

## RA 1162 – Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems

### Rationale

To provide Defence with the required flexibility over how new capabilities are introduced, the aviation industry may be required to operate UK military registered Air Systems. However, without a clear understanding of the governance framework for this activity, there is a risk that key Air Safety responsibilities may be diluted or neglected entirely, with the result that the risks associated with operation of the Air System are not adequately managed. This RA details the Air Safety governance arrangements for Contractor Flying Approved Organization Scheme (CFAOS) Approved Defence Contractor Flying Organizations (DCFO) that are operating in the interest of the MOD; such activities are conducted within the Civilian Operated (Development) and (In-Service) operating categories<sup>1</sup>.

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### Definitions

#### Definitions Relevant to this RA

1. **Type Airworthiness Manager.** A Type Airworthiness Manager (TAM) is a role within a Design Approved Organization Scheme (DAOS) approved organization with an approved TAW Management Supplement, for a named individual who has been assessed by the MAA as competent to hold the MAA Regulatory Publications (MRP) delegable TAW responsibilities and has been appointed by the Air System's Sponsor. The TAM's responsibilities, once formalized by the Sponsor and directed to the Accountable Manager (Military Flying) (AM(MF)), are to be detailed in a TAW supplement to the respective DAOS approval exposition.

### Regulation 1162(1)

#### Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems

- 1162(1) Prior to operation of the Air System, the Sponsor **shall** ensure that Air Safety governance arrangements are in place for all Civilian Operated (Development) or (In-Service) Air Systems.

### Acceptable Means of Compliance 1162(1)

#### Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems

2. Prior to operation of the Air System, the Sponsor **should** ensure that the Accountable Manager (Military Flying) (AM(MF)):
  - a. Is supported by competent organizations in accordance with (iaw) RA 1005<sup>2</sup>.
  - b. Will operate the Air System within the flight conditions as defined and permitted by the Military Permit to Fly (MPTF) (In-Service)<sup>3</sup> or MPTF (Development)<sup>4</sup>.

<sup>1</sup> Refer to RA 1160 – The Defence Air Environment Operating Framework. The RA 1160 Series defines a coherent and consistent operating framework which has been developed to ensure that similar aviation activities within the Defence Air Environment (DAE) that result in a similar level of risk or risk exposure, attract the same level of regulation, assurance and scrutiny, regardless of who owns, or who is operating, the specific Air System. All activities within the DAE will be assigned to an operating category which will define who is responsible for the execution and assurance of key functions including Type Airworthiness (TAW), Continuing Airworthiness (CAw) and Flight Operations, as well as the balance of accountability between the MOD and the contractor.

<sup>2</sup> Refer to RA 1005 – Contracting with Competent Organizations.

<sup>3</sup> Refer to RA 1305 – Military Permit to Fly (In-Service), (Special Case Flying) and (Single Task).

<sup>4</sup> Refer to RA 5880 – Military Permit to Fly (Development) (MRP Part 21 Subpart P).

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- c. Is supported for the management of CAw by an MAA approved Continuing Airworthiness Management Organisation (CAMO) iaw RA 1016<sup>5</sup>.
- d. Can actively manage Air Safety and Operating Risk to Life (RtL) as detailed in RA 1024<sup>6</sup>.
- e. Owns and manages the Live Air System Safety Case (ASSC) (In-Service) prior to commencing In-Service flying, or a Live ASSC (Trials and Evaluation (T&E)) prior to commencing T&E flying activity as detailed in RA 1205<sup>7</sup>.

3. **TAW Management - Military-Owned Air Systems.** For a Military-Owned Air System, the Sponsor **should** ensure that the Defence Equipment and Support (DE&S) Operating Centre Director (OCD) nominates a Type Airworthiness Authority (TAA) to be accountable for ensuring TAW management.

4. **TAW Management - Civilian-Owned Air Systems.** For Civilian-Owned Air Systems, the Sponsor **should** decide upon which TAW task will be conducted by the TAA and which are to be delegated to a MAA approved TAM, the level of which depends upon the complexity of the activity and inform the AM(MF) of their chosen construct for managing TAw. The MAA have mandated four areas of non-delegable TAw responsibilities, detailed at Table 1, that the Sponsor **should** ensure remain the responsibility of a TAA.

*Table 1. Non-Delegable TAw responsibilities*

TAW Functions	Applicable RAs	Non-Delegable responsibilities
Major Modifications and Aircraft Repairs	RA 5820 <sup>8</sup> RA 5865 <sup>9</sup>	Approval of Major Modifications and Repairs, Signing to Accept the Certificate of Design for Major Modifications and Repairs and Approving Service Modifications.
Military Type Certificate (MTC)	RA 5810 <sup>10</sup>	Responsibility to hold a MTC
MPTF	RA 1305 <sup>3</sup> RA 5880 <sup>4</sup>	Approve the initial issue of the MPTF (Development), Certify the initial issue of MPTF (In-Service) Recommendations, Review TAM proposed amendments to MPTF (In-Service), Approve the issue of the MPTF (Single Task).
Air System Document Set (ADS) and Technical Information	RA 1310 <sup>11</sup> RA 5220 <sup>12</sup> RA 5405 <sup>13</sup> RA 5815 <sup>14</sup>	Approve the initial issue of the ADS, Review ADS and Service Bulletins and approve Special Instruction (Technical)s (SI(T)), evaluate and approve changes to Master Maintenance Schedule, issue Special Flying Instructions.

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5. **Model for TAW management.** The Sponsor determined model for the management of TAw could range from:
- The appointment of a TAA who is fully accountable for ensuring TAW and complying with all TAW regulations, or,
  - The appointment of a;
    - (1) TAA who, as a minimum, is accountable for the MAA mandated non-delegable TAw responsibilities, and;

<sup>5</sup> Refer to RA 1016 – Military Continuing Airworthiness Management.

<sup>6</sup> Refer to RA 1024 – Accountable Manager (Military Flying).

<sup>7</sup> Refer to RA 1205 – Air System Safety Cases.

<sup>8</sup> Refer to RA 5820 – Changes in Type Design (MRP Part 21 Subpart D).

<sup>9</sup> Refer to RA 5865 – Repairs (MRP Part 21 Subpart M).

<sup>10</sup> Refer to RA 5810 – Military Type Certificate (MRP Part 21 Subpart B).

<sup>11</sup> Refer to RA 1310 – Air System Document Set.

<sup>12</sup> Refer to RA 5220 – Special Flying Instructions and Restrictions on Flying.

<sup>13</sup> Refer to RA 5405 – Special Instructions (Technical).

<sup>14</sup> Refer to RA 5815 – Instructions for Sustaining Type Airworthiness.

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(2) MAA approved TAM, within an MAA Approved DAOS Organization holding a TAw Management Supplement, who is accountable for ensuring the remaining TAw responsibilities as detailed by the Sponsor.

6. **TAw Management - Non-Delegable Responsibilities.** Operation of an Air System in MOD interest, for which there is in force a Certificate of Usage issued on behalf of the Secretary of State (SofS), creates a duty on the SofS to ensure safe use of the Air System. Whilst responsibility for this liability can be appropriately discharged to non-crown servants, dependent on the particular operating context, the MAA has determined a set of non-delegable TAw responsibilities that have to be retained by a crown servant TAA. These responsibilities will be identified as 'TAA non-delegable responsibilities'. All other TAw management responsibilities can be undertaken either by a TAA or a TAM, as determined by the Sponsor.

7. **TAM Responsibilities.** Prior to endorsing the responsibilities to which the Sponsor will delegate to the TAM it is recommended they consult an appropriate DE&S OCD 2\* and TAA for advice. The TAM's responsibilities, once formalized by the Sponsor in writing to the TAM, copied to the AM(MF), are to be detailed in the respective TAw management supplement of the DAOS approval exposition.

**Regulation  
1162(2)**

**Assurance of the Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems**

1162(2) The Sponsor **shall** ensure that appropriate Assurance of Air Safety arrangements for Civilian Operated Air Systems is conducted.

**Acceptable  
Means of  
Compliance  
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**Assurance of the Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems**

8. The Sponsor **should** nominate appropriate crown servants who are competent and suitably qualified and experienced to provide appropriate assurance that all aspects of Air Safety, including flying operations, TAw and CAw are equivalent to that of a Military Operated Air System.

**RtL and ASSC Management**

9. The Sponsor **should** ensure that appropriate assurance is conducted of:
- a. The management of RtL within an Air Safety Management System (ASMS) and;
  - b. The management of the Live ASSC within the ASMS.

**Operations Management**

10. The Sponsor **should** ensure that appropriate assurance is conducted of flying operations.

**TAw Management**

11. **TAw Management - Military-Owned Air Systems.** The Sponsor **should** ensure that the DE&S OCD conducts appropriate assurance of the TAA.

12. **TAw Management - Civilian-Owned Air Systems.**

- a. For the elements of TAw management for which the TAA is accountable, the sponsor **should** ensure that the DE&S OCD conducts appropriate assurance of the TAA.
- b. For the elements of TAw management for which a TAM is accountable, the Sponsor **should** ensure that appropriate assurance of the TAM is conducted.

**CAw Management.**

13. The Sponsor **should** ensure that appropriate assurance of CAw management is conducted.

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14. The Sponsor, and his assurance personnel, will take a RtL based approach in determining the appropriate oversight applied to the operating arrangements, which could be done by MOD organizations (such as an Aviation Duty Holder (ADH), "Safety, Training Assurance and Regulatory" (STAR) teams, Central Flying School (CFS), Standards units or, potentially, by the Delivery Team itself if it retains Suitability Qualified and Experience Person (SQEP) or by suitably competent and experienced civilian organizations.

15. When undertaking assurance of Air System operations, it is important to assure that;

a. The MAA issued CFAOS approval continues to cover the scope of the intended activity, and;

b. The Air System continues to be operated within the flight conditions as defined and permitted by the MPTF (Development) or MPTF (In-Service).

16. The assurance personnel are to assure that the AM(MF) has sought appropriate advice on the operating aspects of the Air Safety arrangements from appropriate SQEP. Particular attention may be necessary for those activities which are not normally within the capability of the flying organization and where SQEP external to the organization is being utilized. The complexity of the arrangements and the activity being assured (novel and complex or inherently military in style) will dictate the level of SQEP.