

30 Nov 2020

**MAA/RN/2020/16 – Implementation Plan for Regulatory Articles 1019 (Sponsor of Military Registered Civilian-Owned and Civilian Operated Air Systems - Air Safety Responsibilities), 1160, 1161, 1162, 1163 (Re-Categorization of Activity within the Defence Air Environment) and 1305 (Military Permit to Fly (In-Service), (Special Case Flying) and (Single Task))**

## Issue

1. RA 1019, RA 1160, RA 1161, RA 1162, RA 1163 and RA 1305 were published under Notice of Authorized Amendment 20/35 on **30 Nov 2020**. The MAA recognizes that a period of change management is required to enable organizations to become fully compliant with the revised regulation and has therefore approved a staged implementation plan.

## Scope

2. This Regulatory Notice (RN) provides detail to support the implementation of the new RAs and specific transitional arrangements for areas of new regulation. It is important to note that this RN is not applicable to RA 1164 and RA 1166 which are 'live' from their respective NAA dates.

## Aim

3. This RN will ensure that the Regulated Community (RC) are aware of the MAA approved transitional arrangements for implementation of the new RA 1160 series.

## Implementation

4. This guidance is effective immediately.

## Transition Arrangements

5. The RA 1160 series are **effective from 30 Nov 2020 with transitional caveats as detailed with this RN**. This RN affords the RC time to understand, assess, prepare for and make the changes brought about by the revised regulations and to ensure an effective and coherent transition.

6. Sponsors of existing Civilian-Owned Air Systems will recognize that key tenets of the 1160 Series are coherent with the previous regulatory requirements for Military Air System Registration, Air Safety Arrangements, Certificate of Usage, Civil Aviation Authority Oversight and Military Registered Air System Transfer. It is under RA 1162 and RA 1163 that the MAA anticipates the greatest amount of transition work will be required. Cognizant of this, for Air Systems operating in the Civilian Operated (In-Service), (Development) and (Special Case Flying) Operating Categories, the Sponsor should be able to deliver compliance with the RA 1160 series **by 30 Nov 2022**. Annex A outlines the necessary actions required to transition an Air System and its respective Air Safety governance arrangements into a relevant Defence Air Environment Operating Category.

7. To facilitate the change and to promote a level of consultancy and engagement, the MAA recommends Sponsors to review their extant governance arrangements and write to DSA-MAA-OpAssure-Eng-DepHd by **31 May 2021** addressing the following:

- a. Review and confirm the RA 1160 Series Operating context and confirm any transition actions, concerns<sup>1</sup> and estimated time to achieve compliance; referring to the requirements within Annex A.
- b. Confirm their ability to develop and initiate the appropriate Air Safety governance assurance arrangements for their Air Systems.
- c. For Civilian Operated and / or Owned Air Systems only, confirm if they believe they are best placed to be the Sponsor for the Air System and, if not, highlight the potential opportunity for a more appropriate Sponsor to be nominated.

8. **New Air Systems requiring Sponsorship on the UK Military Aircraft Register (MAR).** The requirements of the RA 1160 series will apply for all new Air Systems requiring Registration on the UK MAR from **30 Nov 2021**. Applicants for Air Systems requiring Registration on the UK MAR before this date are to contact DSA-MAA-OpAssure-Eng-DepHd in order to consult on the best means to facilitate the most expeditious route to RA 1160 series compliance. A year is deemed sufficient preparatory time to ensure that: the revised Application for Approval-in-Principle (AAiP) and Request for Activation can be followed; for Industry to develop the means to enable a Type Airworthiness (TAW) Management supplement; for the production and authorization of the new Military Permit To Fly (MPTFs); and for Sponsors to develop and initiate the required Air Safety governance assurance arrangements.

9. **Introduction of the (TAM).** The TAM is a role within a Design Approved Organization Scheme (DAOS) approved organization for a named individual, nominated by the Accountable Manager (Military Flying) (AM(MF)), who has been assessed by the MAA as competent<sup>2</sup> to hold the MAA Regulatory Publications (MRP) delegable TAW responsibilities<sup>3</sup> and appointed by the Air System's Sponsor. The TAM's responsibilities (once formalized by the Sponsor), are to be detailed in an approved TAW Management Supplement<sup>4</sup> to the respective DAOS exposition. A template is available on the MAA's websites<sup>5</sup>, for guidance. The appointment of the TAM, by the Sponsor should be:

- a. In the form of a personal letter to the individual being appointed; and is not transferable.
- b. Of an unambiguous scope and consistent with other delegations to prevent omissions or duplication.
- c. Accepted formally in writing by the recipient; only when the recipient has made an assessment that the responsibilities and authorities delegated can be discharged within the resource that has been allocated.

10. The MAA acknowledge that the introduction of a TAM will require underpinning contractual agreements to be agreed / amended and resourced accordingly. The MAA should be consulted, via DSA-MAA-OpAssure-Eng-DepHd, if the utilization of a TAM is required **before 30 Nov 2021**.

### **1160 Series Implications on 1000, 2000, 4000 and 5000 Series Regulations.**

11. The 1000, 2000, 4000 and 5000 series RAs will be updated to reflect the introduction of the 1160 Series as part of their normal review cycle. Whilst the latest version of each RA should always be used, the term 'TAA' used within the text may be read as 'TAM' for Civilian-Owned and Civilian

<sup>1</sup> As an example, should the contracted activity cease after a short period post 1160 Series the cost of implementing a Type Airworthiness Manager (TAM) might be disproportionate with the benefit(s) it could realize.

<sup>2</sup> Through a review of a completed Airworthiness Competent Set self-assessment and interview, followed up by a formal Letter of Endorsement of Airworthiness Competence to the Sponsor.

<sup>3</sup> Currently held by the Type Airworthiness Authority (TAA).

<sup>4</sup> Where TAW Management responsibilities will be held by a TAM, the Design Organization (DO) shall furnish to the MAA a TAW Management Supplement to the Design Organization Exposition (DOE) describing, directly or by cross-reference, how the requirements of RA 1015 will be managed. To maintain TAM approval, the TAW Management Supplement should remain an accurate reflection of the organization with any amendment submitted to the MAA for approval. Amendment submission should not be taken to confer that MAA approval is in place.

<sup>5</sup> <https://www.gov.uk/government/publications/design-approved-organization-scheme-daos>.

Operated Air Systems ahead of any update and in accordance with (iaw) the Sponsor's approved model for TAw management; dependant on the agreed delegation of TAw design responsibilities. Further specific actions and guidance are detailed at Annex B.

12. The current versions of RA 1120, RA 1121, RA 1122, RA 1123, RA 1124 and RA 1125 will be withdrawn from the MRP **from 30 Nov 2020**. To enable continued compliance with these RAs during the transition period, these versions are attached to this RN and the associated forms will remain available via the MAA websites **until 30 Nov 2022**. Prior to the compliance with the new 1160 Series there is no requirement to apply for a waiver to continue to use these withdrawn RAs; however, an organization's Air Safety Change Management processes<sup>6</sup> should demonstrate a compliance route map.

### **Queries**

13. Any queries or requests for further guidance on the content of this RN should be submitted by email to [DSA-MAA-MRPEnquiries@mod.gov.uk](mailto:DSA-MAA-MRPEnquiries@mod.gov.uk).

### **MAA Head of Regulation & Certification**

Annexes:

- A. Defence Air Environment (DAE) Operating Category – Transitional Requirements.
- B. 1000, 2000, 4000 and 5000 Series – Specific Actions and Guidance.

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<sup>6</sup> RA 1200 – Defence Air Safety Management; specifically, RA 1200(1) Para 1c (2).

**DEFENCE AIR ENVIRONMENT (DAE) OPERATING CATEGORY - TRANSITIONAL REQUIREMENTS**

DAE Operating Category 'Transitioning To'	Transitional Requirements	Requirements of the RA 1160 series not required for Transition
Civilian-Owned and Civilian Operated (Development) / (In-Service)	<ul style="list-style-type: none"> <li>• <b>Sponsor</b> - Re-Issue Certificate of Usage (CofU) in the revised format of RA 1160(3).</li> <li>• <b>Sponsor</b> - Ensure appropriate independent scrutiny of the MPTF (In-Service) Recommendation iaw RA 1305(2).</li> <li>• <b>Sponsor</b> - Authorize release of a MPTF (In-Service) iaw RA 1305(3).</li> <li>• <b>Sponsor</b> - Endorse a construct for Type Airworthiness management iaw RA 1162(1).</li> <li>• <b>Sponsor</b> – Engage the Air System DO / CDO to expand the DAOS approval to facilitate the introduction of a TAM with a TAM supplement.</li> <li>• <b>Sponsor</b> - Ensure that Air Safety governance arrangements are in place iaw RA 1162(1).</li> <li>• <b>Sponsor</b> - Initiate a construct for the assurance of the Air System's Air Safety governance arrangements iaw RA 1162(2).</li> </ul>	<ul style="list-style-type: none"> <li>• Re-issue of the artefacts associated with the AAiP and Activation (Detailed Submission) is not required.</li> <li>• For those applicable Air Systems, review and re-issue of an extant RTS as an MPTF(In-Service) is not required.</li> </ul>
Civilian-Owned and Civilian Operated (Development) / (In-Service)	<ul style="list-style-type: none"> <li>• <b>Operator</b> – Provision necessary detail to support the Sponsor's generation of the CofU.</li> <li>• <b>Operator</b> - Prepare MPTF (In-Service) iaw RA 1305(3).</li> </ul>	<ul style="list-style-type: none"> <li>• Re-drafting the artefacts associated with the AAiP and Activation (Detailed Submission) is not required.</li> </ul>
Civilian-Owned and Civilian Operated (Development) / (In-Service)	<ul style="list-style-type: none"> <li>• <b>TAM</b> – When Sponsor confirms the intent for a TAA to share TAw responsibilities with a TAM, the TAM is to collaborate with Sponsor, Air System TAA and DO / CDO, to facilitate the introduction of their delegated responsibilities within a TAM supplement to a DAOS</li> </ul>	

	<p>approval.</p> <ul style="list-style-type: none"> <li>• <b>TAM</b> - Preparation of the data to support the MPTF Recommendation iaw RA 1305(2).</li> </ul>	
Civilian-Owned and Civilian Operated (Special Case Flying)	<ul style="list-style-type: none"> <li>• <b>Sponsor</b> - Re-Issue CofU in the revised format of RA 1160(3).</li> <li>• <b>Sponsor</b> - Ensure appropriate independent scrutiny of the MPTF (Special Case Flying) iaw RA 1305(5).</li> <li>• <b>Sponsor</b> - Issue Certificate of Commencement of Flight iaw RA 1305(5).</li> <li>• <b>Sponsor</b> - Endorse a construct for Type Airworthiness management iaw RA 1163(3).</li> <li>• <b>Sponsor</b> – Engage the Air System DO / CDO to expand the DAOS approval to facilitate the introduction of a TAM with a TAM supplement. <b>Sponsor</b> - Ensure that Air Safety governance arrangements are in place iaw RA 1163(1).</li> <li>• <b>Sponsor</b> - Initiate a construct for the assurance of the Air System’s Air Safety governance arrangements iaw RA 1163(2).</li> </ul>	<ul style="list-style-type: none"> <li>• Re-issue of the artefacts associated with the AAiP and Activation (Detailed Submission) is not required.</li> <li>• For those applicable Air Systems, review and re-issue of an extant RTS as an MPTF(In-Service) is not required.</li> </ul>
Civilian-Owned and Civilian Operated (Special Case Flying)	<ul style="list-style-type: none"> <li>• <b>Operator</b> – Provision necessary detail to support the Sponsor’s generation of the CofU.</li> <li>• <b>Operator</b> – Prepare MPTF (Special Case Flying) iaw RA 1305(5).</li> </ul>	<ul style="list-style-type: none"> <li>• Re-drafting the Artefacts associated with the AAiP and Activation (Detailed Submission) is not required.</li> </ul>
Civilian-Owned and Civilian Operated (Special Case Flying)	<ul style="list-style-type: none"> <li>• <b>TAM</b> – When Sponsor confirms the intent for a TAM, the TAM is to collaborate with Sponsor, Air System TAA and DO / CDO, to facilitate the introduction of their delegated responsibilities within a TAM supplement to a DAOS approval.</li> <li>• <b>TAM</b> - Approve the MPTF (Special Case Flying) iaw RA 1305(5).</li> </ul>	

## 1000, 2000, 4000 AND 5000 SERIES – SPECIFIC ACTIONS AND GUIDANCE

Whilst the latest version of each RA (listed in the table below) should always be used, the term ‘TAA’ used within the text may be read as ‘TAM’ for Civilian-Owned and Civilian Operated Air Systems iaw the Sponsor's approved model for Type Airworthiness management; dependant on the agreed delegation of TAw design responsibilities.

RA	Issue	Title	Comment
1002	6	Airworthiness Competent Persons	<b>1002(1)</b> – The TAM and any personnel who have a delegation from the TAM for TAw Management are to be considered an Airworthiness Competent Person. The GM is to be considered when selecting and managing personnel.
1003	5	Delegation of Airworthiness Authority and Notification of Air Safety Responsibility	<p><b>1003(1)</b> – The delegation of authority to the TAM and any sub-delegation will follow the same principles as for DE&amp;S adapted as follows:</p> <p>The AM(MF) is to nominate the TAM to the Sponsor. Once agreed, the TAM will then be assessed by the MAA through review of a completed Airworthiness Competent Set self-assessment and interview. The MAA will issue a Letter of Endorsement of Airworthiness Competence to the Sponsor who will then issue a Letter of Appointment to the TAM, through the AM(MF), identifying the delegated authority and any limitations.</p> <p>Note: The TAM will not be a Crown Servant.</p> <p><b>1003(2)</b> – This is not applicable to a TAM.</p>
1005	8	Contracting with Competent Organizations	<b>1005(2)</b> – Any requirement for Type Airworthiness Management should be approved specifically under the DAOS Type Airworthiness Supplement and should only be undertaken within an Air System CDO.
1013	4	Air Systems Operating Centre Director - Provision of Airworthy and Safe Systems	<p><b>1013(1)</b> – The OCD will hold responsibilities agreed with the Sponsor iaw RA 1029.</p> <p>Note: An LOAA will <b>not</b> be issued to the TAM by the OCD, this is a Sponsor responsibility – ie TAA should <b>not</b> be read as TAM in this instance.</p>
1014	6	Design Organizations and Co-ordinating Design Organizations - Airworthiness Responsibilities	<b>1014(1)</b> – Include MPTF (In-Service), (Special Case Flying) and (Single Task) at AMC Para 2c iaw RA 1305.
1015	9	Type Airworthiness Authority - Roles and Responsibilities	The TAM is to complete a TAw Management Supplement to the DOE demonstrating how they meet the requirements of RA 1015; a template is provided on the MAA Websites. To maintain TAM approval, the TAw Management Supplement should remain an accurate reflection of the organization with any amendment submitted to the MAA for approval. Amendment submission should not be taken to confer that MAA approval is in place.

RA	Issue	Title	Comment
			<p>Note:            AMC Para 1 – Not applicable to a TAM.            AMC Para 2 – The TAM will hold a Letter of Appointment issued by the Sponsor.            AMC Para 3 – RA 1160 takes precedence.            AMC Para 7c – For a TAM, OCD is to be read as Sponsor.            GM Para 27a – For a TAM, OCD is to be read as Sponsor.            GM Para 27h – Not applicable to a TAM.</p>
1024	7	Accountable Manager (Military Flying)	<p><b>1024(1)</b> – An additional responsibility of the AM(MF) is the nomination of the TAM to the Sponsor. Note: The AM(MF) cannot be the TAM.</p> <p>AMC Para 3a (1) – This includes MPTF (In-Service), (Special Case Flying) and (Single Task) iaw RA 1305.</p> <p>AMC Para 3a (3) – For footnote 10, also refer to RA 1160(3): Certificate of Usage.</p>
1028	3	Contractor Flying Approved Organization Scheme - Responsibilities	AMC Para 2e (2) (a) – Include MPTF (In-Service), (Special Case Flying) and (Single Task) iaw RA 1305.
1029	4	Ship-Air Release - Roles and Responsibilities	For Civilian-Owned and Civilian Operated Air Systems, reference to the RN RTSA should be replaced by 'Sponsor'.
1140	4	Air System Technical Data Exploitation	Para 6: Where Release to Service (RTS) is used this also includes release under an MPTF(In-Service), (Special Case Flying) and (Single Task) iaw RA 1305.
1220	7	Delivery Team Airworthiness and Safety	<p>This RA is applicable to the TAM. Under these TAW arrangements, reference to the OCD should be replaced by Sponsor. Reference to the ODH should be replaced by 'AM(MF) or ODH', accordingly.</p> <p>Across this RA (eg GM Para 26: composition of the PSP) where MOD stakeholders are identified it will be agreed with the Sponsor who will fulfil these roles.</p>
1310	6	Air System Document Set	Refer also to RA1163 - Air Safety Governance Arrangements for Special Case Flying Air Systems.
1330	4	Special Clearances	<p><b>1330(1)</b> – Operational Emergency Clearance. This is not applicable to MPTF (In Service), (Special Case Flying) or (Single Task).</p> <p><b>1330(2)</b> – Clearance with Limited Evidence. This is applicable also to MPTF (In Service). Where the terms RTS, RTSA (inc DRTSA) and ODH are used in this RA they should be read as MPTF, Sponsor and AM(MF) (under the 1160 Series) respectively.</p>
1340	3	Equipment Not Basic to the Air System	Where the terms RTS, RTSR and RTSA are used in this RA they should be read as MPTF, MPTF Recommendations and Sponsor (under the 1160 Series) respectively.
1345	3	The Compendium of Airborne Equipment Release	Where the terms RTS, RTSR and RTSA (inc DRTSA) are used in this RA they should be read as MPTF, MPTF Recommendations and Sponsor (under the

RA	Issue	Title	Comment
		Certificates	1160 Series) respectively.
1350	8	Air Launched Weapon Release	Where the terms RTS, RTSR and RTSA (inc DRTSA) are used in this RA they should be read as MPTF, MPTF Recommendations and Sponsor (under the 1160 Series) respectively.
1380	2	Performance Based Navigation	<p>AMC Para 3a (3) also applies to MPTF (In-Service) Recommendations iaw RA 1305 for subsequent release to the Sponsor.</p> <p>AMC Para 3b (1) – read as 'The appointed TAM should ensure that any PBN equipment clearances are included in the Baseline References to the CoFU or, where operation is under (MPTF (Special Case Flying) iaw RA 1305, in the relevant Declaration of Compliance.'</p> <p>GM Para 8 – RTS and Operation Duty Holder should be read as MPTF and AM(MF) respectively.</p> <p>Footnote 9 – should be read as 'all UK military registered air systems operating in the Defence Air Environment.'</p>
1395	4	Authorization to Permit Embarked Aviation in Her Majesty's/MOD Ships	Where the terms RTS and RTSA are used in this RA they should be read as MPTF and Sponsor (under the 1160 Series) respectively.
1440	8	Air Safety Training	<b>Annex A (Air Safety Training Courses):</b> where a TAM issues a TAw sub-delegation, Annex A is to be applied for individual(s) receiving the sub-delegation (in line with a LOAA holder).
1604	Initial Issue	Remotely Piloted Air Systems – Class I(c)	Where the terms RTS, RTSR, RTSA and ADH are used in this RA they should be read as MPTF, MPTF Recommendations, Sponsor and AM(MF) (under the 1160 Series) respectively.
1605	Initial Issue	Remotely Piloted Air Systems – Class I(d)	Where the term RTSA is used in this RA it should be read as Sponsor (under the 1160 Series).
1910	4	Quality Assurance of Aviation Fuel from non-UK MOD Sources	Footnote 3 should be read to include RA 1305 - Military Permit To Fly (In-Service), (Special Case Flying) and (Single Task)
<b>2000 Series</b>			
2130	6	Safety Equipment, Survival Drills and Training	<p>Para 16 b – refer, instead, to:</p> <p><b>RA 1305 (1)</b> – Requirement for a Military Permit to Fly (In-Service) or</p> <p><b>RA 1305 (5)</b> – Military Permit to Fly (Special Case Flying)</p>
2310	5	Role Specific Fixed Wing	GM Para 18 – where the term RTS is used, this should be read to include the MPTF (In-Service) and (Special Case Flying).
2360	4	Portable Electronic Devices	GM Para 5 – where the term RTSA is used, this should be read as Sponsor.
<b>4000 Series</b>			
4050	4	Continuing Airworthiness of Remotely Piloted Air Systems	Footnote 12 should be read to include RA 1305 - Military Permit To Fly (In-Service).
4800	9	General Requirements (MRP Part 145)	Whilst the term 'TAA' used within the text of this RA may be read as 'TAM' for Civilian-Owned and Civilian



RA	Issue	Title	Comment
			Operated Air Systems, particular attention should be paid to non-delegable TAw functions detailed in RA1162 (table one).
4962	2	Special Instructions (Technical) - MRP Part M Sub Part C	Whilst the term 'TAA' used within the text of this RA may be read as 'TAM' for Civilian-Owned and Civilian Operated Air Systems, particular attention should be paid to non-delegable TAw functions detailed in RA1162 (table one).
<b>5000 Series</b>			
5002	4	Remotely Piloted Air Systems Type Airworthiness Engineering Regulations	Where the term RTS is used in this RA it should be read as MPTF (In-Service) and (Special Case Flying) (under the 1160 Series).
5724	4 & 5	Life Extension Programme	Where the term RTS is used in this RA it should be read as MPTF (In-Service) and (Special Case Flying) (under the 1160 Series).
5725	2 & 3	Out of Service Date Extension Programme	Where the term RTS is used in this RA it should be read as MPTF (In-Service) and (Special Case Flying) (under the 1160 Series).

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## RA 1120 - Military Air System Registration

### Rationale

The registration of UK military Air Systems (as required in MAA01<sup>1</sup>) and their identification markings are required by international agreement to provide each Air System with a unique identity. Not having all UK military Air Systems registered and uniquely identified contravenes international agreement, and may impede accident/near miss investigations. Head of **Operating Assurance** MAA (**DSA-MAA-Operating-Assurance-Hd**) issues the registrations of UK military Air Systems and maintains a central register of all UK military Air Systems on behalf of the Secretary of State.

### Contents

#### 1120(1): Military Air System Registration

### Regulation 1120(1)

#### Military Air System Registration

1120(1) All UK military Air Systems **shall** be registered on the UK Military Aircraft Register (MAR).

### Acceptable Means of Compliance 1120(1)

#### Military Air System Registration

##### Registration of UK Military Air Systems

1. All prospective UK military Air Systems, excluding those Remotely Piloted Air Systems (RPAS) categorized as Class I(a)<sup>2</sup>, **should** be registered under the authority of the post holder responsible for sponsoring the military use of the Air System type. The prerequisites for military registration are that the Air System **should** be:
  - a. Capable of controlled flight.
  - b. Intended to complete multiple flights.
  - c. Required to operate in a manner outside that permitted by the Air Navigation Order (ANO), or the Air System's operation or design is outside Civil Aviation Authority (CAA) expertise.
  - d. Owned by the MOD, or have a Certificate of Usage (CofU)<sup>3</sup> as a military Air System if owned by a civilian organization.
2. The Type Airworthiness Authority (TAA) **should** advise **DSA-MAA-Operating-Assurance-Hd** of a firm date for the first flight<sup>4</sup> of each Air System, or for Military Registered Civil-Owned Aircraft (MRCOA) provide a copy of the signed CofU. **DSA-MAA-Operating-Assurance-Hd** authorizes the Registrar to make the Air System active on the MAR and issue the Certificate of Registration (see Annex A). **DSA-MAA-Operating-Assurance-Hd** retains the originals.
3. For all Air Systems, identification markings **should** be displayed in accordance with (iaw) **DAP 119A-0601-0B Chapter 9<sup>5</sup>**. Where RPAS are either too small to physically accommodate all of the mandatory markings or are unable to have them applied in the standard positions the most suitable locations for Air System markings **should** be determined by the Delivery Team (DT)<sup>6</sup> and "DES AS-AC SF" through assessment of the RPAS, with final operational approval provided by the Camouflage Working Group.
4. Remotely Piloted Aircraft (RPA)<sup>2</sup> categorized as Class I(b) or I(c) will not be registered as individual airframes (this includes aerial targets used/employed within a defined weapons range<sup>7</sup>); instead the Type will be given a one-off Military Aircraft Registration Number. For these RPA, the Aviation Duty Holder/Accountable Manager

<sup>1</sup> **Refer to MAA01: MAA Regulatory Policy.**

<sup>2</sup> Categories of RPAS are defined in RA 1600 – Remotely Piloted Air Systems.

<sup>3</sup> Refer to RA 1123 – Certificate of Usage for Military Registered Civil-Owned Aircraft.

<sup>4</sup> First flight refers to both the first flight after initial military registration, and to the first flight for Air Systems that return to the military register.

<sup>5</sup> **Refer to DAP 119A-0601-0B – Surface Finishing Processes, Procedures, Materials and Equipment.**

<sup>6</sup> For Class I(b) RPAS, utilize Unmanned Air System Delivery Team.

<sup>7</sup> Note that this includes temporary ranges at sea, eg High Seas Firing areas.

**Acceptable  
Means of  
Compliance  
1120(1)**

(Military Flying) **should** maintain a record of individual Air Systems identified by a unique serial number (identifying both the operator and the airframe); and **should** ensure that both the Type Military Aircraft Registration Number and the unique Air System serial number are displayed on the main fuselage.

5. For the military registration of civil-owned Air Systems that will not be operated in the Service Environment, RA 1121<sup>8</sup> **should** be used in addition to this RA.

**De-registration of UK Military Air Systems**

6. When military registration is no longer required or appropriate the TAA or disposal agency **should** make the request to ► [DSA-MAA-Operating-Assurance-Hd](#) ◀ to de-register the Air System.

**Guidance  
Material  
1120(1)**

**Military Air System Registration**

7. An Air System can only be registered with one aviation authority at any one time, therefore before activation on the MAR, Air Systems transferring from another Register must provide proof of de-registration. Similarly, military Air Systems transferring to another Register will require a military Certificate of De-Registration.

**The Military Aircraft Register (MAR)**

8. The registration of Air Systems provides a unique identity that enables the following essential actions:

- a. The certification of fitness for flight of individual airframes.
- b. Identification in flight.
- c. Configuration control.
- d. A record of usage and maintenance.

9. The CAA registers all UK registered civil Air Systems.

10. Procedures for registration include the requirement to issue Certificates of Registration and de-registration; these certificates provide the auditable record of Air Systems being made active on, and deactivated from, the MAR.

11. RPA Remote Pilot Stations (RPS) are not registered on the MAR. As an element of the RPAS a RPS may be allocated to a number of different RPAs. The Registration and identification of RPAS RPS are to be locally controlled and managed.

12. A flow chart providing guidance to meet the requirements for military Air System registration is at Annex B.

**Allocation of Provisional Registration Numbers**

13. Once the sponsor has confirmed that military registration of a particular Air System is required, the TAA may apply to ► [DSA-MAA-Operating-Assurance-Hd](#) ◀ for allocation of provisional registration numbers. The application must be made in writing, giving the following information:

- a. The Air System type and mark.
- b. The contract number.
- c. The airframe and build number of each Air System.
- d. The estimated dates of first flight for each Air System.

14. The Registrar will then provisionally enter the Air System details onto the MAR and notify the TAA of the provisional numbers. No Certificate of Registration will be issued at this time.

**De-registration**

15. The Registrar will make the Air System inactive on the MAR and issue a copy of the de-registration certificate to the TAA or disposal agency as appropriate (see Annex C). ► [DSA-MAA-Operating-Assurance-Hd](#) ◀ will retain the originals.

<sup>8</sup> Refer to RA 1121 – Air Safety Arrangements for Military Registration of Civil-Owned ► [Air Systems](#) ◀ not operated in the Service Environment.

**Guidance  
Material  
1120(1)****Note:**

Air System registration numbers are never removed from the MAR. De-registered Air Systems are shown as inactive and have no authority to fly as UK military Air Systems.

**Transfer of Air Systems**

16. When Air Systems are transferred from the MAR to a civil or other nation's military register, TAAs must ensure that all UK military markings are removed.

**Civil Registered, Civil Owned Historic Military-Type Air Systems**

17. Historic military type Air Systems, that have been awarded a CAA Certificate of Airworthiness or a CAA Permit to Fly, may be granted permission, in the interests of aviation history, to display original, historically accurate military livery and 'applicable to type' military registration numbers in lieu of a civil registration number.

18. Applications to display historic military markings and liveries must be made to the appropriate Front Line Command (FLC) iaw the procedures detailed on the CAA web page entitled 'Exemptions from the need to display markings on UK Registered Aircraft'. The FLC will assess the application and its supporting documentation and, if satisfied, will forward the request to the ► [DSA-MAA-Operating-Assurance-Hd](#) ◀

19. Providing the historic military registration number is not already in use it will be authorized. ► [DSA-MAA-Operating-Assurance-Hd](#) ◀ will authorize the Registrar to annotate the MAR. The Registrar will maintain a separate section within the MAR to identify UK military registration numbers that have been authorized for display on civil-owned historic military type Air Systems.

20. A letter of permission to operate with historic markings and liveries will be issued by the FLC to the applicant, copied to the Registrar. In order for the applicant to gain CAA exemption from Article 32 and Schedule 4 Part 2 of the ANO 2016 they must send their letter of permission to the CAA Aircraft Registration Section iaw the guidance provided on the CAA website<sup>9</sup>.

<sup>9</sup> <http://www.caa.co.uk/aircraft-registration>.

ANNEX A

CERTIFICATE OF REGISTRATION



**CERTIFICATE OF REGISTRATION**

This is to certify that the following aircraft

Type:

Mark:

Manufacturer:

Build Number:

Previous Registration  
Number *(if applicable)*:

Has been allocated the Military Aircraft Registration Number:

and has been made active on the United Kingdom Military Aircraft Register  
with effect from:

Date:

Time:

By the direction of, and on behalf of Head Operating Assurance Military Aviation  
Authority:

**Signature:**

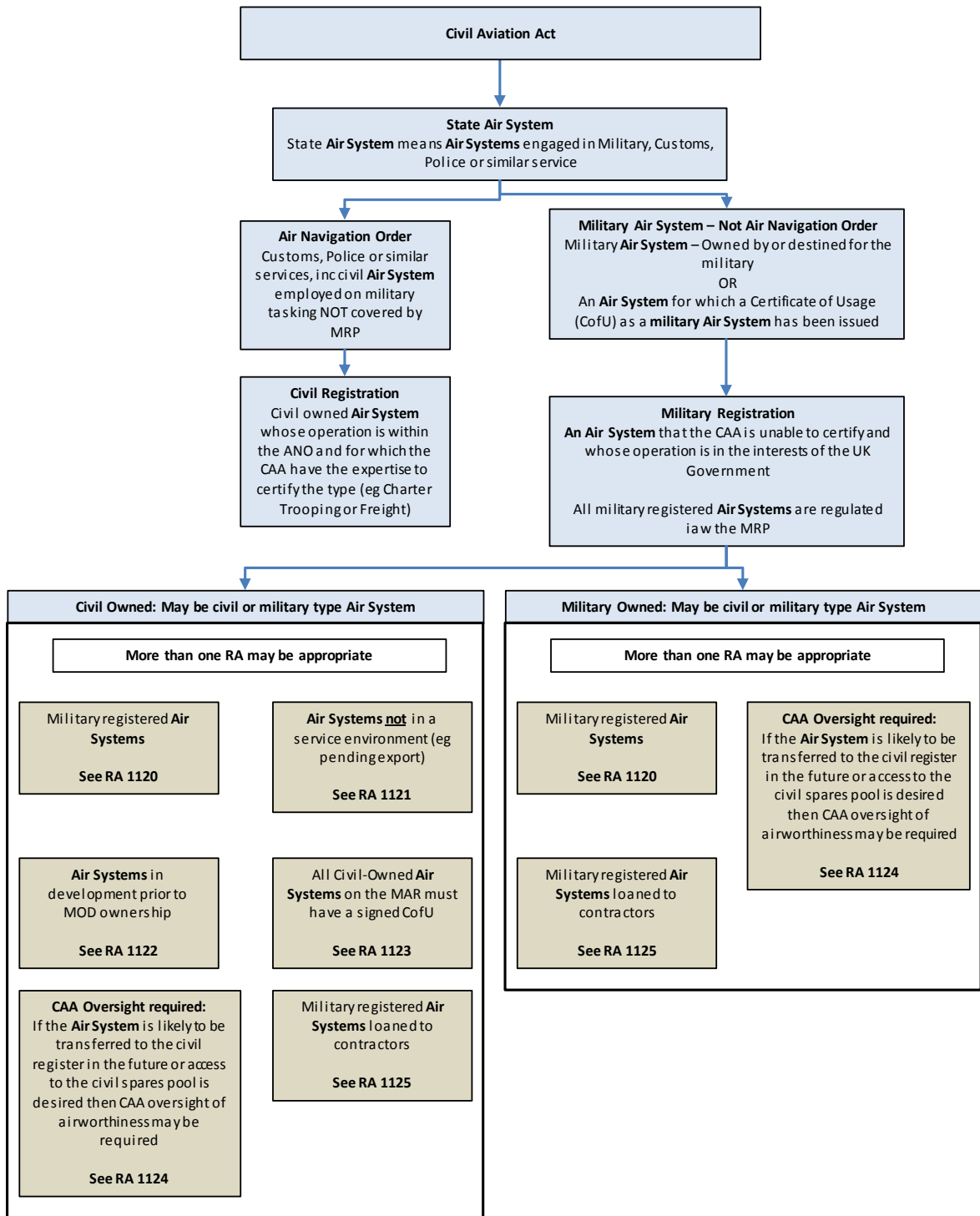
**Date:**

**Name:**

**Post Title:**

6

**ANNEX B**  
**MILITARY AIR SYSTEM REGISTRATION**



**ANNEX C**  
**CERTIFICATE OF DE-REGISTRATION**



**CERTIFICATE OF DE-REGISTRATION**

This is to certify that the following aircraft

Type:

Mark:

Manufacturer:

Build Number:

Which had the Military Aircraft Registration Number:

has been made inactive on the United Kingdom Military Aircraft Register  
with effect from:

Date:

Time:

By the direction of, and on behalf of Head Operating Assurance Military  
Aviation Authority:

**Signature:**

**Date:**

**Name:**

**Post Title:**

6



## RA 1121 - Air Safety Arrangements for Military Registration of Civil-Owned ► Air Systems ◀ not operated in the Service Environment

### Rationale

Military registration may be granted to civil-owned ► Air Systems ◀ employed on non-MOD tasks when in the best interests of the UK Government and ► when ◀ the Civil Aviation Authority (CAA) is unable to approve civil registration. An example of this might be UK produced ► Air Systems ◀ being exported to ► overseas military ◀ customers. ► This RA provides a framework for the registration of Air Systems which is based on the premise that the MOD will be indemnified against any losses resulting from the operation of these Air Systems. ◀

### Contents

- 1121(1): Approval-in-Principle
- 1121(2): Overall Air Safety Arrangements
- 1121(3): Air Safety Strategy
- 1121(4): Detailed Submission for Registration
- 1121(5): Control of Flying Operations, ► Air System ◀ Maintenance and Certification for Flight
- 1121(6): Indemnity

### Regulation

#### 1121(1)

#### Approval-in-Principle

1121(1) When applying to place a civil-owned ► Air System ◀ not operated in the Service Environment ►<sup>1</sup> ◀ on to the Military Aircraft Register (MAR), the Applicant **shall** submit an application for Approval-in-Principle (AIP) ► to ◀ the identified Sponsor ► ◀.

### Acceptable Means of Compliance

#### 1121(1)

#### Approval-in-Principle

1. The ► Applicant **should** ensure that the AIP submission meets ◀ the following principles:
  - a. The ► Air System ◀ **should not** be suitable for registration by the CAA.
  - b. It **should** be in the interest of the UK Government to place the ► Air System ◀ on the MAR.
  - c. The ► Air System ◀ **should** be designed, maintained and operated by organizations that have been formally approved ►<sup>2</sup> ◀ by the MAA ► ◀.
  - d. The ► Air System ◀ **should** be designed to the standards laid down in Defence Standard (Def Stan) 00-970 or an equivalent standard acceptable to the MOD ► ◀.
  - e. The Applicant **should** bear all MOD costs associated with the project throughout its life.
  - f. The Applicant **should** indemnify the MOD against any costs that ► might ◀ be incurred as a result of an accident.
  - g. ► Once registered, Air Systems will be referred to as Military Registered Civil-Owned Aircraft (MRCOA). ◀
2. When satisfied that the application meets the principles in paragraph 1 above the Sponsor **should** submit the completed application ► (whose template is hosted on the MAA websites) to the Head of Operating Assurance MAA (DSA-MAA-Operating-Assurance-Hd) ◀ for approval. For batches of ► Air Systems, ◀ one AIP request, which details all the ► Air Systems, ◀ is acceptable.

<sup>1</sup> ► Air Systems ◀ are deemed to operate in the Service Environment when there is a Release To Service (RTS) and ► an Aviation Duty Holder (ADH) ◀ responsible for Risk to Life (RtL).

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

## Guidance Material 1121(1)

### Approval-in-Principle

3. Applicants wishing to place civil-owned ► **Air Systems** ◀ on the MAR for employment on non-MOD tasks are required to identify an appropriate MOD Sponsor for the requirement. Non-MOD tasks are defined as outputs or projects that do not directly benefit the MOD and are instigated at the request of organizations outside the MOD. Operation of these ► **Air Systems** ◀ will not be in the Service Environment.
4. ► **It is highly recommended that the Applicant holds a launch meeting at the start of a project to register an Air System under the RA 1121 arrangement, involving at least the relevant Type Airworthiness Authority (TAA) (RA 1121(2) refers) and the Military Aircraft Registration section of the MAA, so that timescales are clear and expectations are managed. This is especially important in cases where the Air System is unfamiliar to the MOD or there will be a significant difference in the design and/or usage of the Air System compared with an equivalent in-service Type. Applicants are to note that the end-to-end process for registering an Air System typically takes 6 months.** ◀
5. A flowchart outlining the registration procedure is attached at ► **Annex A.** ◀
6. The MAA will reserve the tail number(s) in the MAR once AIP has been granted.
7. The AIP application template ► ◀ requires the following information, each to be supplemented by a detailed narrative where appropriate.
  - a. **Previous Registration Number(s):** Registration numbers that a previous authority may have used prior to de-registration.
  - b. **Purpose of Military Registration:** eg: export support, service provision, training, etc.
  - c. **Flying Organization arrangements:** Details of the Accountable Manager (Military Flying) (AM(MF)) ► **with an appropriate scope for the flying activity to be conducted.** ◀
  - d. **Type of flying:** eg: developmental, research, training, etc.
  - e. **Proposed programme of flying:** Details of the proposed air activities to be ► **undertaken,** ◀ such as: air-ground weapons trials, air-air refuelling, formation, low flying, etc.
  - f. **Geographical area:** The area where the flying is to take place (including any plans to ferry fly the ► **Air System** ◀ to another country and plans to fly in that country).
  - g. **Proposed dates for flying:** The proposed dates the flying will take place, with planned first flight date and end date if appropriate.
  - h. **Pilots:** eg: company, customer, ► **etc.** ◀
  - i. ► ◀.
  - j. **Design Organization arrangements:** ► **Design Organization (DO) approved under the MAA Design Approved Organization Scheme (DAOS)<sup>3</sup>, with appropriate** ◀ scope of approval.
  - k. **Design Standard:** eg: Def Stan 00-970, alternative acceptable Airworthiness Codes, ► **etc.** ◀
  - l. **Type Design reference:** eg: MRI, CofD, CCI, TC, ► **etc.** ◀
  - m. **Platform Airworthiness reference:** eg: ARC, F700, ► **etc.** ◀
  - n. **Maintenance Organization arrangements:** Maintenance Approved Organization Scheme (MAOS)<sup>4</sup> and Continuing Airworthiness Management Organization (CAMO)<sup>5</sup>, ► **with appropriate** ◀ scope of approval.
  - o. **Maintenance Policy:** Document reference.

<sup>3</sup> ► Refer to RA 5850 – Military Design Approved Organization (MRP 21 Subpart J).

<sup>4</sup> Refer to RA 4800 to 4849 (MRP Part 145).

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

**Guidance  
Material  
1121(1)**

p. **Indemnity arrangements:** in accordance with (iaw) RA 1121(6).



8. Examples of ▶ **Air Systems** ◀ that may be suitable for Military Registration include:

a. A type developed from a military design that was originally procured by the MOD, and ▶ **designed by a DO approved under the MAA DAOS.** ◀

(1) ▶◀

(2) ▶◀

b. A new ▶ **Air System** ◀, not the subject of a MOD contract, but designed by a ▶ **DO approved under the MAA DAOS.** ◀

c. ▶ **An Air System** ◀ designed in a foreign country which is the subject of a Memorandum of Understanding (MOU) between the UK Government and the ▶ **country of origin government** ◀, agreeing the further development of the design, and flight testing in UK airspace, under the auspices of a ▶ **DO approved under the MAA DAOS.** ◀

d. ▶ **Air Systems** ◀ returning for operation in the UK that have previously been registered prior to export. Foreign owned ▶ **Air Systems** ◀ returning to the UK for maintenance, modification, etc may be considered for registration, but only if formally transferred to the charge of the ▶ **DO approved under the MAA DAOS.** ◀

e. ▶ **Air Systems** ◀ sponsored by a ▶ **UK** ◀ Government Department, supported by an authoritative statement to the effect that the proposal is in the wider UK national interest.

▶ **Geographical Area**

9. MRCOA may be flown out of the UK, but such plans will need to consider any requirement for diplomatic clearance<sup>6</sup>. ◀

**Regulation  
1121(2)**

**Overall Air Safety Arrangements**

1121(2) The Sponsor for MRCOA not operated in the Service Environment **shall** assure himself that appropriate Air Safety arrangements are in place.

**Acceptable  
Means of  
Compliance  
1121(2)**

**Overall Air Safety Arrangements**

10. The Sponsor **should** be a MOD 2\* officer or equivalent.

11. The Sponsor **should** agree with Defence Equipment and Support (DE&S) the appointment of a TAA.

12. The Sponsor **should** gain assurance on operating issues from the relevant ADH or AM(MF) and assure himself that there is appropriate oversight of operating arrangements.

**Guidance  
Material  
1121(2)**

**Overall Air Safety Arrangements**

13. The CAA may be unwilling to register civil-owned military ▶ **Air Systems** ◀ due to their design standards, their intended spectrum of operation or their end use. Such ▶ **Air Systems** ◀ may be placed on the MAR, with Secretary of State (SofS) ▶◀ regulating their Airworthiness and operation, but only where there is clear benefit to the UK Government of doing so.

14. Although the Sponsor is responsible for assuring that the arrangements for the Type Airworthiness, maintenance and operation of the ▶ **Air System** ◀ are

<sup>6</sup> ▶ Refer to RA 2305 – Supervision of Flying. ◀

**Guidance  
Material  
1121(2)**

satisfactory, the responsibility for overall Air Safety will remain with the ADH or AM(MF) at all times iaw RA 1020 and RA 1024<sup>7</sup> respectively.

15. The Sponsor must take advice on the appropriateness of the Airworthiness aspects of the Air Safety arrangements from the TAA.

16. The Sponsor must ensure that the ADH or AM(MF) has sought appropriate advice on the operating aspects of the Air Safety arrangements from appropriate Suitably Qualified and Experienced Persons (SQEP). The complexity of the arrangements and the activity being assured (novel and complex or inherently military in style) will dictate the level of SQEP. Sponsors must pay particular attention to those activities which are not normally within the capability of the flying organization and where SQEP external to the organization is being utilized.

**Regulation  
1121(3)**

**Air Safety Strategy**

1121(3) Applicants **shall** submit their Air Safety Strategy for acceptance by the TAA and copy it to ► DSA-MAA-Operating-Assurance-Hd. ◀

**Acceptable  
Means of  
Compliance  
1121(3)**

**Air Safety Strategy**

17. The strategy **should** provide details of the organizational approvals for the design, maintenance and operation of the ► Air System ◀ along with details of the AM(MF).

18. The strategy **should** detail how the Air Safety of the ► Air System is to ◀ be demonstrated. In particular:

- a. The approach taken to develop the Equipment Safety Assessment<sup>8</sup>.
- b. The planned arrangements for the upkeep of Type and Continuing Airworthiness while the ► Air System ◀ is registered on the MAR.
- c. The planned arrangements for the operation of the ► Air System ◀ supported by assurances from the ADH or AM(MF).

**Guidance  
Material  
1121(3)**

**Air Safety Strategy**

19. The Applicant may ask for an indication of the likely costs and timescales of MOD's assessment of the application and of subsequent oversight and regulatory activity. The Sponsor, in conjunction with the MAA, will provide the required estimate.

20. The Sponsor and TAA will take a RtL based approach in determining the appropriate scrutiny applied to the operating arrangements, which could be done by MOD organizations (such as ► an ADH, ◀ "Safety, Training Assurance and Regulatory" (STAR) ► teams, ◀ Central Flying School (CFS), Standards units or, potentially, by the ► Delivery Team ◀ itself if they are SQEP) or by suitably competent and experience civilian organizations.

21. The MAA will review the Air Safety Strategy for compliance with the MAA Regulatory Publications (MRP), including relevant organizational approvals, and provide comments to the Sponsor and TAA as appropriate.

**Regulation  
1121(4)**

**Detailed Submission for Registration**

1121(4) Applicants **shall**, after receiving confirmation of the AIP, submit to the Sponsor and the TAA (copied to ► DSA-MAA-Operating-Assurance-Hd) ◀ a detailed submission for registration.

<sup>7</sup> ► Refer to RA 1020 - Aviation Duty Holder and Aviation Duty Holder-Facing Organizations - Roles and Responsibilities and RA 1024 - Accountable Manager (Military Flying).

<sup>8</sup> Refer to Def Stan 00-056 – Safety Management Requirements for Defence Systems. ◀

**Acceptable Means of Compliance 1121(4)**

**Detailed Submission for Registration**

22. For their detailed submission, Applicants **should** include ▶◀:
- Details of the Applicant's Safety Management chain, including the names of the AM(MF) and nominated post holders.
  - A formal request for all ▶ Air Systems ◀ requiring registration.
  - Details of the arrangements for meeting MOD costs and a nominated point of contact within the company.
  - ▶ An appropriate Air Safety Management System (ASMS), including a plan and associated documentation, ◀ showing how the Air Safety of the ▶ Air System is to ◀ be ensured and how it ▶ is to ◀ be subsequently maintained during operations. Attached to the plan **should** be an Equipment Safety Assessment Report, including a safety argument.
  - A Contractor's Flight Limitations document ▶◀ or a full Contractor's Release proposal ▶◀ based upon the RTS format<sup>9</sup>◀.
  - ▶ A Certificate of Design (CofD)<sup>10</sup>◀.
  - Proposals for the Air System Document Set (ADS).
  - Details of the proposed operation, supported by assurances from the ADH or AM(MF).
  - Details of the proposed livery.

**Guidance Material 1121(4)**

**Detailed Submission for Registration**

23. The detailed submission, including the ▶ ASMS associated plan, ◀ must be provided well in advance of the proposed first flight. Ideally this will be at least 6 months beforehand, for consideration by the MOD Sponsor, who may wish to review and seek independent advice on particular aspects of, or apparent shortfalls in, the Equipment Safety Assessment Report.
24. The MAA will review the detailed submission to assure itself that Air Safety requirements have been met and will inform the Sponsor and TAA when content, or of any areas of concern.
25. When the TAA ▶ has reviewed the Equipment Safety Assessment Report, checked that the Applicant has a valid Flight Limitations document or Release proposal ◀ and the organization providing assurance of flying has confirmed to the TAA that the arrangements for the proposed operation are safe, the TAA will draft a Certificate of Usage (CofU) as a military registered ▶ Air System (which is hosted on the MAA websites) ◀ and submit a recommendation for Registration to the Sponsor.
26. When the Sponsor is satisfied with the submission and the arrangements for operation, he will sign the CofU and forward the original to the Applicant with copies to ▶ DSA-MAA-Operating-Assurance-Hd. ◀

**Regulation 1121(5)**

**Control of Flying Operations, ▶ Air System ◀ Maintenance and Certification for Flight**

- 1121(5) ▶ The Applicant ◀ **shall** comply with the MRP and are subject to any restriction ▶◀ imposed by the TAA or the MAA.

**Acceptable Means of Compliance 1121(5)**

**Control of Flying Operations, ▶ Air System ◀ Maintenance and Certification for Flight**

27. ▶ Air Systems ◀ **should** fly only ▶ iaw ◀ the CofU.

<sup>9</sup> ▶ Refer to RA 1300 – Release To Service.

<sup>10</sup> Refer to RA 5103 – Certificate of Design. ◀

**Acceptable Means of Compliance 1121(5)**

28. ► **Air Systems** ◀ **should** be maintained in a serviceable and airworthy condition in accordance with the approved maintenance data and certified as fit for flight ► ◀ in accordance with the Certificate for Flight ► (which is hosted on the MAA websites). ◀
29. ► **Air Systems** ◀ **should** be maintained by a MAA approved maintenance organization under the direction of a MAA approved CAMO<sup>11</sup> ◀.
30. ► ◀
- ◀

**Guidance Material 1121(5)**

**Control of Flying Operations, ► Air System ◀ Maintenance and Certification for Flight**

31. The Air Safety of the ► **Air System** ◀ will be assured by:
- TAA assurance of the Airworthiness arrangements consistent with the Air Safety Strategy (refer to RA 1121(3)).
  - Appropriate SQEP assurance of the operating arrangements as provided to the Sponsor by the ADH or AM(MF).
  - The ► **Applicant's MAA approved organizational approvals remaining valid.** ◀
32. Where appropriate, the TAA must ensure that the Applicant receives all relevant Technical Instructions, including those raised by other TAAs, that might have an impact on Airworthiness.

**Regulation 1121(6)**

**Indemnity**

- 1121(6) Where the operation of the ► **Air System** ◀ is not pursuant to a contract between MOD and the Applicant, then the Applicant **shall** enter into a deed of indemnity with the SofS.

**Acceptable Means of Compliance 1121(6)**

**Indemnity**

33. The Sponsor **should** ensure that the Applicant enters into a deed of indemnity with the SofS ► ◀ to indemnify the SofS, his servants or agents against:
- All liabilities, costs and expenses in respect of any injury (including injury resulting in death) loss or damage whatsoever suffered by the SofS, ► ◀ his servants or agents; and
  - All liabilities, costs and expenses in respect of any claims for injury (including injury resulting in death) loss or damage whatsoever suffered by any person and made against the SofS, ► ◀ his servants or agents which may arise out of or in the course of the use or operation of the ► **Air System** ◀ whilst it is registered on the MAR.

**Guidance Material 1121(6)**

**Indemnity**

34. The SofS ► ◀ is at liberty in such circumstances as he may think fit to settle any claims made against the Crown or the SofS ► ◀ or any officer, servant or agent of the Crown and coming within the scope of the above indemnity (applied and extended as aforesaid) by the payment as a matter of grace of any sum by way of compensation, and the said indemnity must extend to cover any payment so made.
35. The SofS, ► ◀ his servants or agents will consult with the operator throughout the conduct of any claim and, whilst reserving the right to agree settlement, will attempt to agree terms of the settlement with the operator and/or his insurer. The agreement of the operator and/or his insurer must not be unreasonably withheld.
36. Advice on the form and wording of the deed of indemnity can be obtained from the Directorate of Commercial Law.

<sup>11</sup> ► Refer to RA 4900 series. ◀

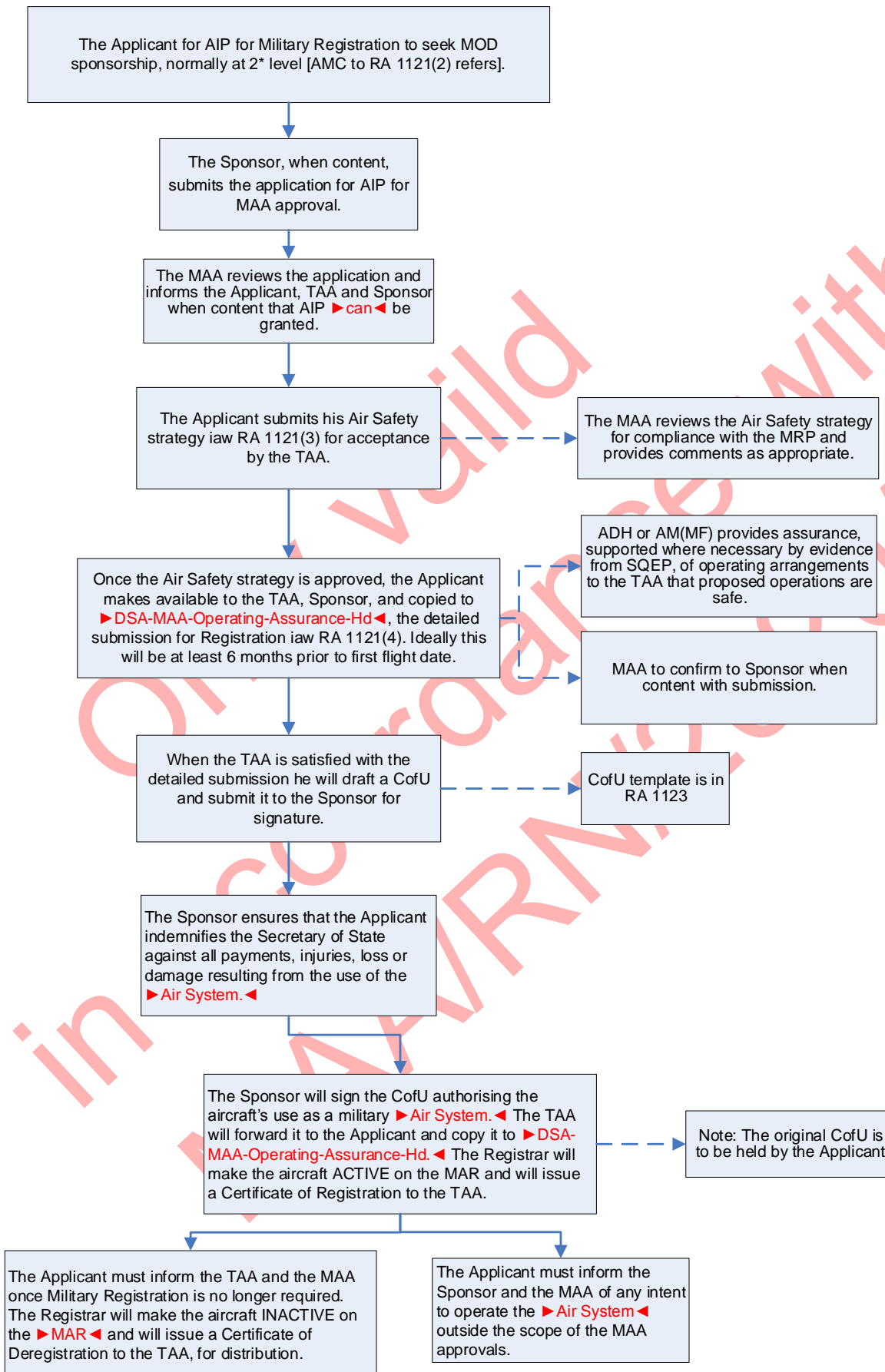
**Guidance  
Material  
1121(6)**

37. Otherwise, where the Applicant has a contract with the MOD, indemnity arrangements will be agreed in the contract.

Only valid  
in accordance with  
MAA/RN/2020/16

▶ ANNEX A ◀

REGISTRATION PROCEDURE





## RA 1122 - Air Safety Arrangements for Military Registered Civil-Owned Development Air Systems

### Rationale

When a Military Registered Civil-Owned Development Air System<sup>1</sup> is operated for the benefit of the MOD, the Aircraft Operating Authority (AOA)<sup>2</sup> is solely responsible for the Continuing Airworthiness of the Air System and its safe operation and ensuring Risk to Life is ►◄ As Low As Reasonably Practicable ► and Tolerable. ◄ However, responsibility for the Type Airworthiness of the Air System is shared jointly by the Type Airworthiness Authority (TAA) and the Design Organization (DO) appointed by the TAA. ► Not having the necessary Air Safety arrangements in place may impede the DO in providing an Air System to the MOD which is fit-for-purpose. ◄ This RA sets out the minimum Air Safety arrangements that the TAA is to apply in this situation.

### Contents

#### 1122(1): Air Safety Arrangements for Military Registered Civil-Owned Development Air Systems

### Regulation 1122(1)

#### Air Safety Arrangements for Military Registered Civil-Owned Development Air Systems

1122(1) The TAA **shall** be responsible for ensuring that the necessary Air Safety arrangements are in place for the safe operation of Military Registered Civil-Owned Development Air Systems.

### Acceptable Means of Compliance 1122(1)

#### Air Safety Arrangements for Military Registered Civil-Owned Development Air Systems

1. The TAA for Development Air Systems **should** comply with RA 1005<sup>3</sup> regarding the design and maintenance of the Air System and assure himself that appropriate arrangements are in place for the MAA approved Continuing Airworthiness Management Organization ►◄<sup>4</sup>.
2. In addition, when the MOD is not the AOA, the TAA **should** ensure that the MAA issued Flying Organization approval ►◄<sup>5</sup>, together with associated Schedule, covers the scope of the intended activity and that the AM(MF) is in place ►◄<sup>6</sup>.
3. The TAA **should** comply with RA 1220<sup>7</sup> regarding the Airworthiness Strategy and Safety Management of the Air System.
4. Prior to any flight, the TAA **should** ensure that:
  - a. The design configuration of the Air System has been explicitly defined within a Military Permit to Fly (MPTF) ►◄<sup>8</sup>, normally by reference to a Certificate of Design (CofD) ►◄<sup>9</sup> Form 100 series ►◄.
  - b. The operating limitations necessary to ensure safe operation of the defined design have been detailed in the MPTF.
  - c. If MOD is to accept liability for the flight in accordance with (iaw) DEFCON 638 ►◄<sup>10</sup> (Flights Liability & Indemnity), the flight **should** be authorized

<sup>1</sup> 'Development Air System' means an Air System operating for the benefit of the MOD but not under the authority of a Release To Service.

<sup>2</sup> ► Used ◄ to cover whether the Air System is operated under ► an Aviation ◄ Duty Holder construct or through an Accountable Manager (Military Flying) (AM(MF)).

<sup>3</sup> ► Refer to ◄ RA 1005 – Contracting with Competent Organizations.

<sup>4</sup> ► Refer to ◄ RA 1016 – ► Military ◄ Continuing Airworthiness ► Management.

<sup>5</sup> Refer to ◄ RA 2501 – Contractor Flying Approved Organization Scheme.

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

<sup>7</sup> ► Refer to ◄ RA 1220 – ► Delivery ◄ Team Airworthiness and Safety.

<sup>8</sup> ► Refer to ◄ RA 5880 – Military Permit to Fly (MRP 21 Subpart P).

<sup>9</sup> ► Refer to RA 5103 – Certificate of Design.

<sup>10</sup> Available through the MOD's Acquisition System Guidance – Commercial Toolkit – Defence Condition (DEFCON) Series. ◄

**Acceptable  
Means of  
Compliance  
1122(1)**

in accordance with Defence Standard (Def Stan) 05-100<sup>11</sup>, unless other, equivalent commercial arrangements are in place.

5. Where the contract requires that the Air System operates within an overseas environment or facility, the TAA **should** agree arrangements to ensure ► **Air System** ◀ indemnity with the Contractor; see Def Stan 05-100.

**Guidance  
Material  
1122(1)****Air Safety Arrangements for Military Registered Civil-Owned Development Air Systems**

6. This RA applies to all ► **Military Registered Civil-Owned** ◀ Development Air Systems (manned and unmanned) registered on the UK Military Aircraft Register. Such Air Systems can only be flown under a MPTF.

Only valid  
in accordance with  
MAAIRN/2020/16

<sup>11</sup> ► Def Stan 05-100 – Ministry of Defence Requirements for Aircraft Flight and Ground Running. ◀

## RA 1123 - Certificate of Usage for Military Registered Civil-Owned Aircraft

### Rationale

The Air Navigation Order requires that the military status of Military Registered Civil-Owned Aircraft (MRCOA) is recognized by the issue of a certificate, which is the Certificate of Usage (CofU). ► *Not having the CofU contravenes international agreement, and may result in the lack of historical evidence required in the event of an accident or near-miss investigation. This RA sets out the minimum CofU requirements.* ◀

### Contents

#### 1123(1): Certificate of Usage for Military Registered Civil-Owned Aircraft

### Regulation 1123(1)

#### Certificate of Usage for Military Registered Civil-Owned Aircraft

1123(1) The CofU **shall** be signed ►◀ by the Sponsor for MRCOA ►◀ only when he is satisfied with the arrangements for Air Safety.

### Acceptable Means of Compliance 1123(1)

#### Certificate of Usage for Military Registered Civil-Owned Aircraft

1. ► The Type Airworthiness Authority (TAA) **should** draft a CofU as a MRCOA, based upon the template hosted on the MAA's websites, and submit a recommendation for Registration to the Sponsor. ◀
2. The CofU **should** be signed by the Sponsor ►◀.
3. The CofU **should** include the conditions under which ► the MOD allows ◀ the ► Air System ◀ to be operated under the privilege of military registration.
4. For MRCOA that are intended to be operated in the Service Environment<sup>1</sup>, the Sponsor **should** be the relevant Release To Service Authority (RTSA).
5. For MRCOA not intended to be operated in the Service Environment, the Sponsor **should** be the relevant Defence Equipment and Support (DE&S) Operating Centre Director or Export Programme Director.
6. ► The Sponsor **should** conduct a regular review of the CofU, and forward amended CofU documentation to the MAA (DSA-MAA-OpAssure-MAR). ◀

### Guidance Material 1123(1)

#### Certificate of Usage for Military Registered Civil-Owned Aircraft

7. The CofU must contain references to:
  - a. The ► Air System ◀ configuration and build standard.
  - b. The flying limitations.
  - c. The mandatory operating regulations and procedures.
  - d. The maintenance requirements.
8. For MRCOA that are intended to be operated in the Service Environment, the CofU must reference the Release To Service or Military Permit to Fly (MPTF), and there must be ► an Aviation Duty Holder (ADH) ◀ responsible for Risk to Life.
9. For MRCOA that are not intended to be operated in the Service Environment:
  - a. A TAA must be appointed to assure the Airworthiness of the specific ► Air System ◀ type.
  - b. The CofU is prepared for the Sponsor by the TAA. The TAA and the Sponsor together decide the appropriate wording in the CofU and hence the appropriate level of oversight to be applied proportionate to the risk. The

<sup>1</sup> ► Refer to MAA02: Military Aviation Authority Master Glossary. ◀

**Guidance  
Material  
1123(1)**

Sponsor can allow flexibility within the initial CofU to allow subsequent changes to the design or operation within its scope.

c. The Sponsor authorizes the scope of activities covered by the CofU, and changes in usage within this scope can be reviewed by the TAA. When drafting the CofU, the TAA must consider the types of flying which will be undertaken and liaise with the appropriate ADH or Accountable Manager (Military Flying) providing assurance. It may be appropriate to raise a separate CofU when the referenced flying limitations are significantly changed.

d. The CofU ►◄ can refer to more than one airframe of ►an Air System◄ type.

e. The Sponsor may wish to review all changes, in which case the issue numbers of all referenced documents will be indicated on the CofU. Where the Sponsor is content for the TAA to review all changes for impact against the CofU, a configuration tracking form can be used (see the Usage and Configuration Assessment (UCA) template ►hosted on the MAA's websites◄).

f. Where the Sponsor is content that there is a low level of Air Safety risk, he may choose to draft a CofU with appropriate flexibility to allow the Applicant to introduce changes prior to operation but without review by the TAA. In this case the TAA would be responsible for auditing the contractor for compliance with their ►Air Safety Management Plan<sup>2</sup>◄ on a regular basis.

g. If the ►Air System◄ design is underpinned by a Civil Type Certificate (CTC), then the CTC must be referenced. If the ►Air System◄ is to be maintained such that compliance with the civil approval regime can be claimed, then the civil arrangements must also be referenced. In either case any proposal for Alternative Acceptable Means of Compliance must be agreed by the MAA before operations commence.

**The Usage and Configuration Assessment (UCA) Form**

10. If required by the CofU, the UCA ►◄ will provide:

a. A core part of the TAA's initial CofU submission to the Sponsor; by providing details of the specific issue/amendment states of the documents to be referenced in the CofU at the point of first registration. This would enable entry of only top-level references on the CofU itself.

b. A means of recording changes to configuration and use, and the corresponding changes to documents referenced in the CofU, without having to amend the CofU itself. This provides a full audit trail for such changes throughout the period of military registration. Moreover, it ensures successive changes are recorded similarly and encourages the build-up of a change record. This contributes to the assessment of the effect of successive changes, vital in ensuring that the original scope and intent of the CofU is not compromised.

c. A record of the TAA's decision as to whether the changes fall within or outside the scope of the CofU.

d. Feedback to the Applicant on his change proposals, by stating clearly whether the changes are judged to fall within, or outside the scope of the CofU. Where the proposals fall outside, the CofU scope, the form can also be used to notify the operator that a new CofU will be required.

<sup>2</sup> ►Refer to RA 1200 – Defence Air Safety Management.◄

## RA 1124 - Civil Aviation Authority Oversight of Military Registered

### ► Air Systems ◀

#### Rationale

► There may be a requirement to use common spares with civilian operators and have the requirement to transition an Air System back to the Civil Aircraft Register. Not having the oversight arrangements in place may incur configuration control issues, impact continuing Airworthiness arrangement and contravene national agreements. This RA sets out those minimum oversight arrangements. A Type Airworthiness Authority (TAA) may choose to invoke Civil Aviation Authority (CAA) Oversight of a military registered Air System derived from a civil Type Design whilst still remaining under the jurisdiction of the MAA if this is justified by economic and safety benefits. ◀

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### 1124(1): CAA Oversight of Military Registered ► Air Systems ◀

#### Regulation 1124(1)

### CAA Oversight of Military Registered ► Air Systems ◀

1124(1) The Type and Continuing Airworthiness arrangements for military registered ► Air Systems ◀ subject to CAA oversight **shall** comply with the MAA Regulatory Publications (MRP) ► ◀ and follow the policy and principles detailed in the CAA Civil Aviation Publication (CAP) 562<sup>1</sup> Leaflet B-40.

#### Acceptable Means of Compliance 1124(1)

### CAA Oversight of Military Registered ► Air Systems ◀

1. The TAA **should** ensure that an assessment of the intended operation of the aircraft has been undertaken, and that the Type and Continuing Airworthiness arrangements in particular reflect the difference in configuration, environment and usage compared to operating the aircraft in a civil environment. The TAA **should** make this assessment available to the CAA.
2. In consultation with the Aviation Duty Holder (ADH) and Release To Service Authority, the TAA **should** create a draft Minimum Equipment List (MEL). The MEL **should** be based on the Master MEL (MMEL) and any CAA or European Aviation Safety Agency (EASA) MMEL policy documents that reflect the ► Air System ◀ equipment configurations and intended usage. The TAA **should** forward this to the CAA who will carry out an assessment to establish if it satisfies the civil requirements before approval by the TAA.
3. The TAA **should** assess the applicability of all civil mandatory, advisory and deferred instructions (eg Airworthiness Directives ► ◀ and Service Bulletins). A record of the assessment for applicability **should** be kept as an Airworthiness record.
4. The TAA **should** ensure that all modifications are certified in accordance with (iaw) RA 5810 and ► RA 5820<sup>2</sup>, and all repairs are certified iaw RA 5865<sup>3</sup>. ◀
5. The TAA **should** ensure the management of Type Airworthiness activity is detailed in the Airworthiness Strategy ► ◀ and conducted by competent organizations ► ◀. This **should** include up-to-date lists of those with Civil Type Certificate Holder (CTCH) or Civil Supplemental Type Certificate Holder (CSTCH) obligations and records of engagement during any transfer of such obligations<sup>6</sup> in the event of the cessation of trading of a CTCH or CSTCH.
6. The TAA **should** undertake a Training Needs Analysis in relation to the differences between the civil-type course requirements for the issue of an EASA Part

<sup>1</sup> CAP 562 – Civil Aircraft Airworthiness Information and Procedures (CAAIP).

<sup>2</sup> ► Refer to ◀ RA 5810 – Military Type Certificate (MRP 21 Subpart B) and RA 5820 – Changes in Type Design (MRP 21 Subpart D).

<sup>3</sup> ► Refer to RA 5865 – Repairs (MRP 21 Subpart M).

<sup>4</sup> Refer to ◀ RA 1220 – ► Delivery ◀ Team Airworthiness and Safety.

<sup>5</sup> ► Refer to ◀ RA 1005 – Contracting with Competent Organizations.

<sup>6</sup> As defined in EASA Part 21 B, D or E: specifically, those obligations detailed within 21.A.44, 21.A.109 or 21.A.118 respectively.

**Acceptable Means of Compliance 1124(1)**

66 type rating and the need for additional training for the equipment fitted in order to undertake military operations.

7. The Military Continuing Airworthiness Manager (Mil CAM) **should** ensure, on behalf of the ADH, that the training derived from the requirement at paragraph 6 is completed, prior to the issuance of certifying privileges by the Approved Maintenance Organization.

8. The Mil CAM **should** ensure that the Continuing Airworthiness arrangements<sup>7</sup> required by the MRP are complied with. The Mil CAM **should** ensure there is an exchange of exposition and sharing of information with the EASA Part M Subpart G Continuing Airworthiness Management Organization (CAMO) and, upon request, with the CAA<sup>8</sup>.

9. The Mil CAM **should** assure the Delivery Duty Holder that all Maintenance is carried out by organizations that hold current EASA Part 145 approvals for the scope of work undertaken, in addition to MRP Part 145 approvals achieved through the supplement route.

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**CAA Oversight of Military Registered ► Air Systems ◀**

10. The CAA has agreed to support the MOD in providing oversight of civil-type military ► Air Systems. ◀ This support is covered under the joint CAA/MAA policy and principles for CAA Oversight of Military Registered ► Air Systems ◀ described in CAP 562 Leaflet B-40 and the detailed arrangements are set down in contracts between the CAA and relevant MOD ► Delivery Team (DT). ◀

11. When the Type and Continuing Airworthiness of military registered ► Air Systems ◀ are subject to oversight by the CAA, the following must be considered:

a. The TAA must consider the implications of any deviations between the intended full standard Statement of Operating Intent and Usage ► ◀ and the Design Usage Spectrum assumed in the civil Type Certification Basis. Any deviations must be quantified by liaison with the CAA, and the CTCH or CSTCH. The TAA must also consider whether any implications of the deviations for the Type and Continuing Airworthiness arrangements are catered for. The implications of operating outside the limitations and assumptions applied by the CTCH or the CSTCH and/or the State of Design must always be fully discussed with the CAA and CTCH or CSTCH as soon as possible. Any implications for Continuing Airworthiness must be discussed with the ADH through the Mil CAM.

b. Whilst the MOD retains the right to vary the limitations within which these ► ◀ military registered ► Air Systems ◀ are operated without the agreement of the CAA, the TAA must take into account that such deviations may have an effect on the right to use common spares and the ultimate return of the ► Air System ◀ to the Civil Aircraft Register.

c. Where a specialist Design Organization is to be employed to modify the ► Air System, ◀ the TAA must ensure full liaison between the organization approved to meet the requirements of EASA Part 21 Subpart J and the CAA. CAP 562 Leaflet B-40 requires that for ► Air Systems ◀ operating under CAA oversight, any modifications must be approved by EASA or reviewed by the CAA under the statement of satisfaction process.

d. EASA manages all Civil Type Certificates and Civil Supplementary Type Certificates. When entering the construct of CAA oversight of a military registered ► Air System, ◀ the CAA does not provide oversight of the Type Airworthiness of modifications provided with a statement of satisfaction. It is for the TAA to ensure that suitable instructions for Continuing Airworthiness are in place and being updated (by contract if required).

<sup>7</sup> RA 1016 - Continuing Airworthiness Responsibilities.

<sup>8</sup> CAP 562 Leaflet B-40 paragraph 3.3.1.d details the information expected to be within the Continuing Airworthiness Management Exposition for CAA oversight arrangements that **should** be shared with the Civil CAMO and, upon request, the CAA.

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12. In order to give the CAA confidence to permit the use of common spares with civilian operators, and to allow smooth transition of the ►Air System◄ back to the Civil Aircraft Register, the TAA must afford the CAA:
- Full visibility of the type of flying, and the details of repair, overhaul, maintenance and modification of each ►Air System.◄
  - The opportunity to evaluate and decide if the ►Air System◄ remains a candidate for an International Civil Aviation Organization compliant Certificate of Airworthiness.
  - The opportunity to audit as required.
13. If during any work carried out to assess and validate MOD clearances<sup>9</sup>, the TAA identifies any anomalies, contradictions or abnormal risks in the civil clearances, he must draw them to the attention of the CAA for guidance and action. If the CAA decides to take no action, the TAA must consider whether the risks are such that MOD specific action is necessary.
14. Basic Regulation (EC) 216/2008 applies as law in the UK and allows ►Air Systems◄ to be released under EASA Part 145 (and other Parts as appropriate). This law (and associated Implementing Rules) does not apply to military registered ►Air Systems◄ as they are 'State Aircraft'. The treatment of State Aircraft has been clarified by EASA in its note: Cologne/Jan/kgu/R(4)2013(D) 51397 dated 20 Mar 13 – Rulemaking interpretation on "Maintenance release of aircraft not covered by the Basic Regulation". Accordingly, CAP 562 Leaflet B-40 obliges maintenance providers to hold an EASA Part 145 approval to ensure that the organization meets the EASA Part 145 standards and enables access to civil spares, but does not authorize them to release the ►Air System◄ to service using this approval for the reasons described above. The MAA accepts the release statement made iaw CAP 562 Leaflet B-40. In order for the ►Air System◄ to remain subject to CAA oversight iaw CAP 562 Leaflet B-40, it will be necessary for the Contractors to continue to hold EASA Part 145 and/or EASA Part M Subpart G with Subpart I privilege approvals. In addition, the MAA requires EASA Part 145 organizations to hold an MRP Part 145 approval achieved through the supplement route.
15. For ►Air Systems◄ subject to CAP 562 Leaflet B-40 arrangements the Military Airworthiness Review Certificate (MARC), generated by the requirements of RA 4971<sup>10</sup>, includes the civil Airworthiness Review (AR), undertaken by an EASA Part M Subpart G with Subpart I privileges. The civil AR certificate cannot be released, as the EASA regulation does not apply to State Aircraft, as described above. The civil AR is undertaken to meet the requirements of providing evidence to the Mil CAM that the ►Air System◄ has remained within the civil "controlled environment" for the previous 12 months. In order to remain within the limits of the civil framework, such that the ►Air System◄ does not fall out of civil oversight, the MARC extensions of up to 90 ►calendar◄ days detailed within ►RA 4971<sup>10</sup>◄ are not to be applied to ►Air Systems◄ subject to this RA.

**Guidance on MEL**

16. MELs are a necessary component of the fixed risk management construct operated by the civil Airworthiness system, providing operators and maintainers authoritative guidance, as approved data, on the fault tolerance limits<sup>11</sup> of the ►Air System. Air Systems◄ operated under this regulation will require MELs to provide operational flexibility to the users within the Service Environment. In addition to the MEL derived from the MMEL for the civilian type certified ►Air System,◄ the MOD may wish to provide a MEL Military Supplement (MELMS) for those items used for military purposes not already specified (such as military communications equipment). All MELMSs must follow the style and layout of the CAA assessed MEL and must be derived from a documented assessment of the impact on safe operation of the ►Air System◄ in the event of one or multiple failures. It must also specify that, if deferred, the items contained within the MELMSs pose no hazard to the overall Airworthiness of the ►Air System.◄

<sup>9</sup> MOD clearances refer to MOD modifications/repairs (non-civil approved) or limitations.

<sup>10</sup> ►Refer to◄ RA 4971 – Military Airworthiness Review and Certification - MRP Part M Sub Part I.

<sup>11</sup> Such as tolerable avionic failures or redundancy of multiple systems.

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1124(1)****Rectification Interval Extensions**

17. Latitudes for extending the deferral of items listed within the MEL are known within the civil system as Rectification Interval Extensions (RIE). An RIE is a single 100% extension to the rectification interval for the acceptance of faults to the item or system as specified within the MEL. As an example, an item that has been deferred for 3 days iaw the MEL rectification interval may only be granted a maximum deferral of 3 further days using the RIE process. A further extension, in the form of a time limited waiver or exemption, may only be granted by the MAA, in consultation with the CAA, and must be applied for through the MAA03<sup>12</sup> exemptions and waivers process. A deferred fault may not be reviewed and re-deferred outside of this process (ie it is not acceptable for the licenced engineer to review a deferred fault and continually defer it outside of the RIE process). Application of RIE must be agreed by the Mil CAM.

Only valid  
in accordance with  
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<sup>12</sup> ► Refer to MAA03: Military Aviation Authority Regulatory Processes. ◀



## RA 1125 - Military Registered Air Systems Transferred to Contractors

### Rationale

When an Air System on the Military Aircraft Register is transferred<sup>1</sup> to a Contractor, the Aircraft Operating Authority<sup>2</sup> is solely responsible for the Continuing Airworthiness of the Air System and its safe operation. The Type Airworthiness Authority (TAA) is solely responsible for the Type Airworthiness of the Air System until the point of transfer but, during the period of the transfer, responsibility is shared jointly by the TAA and the Design Organization (DO) for any change to the design or decision to operate the Air System outside the normal release limits. ► **Not having the arrangements in place may result in a lack of appropriate oversight during the transfer period and may result in a heightened Air Safety or Airworthiness risk.** ◀ This RA ►◀ sets out the minimum Air Safety arrangements that the TAA must apply in this situation.

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#### 1125(1): Military Registered Air Systems Transferred to Contractors

### Regulation 1125(1)

#### Military Registered Air Systems Transferred to Contractors

1125(1) Before an Air System on the Military Aircraft Register is transferred to a Contractor, the responsible Defence Equipment & Support (DE&S) Operating Centre Director (OCD) or MOD Sponsor **shall** ensure that appropriate organizational approvals and conditions are in place.

### Acceptable Means of Compliance 1125(1)

#### Military Registered Air Systems Transferred to Contractors

1. When receiving an Air System on transfer, the Contractor **should** determine any applicable Risks to Life (RtL) being ► **held**<sup>3</sup>, in order for the responsible ADH<sup>4</sup> or the AM(MF)<sup>5</sup> to appropriately manage them. ◀
2. In transferring an Air System, the responsible DE&S OCD or MOD Sponsor **should** ensure through formal agreement that:
  - a. Any changes to the Type Design are undertaken by an MAA approved DO►◀ and underwritten<sup>7</sup> by the TAA.
  - b. Continuing Airworthiness is managed by a MAA approved Continuing Airworthiness Management Organization (CAMO)►◀<sup>8</sup> or remains under the management of an in-Service CAMO ►◀.
  - c. The Contractor ► **maintains** ◀ the Air System in accordance with (iaw) the MOD maintenance schedule appropriate to its type, or if no MOD maintenance schedule exists, with the DO agreed schedule.
  - d. The Contractor ► **should not** ◀ deviate from any of the details of the transfer without prior written agreement. No activity will be carried out on or with the Air System which, in the opinion of MOD, would make it unfit for subsequent MOD use. If the Contractor is in any doubt as to whether any work

<sup>1</sup> In the context of this RA, the term 'transfer' encompasses allotment, loan or hire of an Air System. The principles of transfer apply equally.

<sup>2</sup> ► **Used** ◀ to cover whether the Air System is operated under ► **an Aviation** ◀ Duty Holder ► (ADH) ◀ construct or through an Accountable Manager (Military Flying) (AM(MF)).

<sup>3</sup> ► **Refer to** ◀ RA 1210 – Ownership and Management of Operating Risk (Risk to Life).

<sup>4</sup> ► **Refer to** ◀ RA 1020 – ► **Aviation Duty Holder and Aviation Duty Holder-Facing Organizations - Roles and Responsibilities.** ◀

<sup>5</sup> ► **Refer to** ◀ RA 1024 – Accountable Manager (Military Flying).

<sup>6</sup> ► **Refer to** ◀ RA 5850 – Military Design Approved Organization (MRP 21 Subpart J).

<sup>7</sup> The word 'underwritten' is used here because responsibility for the airworthiness of any change to the Type Design is shared between the DO and the TAA.

<sup>8</sup> ► **Refer to** ◀ RA 1016 – ► **Military** ◀ Continuing Airworthiness ► **Management.** ◀

### Acceptable Means of Compliance 1125(1)

that he proposes to undertake contravenes this condition, he is to obtain authority from the TAA before undertaking this activity.

e. All work undertaken on the Air System is to be fully recorded in the Air System maintenance documents.

3. A Military Permit to Fly (MPTF)<sup>9</sup>, **should** be issued for all flights **of Air Systems that have undergone a design or configuration change that is not authorized in the Release To Service (RTS)<sup>10</sup>, or where the operation of the Air System will be outside the flight limitations of the RTS.**

4. The Contractor **should** comply with all Special Instructions (Technical)<sup>11</sup>, which fall due or are issued during the transfer period, and is to comply with all requirements for the incorporation of modifications.

#### Return of the Air System

5. The Contractor **should** agree, **with the DE&S OCD or MOD Sponsor**, to return the Air System to the location from which it was borrowed unless otherwise agreed. The Air System **should** be returned **by the Contractor** to a **condition or** build standard as agreed by the responsible DE&S OCD or MOD Sponsor, **with** due allowance **made for fair wear and tear**. The decision of the MOD as to the condition of the Air System on its return, and the causes contributory thereto, is final.

### Guidance Material 1125(1)

#### Military Registered Air Systems Transferred to Contractors

6. Prior to the transfer, the responsible DE&S OCD or MOD Sponsor is required to consider the allotment requirements detailed in MAP-01 Chapter 9.4<sup>12</sup>.

#### Transfer Agreement

7. It is normal for the TAA to take responsibility for the agreement which details the following:

- The period of the transfer or the notice of termination to be given.
- The arrangements for acceptance and return.
- The Air System build standard.
- The permitted use of the Air System.
- The scope for the Contractor to alter the configuration.
- The condition in which the Air System will be returned.
- The support required from the Contractor.
- Any support to be provided by the MOD.

8. **If it is proposed to make changes to the Air System or to fit the Air System with non-MOD equipment**, Airworthiness and flight limitation implications are to be considered by the TAA, the Air System DO and the Contractor (if not the DO).

9. The responsible DE&S OCD or MOD Sponsor must ensure that both they and the Contractor are aware of the Commercial and Legal implications for the accountability and responsibility of the Air System during the transfer period.

#### Transfer of Military Registered Civil-Owned Aircraft (MRCOA)

10. The transfer of a MRCOA, will require an updated Certificate of Usage (CofU)<sup>13</sup>.

11. When MRCOA are transferred to a third party Contractor the transfer agreement must also include the organization who owns the Air System. The transfer agreement must fully detail the activity to be undertaken, and must ensure that the

<sup>9</sup> Refer to RA 5880 – Military Permit to Fly (MRP 21 Subpart P).

<sup>10</sup> Refer to RA 1300 – Release To Service.

<sup>11</sup> Refer to RA 5405 – Special Instructions (Technical).

<sup>12</sup> Refer to MAP-01 Chapter 9.4 - Transfer of Aircraft and Equipment.

<sup>13</sup> Refer to RA 1123 – Certificate of Usage for Military Registered Civil-Owned Aircraft.

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owner organization's operating, ► **Type and Continuing Airworthiness** ◀ requirements are met.

12. The ► **DE&S OCD or MOD** ◀ Sponsor must assure himself that the CofU covers the flying activity planned for the transfer period.

13. Consideration will also need to be given, ► **by the DE&S OCD or MOD Sponsor**, ◀ to inform the Civil Aviation Authority (CAA) as appropriate if the Air System is subject to CAA oversight ► ◀<sup>14</sup>.

**Maintenance and Operation of the Air System**

14. The Contractor must ensure that:

- a. The Air System is maintained in accordance with applicable publications or manufacturers' manuals and that all Special Instructions (Technical), etc are applied as they arise.
- b. The TAA is provided with all standard usage and fatigue consumption data.
- c. In-Service Air Systems are operated within the limitations of the MPTF and the Statement of Operating Intent and Usage unless agreed otherwise by the relevant TAA.

**Termination**

15. The MOD reserves the right to terminate, at any time and without prior notice, the transfer agreements made and to require the return of the Air System forthwith. The MOD will not be liable for any costs or loss resulting from termination.

<sup>14</sup> ► **Refer to** ◀ RA 1124 – Civil Aviation Authority Oversight of Military Registered ► **Air Systems**. ◀

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in accordance with  
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