European Union Aviation Safety Agency

Aircraft Operations

As of January 1, 2021, under which conditions may a commercial air transport operator certified by an EASA Member State dry lease-in (aircraft without crew) an UK registered aircraft?

Answer

As of January 1, 2021 UK registered aircraft will be considered by the EU as aircraft registered in a third country and any CAT operator certified by an EASA Member State wishing to operate such aircraft under its AOC will need to comply with the provisions of EU law concerning dry lease-in of 3rd country registered aircraft. This includes obligation for the EU operator to obtain a prior approval from its competent authority upon demonstration of compliance with safety requirements and of an operational need that cannot be satisfied by leasing aircraft registered in the EASA Member States. The duration of such dry lease-in cannot exceed 7 months in any 12 consecutive month period.

Last updated:
18/12/2020

Link:
https://www.easa.europa.eu/en/faq/121077

As of January 1, 2021, under which conditions may a commercial air transport operator certified by an EASA Member State wet lease-in (aircraft and crew) an aircraft operated by an UK operator?

Answer

As of January 1, 2021 any CAT operator certified by an EASA Member State wishing to wet lease-in an aircraft operated by a UK operator will need to comply with the provisions of EU law concerning wet-lease in of 3rd country operated aircraft. This includes obligation for the EU operator to obtain a prior approval from its competent authority responsible for safety and from its competent licensing authority. This will require demonstration, in particular, that the safety standards of the UK operator are equivalent to the applicable requirements established by EU law and that the leasing is of a limited duration and is justified by exceptional or seasonal capacity needs or other operational difficulties as provided in relevant EU legislation. The UK

operator wet leasing out to an EASA operator should also hold a TCO Authorisation, should the aircraft be operated on routes to/from/within EASA Member States (please refer to the questions under Section EASA TCO Authorisations).

Last updated:
18/12/2020

Link:
https://www.easa.europa.eu/en/faq/121078

As of January 1, 2021, under which conditions may a commercial specialised operator (SPO) certified by an EASA Member State lease in an aircraft operated by a UK operator or registered in the UK?

Answer

As of January 1, 2021 an SPO operator certified by an EASA Member State wishing to wet lease-in or dry lease-in an aircraft operated by a UK operator or registered in the UK will need to comply with the provisions of EU law concerning the lease-in of 3rd country operated or third country registered aircraft, as applicable. These provisions are contained in point ORO.SPO.100(c) of Annex III to Commission Regulation (EU) No 965/2012.

Last updated:
18/12/2020

Link:
https://www.easa.europa.eu/en/faq/121079

Are Specific Airworthiness Specifications issued by EASA before January 1, 2021 with respect to UK-registered aircraft still valid after December 31, 2020?

Answer

No, Specific Airworthiness Specifications issued by EASA before January 1, 2021 with respect to UK-registered aircraft are no longer valid. EASA issues Specific Airworthiness Specifications only as regards aircraft registered in EU Member States or other European States participating in the work of EASA. As of January 1, 2021, UK is no longer part of the EASA system and the EU aviation safety legislation, including Regulation (EU) 2018/1139, no longer applies to the UK. Owners of aircraft registered in the UK which do not have a valid certificate of airworthiness should contact UK CAA for further advice.

Last updated:
12/01/2021

Link:
https://www.easa.europa.eu/en/faq/122942

Are the approvals of Flight Conditions issued by EASA before January 1, 2021 with respect to UK-registered aircraft still valid after December 31, 2020?

Answer

No, approvals of flight conditions (EASA Form 18B 'Approval of Flight Conditions for a Permit to Fly') issued by EASA before January 1, 2021 with respect to UK-registered aircraft are no longer valid. EASA issues approval of flight conditions only as regards aircraft registered in EU Member States or other European States participating in the work of EASA. As of January 1, 2021, UK is no longer part of the EASA system and the EU aviation safety legislation, including Regulation (EU) 2018/1139, no longer applies to the UK. Owners of aircraft registered in the UK which do not have a valid certificate of airworthiness should contact UK CAA for further advice.

Annex AVSAF-1 (Airworthiness and Environment Certification) to the EU UK Trade and Cooperation Agreement does not cover Flight Conditions (FC) (FC are not design certificates) Consequently,

- in accordance with UK Part 21, UK CAA or UK 21J approved design organisations can approve FC only for UK-registered aircraft
- in accordance with EU Part 21, EASA (for safety of design-related FC) or State of Registry NAA (for non-safety of design related FC) or EASA 21J design approved organisations can approve FC only for EU Member State-registered aircraft

Last updated:
11/01/2021

Link:
https://www.easa.europa.eu/en/faq/122940

Are the UK issued certificates for unmanned aircraft system, including training of remote pilot, accepted in EU after December 31, 2020?

Answer

The United Kingdom (UK) withdrew from the European Union Aviation Safety Agency (EASA) system as of January 01, 2021. As of that date the EU law does not apply anymore in the UK which is considered as a third country.

This means that, in accordance with Article 41 of Commission Regulation (EU) 2019/945, Unmanned Aircraft System (UAS) operators that have their principal place of business, are established, or reside in the UK shall comply with Commission Regulation (EU) 2019/947 for the purpose of operations within in the single European sky airspace. The competent authority for such a third country UAS operator wishing to operate in the EU is the competent authority of the first Member State where the UAS operator intends to operate.

As a derogation to the above provisions, in accordance with Article 41 of Commission Regulation (EU) 2019/945 a certificate of the remote pilot competency or the UAS operator's certificate issued by a third country may be recognised by the competent authority of the EU Member State provided that all of the following conditions are met:

- the third country asked for such recognition,
- the certificate of the remote pilot competency or the UAS operator`s certificate are valid documents of the State of issue; and
- the Commission, after consultation of EASA, has ensure that the requirements on the basis of which such certificates have been issued provide the same level of safety as the Regulation (EU) 2019/945 does;

The UK has not yet initiated the above recognition process, so as things stand the UK certificates cannot be recognised yet for the purpose of UAS operations within in the single European sky airspace.

Last updated:

19/01/2021

Link:

https://www.easa.europa.eu/en/faq/123767