European Union Aviation Safety Agency

FAQ n.136169

FAQs:

Aircraft maintenance and continuing airworthiness — Restrictive measures Russia , EU restrictive measures against Russia

Question:

As an organisation approved in accordance with Regulation (EU) 1321/2014, am I allowed to provide maintenance services to Russian-operated*, -registered, or -owned aircraft which are for use in Russia, including engines, components, and parts thereof?

Answer:

**Operated by a natural person that is a resident of Russia, or any legal person, entity or body established in Russia.*

According to Article 3c of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328, such aircraft cannot benefit from services regulated under Regulation (EU) No 1321/2014 as detailed in the following:

Under Article 3c(4), it is prohibited to provide:

1. technical assistance (which includes any technical support related to maintenance as per Article 1(c)) related to the goods and technology in the Annex; and
2. maintenance of those goods and technology,

directly or indirectly, to any natural or legal person, entity or body in Russia or for use in Russia.

In addition, the following terms should be understood as:

1. “Any natural or legal person, entity or body in Russia” should be understood as covering any natural person that is a resident of Russia, and any legal person, entity or body established in Russia, independently of their citizenship/ownership. To the contrary, the expression does not cover Russian citizens or Russian-owned companies that are not resident in Russia/established in Russia.
2. “For use in Russia” should be understood as covering the sale/supply/transfer/export of goods/services that would be used in Russia, including operations between two points in Russia.

A. Scope of application of Article 3c in relation to maintenance/repair

Considering the above:

It is prohibited, under Article 3c, to provide repair /maintenance services to:

- any aircraft operated by a Russian air carrier, as Russian air carriers are companies incorporated in Russia, hence fall in the scope of “natural or legal persons, entities or bodies in Russia”;
- any aircraft owned by a person that is a resident of Russia, or by a company established in Russia, independently of their citizenship/ownership, as such persons/companies also fall in the scope of “natural or legal persons, entities or bodies in Russia”;
- any aircraft, independently of its ownership, which is being used or will be used for providing air transport services between points inside Russia (whether in connection or not with an international service).

For the sake of clarification, this prohibition applies also if the above-mentioned aircraft are grounded in the European Union. **It is not prohibited**, under Article 3c, to provide repair /maintenance to:

- an aircraft that is owned by a natural person which resides outside of Russia, or by a company established outside of Russia, even if the natural person has Russian citizenship or that the company is Russian-owned, unless the aircraft is being used or will be used for providing air transport services between points inside Russia (whether in connection or not with an international service).

When an aircraft is owned by a natural or legal person, entity or body in Russia, and is leased to a non-Russian airline/company, it can be repaired/maintained if the leasing contract imposes on the lessee the obligation to maintain that aircraft.

B. The scope of application of Article 3c in relation to technical assistance

The term “technical assistance” is defined in Article 1(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328, as “any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance”.

Based on that definition and the above clarification of the meaning of “natural or legal persons, entities or bodies in Russia” and “for use in Russia”, it is **prohibited**, under Article 3c, to provide technical assistance (which includes any technical support related to maintenance) related to the aviation goods and technology to:

- any Russian air carrier;
- any natural person that is a resident of Russia, or any company established in Russia, independently of their citizenship/ownership;

- a natural person or company established outside Russia, independently of their citizenship/ownership, if that person makes use of the received assistance/services in Russia, or uses the assistance/service received to provide assistance/services to an aircraft/parts/components used in Russia, including between points inside Russia (whether in connection or not with an international service).

The above prohibition applies independently of whether the assistance/service is physically provided in the territory of the European Union or outside.

It is **not prohibited**, under Article 3c, to provide technical assistance (including maintenance) services related to the aviation goods and technology and to the provision, manufacture, maintenance, and use of those goods and technology, directly or indirectly, to:

- a natural person that resides outside of Russia, or to a company established outside of Russia, even if that natural person has Russian citizenship or that company is Russian-owned, unless that natural person or company would make use of the received assistance/services in Russia, or use the assistance/service received to provide assistance/services to an aircraft/parts/components used in Russia, including between points inside Russia (whether in connection or not with an international service).

Furthermore, maintenance organisations are also reminded that the privileges of their EU approval are granted to ensure continuing airworthiness of aircraft, including any component for installation thereto, subject to Regulation (EU) No 1321/2014.

Finally, please see also FAQ #136906 for the situation where the asset freeze list contained in Annex I to Regulation (EU) No 269/2014 applies.

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Link:

https://www.easa.europa.eu/en/faq/136169