

**NPA/24/37**

**Title of Proposal:** Transfer of UK Military Registered Air Systems

**RA(s) or Manual Chapter(s):** RA 1164

**Organizations and / or business sectors affected:** Whole Regulated Community

**RFC Serial No:** MAA/RFC/2021/037, 2021/089, 2022/077, 2022/137,3 2022/211, 2023/040

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**Cross-references to Other Documents or Relevant Sources**

**Other MRP Amendments:** N/A

**Service Inquiry Recommendations:** N/A

**AAIB Recommendations:** N/A

**Other Investigation Recommendations:** N/A

**Any Other Document:** N/A

**Feedback Notes for the Regulated Community**

The Regulated Community are invited to offer feedback about the proposed amendment in the following areas:

- Air or Flight Safety impact
- Operational impact
- Errors or omissions
- Timescale for implementation
- Cost of implementation
- Amendment to internal processes/orders
- Resourcing the outcome of change

- (Contract amendments because of the change)

The format for feedback is available within a single Excel Template file on both internal and external MAA websites; it is important to use this format to ensure that your responses are considered and answered correctly.

**Summary of Proposed Amendment**

**Objective:** To implement learned experience gained since the creation of the Initial Issue RA 1160 Series.

**Changes made:** To align with changes to the Regulated Community, to cohere with the rest of the MRP, and to remove potential confusion.

**Impact Assessment:** Minimal

**Consultation Period Ends:** 12 August 2024

The consultation period for this proposed amendment ends on the stated date. Please send your feedback, using the Response Form, via email to [DSA-MAA-MRPEnquiries@mod.gov.uk](mailto:DSA-MAA-MRPEnquiries@mod.gov.uk)

*MAA Approval*

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► This RA has been substantially re-written; for clarity no change marks are presented – please read RA in its entirety ◀

## RA 1164 – Transfer of UK Military Registered Air Systems

### Rationale

*Air System transfers, occurring either by Allotment or Allocation, provide Defence with the flexibility to effectively manage an Air System Fleet and maximise Operational Capability. However, without a clear framework for the continued ownership of Air Safety governance arrangements, there is a Risk that the management of Air Safety responsibilities may be ineffective or neglected entirely, with the result that the Risks associated with operation of the Air System are not adequately managed. This RA details the required oversight of Air Safety governance arrangements for all Air System transfers.*

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**1164(1): Permanent Allotment of UK Military Registered Air Systems**

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**1164(3): Transfer of UK Military Registered Air Systems by Allocation**

### Regulation 1164(1)

#### Permanent Allotment of UK Military Registered Air Systems

1164(1) When permanently transferring an Air System on the UK Military Aircraft Register (MAR) via Allotment, the receiving Operating Duty Holder (ODH) / Accountable Manager (Military Flying) (AM(MF)) **shall** ensure that appropriate Air Safety arrangements are in place.

### Acceptable Means of Compliance 1164(1)

#### Permanent Allotment of UK Military Registered Air Systems

1. To ensure ODHs / AM(MF)s are aware of the Accountability and Responsibility for the governance of the Air System's Air Safety arrangements of allotted Air Systems, ODHs / AM(MF)s **should** record all Air Systems allotted to them.
2. The permanent transfer of an Air System by Allotment **should** transfer Accountability to the receiving organization for the:
  - a. Management of Risk to Life (RtL) and ownership of an Air System Safety Case (ASSC).
  - b. Governance of flying operations through the utilization of the receiving organization's Operating Orders, Authorizations and Supervision processes.
  - c. Management of Continuing Airworthiness (CAw)<sup>1</sup> and Maintenance of the Air System.
3. Where the Accountability of Type Airworthiness (TAW) changes, the receiving Type Airworthiness Authority (TAA)<sup>2</sup> **should** ensure that they fully understand the Configuration of the Air System<sup>3</sup>.
4. For Civilian-Owned or Civilian Operated Air Systems, the Sponsor, once notified of a pending Air System Allotment, **should** review the Air Safety governance arrangements, any change in Operating Category<sup>4</sup> and update the Certificate of Usage (CofU) where relevant / appropriate.

<sup>1</sup> Refer to RA 1016 – Military Continuing Airworthiness Management.

<sup>2</sup> Where the Air System is not UK MOD-owned, TAW management regulatory Responsibility by either the TAA or Type Airworthiness Manager (TAM) needs to be agreed within the Sponsor's approved model; refer to RA 1162 – Air Safety Governance Arrangements for Civilian Operated (Development) and (In-Service) Air Systems, or refer to RA 1163 – Air Safety Governance Arrangements for Special Case Flying Air Systems. Dependant on the agreed delegation of TAW responsibilities TAM may be read in place of TAA as appropriate throughout this RA.

<sup>3</sup> Refer to RA 5301 – Air System Configuration Management.

<sup>4</sup> Refer to RA 1160 – The Defence Air Environment Operating Framework.

**Acceptable  
Means of  
Compliance  
1164(1)**

5. The Military Continuing Airworthiness Manager (Mil CAM) **should** produce Aviation Engineering Orders / local Procedures to detail the process for the transfer of CAw arrangements and general conditions of transfer. These **should** explicitly require:
- The dispatching organization to be responsible for compliance with the directed conditions of transfer.
  - The receiving organization to report where an Air System is received in an unsatisfactory condition<sup>5</sup>.
  - The transfer to be documented using the Allotment Order / Receipt templates hosted on the MAA's websites.

**Guidance  
Material  
1164(1)**

**Permanent Allotment of UK Military Registered Air Systems**

6. Guidance for Mil CAMs for the production of Aviation Engineering Orders / local Procedures is detailed at Annex A.

**Regulation  
1164(2)**

**Temporary Allotment of UK Military Registered Air Systems**

- 1164(2) When an Air System on the UK MAR is temporarily transferred via Allotment, the receiving ODH / AM(MF) **shall** ensure that appropriate Air Safety arrangements are in place.

**Acceptable  
Means of  
Compliance  
1164(2)**

**Temporary Allotment of UK Military Registered Air Systems**

7. To ensure ODHs / AM(MF)s are aware of the Accountability and Responsibility for the governance of the Air System's Air Safety arrangements of allotted Air Systems, ODHs / AM(MF)s **should** record all Air Systems allotted to them.
8. The temporary transfer of an Air System by Allotment **should** transfer Accountability to the receiving organization for:
- The management of Rtl and ownership of an ASSC.
  - Governance of flying operations through the utilization of the receiving organization's Operating Orders, Authorizations and Supervision processes.
9. Responsibility for CAw **should** remain with the Air System's nominated Mil CAM. The Mil CAM **should**:
- Produce Aviation Engineering Orders / local Procedures to detail the CAw arrangements and general conditions of transfer.
  - Ensure the transfer is documented using the Allotment of Air Systems / Receipt templates hosted on the MAA's websites.
10. Accountability for TAw **should** remain with the nominated TAA, dependent upon the Sponsor's endorsed model for TAw management.
11. Temporary Allotment of Air Systems **should** be supported by a formal documented agreement / Memorandum of Understanding (MOU) between ODHs / AM(MF)s, which explicitly addresses the following:
- The governance arrangements under which flying operations will be undertaken; including flying orders, Authorizations and Supervision processes, stating the relevant MAA Contractor Flying Approved Organization Scheme (CFAOS) Approval where applicable.
  - The principles for agreeing, and subsequently resolving, any activity on the Air System that would make the Air System potentially unfit for return to the original ODH / AM(MF).
  - The governance arrangements and Responsibility for TAw management, noting any TAw management model when detailed by a Sponsor.

<sup>5</sup> Refer to RA 4815 – Maintenance Procedures and Safety and Quality Policy (MRP 145.A.65).

**Acceptable  
Means of  
Compliance  
1164(2)**

- d. The governance arrangements and Responsibility for the management of CAW, stating the relevant MAA Continuing Airworthiness Management Organizations (CAMO) Approval where applicable.
- e. Agree the conditions of transfer, including receipt and dispatch, that are not detailed within Mil CAM Aviation Engineering Orders / local Procedures.
- f. Any support required by the receiving organization.
12. For Civilian-Owned or Civilian Operated Air Systems, the Sponsor, once notified of a pending Air System Allotment, **should** review the Air Safety Governance arrangements, any change in Operating Category and update the CofU where relevant / appropriate.
13. When an Air System is temporarily allotted to an AM(MF), for which a valid Release To Service (RTS) exists, the activity may be conducted in accordance with (iaw) the relevant RTS in lieu of an MPTF (In-Service). Where this condition is invoked:
- a. The Sponsor **should**:
- (1) Approve the use of the RTS as the flight release and limitations document.
  - (2) Stipulate any elements of the RTS which are not applicable, including (as a minimum) Operational Emergency Clearances.
  - (3) Define the bounds of the activity which may be conducted under the RTS.
  - (4) Be satisfied that all RtL has been identified and brought to the attention of the AM(MF), who has made a Safety Statement to the effect that the RtL has been reduced to As Low As Reasonably Practicable and Tolerable.
- b. The AM(MF) **should** ensure the use of the RTS is appropriately considered within their ASSC.
14. For Air Systems being allotted on a Chock-to-Chock basis, for each sortie, the Authorization Record **should** be annotated with: the organization that the Air System has been allotted to; which orders are being followed; and the Delivery Duty Holder / AM(MF) for the activity.

**Guidance  
Material  
1164(2)**

**Temporary Allotment of UK Military Registered Air Systems**

15. Guidance for Mil CAMs for the production of Aviation Engineering Orders / local Procedures is detailed at Annex A.
16. The Sponsor may elect to approve the use of an RTS (where one exists) in lieu of an MPTF (In-Service) where Air Systems are temporarily Allotted to a Defence Contractor Flying Organization (DCFO) for the conduct of activity that would ordinarily fall within the scope of an In-Service ODH to conduct. This may include (but is not limited to):
- a. Post Maintenance Flight Test iaw Topic 5M or equivalent.
  - b. Ferry / positioning flights.
  - c. Crew currency flying.
17. In approving the use of an RTS, the Sponsor will consider the operating context of the DCFO in relation to that of the ODH and satisfy themselves that the RTS is appropriate for use within the bounds of the approved activity (with any additional limitations), noting that the Release To Service Authority will not have considered the AM(MF) or DCFO's operating context when fulfilling their responsibilities under RA 1021<sup>6</sup>.

<sup>6</sup> Refer to RA 1021 – Release To Service Authorities – Roles and Responsibilities.

**Regulation  
1164(3)****Transfer of UK Military Registered Air Systems by Allocation**

1164(3) When an Air System on the UK MAR is transferred by Allocation, the ODH / AM(MF) **shall** ensure that appropriate Air Safety arrangements remain in place.

**Acceptable  
Means of  
Compliance  
1164(3)****Transfer of UK Military Registered Air Systems by Allocation**

18. Transfer by Allocation **should** only occur for the purpose of specific tasking, storage, or arrangements to satisfy a fleet management plan.

19. Where the transfer by Allocation is for Test and Evaluation<sup>7</sup> purposes, the conditions of RA 1164(2) **should** be applied in principle and the ODH / AM(MF) **should** issue a directive to meet the requirements of paragraphs 11.a, 11.c, 11.d, 11.e, and 11.f.

20. Accountability for the management of RtL, ownership of an ASSC, and supervision of flying operations, **should** remain with the ODH / AM(MF).

21. Accountability for TAw **should** remain with the nominated TAA.

22. Responsibility for CAw **should** remain with the Air System's nominated Mil CAM. They **should**:

- a. Produce Aviation Engineering Orders / local Procedures to detail the process and general conditions of transfer.
- b. Maintain management of CAw for Air Systems transferred into storage.

**Guidance  
Material  
1164(3)****Transfer of UK Military Registered Air Systems by Allocation**

23. Guidance for Mil CAMs for the production of Aviation Engineering Orders / local Procedures is detailed at Annex A.

<sup>7</sup> Refer to RA 2370 – Test and Evaluation.

**Annex A****Guidance Material for Mil CAM in the production of Aviation Engineering Orders / Local Procedures for Allotment / Allocation****Standard of Transfer**

1. The Air System will be transferred in a Serviceable condition unless agreed by all stakeholders, or a Concession has been granted by the TAA or delegated authority.

Consideration will be given to the following during the production of the standard of transfer:

- a. Preventive Maintenance forecast<sup>8</sup>.
- b. Outstanding and embodied Modifications<sup>9</sup>.
- c. Outstanding and completed Special Instructions (Technical)<sup>10</sup>.
- d. Current MOD Form 703 and MOD Form 704 (or Technical Log equivalent) entries.
- e. The remaining life of components.
- f. Role equipment.
- g. Baseline Airworthiness Review Certificate and Military Airworthiness Review Certificate requirements<sup>11</sup>.
- h. Certificate of Airworthiness (where applicable).

**Transfer of Air Systems between Forward / Line and Depth / Base**

When an Air System is transferred between Forward / Line and Depth / Base for Maintenance or storage, a Statement of Work (SOW) will be raised. The SOW will incorporate, as a minimum, the following information / requirements:

- i. Air System details:
  - (1) Custodian.
  - (2) Air System type / mark / serial number.
  - (3) Current airframe hours / life used.
- j. Transfer details:
  - (1) Date task to commence.
  - (2) Maintenance organization.
- k. Maintenance requirements (examples):
  - (1) Preventive Maintenance requirements.
  - (2) Component replacements.
  - (3) Modifications to be embodied, including those issued during the Maintenance period.
  - (4) Special Instructions (Technical) to be satisfied, including those issued during the maintenance period / Storage requirement.
  - (5) MOD Form 703, MOD Form 704 and variants, rectification, repairs and other Corrective Maintenance.
  - (6) Surface finish.
  - (7) Aircraft weigh.
  - (8) Compass swing.
  - (9) Maintenance Test Flight requirements.
  - (10) The requirement for a period of Maintenance-free operation on dispatch to new unit / organization.

<sup>8</sup> Refer to RA 4961 – Aircraft Maintenance Programme and Military Continuing Airworthiness Management Organization Responsibilities for Air System Release - MRP Part M Sub Part C.

<sup>9</sup> Refer to RA 4963 – Modifications and Repairs - MRP Part M Sub Part C.

<sup>10</sup> Refer to RA 4962 – Special Instructions (Technical) - MRP Part M Sub Part C.

<sup>11</sup> Refer to RAs 4970 to 4974: Airworthiness Review (AR) Regulation.

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