European Union Aviation Safety Agency

Orphan aircraft

How does EASA deal with aircraft without a Type Certificate holder?

Answer

An aircraft becomes orphan when:

1. the legal person holding the Type Certificate (TC) has ceased to exist. The TC automatically becomes invalid by law because there is no one to be in compliance with the TC holder's responsibilities (21A.51 (a) 1 and 21A.44); or
2. the TC holder no longer complies with his regulatory obligations. A typical case is when the TC holder ceased to exist, or fails to comply with 21.A.14. This makes the TC invalid (21A.51 (a) 1); or
3. the TC holder has surrendered the TC. This also makes the TC invalid (21A.51(a)2).

Under Part 21, orphan aircraft cannot be issued a Certificate of Airworthiness, which requires that a TC holder takes responsibility for the continued oversight of the design.

Aircraft that became orphan before 24 July 2018 and for which EASA issued an SAS for their type design may continue to be operated if they hold a restricted certificate of airworthiness.

Aircraft that become orphan in the future will no longer be allowed to be operated.

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Link:

https://www.easa.europa.eu/en/faq/19361