ANO changes required to introduce a non-expiring Certificate of Airworthiness and a National Airworthiness Review Certificate.

PART 3A

National certificate of airworthiness and airworthiness review

National certificate of airworthiness - duration and continued validity

A1. Subject to articles 19 and 228, a national certificate of airworthiness remains valid for an unlimited duration provided the aircraft remains registered in the United Kingdom.

Aircraft Maintenance Programme

A2.—(1) An aircraft with a national certificate of airworthiness must be maintained in accordance with an aircraft maintenance programme.

(2) The aircraft maintenance programme and any amendments must be approved—

(a) by the CAA; or

(b) in accordance with paragraphs (3) and (4).

(3) When the continuing airworthiness of the aircraft is managed by a continuing airworthiness management organisation approved in accordance with article A14, the aircraft maintenance programme and its amendments may be approved by that organisation.

(4) In that case, the approval procedure must be included by the continuing airworthiness management organisation in its continuing airworthiness management exposition which must be approved by the CAA.

Requirement for and validity of a national airworthiness review certificate

A3.—(1) An aircraft with a national certificate of airworthiness must not fly unless it has a valid national airworthiness review certificate.

(2) Subject to articles A7, A8, A9, A11, 19 and 228, a national airworthiness review certificate is valid for one year.

Initial issue of national airworthiness review certificate

A4.—(1) This article applies to an aircraft with a national certificate of airworthiness which has not previously had a national airworthiness review certificate.

(2) A national airworthiness review certificate is issued for an aircraft to which this article applies in accordance with paragraph (3) or (4).

(3) A national airworthiness review certificate may be issued by the CAA following the satisfactory completion of an airworthiness review by the CAA.

(4) A national airworthiness review certificate may be issued by the CAA on receipt of a recommendation from—

(a) a continuing airworthiness management organisation approved in accordance with article A14 when the organisation is satisfied that it has properly carried out an airworthiness review; or

(b) in the case of an aeroplane or a helicopter with a maximum total weight authorised of 2730kg or lessan aeroplane and rotorcraft maintenance organisation approved in accordance with article A15.

(5) A recommendation under paragraph (4) may only be made when the organisation is satisfied that it may properly do so after carrying out an airworthiness review.

Issue of national airworthiness review certificate where one previously issued

A5.—(1) This article applies to an aircraft with a national certificate of airworthiness which has previously had a national airworthiness review certificate.

(2) A national airworthiness review certificate may be issued for an aircraft to which this article applies in accordance with paragraph (3) or (4).

(3) A national airworthiness review certificate may be issued by the CAA—

(a) following the completion of an airworthiness review by the CAA; or

(b) in the case of an aircraft which has a maximum total weight authorised of 2730kg or less and is neither a commercial air transport aeroplane nor a non-military State aircraft, on receipt of a recommendation for its issue from an aeroplane and rotorcraft maintenance organisation approved in accordance with article A15.

(4) A national airworthiness review certificate may be issued by a continuing airworthiness management organisation approved under article A14.

(5) Subject to article A10, a recommendation to issue a national airworthiness review certificate under paragraph (3)(b) may be made only when the organisation making the recommendation is satisfied that it may properly do so after carrying out an airworthiness review.

(6) Subject to article A10, a national airworthiness review certificate may be issued under paragraph (3)(a) or paragraph (4) only when the CAA or the issuing continuing airworthiness management organisation is satisfied that it may properly do so after carrying out an airworthiness review.

Commercial air transport aeroplanes public transport aircraft and State aircraft which are not military aircraft

A6. Commercial air transport aeroplanes, public transport aircraft and State aircraft which are not military aircraft must either—

(a) be kept in a controlled environment; or

(b) (i) be managed by a continuing airworthiness management organisation approved in accordance with article A14; and

(ii) have any maintainance carried out by an approved maintenance organisation except for any maintenance for which a certificate of release to service may be issued by the holder of a United Kingdom Airline Transport Pilot's Licence (Aeroplanes) or a JAR-FCL Airline Transport Pilot Licence (Aeroplane) or a Flight Navigator's Licence granted or rendered valid under this Order.

Extension of a national airworthiness review certificate of an aircraft in a controlled environment

A7.—(1) The validity of a national airworthiness review certificate of an aircraft in a controlled environment may be extended by the continuing airworthiness management organisation which is managing the airworthiness of the aircraft.

(2) Subject to article A10, the continuing airworthiness management organisation may extend its validity on a maximum of two occasions, for a period of 12 months on each occasion.

Extension of a national airworthiness review certificate of an aircraft which is not in a controlled environment which has a maximum total weight authorised of 2730kg or less

A8.—(1) The validity of a national airworthiness review certificate of an aircraft which is not in a controlled environment and which has a maximum total weight authorised of 2730kg or less may be extended in accordance with paragraphs (2) and (3), on a maximum of two occasions, for a period of 12 months on each occasion.

(2) The national airworthiness review certificate may be extended by—

(a) an appropriately licensed engineer;

(b) a continuing airworthiness management organisation approved in accordance with article A14; or

(c) an aeroplane and rotorcraft maintenance organisation approved in accordance with article A15.

(3) Subject to article A10, a national airworthiness review certificate may be extended only when the person who is to extend it is satisfied that he or she may properly do so after carrying out an annual review.

Extension of a national airworthiness review certificate of an aircraft which is not in a controlled environment which has a maximum total weight authorised of more than 2730kg or which is a commercial air transport aeroplane a public transport aircraft or a State aircraft which is not a military aircraft

A9.—(1) This article applies to any aircraft which is not in a controlled environment and—

(a) has a maximum total weight authorised of 2730kg or less; or

(b) is a commercial air transport aeroplane, a public transport aircraft or a State aircraft which is not a military aircraft.

(2) The validity of a national airworthiness review certificate of an aircraft to which this article applies may be extended, in accordance with paragraphs (3) and (4), on a maximum of two occasions, for a period of 12 months on each occasion.

(3) The national airworthiness review certificate may be extended by a continuing airworthiness management organisation approved in accordance with article A14.

(4) Subject to article A10, a national airworthiness review certificate may be extended only when the organisation which is to extend it is satisfied that it may properly do so after carrying out an annual review.

National airworthiness review certificate not to be issued or extended where aircraft not airworthy

A10. A national airworthiness review certificate must not be issued or extended and a recommendation to issue or extend must not be made if there is evidence or reason to believe that the aircraft is not airworthy.

Validity of the national airworthiness review certificate

A11.—(1) A national airworthiness review certificate becomes invalid if—

(a) suspended or revoked; or

(b) the certificate of airworthiness is suspended or revoked; or

(c) the aircraft is not registered in the United Kingdom.

(2) An aircraft must not fly if the airworthiness certificate is invalid or if—

(a) the continuing airworthiness of the aircraft or any component fitted to the aircraft does not meet the requirements of this Part, or;

(b) the aircraft does not remain in conformity with the type design approved by the CAA; or

(c) the aircraft has been operated beyond the limitations of the approved flight manual or the airworthiness certificate, without appropriate action being taken; or

(d) the aircraft has been involved in an accident or incident that affects the airworthiness of the aircraft, without subsequent appropriate action to restore airworthiness; or

(e) the aircraft has a modification or repair for which a certificate or release to service has not been issued in accordance with this Order.

Conduct of an airworthiness review

A12.—(1) An airworthiness review referred to in articles A4 and A5 must be conducted in accordance with this article.

(2) A full documented review of the aircraft records must be carried out to confirm that all scheduled maintenance, overhaul, modification, repair, replacement, defect rectification and airworthiness directive compliance, has been completed so as to ensure the continued airworthiness of the aircraft.

(3) (a) A physical survey of the aircraft must be carried out.

(b) For this survey, airworthiness review staff who do not hold an appropriate maintenance engineer licence under Part-66 or article 33 must be assisted by such qualified personnel.

(4) Through the physical survey of the aircraft, the staff carrying it out must ensure that—

(a) all required markings and placards are properly installed;

(b) the aircraft complies with its approved flight manual;

(c) the aircraft configuration complies with the approved documentation;

(d) no evident defect can be found that has not been addressed according to Article 19;

(e) the aircraft has completed a satisfactory check flight; and;

(f) no inconsistencies can be found between the aircraft and the documented review of records under paragraph (2).

(5) An airworthiness review can be anticipated by a maximum period of 90 days without loss of continuity of the airworthiness review pattern, to allow the physical review to take place during a maintenance check.

Conduct of an annual review

A13. An annual review referred to in articles A8(3) and A9(3) means a check to establish that the following has been accomplished—

(a) all maintenance specified in the approved maintenance schedule has been carried out in accordance with the schedule;

(b) all modifications and inspections deemed mandatory by the CAA have been carried out as required by the CAA;

(c) all defects entered in the aircraft records have been rectified or deferred in accordance with CAA approved procedures; and

(d) all required certificates of release to service have been issued.

Approval of continuing airworthiness management organisation

A14. The CAA must approve a person as a continuing airworthiness management organisation if it is satisfied that the applicant is competent to exercise the privileges of such an organisation in this Part.

Approval of aeroplane and rotorcraft maintenance organisation

A15. The CAA must approve a person as an aeroplane and rotorcraft maintenance organisation for the purposes of this Part if it is satisfied that the applicant is competent to exercise the privileges of such an organisation in this Part.

General provisions concerning airworthiness reviews

A16.—(1) A copy of any national airworthiness review certificate issued or extended for an aircraft must be sent to the CAA within 10 days.

(2) Airworthiness review tasks must not be sub-contracted.

(3) Should the outcome of the airworthiness review be inconclusive, the CAA must be informed.

(4) In this Part, an aircraft in a controlled environment is an aircraft—

(a) which, during the previous 12 months has been continuously managed by a continuing airworthiness management organisation approved in accordance with article A14; and

(b) in respect of which during the previous 12 months any maintainance has been carried out by an approved maintenance organisation except for any maintenance for which a certificate of release to service may be issued by the holder of a United Kingdom Airline Transport Pilot's Licence (Aeroplanes) or a JAR-FCL Airline Transport Pilot Licence (Aeroplane) or a Flight Navigator's Licence granted or rendered valid under this Order.

(5) Whenever circumstances reveal the existence of a potential safety threat, the CAA must carry out the airworthiness review and issue the national airworthiness review certificate itself.

(6) When the CAA carries out the airworthiness review and/or issues the national airworthiness review certificate itself, the owner or operator must provide the CAA with—

(a) the documentation required by the CAA;

(b) suitable accommodation at the appropriate location for its personnel; and

(c) when necessary, the support of personnel appropriately qualified in accordance with Part-66 or in accordance with BCAR Section L.

(7) A national airworthiness review certificate cannot be issued or extended if there is evidence or reason to believe that the aircraft is not airworthy.