

Annex to the letter covering the proposal to amend the maintenance requirements in BCAR Section A, with concomitant changes to the ANO.

1 Introduction

- 1.1 Following a Regulatory Review of General Aviation, which can be found at http://www.caa.co.uk/Regulatory_Review, the CAA decided that, wherever possible, the requirements and any revisions to BCAR Section A, should mirror as closely as possible the style of the regulations produced by the European Commission and the European Aviation Safety Agency. Accordingly, BCAR A8-21 'Approval of Organisations Responsible for Design and Production' was produced, based upon Part 21, and a new BCAR A8-22 'Approval of Qualified Entities' was also written in a similar European style.
- 1.2 As a result of the successful introductions of these BCAR requirements, and noting that in many cases CAA was already working to procedures modified to take account of the EASA regulatory regime, the CAA decided that it would be worthwhile amending the maintenance requirements within BCAR Section A in a similar fashion to A8-21 etc. The attached drafts provide a coherent set of proposals to enable the BCAR Section A requirements for the maintenance and continuing airworthiness of non-EASA aircraft to use the same principles as the regulations governing EASA aircraft. Also included are proposed complementary changes to the Air Navigation Order which are needed to provide a legal basis to support the changes to BCAR Section A.
- 1.3 The BCAR A proposals are based upon EC Regulation 2042/2003 Part 145 and Part M and would enable the CAA's non-EASA requirements to be as consistent as possible with those of EASA. This would show CAA's support of the principles upon which European aviation regulation is based (Article 1 of EC Regulation 216/2008) and to meet the obligations given as a consequence of the GA Regulatory Review. They may also facilitate the movement of aircraft from one category to the other, for example an EASA aircraft to a State aircraft and back again, as needed for operational reasons.
- 1.4 The proposals, which provide greater alignment in the individual requirements will also help minimise the extent to which approved organisations need to maintain separate procedures and operational systems. As requested by industry, this allows organisations to concentrate on the issues of aircraft maintenance.

2 Detailed explanation of BCAR A changes

2.1 New Chapter A3-1 'Certificates of Airworthiness'

This new chapter has been compiled from the existing introduction to BCAR Chapter A3-2 'Issue of Certificate of Airworthiness', plus Part 21 'Airworthiness Certificates', and Part M, 'Airworthiness Review' and 'Airworthiness Review Certificate'. It is intended to replace the existing Chapters A3-2 and A3-4 'Renewal of CofA', and introduces the concept of a non-expiring Certificate of Airworthiness and a National Airworthiness Review

Certificate (National ARC). Changes have been made to accommodate the Air Navigation Order and BCAR Section L engineer licensing.

2.2 Chapter A3-3 'Flight Testing for Issue of Certificate of Airworthiness or Permit to Fly' and Chapter A3-5 'Flight Testing for Renewal of CofA or Permit to Fly'

These existing BCAR A chapters have been amended to make them complementary to the new chapters. The opportunity has been taken to revise the procedures contained in these chapters to reflect current CAA policies and practice with respect to airworthiness check flights.

2.3 New Chapter A6-1 'Maintenance and Continuing Airworthiness of Aircraft'

This new chapter has been compiled from Part M, subparts A to D and H, the latter subpart to replace the Certificate of Release to Service (CRS), aspects of Chapter A6-2 'Maintenance of Aircraft' and Chapter A6-7 'Certification of Inspections, Overhauls, Modifications, Repairs and Replacement'. Chapters A6-2 and A6-7 will be replaced by this new Chapter A6-1.

2.4 Chapter A8-15 'Aeroplanes and Rotorcraft Not Exceeding 2730 kg – Maintenance Organisations – Group M3'

This chapter has been revised to enable existing M3 approval holders to make recommendations for the renewal of a National ARC for aeroplanes and rotorcraft having an MTWA not exceeding 2730 kg.

2.5 New Chapter A8-23 'Approval of Organisations Responsible for Maintenance of Non-EASA Aircraft – Group M1'

This new chapter introduces a new approval: M1 'Approval of Organisations Responsible for Maintenance of Aircraft', based upon Part 145 (the previous M1 designator was used for BCAR Chapter A8-13 which covered maintenance of large aircraft and the principles of which was subsumed into JAR-145, later Part 145); This chapter will contain an 'Anybody's Exposition' similar to the one contained within Chapter A8-21. This approval will be available to all classes of aircraft, including those listed under 2.6 below, if the applicant prefers to meet this set of requirements instead of those of new chapter A8-24.

2.6 New Chapter A8-24 'Approval of Organisations Responsible for Maintenance of Non-EASA Aircraft below 5700kg or Single Engined Helicopters, not used for Commercial Air Transport or State purposes – Group M2'

This new chapter introduces a new approval: M2 'Approval of Organisations Responsible for Maintenance of Aircraft below 5700 kg or Single Engined Helicopters, not used for Commercial Air Transport or State purposes', based upon Part M, 'Maintenance Organisation'. This chapter will also contain an 'Anybody's Exposition' similar to the one contained within Chapter A8-21.

2.7 New Chapter A8-25 'Continuing Airworthiness Management Organisations (CAMO)'

This new chapter is based upon Part M, 'Continuing Airworthiness Management Organisation'. It should be noted that essentially those organisations handling EASA aircraft, will be able to continue in the same way for Annex II aircraft and those aircraft used for State purposes.

- 2.8 Further items, yet to be developed will include, a definitions section to explain the meaning of terms such as State Aircraft, Large Aircraft etc., and AMC/GM material. In the interim, as these requirements are intended to mirror the EASA regulations, the AMC/GM material to the European regulations may be used to interpret these requirements. Where doubt exists as to the applicability of the EASA AMC/GM to these amended BCARs, clarification should be sought from the CAA via the address/email address on the covering letter.

3 Explanation of ANO changes

- 3.1 The ANO changes are required in order to provide a firm legal basis to the changes being made to BCAR A, they introduce a non-expiring Certificate of Airworthiness and a National Airworthiness Review Certificate. It should be noted that, the numbering used in the draft proposal does not reflect the Article numbers which will be used when the ANO is amended.

4 Making comments on the proposal

- 4.1 As these are fairly substantial changes to BCAR Section A and the Air Navigation Order, commentators are encouraged to contribute to the development of the texts, or to indicate support for the proposal. In particular, it would be helpful if alternative text could be offered wherever possible. With regard to the impact assessment (which is a draft), if commentators have actual economic or financial data which could be used to produce the final impact assessment, this would be most welcome.
- 4.2 The CAA looks forward to receiving good quality comments which will help in the development of this proposal.