

Miscellaneous

No: 1539

UK Regulation (EU) 2018/1139

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General Exemption E 5677

Use of EASA Form 1 issued by Maintenance Organisations located in Switzerland**Background**

- 1) This Exemption is issued to meet urgent operational needs to enable organisations that hold UK approvals (and are therefore required by retained EU (now UK) law to fit only components released on UK CAA Form 1s) to fit components released on EASA Form 1s, **provided that** the organisation that released the component on an EASA Form 1, has its principal place of business in Switzerland, has applied for a UK approval on or before 01 April 2022 and **further provided that** the organisation that released the component had not been issued with an actual UK approval on or before the date of release of the component.
- 2) The following table clarifies this:

Date of Issue of EASA Form 1	Can it be fitted on a UK aircraft by a UK approved organisation
On or before 31 March 2022	Yes
01 April 2022 – 31 December 2022 (both dates inclusive)	Yes, but only if the issuing organisation has applied (on or before 31 March 2022) for, but has not yet been issued with, a UK CAA approval
01 January 2023 onwards	No

- 3) For clarity purposes,
- a) a component released on an EASA Form 1 on or before 31 December 2020 remains valid for fitting on a UK registered aircraft (as a consequence of savings and transitional provisions, as defined below)
 - b) a component released on an EASA Form 1 between 01 January 2021 and 31 March 2022 (both dates inclusive) remains valid for fitting on a UK registered aircraft after the expiration of this exemption subject to the terms of that individual release;
 - c) a component released on an EASA Form 1 on or after 01 April 2022 by a Swiss organisation that has applied for a UK approval but has not, at the date of the release, been issued with

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an actual UK approval, remains valid for fitting on a UK registered aircraft after the expiration of this exemption, subject to the terms of that individual release.

- 4) The following table clarifies this:

Date of issue of EASA form 1	Can the part be fitted on a UK aircraft <u>even after 31 December 2022</u>
On or before 31 March 2022	Yes
01 April 2022 – 31 December 2022	Yes, provided that at the date it was issued the issuing organisation did not hold a UK approval but had applied for a UK approval
01 January 2023 onwards	No

Interpretation

- 5) 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 hereafter as “UK Regulation (EU) year/number” or “UK Regulation (EU) No. number/year”.
- 6) References to “*savings and transitional provisions*” are to the 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).
- 7) Swiss EASA approval means those Organisation Approvals (and associated ratings) which were issued by the Swiss Authority (FOCA,) in accordance with Commission Regulation (EU) No.1321/2014 as adopted in Switzerland’s legislation, and valid at the time the holder of the approval exercises the privileges of the approval.

Exemption

- 8) The Civil Aviation Authority (‘the CAA’), pursuant to Article 71(1) of UK Regulation (EU) 2018/1139, hereby exempts maintenance organisations and licenced engineers that hold a licence or approval issued (or treated as if it were issued¹) by the CAA) from the requirements of Annex I (Part-M) M.A.501 (1), Annex II (Part-145) 145.A.42(a)(i) or Annex Vb (Part-ML) M.L.A.501(a)(ii) of UK Regulation (EU) No. 1321/2014, which each state that only components released on a “UK CAA Form 1” may be fitted **provided that:**
- a) such components are released on an EASA Form 1;
 - b) any affected component is in satisfactory condition;
 - c) any relevant EASA Form 1 was issued by an organisation whose principal place of business in Switzerland;
 - d) the EASA Form 1 is dated either: -
 - i on or before 31 December 2020 issued by an organisation that held a Swiss EASA approval on the date of release; or

¹ Pursuant to the savings and transition provisions in the 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)