

# GC No. 1      **Airworthiness Concessions in Respect of Foreign Built Aircraft**

(Previously issued as Airworthiness Notice No. 74, Issue 6, 21 March 2005.)

## 1      **Introduction**

From time to time UK operators find it necessary to apply to the CAA for concessions to cover the non-compliance of certain foreign built aircraft with the applicable requirements notified in Section 2 of this CAP 747. The requirements notified in Section 2 are the measures that the CAA has applied in the UK in addition to the standards applied by EASA. These measures have been notified to the European Commission in accordance with Article 70 of Regulation (EU) 2018/1139. Following a review the Commission will decide whether to apply the notified measures throughout the European Union (EU), or to require that the measures are revoked. This Generic Concession No. 1 concerns concessions against these notified items only. It is not applicable to concessions against requirements applied by EASA. The reasons why applications for concessions are made include:

- a) Aircraft being purchased and placed on the UK Register at short notice.
- b) Aircraft being dry leased (see Note 1) on a relatively long term basis (e.g. 12 months or more), but required in service before all necessary modifications can be embodied.
- c) Aircraft being dry leased on a short term basis (e.g. 6 months), for which the lead time on parts procurement may render compliance difficult.

**NOTES:** 1) 'Dry lease' refers to those aircraft under operational control of a UK operator (i.e. subject to a direction under Article 19 of the ANO 2016). Such aircraft are required to meet all applicable requirements.

- 2) Aircraft on 'wet lease', i.e. under the control of the lessor operator, are considered the responsibility of the State in which they are registered and by whom they are operated.

This Concession summarises the criteria which will normally be applied by the CAA in determining whether or not, in a particular case, a concession should be granted.

## 2      **Aeroplanes with a Proven and Satisfactory Record**

### 2.1      **Definition**

Aeroplanes which, according to their class, satisfy the criteria in Appendix 1 are considered to have a proven and satisfactory record.

### 2.2      **Policy on Concessions**

The aeroplane must normally be of a kind Type Certificated in the European Union (EU) and in principle be in compliance with the requirements of this CAP 747. However, subject to the criteria set out in Appendix 2 of this Concession, the CAA will give consideration to granting concessions against compliance with individual requirements notified in Section 2 of this CAP 747. Having regard to the record of the type, it will normally be possible to consider granting concessions against certain CAP 747 requirements for up to 6 months and, for large aeroplanes with more than 50 million hours of satisfactory service experience, this period may be increased.

### **3 Aeroplanes other than Well Proven Types and Helicopters**

#### **3.1 Definition**

Aeroplanes other than those meeting the criteria of Appendix 1, and helicopters.

#### **3.2 Policy on Concessions**

The aircraft must normally be of a kind Type Certificated in the EU and in principle be in compliance with the Requirements of this CAP 747. Requests for concessions will be expected to be clearly justified in the light of the considerations in Appendix 2. Where concessions are granted in respect of CAP 747 requirements they will be of limited duration and will not, under normal circumstances, exceed 6 months in duration.

## Appendix 1 to GC No.1

(Previously issued as Airworthiness Notice No. 74, Appendix 1, Issue 3, 5 November 1993.)

### Aeroplanes Considered to have a Proven and Satisfactory Record

<b>MTWA kg</b>	<b>Minimum Service Experience – Hours</b>	<b>Average Fatal Accident Rate</b>	<b>Examples</b>
Not Exceeding 5700	2 million	Appreciably less than 10 per million hours	Beech 90, 99 DHC-6 Embraer Bandeirante
Exceeding 5700	20 million	Not exceeding 1 per million hours	Boeing 727 Boeing 737 Boeing 747 Douglas DC-9/MD-80 Douglas DC10/MD 11

## Appendix 2 to GC No. 1

(Previously issued as Airworthiness Notice No. 74, Appendix 2, Issue 3, 21 March 2005.)

### Criteria Applied by CAA When Considering Concessions Against UK Certification Requirements

- 1 Concessions will be considered for up to six months on any one aircraft, and this period may be extended where service experience exceeds 50 million hours.
- 2 In considering whether a concession should be granted, account will be taken of the accident record with respect to the Additional Requirement or other requirement in question.
- 3 The operator's obligations to comply with operational requirements may constrain the scope of any Concession. Amongst other items:
  - a) Aircraft Performance Information
    - comply with UK standards in important respects.
  - b) Handling, flight deck layout, instrumentation, flight management systems and warnings
    - differences within a fleet to be acceptable may require dedicated crews and relevant training.