

Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (Text with EEA relevance) (repealed)

## CHAPTER IV

### FINAL PROVISIONS

#### *Article 65*

#### **Committee**

1 The Commission shall be assisted by a committee.

2 Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at one month.

4 Where reference is made to this paragraph, Article 5a(1) to (4), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

5 Where reference is made to this paragraph, Article 5a(1) to (4) and (5)(b), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The time limits laid down in Article 5a(3)(c), (4)(b) and (4)(e) of Decision 1999/468/EC shall be set at 20 days.

6 Where reference is made to this paragraph, Article 5a(1), (2), (4), (5)(b) and (6), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

7 Where reference is made to this paragraph, Article 6 of Decision 1999/468/EC shall apply.

Before adopting its decision, the Commission shall consult the committee referred to in paragraph 1 of this Article.

The period provided for in Article 6(b) of Decision 1999/468/EC shall be set at three months.

When a Commission decision is referred to the Council by a Member State, the Council, acting by a qualified majority, may take a different decision within a period of three months.

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*Status: Point in time view as at 20/02/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 216/2008 of the European Parliament and of the Council (repealed), CHAPTER IV. (See end of Document for details)*

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## Article 66

### Participation of European third countries

The Agency shall be open to the participation of European third countries which are contracting parties to the Chicago Convention and which have entered into agreements with the European Community whereby they adopted and apply Community law in the field covered by this Regulation and its implementing rules.

Under the relevant provisions of these agreements, arrangements will be developed which shall, *inter alia*, specify the nature and extent of, and the detailed rules for, the participation by these countries in the work of the Agency, including provisions on financial contributions and staff.

## Article 67

### Commencement of the Agency's operation

1 The Agency shall undertake the certification tasks incumbent upon it pursuant to Article 20 as from 28 September 2003. Until that date, Member States shall continue to implement applicable legislation and regulations.

2 During an additional transition period of 42 months from the date referred to in paragraph 1, Member States may continue to issue certificates and approvals by way of derogation from the provisions of Articles 5, 6, 12 and 20 under the conditions specified by the Commission in the measures adopted for their application. When in that context Member States issue certificates on the basis of certificates issued by third countries, the measures adopted by the Commission shall give due consideration to the principles laid down in Article 12(2)(b) and (c).

## Article 68

### Penalties

Member States shall lay down penalties for infringement of this Regulation and its implementing rules. The penalties shall be effective, proportionate and dissuasive.

## Article 69

### Repeals

1 Regulation (EC) No 1592/2002 is hereby repealed, without prejudice to the provisions of the second subparagraph.

References made to the repealed Regulation shall be construed as being made to this Regulation and should be read in accordance with the correlation table set out in Annex VI.

2 Council Directive 91/670/EEC is hereby repealed as from the entry into force of the measures referred to in Article 7(6).

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*Status: Point in time view as at 20/02/2008.*

**Changes to legislation:** *There are currently no known outstanding effects for the Regulation (EC) No 216/2008 of the European Parliament and of the Council (repealed), CHAPTER IV. (See end of Document for details)*

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3 Annex III to Regulation (EEC) No 3922/91 shall be deleted as from the entry into force of the corresponding measures referred to in Article 8(5).

4 The provisions of Article 11 shall apply to products, parts and appliances, organisations and persons whose certification has been performed, or recognised, in accordance with the provisions of the acts referred to in paragraph 1, 2 and 3 of this Article.

5 Directive 2004/36/EC is hereby repealed as from the entry into force of the measures referred to in Article 10(5) of this Regulation, and without prejudice to the implementing rules referred to in Article 8(2) of that Directive.

#### *Article 70*

#### **Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Articles 5, 6, 7, 8, 9 and 10 shall apply as from the dates specified in their respective implementing rules, but not later than 8 April 2012.

**Status:**

Point in time view as at 20/02/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 216/2008 of the European Parliament and of the Council (repealed), CHAPTER IV.