European Union Aviation Safety Agency

# FAQ n.47404

## FAQs:

Continuing airworthiness - General, Continuing Airworthiness, Regulations

## Question:

**Where can I find the continuing airworthiness requirements for third-country registered aircraft used by EU operator/owner?**

## Answer:

The European Implementing Rules for continuing airworthiness (EU) 1321/2014 **do apply** to third-country registered aircraft if:

- The regulatory safety oversight of such aircraft has been delegated to one of the Member States (*), in which case Part-M (Annex I) or Part-ML (Annex Vb) applies [see Article 3(1) of Regulation (EU) No 1321/2014] or
- The aircraft is dry leased-in by an EU licenced air carrier, in which case Part-T (Annex Va) is applicable [see Article 3(6) of Regulation (EU) No 1321/2014].

When third-country registered aircraft are not captured by above-mentioned cases, it is advised to go back to the foundation of the EASA system, namely the Basic Regulation (BR), i.e. Regulation (EU) 2018/1139.

Reference should be made to Annex V **(Essential requirements for air operations)** in accordance with Article 29 for the aircraft described in Article 2(1)(b)(ii) (aircraft registered in a third country and operated by an aircraft operator established, residing or with a principal place of business in the territory to which the Treaties apply). **Point 6 in Annex V** of the BR describes air operations requirements related to continuing airworthiness, such as the requirement for release to service, pre-flight inspection, maintenance programme, records, … Being part of an Annex relevant to air operations, these requirements have to be overseen by the competent authority of the state of the operator.

Furthermore, as required by point 8 of Annex V of the BR, **for commercial air transport and other operations subject to a certification or declaration requirement performed with aeroplanes, helicopters or tilt rotor aircraft**, the continuing airworthiness management and maintenance tasks shall be controlled by an organisation, whose obligations (such as establishment of a management system) are referred to in points 8.8 and 8.9 of Annex V.

*(*) – The transfer of a state's oversight responsibility is addressed in Article 83bis bis of*

*Chicago Convention.*

## Last updated:

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## Link:

https://www.easa.europa.eu/en/faq/47404