

Issued: 2 August 2017

Part 145 – Lost Capability

This Information Notice contains information that is for guidance and/or awareness.

Recipients are asked to ensure that this Information Notice is copied to all members of their staff who may have an interest in the information (including any 'in-house' or contracted maintenance organisations and relevant outside contractors).

Applicability:	
Aerodromes:	Not primarily affected
Air Traffic:	Not primarily affected
Airspace:	Not primarily affected
Airworthiness:	EASA Part 145 Organisations
Flight Operations:	Not primarily affected
Licensed/Unlicensed Personnel:	Not primarily affected

1 Introduction

- 1.1 Commission Regulation (EU) No. 1321/2014, Part 145.A.85 requires the organisation to notify the Competent Authority of any proposal to make changes to the organisation. This also includes changes to the facilities, equipment, tools, material, procedures, work scope, certifying staff and airworthiness review staff that could affect the approval.
- 1.2 Part 145.A.80 and its AMC provides for the situation where an organisation may temporarily not hold all the necessary tools, equipment etc, for an aircraft type or variant specified in its exposition and/or approval certificate. The regulation provides a means for the Competent Authority to defer revoking the lost capability when it considers the loss to be temporary, and where there is a demonstrable commitment from the organisation to re-establish full capability before maintenance recommences.

2 Actions to be taken where Capability to Perform the Full Scope of Work is Temporarily Lost

- 2.1 The CAA has decided that it will not immediately revoke an aircraft type or rating from an organisation's approval certificate when the capability to maintain a particular product, part or appliance is considered to be temporarily lost. This is based on the organisation agreeing to amend their Maintenance Organisation Exposition (MOE) to reflect the change of capability and to have procedures in place to re-establish compliance with Part 145 before reinstating the particular capability. This policy is not applicable when the CAA considers that an organisation is generally failing to meet its regulatory obligations and that it would be more appropriate to suspend, limit or revoke the approval.

- 2.2 An organisation that temporarily does not have the ability to fulfil the Part 145 requirements, (such as the loss of personnel within an organisation etc), the CAA will allow six months for the organisation to re-establish full compliance before suspension/revocation of the capability in question is considered. (This corresponds to the normal maximum permitted duration of a level 2 finding).
- 2.3 If the organisation has not re-established the capability after six months, they will be informed in writing that the affected type/rating should be greyed out in the scope of work section of the MOE, signifying that the organisation has temporarily lost the identified capability, and consequently is unable to exercise the privileges of the approval granted in accordance with Part 145.A.75. Unless the organisation can demonstrate a commitment to re-instate the capability, the affected capability will be revoked and the approval certificate amended accordingly.

Note: Demonstration of commitment must be presented; acceptable examples are purchase orders, invoices, Letters of Intent, contracts, press/publication adverts.

- 2.4 In order to re-instate greyed out capability the organisation will need to demonstrate compliance with all applicable paragraphs of Part 145, before an amendment to the MOE can be approved reinstating the approval privileges.
- 2.5 Where an organisation has not re-established a capability greyed out in accordance with this Information Notice (IN), at the time when a continuation recommendation is required, unless the organisation can demonstrate full compliance, the CAA will consider that the capability is lost and that it will be unable to make a continuation recommendation. The specific product, part, appliance or process will be revoked and removed from the organisation's approval certificate. The greying out of a capability will not be allowed to continue past the point at which a continuation recommendation in accordance with Part 145.B.30 is required.
- 2.6 Organisations that are not willing or unable to follow this process, will be subject to normal procedures for the resolution of findings and may have an aircraft type or rating revoked immediately when the capability to maintain a particular product, part or appliance is lost.

3 Queries

- 3.1 Any queries or requests for further guidance as a result of this communication should be addressed to ISPTechnicalSupportTeam@caa.co.uk

4 Cancellation

- 4.1 This Information Notice will remain in force until 31 July 2018.