

# Regulatory Instruction

03 March 2023

## MAA/RI/2023/01– Type Airworthiness Management Arrangements for Civilian Operated Foreign Military-Owned Air Systems Operating in the interest of the MOD

### Issue

The current MAA Regulatory Publications (MRP) require that Type Airworthiness (TAW) for all Military-Owned<sup>1</sup> Air Systems operated in interest of the MOD<sup>2</sup> and registered on the UK Military Aircraft Register (MAR) is managed by a Crown Servant Type Airworthiness Authority (TAA). For foreign Military-Owned Air Systems operated in the interest of the MOD, the MAA considers that it is appropriate for TAW to be delegated between a TAA and a Type Airworthiness Manager (TAM).

### Scope

This RI relates to the TAW management arrangements for foreign Military-Owned Air Systems registered on the UK MAR and operated in the Civilian Operated (Development) and (In-Service) operating categories<sup>2,3</sup>.

### Aim

This RI is aimed at the Sponsor and Accountable Manager (Military Flying) for any foreign Military-Owned Air System, operated in the interest of the MOD.

### Implementation

This RI is effective immediately.

### Introduction

The UK Air Navigation Order (ANO) definition of a ‘military aircraft’<sup>4</sup> does not differentiate between UK or foreign military ownership. The same definition was applied to the 1160 Series Regulations for the purposes of determining whether an Air System requires a Certificate of Usage for ANO exemption. This constrained the Sponsor to appointing solely a TAA for Civilian Operated foreign Military-Owned Air Systems operating in the interest of the MOD. On review, the MAA deem it is equally appropriate for the Sponsor to be able to delegate TAW between a TAA and a TAM for such Air Systems<sup>5</sup>. This issue will be rectified through the review of affected MRP. In the meantime, this RI has been produced to allow Sponsors to immediately review and revise their TAW management arrangements for foreign Military-Owned Air Systems registered on the UK MAR and operated in the Civilian Operated (Development) and (In-Service) operating categories.

### Derogations

Ahead of the planned update to the relevant Regulatory Articles, the following derogations to the MRP may be applied:

- RA 1160<sup>2</sup> Annex A Table A-1 TAW Management column for Civilian Operated (Development) and Civilian Operated (In-Service) Air Systems **should** be read as:

**MOD-Owned Air Systems.** The TAA will be fully accountable for ensuring TAW.

**Non-MOD-Owned Air Systems.** Dependent upon the Sponsor’s chosen TAW management model, either:

<sup>1</sup> For the purposes of defining military-owned Air Systems, foreign military Air Systems are included.

<sup>2</sup> Refer to RA 1160 – The Defence Air Environment Operating Framework.

<sup>3</sup> For clarification, this RI does not apply to Special Case Flying Air Systems.

<sup>4</sup> The Air Navigation Order 2016, Schedule 1 – Interpretation.

<sup>5</sup> Akin to the TAW model available to the Sponsor for Civilian-Owned and Civilian Operated Air Systems operating in the interest of the MOD.

1. A TAA is fully accountable for ensuring TAw or,
  2. A TAA and TAM share accountability for ensuring TAw;
    - a. The TAA is, as a minimum, accountable for the mandated non-delegable TAw responsibilities, alongside a;
    - b. MAA approved DO with a TAw management supplement and a nominated TAM, who is accountable for ensuring the remaining TAw responsibilities.
- RA 1162<sup>6</sup> paragraphs 3 and 11 **should** be read as applicable to MOD-Owned Air Systems, in lieu of Military-Owned Air Systems.
  - RA 1162<sup>6</sup> paragraphs 4 and 12 **should** be read as applicable to Non-MOD-Owned Air Systems<sup>7</sup>, in lieu of Civilian-Owned Air Systems.
  - The remainder of the MRP contains numerous references to the delegation of TAw responsibilities between a TAA and TAM for Civilian-Owned and Civilian Operated Air Systems, often by means of a standardised footnote which indicates where TAM may be read in lieu of TAA. In all such instances, the reference to 'Civilian-Owned' **should** be read as 'Non-MOD-Owned'.

## Queries

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

## MAA Head Regulation and Certification

---

<sup>6</sup> RA 1162 – Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems.

<sup>7</sup> That is, includes foreign Military-Owned in addition to Civilian-Owned.