



Miscellaneous

No: 1536

UK Regulation (EU) 2018/1139

Publication date: 31 March 2022

General Exemption E 5674

Use of EASA Part-145, Part CAO or Part M Subpart F Organisation Approval issued by EASA or EEA Member States who have applied for a UK Part 145, Part CAO or Part M Subpart F Organisation Approval

Background

- 1) This Exemption is intended to have the same effect as the intention of the Exemption it replaces, No. 1507 dated 24 September 2021.
- 2) From 01 January 2021, holders of EASA Part 145, Part CAO or Part M Subpart F Approvals benefited from an additional UK Part 145, Part CAO or Part M Subpart F approval in exactly the same terms as the EASA approval that existed on 31 December 2020, treated as if that UK approval had been issued by the CAA, as a consequence of saving and transitional provisions in EU Exit related UK legislation¹.
- 3) However, the UK Part 145, Part CAO or Part M Subpart F treated as if it had been issued by the CAA (the **"UK Part 145, Part CAO or Part M Subpart F"**) does not benefit from any additional privileges added to the EASA Part 145, Part CAO or Part M Subpart F approval on or after 01 January 2021. Only the CAA can add additional privileges to the UK Part 145, Part CAO or Part M Subpart F.
- 4) For reasons of urgent operational need the CAA intends to permit (by way of this Exemption) the recognition of any additional privileges added to the EASA Part 145, Part CAO or Part M Subpart F approval on or after 01 January 2021, as if they had been applied to the UK Part 145, Part CAO or Part M Subpart F, thereby having the effect as if those ratings had been added to the UK Part 145, Part CAO or Part M Subpart F by the CAA. However, this effect will apply only to UK Part 145, Part CAO or Part M Subpart F holders that have applied (and are waiting for the issue of) an **actual UK Part 145, Part CAO or Part M Subpart F approval** issued by the CAA and subject to the other conditions in this Exemption.
- 5) For the avoidance of doubt:
 - a) The UK Part 145, Part CAO or Part M Subpart F approval treated as if it was issued by the CAA will expire under UK law on 31 December 2022 in any event; and
 - b) The UK Part 145, Part CAO or Part M Subpart F approval treated as issued by the CAA will

¹ Pursuant to EU (Withdrawal) Act 2018 Schedule 8 Part 3 paragraph 37(1) and the Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 Schedule 3 paragraph 2(1)
31 March 2022

be automatically cancelled if and when the CAA issues an actual UK Part 145, Part CAO or Part M Subpart F approval.

- 6) The Owner or operator of a UK registered aircraft are required to use UK Part 145, Part CAO or Part M subpart F approved organisations. The intention of this Exemption is to enable the owner or operator of a UK registered aircraft to meet the requirement to ensure that their aircraft is maintained and issued with a certificate of release to service from an organisation that holds a UK Part 145, Part CAO or Part M Subpart F approval to use the services of an organisation that holds such an approval as if it were issued by the CAA, as if that approval contained, in addition to the privileges on it as a matter of the EU Exit related UK legislation any additional privileges issued by EASA or an EEA Member State on or after 01 January 2021. It is further the intention of this Exemption that that is only the case where the holder of the UK Part 145, Part CAO or Part M Subpart F approval treated as if it were issued by the CAA has applied for an actual UK Part 145, Part CAO or Part M Subpart F approval which has not yet been approved.
- 7) The organisation must hold a valid EASA or EEA Member State approval issued before 01 January 2021 but with relevant appropriate additional privileges issued on or after 01 January 2021 to exercise those privileges on a UK registered aircraft.

Interpretation

- 8) In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced as "UK Regulation (EU) year/number" or "UK Regulation (EU) No. number/year".

Exemption

- 9) The Civil Aviation Authority, pursuant to article 71(1) of UK Regulation (EU) 2018/1139, exempts from UK Regulation (EU) No.1321/2014, M.A.201 any owner or operator of a G registered aircraft from ensuring that their aircraft is maintained and issued with a certificate of release to service by an appropriately UK CAA approved Part 145, Part CAO or Part M Subpart F organisation to the following extent only, subject to the conditions below.
 - a) The organisation used is the holder of an Organisation Approval Certificate issued by the EASA or EEA Member State prior to 01 January 2021 (and thereby holds a UK Part 145, Part CAO or Part M Subpart F approval as if it had been issued by the CAA, and that UK Part 145, Part CAO or Part M Subpart F has not been revoked by the CAA).
 - b) The Organisation Approval Certificate issued by the EASA or EEA Member State prior to 01 January 2021 has been amended, for the purposes of conducting maintenance such that **additional privileges** have been added.
 - c) The Organisation Approval and such **additional privileges** must be valid in accordance with EU Commission Regulation No.1321/2014 at the time they are exercised by the UK Part 145, Part CAO or Part M Subpart F approval holder.
 - d) The approval holder must have made an application to the CAA for the issuance of an actual UK Part 145, Part CAO or Part M Subpart F Approval (including receiving acknowledgement from the CAA of receipt of the application) prior to exercising the privileges of the Approval and issuance of certificate of release to service to any G Registered aircraft.
 - e) A copy of this exemption is placed with the aircraft maintenance records at each maintenance input where the maintenance organisation has certified a UK G-Registered aircraft based in accordance with this exemption in conjunction with [Official Record Series 9 CAA Decision 3](#).