European Union Aviation Safety Agency

FAQ n.47696

FAQs:

AMP (Aircraft Maintenance Programme), Part-M, Continuing Airworthiness, Regulations

Question:

Can a competent authority require the owner/CAMO/CAO to include national requirements in the Aircraft Maintenance Programme (AMP), based on M.A.302(d)(1)?

Answer:

Although the Member State's competent authorities are responsible for approving the AMP, the intention of the rule is that they should not impose aeronautical instructions (such as national requirements) in addition to the instructions for continuing airworthiness (ICA) issued by the design approval holder during the certification process with the Agency. The Agency is, on behalf of the Member States, the competent authority for initial airworthiness as per Article 77(1) of Regulation (EU) 2018/1139 (the EASA 'Basic Regulation'). Following M.A.302(d)(2), those ICA shall be the basis to develop an AMP.

Nevertheless, competent authorities may issue alternate instructions to ICA when such instructions aim to offer flexibility to the operator [AMC M.A.302(d) point (2)].

Additionally, the mentioned AMC facilitates the rare case, where there has been no ICA issued by the design approval holder for a particular aircraft, modification, repair or STC (Supplemental Type Certificate): competent authorities may issue relevant instructions for the AMP in this case.

Remarks:

- The airworthiness (initial and continuing) of the aircraft for which the Basic Regulation is not applicable, has to comply solely with the national rules of the state of registry; and

- There is no equivalent of US CFR Title 14 Part-43 Appendix E/Part-91 (§91.411) or Part-43 Appendix F/Part-91 (§91.413) in the EU system.

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https://www.easa.europa.eu/en/faq/47696