



EASA

European Aviation Safety Agency

Workshop: Presentation of NPA 2016-08 “Import of Aircraft”

“Evaluation Programme” in the absence of an Airworthiness Statement

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Current rule



Current rule

For used aircraft imported from outside the EU, the current Part-21 (21.A.174) requires an Airworthiness Statement issued by the exporting authority:

No provisions for the import of “State aircraft” which are being transferred to the civil register.

No provisions for the case where there is no Airworthiness Statement.



Current rule

In the absence of an Airworthiness Statement, the issue has been addressed in the past through Article 14 exemptions issued by the Member State.

An example:

Article 14.6 exemption adopted by the Commission in 2006 after a proposal by Denmark:

- In the absence of an Airworthiness Statement from the exporting State, the aircraft could be imported if:
 - The airworthiness status of the aircraft is declared by statements issued by the Type Certificate Holder and the State of Design; and
 - There is an inspection of the records and the aircraft to determine the maintenance status of the aircraft.



NPA 2016-08

Airworthiness Statement



Guidance: GM 21.A.174(b)(3)(ii) and (d)

The Airworthiness Statement should:

- Either declare that the aircraft meets the Agency's approved type design (built standard, modification and repairs) or state any deviations if this has been agreed in writing by the importing authority; and
- Confirm that the aircraft is airworthy in accordance with the requirements of the exporting State at the time of export.



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Absence of an Airworthiness Statement



Guidance: GM 21.A.174(b)(3)(ii) and (d)

NPA 2016-08 proposes that an application without an Airworthiness Statement issued by the exporting State can be accepted in exceptional circumstances, such as:

- Civil disturbances or war in the territory of the exporting State.
- Discontinuation of the CAA of the exporting State.
- Significant and continued non-compliances with ICAO standards by the exporting State.
- Unwillingness of the exporting State to cooperate as foreseen by ICAO.

Lack of time, commercial considerations, or lack of knowledge about the procedure are not considered appropriate justifications for not having an Airworthiness Statement.

This applies to:

- Used aircraft imported from outside the EU.
- “State aircraft” being transferred to the civil register **(within the same MS)**



Rule: 21.A.174(b)(4)(v) and 21.A.174(d)

What is required as a substitute for an Airworthiness Statement in order to determine the airworthiness status of the aircraft:

- The importing authority must be satisfied that **the issue of the Airworthiness Statement had not been denied by the exporting authority because of airworthiness concerns.**
- **Evidence as to what approved design the aircraft was built** and delivered must be available.
- **A CAMO must develop an “evaluation programme”** (to be approved by the NAA), specifying the activities to be performed to identify the status of the aircraft (with regard to the approved type design, modifications, repairs and maintenance).
- **The results of the “evaluation programme” must be:**
 - Summarised in an evaluation report.
 - Taken into account during the airworthiness review of the aircraft.
 - Supplied to the NAA together with the recommendation for the issuance of an ARC (see M.A.904(f))



Rule: 21.A.174(b)(3)(ii) and 21.A.174(b)(4)

The requirements contained in the previous slide are in addition to the following (which are also required when the Airworthiness Statement is present):

- Weight and balance report.
- The flight manual.
- Historical records to establish the production, modification and maintenance standard of the aircraft.
- A recommendation for the issuance of an ARC following an airworthiness review in accordance with Part-M.



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Absence of an Airworthiness Statement:

***Approved type design to which the
aircraft was initially built***



Guidance: AMC 21.A.174(b)(4)(v)(B) and (d)(2)

How to show evidence of the approved design to which the aircraft was initially built:

- **Conformity statement issued by the production organisation that manufactured and delivered the aircraft, identifying the aircraft and its type design at initial delivery, or**
- **Certificate of airworthiness for export issued by the State of manufacture, identifying the aircraft and its type design at initial delivery, or**
- **Any other conformity statement issued by the production organisation or the State of manufacture, identifying the aircraft and its type design at initial delivery.**



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Absence of an Airworthiness Statement:

Evaluation Programme



Guidance: AMC 21.A.174(b)(4)(v)(C) and (d)(3)

PRECONDITIONS:

- Previous maintenance programme and sufficient historical records to
 - either show compliance to a level equivalent to M.A.305, or
 - allow reconstruction of missing records
- Journey logs and/or technical logs available to establish previous aircraft operation, utilisation and operating environment.



Guidance: AMC 21.A.174(b)(4)(v)(C) and (d)(3)

CONSIDERATIONS FOR ITS DEVELOPMENT:

- Conclusions from a complete aircraft record review.
- Aircraft age and ownership history.
- Visual aircraft condition.
- Aircraft storage conditions.
- Previous aircraft operating environment and profiles.
- Previous experience of the CAMO when importing aircraft from the previous owner/operator.
- Previous experience of the CAMO when importing aircraft from the previous State of Registry.



Guidance: AMC 21.A.174(b)(4)(v)(C) and (d)(3)

CONTENT OF EVALUATION PROGRAMME (to be proposed to the NAA):

- **Result of the record review performed** (completeness, accuracy and quality of the records received and description of any records reconstructed).
- **Identification of particular events that could have required unscheduled maintenance** (lightning strikes, hard landings, long term storage, etc)
- **Conclusions from the considerations contained in the previous slide.**
- **Proposed physical inspection and investigation activities**, aimed at identifying:
 - The current aircraft configuration and deviations from the design approved by EASA.
 - Repairs, unrepaired damage and modifications.
 - Unclear or unacceptable design standards.



Guidance: AMC 21.A.174(b)(4)(v)(C) and (d)(3)

CONTENT OF THE EVALUATION PROGRAMME (to be proposed to the NAA) (CONTINUATION):

- **Proposed physical inspection and investigation activities**, aimed at identifying:
 - Maintenance standards applied to the aircraft in the past.
 - Unclear or unacceptable maintenance standards.
- **Organisations required to determine the current aircraft configuration and deviations from the EASA approved design** (e.g. POA, DOA, manufacturer, TC/STC holder, CAMO, etc)
- **Organisations required to support the inspection and investigation activities** (e.g. CAMO, AMO)
- Documents used for determination of conformity with the design approved in accordance with Part-21.
- Date and location of proposed inspections and investigations.



Guidance: AMC 21.A.174(b)(4)(v)(C) and (d)(3)

ACCEPTANCE OF THE EVALUATION PROGRAMME BY THE NAA:

- **If the NAA find the programme suitable to evaluate the aircraft configuration and maintenance status as delivered from the previous register:**
 - NAA accepts the proposed programme, and
 - NAA notifies the applicant of its involvement in the proposed inspections and investigations.



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Absence of an Airworthiness Statement:

Evaluation Report



Guidance: GM M.A.904(f)

EVALUATION REPORT:

The evaluation report should contain at least the following:

- Reference to the accepted “evaluation programme”.
- Description of the inspections and investigations performed and their results.
- A listing and justification of deviations from the accepted programme. Significant deviations need to be agreed with the NAA in advance.



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Absence of an Airworthiness Statement:

***Evaluation Programme (additional
requirements for “State aircraft”)***



Guidance: AMC 21.A.174(b)(4)(v)(C)

ADDITIONAL CONSIDERATIONS FOR THE DEVELOPMENT OF THE EVALUATION PROGRAMME:

- **Previous flight operations.**
- **Assessment of the effects of the previous operating profile** (impact for flights outside the civil flight manual limitations).
- **Modifications specific to the aircraft State role (and the consequences of their removal).**
- **Maintenance and certification of maintenance.**
- **Life limitations were not exceeded.**