the issuance of the certificate of airworthiness and restricted certificate of airworthiness.
- (2) The complexity of those implementing rules should be reduced to align them with the risks associated with different categories of aircraft, types of operations and the history of aircraft. It is necessary to simplify and harmonise the rules set out in the Annexes to Regulations (EU) No 748/2012 in order to make them clearer and to avoid misinterpretations.
- (3) Due to the complex dependencies between Regulations (EU) No 748/2012 and (EU) No 1321/2014 in relation to respectively airworthiness certificate and airworthiness review certificate, it is necessary to enhance the alignment between those two Regulations, particularly for aircraft transferred between Member States or imported into the Union.
- (4) In order to enhance the free movement of aircraft within the Union it is necessary to facilitate the process for issuing airworthiness certificates when aircraft are transferred between Member States and allow applicants to request an airworthiness certificate from the national competent authority of the Member State where they wish to register the aircraft.

³ OJ L 212, 22.8.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1139/oj>.

⁴ Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification or declaration of compliance of aircraft and related products, parts, appliances, control and monitoring units and control and monitoring unit components, as well as for the capability requirements of design and production organisations (OJ L 224, 21.8.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/748/oj>).

- (5) Application requirements for certificates of airworthiness and restricted certificates of airworthiness should be amended to include cases of used aircraft other than aircraft originating from third countries, such as aircraft previously used for activities or services defined in Article 2(3), point (a), of Regulation (EU) 2018/1139.
- (6) When applying for a certificate of airworthiness or a restricted certificate of airworthiness for an aircraft imported from a third country, a statement reflecting the airworthiness status of an aircraft is required. Where that statement is unavailable and cannot be obtained, an alternative mechanism based on investigation and evaluation activities should be introduced.
- (7) Regulation (EU) No 748/2012 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with Opinion 08/2024⁽⁵⁾, issued by the European Union Aviation Safety Agency in accordance with Article 76(1) of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 748/2012 is amended as follows:

- (1) Annex I (Part 21) is amended in accordance with Annex I to this Regulation;
- (2) Annex Ib (Part 21 Light) 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*.

It shall apply from *[OP please insert date: 6 months after the date of entry into force]*.

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

Done at Brussels, 23.10.2025

For the Commission
The President
Ursula VON DER LEYEN

⁵ Opinion 08/2024 of 17 December 2024 of the European Union Aviation Safety Agency, Airworthiness review process - Import of aircraft from other regulatory systems, and Part 21 Subpart H review - Alignment of the IRs of the EASA Basic Regulation with Regulation (EU) No 376/2014, <https://www.easa.europa.eu/en/document-library/opinions/opinion-no-082024>.