



**GUERNSEY
AVIATION
REQUIREMENTS
(GARs)**



PART 39

**CONTINUING
AIRWORTHINESS
REQUIREMENTS**

BAILIWICK OF GUERNSEY

Director of Civil Aviation

© Published by the Director of Civil Aviation, Guernsey

First Issue
Second issue
Third issue
Fourth issue
Fifth issue

December 2013
August 2014
August 2017
August 2018
April 2019

ICAO compliance:

This fifth issue incorporates ICAO standards of:

- Annex 6, Part I at amendment 43;
- Annex 6, Part II at amendment 36;
- Annex 6, Part III at amendment 22.

The definitive version of GARs is on the States of Guernsey website www.cidca.aero which should be viewed to establish the latest issue of each Part.

Processing of applications will be done by the Guernsey Aircraft Registry. For further information consult <http://www.2-reg.com/> or send a message to info@2-reg.com.

Checklist of Pages

	Page no	Issue no	Date
Title page		5	April 2019
Checklist of pages	i	5	April 2019
Revisions	ii	5	April 2019
Contents	iii	5	April 2019
	iv	5	April 2019
Subpart A	1	5	April 2019
	2	5	April 2019
Subpart B	3	5	April 2019
	4	5	April 2019
	5	5	April 2019
	6	5	April 2019
	7	5	April 2019
Subpart C	8	5	April 2019
	9	5	April 2019
	10	5	April 2019
	11	5	April 2019
Subpart D	12	5	April 2019
Subpart E	13	5	April 2019
	14	5	April 2019
	15	5	April 2019
Subpart F	16	5	April 2019
Subpart G	17	5	April 2019
	18	5	April 2019
Subpart H	19	5	April 2019
	20	5	April 2019
	21	5	April 2019
	22	5	April 2019
	23	5	April 2019

Revisions

GAR Issue	Subject
Issue 1	First issue
Issue 2	<ul style="list-style-type: none"> • Replacing of ‘continued airworthiness’ by ‘continuing airworthiness’ throughout this Part • Option 2 added in Subpart E • 39.1(e): applicant now has a choice to select the options offered in 39.51(b) • 39.53 and 39.87: requirements with respect to Technical Co-ordinator concentrated in 39.53; • 39.61: changes in subsection (b), (c), (d), (f) and (g). • Changes consequential to the above • Editorial changes
Issue 3	<ul style="list-style-type: none"> • Split of Subpart C ‘Inspection Requirements’ into Subpart C ‘Maintenance Programme’ and Subpart D ‘Airworthiness Directives’; • Split of Subpart D ‘Aircraft Records’ into Subpart E ‘Aircraft Records’ and Subpart F ‘Mass and Balance’; • 39.57 – clarification that aircraft below 2,700 kg MTOM used for commercial air transport must be maintained by a GAR 145 approved organisation; • 39.59 - several changes to ensure compliance with ICAO Annex 6, all Parts; • 39.59 - addition of MCM amendment approval conditions; • 39.59 - deletion of references to GAR 21.175 as airworthiness reviews are only conducted by or on behalf of the Director; • 39.61 – several changes to ensure compliance with ICAO Annex 6, all Parts; • Consistent use of the term ‘charterer by demise’ (instead of ‘lessee’) throughout the document; • Editorial changes.
Issue 4	<ul style="list-style-type: none"> • Reference corrections throughout document
Issue 5	<ul style="list-style-type: none"> • Change of 39.63 to allow a validated or approved CAMO approve an AMP • Included Subpart H for CAMO Option 3 requirements

Contents

Checklist of Pages	i
Revisions	ii
Contents	iii
Subpart A — General	1
39.1 Purpose	1
39.3 Definitions	2
Subpart B — Continuing Airworthiness Management	3
39.51 Management personnel	3
39.53 Technical Co-ordinator	3
39.55 Management responsibilities	4
39.57 General maintenance arrangements	6
39.59 Maintenance Control Manual	7
Subpart C — Maintenance programme	9
39.61 Maintenance programme	9
39.63 Maintenance programme approval	11
39.65 Condition monitored and reliability maintenance programmes	11
Subpart D — Airworthiness Directives	12
39.67 Airworthiness Directives applicability	12
39.69 Airworthiness Directives compliance	12
39.71 Alternative means of compliance with mandatory continued airworthiness requirements	12
Subpart E — Aircraft Records	13
39.73 Maintenance and continuing airworthiness records	13
39.75 Retention of records	14
39.77 Transfer of maintenance records	15
39.79 Technical log	15
Subpart F — Mass and Balance	16
39.81 Mass and Balance	16
39.83 Mass and balance - alternative configurations	16
39.85 Mass and balance certification	16
Subpart G — Continuing Airworthiness Management Approval	17
39.87 Applicability	17
39.89 Standards	17
39.91 Issue	17

39.93	Privileges of approval or validation holder	17
39.95	Duration of approval or validation	18
39.97	Notification of ceasing approval or validation activity	18
39.99	Renewal of approval or validation	18
39.101	Continued compliance	18
Subpart H — CAMO Option 3 requirements		19
39.103	Maintenance Control Manual	19
39.105	Facilities	19
39.107	Personnel requirements	19
39.109	Continuing airworthiness management	20
39.111	Documentation	21
39.113	Quality system	21
39.115	Changes to the approved continuing airworthiness organisation	22
39.117	Record-keeping	23

Subpart A — General

39.1 Purpose

- (a) This Part details requirements governing aircraft registered in Guernsey and issued with an airworthiness certificate under Part 21 Subpart E and any aeronautical product associated with those aircraft. The requirements of this GAR Part cover continuing airworthiness management and the grant and renewal of continuing airworthiness inspection programmes.

The owner or charterer by demise of an aircraft registered in Guernsey shall have arrangements for continuing airworthiness management to the requirements of Subpart B and, if applicable, Subpart G of this GAR Part.

- (b) For continuing airworthiness management of Guernsey registered aircraft, these are the options under this GAR Part:
- (1) acceptance under GAR 39.53 by the Director of a Technical Co-ordinator appointed by the owner or charterer by demise of the aircraft;
 - (2) Subpart G option 1: validation of an organisation approved to undertake continuing airworthiness management of aircraft to the requirements of EASA Part M Subpart G as amended (EASA CAMO);
 - (3) Subpart G option 2: validation of an organisation approved to undertake continuing airworthiness management of aircraft to the requirements equivalent to those of EASA Part M Subpart G as amended, subject to acceptance by the Director of Civil Aviation (EASA equivalent CAMO);
 - (4) Subpart G Option 3: the approval of an organisation that does not hold an approval identified in paragraph 39.1(b)(1) or 39.1(b)(2).
- (c) These Requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the Requirements repeat or reproduce many of the provisions of the Air Navigation (Bailiwick of Guernsey) Law 2012, as amended (“the Law”), including the Rules of the Air set out in Schedule 4 to the Law. Therefore, failure to comply with these Requirements may:
- (1) constitute a breach of the Law; and
 - (2) result in proceedings for breaches of the Law; or
 - (3) result in the refusal of an application for renewal of a certificate; or
 - (4) result in action to suspend or revoke a certificate.

- (d) The Law details the legal obligations governing the continuing airworthiness of aircraft on Guernsey's register. The Law specifies these obligations in rather general terms, therefore there is a provision in Section 135 (Publication of Requirements) to the Law which requires the Director to publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Requirements are the means by which the operator, the Technical Co-ordinator, the Continuing Airworthiness Management Organisation or maintenance organisation will be able to satisfy the Director as to the fulfilment of the obligations in respect of continuing airworthiness and the entitlement of the holder to hold and exercise the privileges of a certificate or approval.
- (e) The issue of a certificate or approval indicates only compliance with the relevant requirements. The possession of a certificate or approval does not relieve the operator, owner of an aircraft or the pilot-in-command from the responsibility for compliance with the Law and any other legislation in force. Neither does it relieve them of their responsibility for the safe conduct of any particular flight, as the ultimate responsibility for the safety of flight operations always rests with the operator and the pilot-in-command.

39.3

Definitions

Definitions, in the context of this Part of the GARs shall have the meanings listed in GAR Part 1 (Definitions, Abbreviations and Units of Measurement).

Subpart B — Continuing Airworthiness Management

39.51 Management personnel

- (a) Section 7(1)(a) of the Air Navigation (Bailiwick of Guernsey) Law, 2012 states that an aircraft registered in Guernsey in respect of which a certificate of airworthiness is in force shall not fly unless:
- (1) the aircraft's continuing airworthiness, (including that of its engines, equipment and radio station), is managed by a person or organisation approved by the Director in accordance with a maintenance programme under a maintenance control manual or equivalent document approved by the Director in relation to that aircraft,
 - (2) for aircraft having an MTOM authorised exceeding 2,700kg, a Technical Co-ordinator, acceptable to the Director, shall be appointed who shall ensure that appropriate arrangements for continuing airworthiness management required by this GAR Part are in place.
- (b) As an alternative to GAR 39.51(a)(2), applicants may choose to use the services of a continuing airworthiness management organisation to satisfy the requirements in 39.51(a), as follows:
- (1) Option 1 Subpart G: an organisation approved to undertake continuing airworthiness management of aircraft to the requirements of EASA Part M Subpart G as amended;
 - (2) Option 2 Subpart G: an organisation approved to undertake continuing airworthiness management of aircraft to the requirements equivalent to those of EASA Part M Subpart G as amended, subject to acceptance by the Director of Civil Aviation;
 - (3) Option 3 Subpart G: an organisation that does not hold an approval identified in paragraph 39.51(b)(1) or 39.51(b)(2).

39.53 Technical Co-ordinator

- (a) The owner or charterer by demise of an aircraft above 2,700 kg MTOM that does not choose to have the continuing airworthiness of its aircraft managed by a Continuing Airworthiness Management Organisation as per GAR 39.51(b) shall nominate a Technical Co-ordinator for acceptance by the Director. The Director shall evaluate the nominee for his or her capability to perform the functions as per GAR 39.55 and GAR 39.57 and confirm acceptance by means of a Technical Co-ordinator acceptance.
- (b) Acceptance of a Technical Co-ordinator is specific to a specific owner or charterer by demise and a specific aircraft as identified by aircraft type and serial number.
- (c) The Technical Co-ordinator shall:
- (1) ensure that suitable arrangements for continuing airworthiness management are in place as per the requirements of GAR 39.55 and GAR 39.57; and

- (2) have a Maintenance Control Manual prescribed in GAR 39.59 that is approved by the Director.

39.55 Management responsibilities

The person or organisation identified in paragraph 39.51 is responsible for ensuring that the certificate of airworthiness continues to remain valid by suitable arrangements made that ensure that:

- (a) the aircraft, including its airframe, engines(s), propellers, appliances, emergency equipment and operational equipment, is maintained in an airworthy condition; and
- (b) all scheduled maintenance is performed in accordance with a maintenance programme approved by the Director; and
- (c) appropriate contracted maintenance arrangements are made acceptable to the Director; and
- (d) no person certifies maintenance on the aircraft other than as prescribed in GAR Part 43; and
- (e) any defects and unserviceabilities are rectified or deferred in accordance with GAR Part 91.610(a) prior to flight or, as permitted by GAR Part 91.610(b), are rectified, repaired or, where approved data so provides, the equipment/instrument is removed at or before the next inspection required by the applicable approved maintenance programme; and
 - (1) as applicable for aircraft subject to reliability analysis, a verification of the associated aircraft system's functional reliability is undertaken to ensure the certification basis of the MEL/CDL is not compromised; and
 - (2) repetitive defects are identified and controlled in accordance with procedures approved in the maintenance control manual; and
 - (3) procedures are in place for the notification of any MEL/CDL limitations to the operating crew; and
 - (4) procedures are established for the subsequent control of required rectification intervals; and
- (f) applicable mandatory continuing airworthiness requirements are complied with within the prescribed period; and

- (g) for all turbine powered aircraft:
- (1) there are suitable arrangements for the receipt of all relevant continuing airworthiness information published by the Design Approval Holders for the aircraft and its components and any applicable accomplished major design change; and
 - (2) any required technical and reliability assessments are undertaken and reports of aircraft continuing airworthiness status are made by arrangements acceptable to the Director; and
 - (3) applicable continuing airworthiness data is reviewed for the determination of any required actions to be taken and records of such reviews are maintained; and
- (h) repairs are carried out and approved in accordance with GAR Part 21 Subpart M that, wherever possible, do not impose further continuing airworthiness requirements; and
- (i) design changes are carried out and approved in accordance with GAR Part 21 Subpart C and any continuing airworthiness requirements arising from them are incorporated in the aircraft maintenance programme; and
- (j) suitable arrangements, acceptable to the Director, are made for the regular development of the maintenance programme to ensure effective continuing airworthiness of the applicable aircraft; and
- (k) any applicable continuing airworthiness data is made available to those involved in the maintenance of the aircraft; and
- (l) procedures prescribed in any applicable maintenance control manual are complied with; and
- (m) any required technical dispatch procedures for specific approvals approved by the Director are complied with; and
- (n) for any aircraft having systems utilising Field Loadable Software and Database Field Loadable Data, controlling procedures acceptable to the Director are in place to ensure that:
- (1) Field Loadable Software uploads are accomplished in accordance with the approval requirements of GAR Part 21 Subpart C; and
 - (2) Database Field Loadable Data is controlled and transferred in accordance with the equipment manufacturer's instructions; and
- (o) continuing airworthiness records are maintained in accordance with Subpart E of this GAR; and
- (p) occurrence reporting is accomplished to the requirements of GAR Part 13 and appropriate investigations are undertaken to safeguard the aircraft and that of any other, records of such investigations any actions taken shall be reported as required by GAR Part 13; and

- (q) where applicable, there are suitable procedures acceptable to the Director for the control of aircraft, product and component leasing; and
- (r) up-to-date mass and balance records are maintained that reflect the approved configuration of the aircraft; and
- (s) arrangements are made for technical liaison with applicable Design Approval Holders, operators and maintenance organisations to address any airworthiness issues such as: faults, malfunctions, defects, any required inspection task reporting and inaccurate/misleading airworthiness data; and
- (t) liaison meetings are held in compliance with any applicable reliability monitoring programme requirement.

39.57 General maintenance arrangements

- (a) Arrangements for maintenance of aircraft above 2,700kg MTOM required by paragraph 39.55(c) shall be established by a suitable contract:
 - (1) with an appropriately approved GAR Part 145 maintenance organisation; and
 - (2) where applicable, to the requirements of GAR Part 43.101(a) and (b).
- (b) The annual maintenance check or that specified in the approved maintenance programme for aircraft below 2,700kg MTOM and operating for commercial air transport purposes shall be undertaken by an appropriately approved GAR Part 145 maintenance organisation.
- (c) The maintenance contract shall specify:
 - (1) a clear description of the work required of the maintenance organisation or person that takes account of human factors; and
 - (2) that a fatigue management system be in place to ensure that any person involved in the maintenance of the operator's aircraft is not fatigued; and
 - (3) the applicable Maintenance Control Manual including any operator specific maintenance control procedures that are to be followed; and
 - (4) the operator contact information; and
 - (5) details of any supplied maintenance data including its revision status and applicability.
- (d) Persons signing a Certificate of Release to Service shall be appropriately authorised in accordance with the requirements specified in GAR Part 43 Subpart C.
- (e) Aircraft to be operated under a Permit to Fly granted by the Director to the requirements specified in GAR Part 21 Subpart P shall have maintenance arrangements acceptable to the Director as required by that GAR Subpart.

39.59 Maintenance Control Manual

- (a) The Maintenance Control Manual, or equivalent document, means a document established in respect of an aircraft describing how the Technical Co-ordinator, or Continuing Airworthiness Management Organisation, as appropriate, will ensure:
- (i) the continuing airworthiness of that aircraft;
 - (ii) the serviceability of the operational and emergency equipment necessary for an intended flight;
 - (iii) the continuing validity of the certificate of airworthiness.
- (b) The Maintenance Control Manual shall be approved by the Director and shall be in the English language.
- (c) The design of the Maintenance Control Manual shall observe human factors principles.
- (d) For aircraft used for commercial air transport or operating under GAR Part 125, the Maintenance Control Manual shall contain:
- (1) a description of the procedures required to ensure the provisions of (a) including, when applicable:
 - (i) a description of the administrative arrangements between the Technical Co-ordinator or CAMO and approved maintenance organisations;
 - (ii) a description of the relevant procedures to comply with GAR 43; and
 - (2) details of key personnel including their duties and responsibilities;
 - (3) any computer based systems and data to be utilised for the purpose of continuing airworthiness management;
 - (4) a reference to the maintenance programme required by 39.61;
 - (5) a description of the methods used for the completion and retention of maintenance records;
 - (6) a description of the procedures for monitoring, assessing and reporting maintenance and operational experience;
 - (7) a description of the procedures for complying with the service information reporting requirements of
 - (8) a description of the procedures for assessing continuing airworthiness information and implementing any resulting actions;
 - (9) a description of the procedures for implementing action resulting from mandatory continuing airworthiness information;
 - (10) a description of establishing and maintaining a system of analysis and continued monitoring of the performance and efficiency of the maintenance programme, in order to correct any deficiency in that programme;

- (11) a description of aircraft types and models to which the manual applies;
 - (12) a description of procedures for ensuring that unserviceabilities affecting airworthiness are recorded and rectified; and
 - (13) a description of the procedures for advising the Director of significant in-service occurrences.
- (e) The capability and scope of the approval shall be recorded in the Maintenance Control Manual.
 - (f) The Maintenance Control Manual shall contain a list of definitions and acronyms used.
 - (g) Procedures shall be established for a regular review of the MCM to ensure that it remains effective in maintaining aircraft in an airworthy condition.
 - (h) Amendments of the Maintenance Control Manual shall be either:
 - (1) approved by the Director; or
 - (2) In the case of a Maintenance Control Manual under the control of a Continuing Airworthiness Management organisation, be approved in accordance with a procedure approved by the Director.
 - (i) Copies of all amendments to the Maintenance Control Manual shall be furnished promptly to all organisations or persons to whom the manual has been issued.
 - (j) A CAME approved under Option 1 or 2 of Subpart E will satisfy the requirements for the Maintenance Control Manual in this GAR section, provided a Maintenance Control Manual Supplement referencing applicable GARs acceptable to the Director is incorporated.
 - (k) The Director established additional requirements when Option 3 of Subpart G is chosen in Subpart H of GAR 39.

Subpart C — Maintenance programme

39.61 Maintenance programme

- (a) Aircraft granted a Certificate of Airworthiness to the requirements of GAR Part 21 Subpart E shall be maintained in accordance with a maintenance programme approved by the Director.
- (b) The maintenance programme shall be kept up to date with the relevant Design Approval Holder's Instructions for Continuing Airworthiness and shall include details of the maintenance of the aircraft, engines, propellers, rotors, parts, components, appliances and emergency equipment items and the intervals at which these are to be performed, taking into account the anticipated utilization of the aircraft.
- (c) Each maintenance programme approval holder shall make any revision to the maintenance programme as required by the Director in specific circumstances.
- (d) The maintenance programme shall be at least equivalent to the Design Approval Holder's scheduled maintenance requirements and, where described, shall reference the required inspection standards, practices and procedures.
- (e) Any schedule of inspections/tests required by any approved programme amendment shall be introduced in a controlled manner to ensure the continuing airworthiness of the aircraft.
- (f) The design of the maintenance programme shall observe human factors principles.
- (g) Consideration shall be given to human performance within the maintenance programme, maintenance task breakdown and combined maintenance tasking, particularly for safety critical tasks which shall be identified in the maintenance programme.
- (h) Where applicable, the maintenance programme shall readily identify any certification inspection task and other significant continuing airworthiness inspection task that is the subject of specific control and mandated by the applicable State of Type Certification, as referred to in GAR Part 21.19(a) such as but not limited to:
 - (1) Supplemental Structural Inspection Document;
 - (2) Fuel Tank Safety Inspections;
 - (3) Ageing Aircraft;
 - (4) Widespread Fatigue Damage;
 - (5) Electrical Wiring Interconnection Systems (EWIS).
- (i) The maintenance programme including any amendments shall be produced in the English language, be readily available and, where applicable, shall contain within it:

- (1) an explanation of the programme, including the continuity of inspection responsibility, procedures for making any required reports and technical reference material; and
- (2) instructions and procedures for the implementation of inspection tasks for the particular aircraft type, taking account of the aircraft modification status and any repairs that have associated instructions for continued airworthiness; and
- (3) an inspection schedule for performing the inspections required by the programme expressed in terms of the total time in service, cycles, calendar time, number of system operations, or any combination of these; and
- (4) for a progressive inspection programme, an inspection schedule that provides for the complete inspection of the aircraft within each 12 month period or is consistent with:
 - (i) the manufacturer's recommendations; and
 - (ii) the operator's service experience; and
 - (iii) the type of operation in which the aircraft is engaged; and
 - (iv) the utilisation of the aircraft in terms of hours and cycles or a combination thereof.
- (5) instructions taking into account detailed technical justification for altering and gaining approval for a change of inspection intervals or a maintenance process because of service experience; and
- (6) instructions for varying an inspection interval under exceptional circumstances taking into account overriding mandatory requirements and maintenance programme inspection requirements referred to in paragraphs 39.61(e) and (h); and
- (7) sample inspection forms, reports and instructions for their use; and
- (8) procedures for maintenance trend analysis if the programme utilises condition monitored maintenance or information derived from health and usage monitoring systems; and
- (9) inspection requirements required for specific approvals; and
- (10) instructions for continuing airworthiness including inspection and analysis of any installed Flight Data Recorder (FDR) and/or Cockpit Voice Recorder (CVR) in accordance with instructions from the Design Approval Holder, where available; and
- (11) a list of definitions and acronyms used.

39.63 Maintenance programme approval

- (a) Each applicant for the approval of a maintenance programme shall apply to the Director for approval.
- (b) The application for approval of the maintenance programme shall contain, or references shall be made to, the following information:
 - (1) the name and address of the owner or charterer by demise or the holder of an air operator's certificate;
 - (2) the maintenance programme or status of the aircraft prior to the commencement of the new programme;
 - (3) the means of introducing this programme;
 - (4) technical justification relating to the anticipated utilisation of the aircraft, inspection intervals and procedures for inspection task management;
 - (5) a copy of the maintenance programme either in hard copy or electronic format in a manner acceptable to the Director;
 - (6) copies of any other supporting documents, such as condition monitored maintenance activities, structural integrity programmes, engine off-wing maintenance programmes, fuel tank safety inspection programmes;
 - (7) the aircraft designation, serial number and registration mark for each aircraft that is subject to the programme; and
 - (8) any further particulars relating to the programme and applicant as may be required by the Director.
- (c) When the continuing airworthiness of the aircraft is managed by a continuing airworthiness management organisation approved in accordance with Subpart G of this GAR Part or when there is a limited contract between the owner and this organisation, the aircraft maintenance programme and its amendments may be approved through an indirect approval procedure.
 - (i) In that case, the indirect approval procedure shall be established by the continuing airworthiness management organisation as part of the Maintenance Control Manual or Continuing Airworthiness Management Exposition and shall be approved by the Director. A supplement shall be submitted demonstrating compliance with Subpart C of this GAR Part.

39.65 Condition monitored and reliability maintenance programmes

- (a) Where the manufacturer of aircraft, engines and propellers prescribes MSG-3 logic, condition monitoring, or health and usage monitoring systems these shall form part of the maintenance programme approved by the Director under paragraph 39.63.
- (b) Appropriate procedures acceptable to the Director shall be established for any applicable condition monitoring or reliability or health and usage monitoring systems referred to in paragraph 39.65(a).
- (c) Where data gathering is required, the following shall form the basis of an acceptable programme:
 - (1) aircraft utilisation; and
 - (2) pilot reports; and

- (3) aircraft mechanical delays and cancellations; and
- (4) unscheduled engine shutdowns; and
- (5) unscheduled engine removals; and
- (6) unscheduled component removals; and
- (7) confirmed component failures; and
- (8) occurrences.

Subpart D — Airworthiness Directives

39.67 Airworthiness Directives applicability

- (a) Except as provided for in paragraph 39.67(b), the airworthiness directives applicable under this Part are those airworthiness directives or equivalent mandatory continued airworthiness requirements:
 - (1) prescribed for that aircraft or product by the State of Type Certification on which Type Acceptance Certification rests; and
 - (2) any prescribed by the state of certification of an applicable approved design change.
- (b) Compliance with alternative or additional airworthiness directives may be required as a condition of issue or continuity of the Type Acceptance Certificate.

39.69 Airworthiness Directives compliance

An aircraft shall not be released to service unless for each applicable airworthiness directive:

- (a) compliance can be demonstrated with the specified compliance criteria; or
- (b) an alternative means of compliance has been approved under paragraph 39.71.

39.71 Alternative means of compliance with mandatory continued airworthiness requirements

An alternative means of compliance may be proposed for the Director's approval provided that the State of Type Certification that issued the original requirement has accepted the alternative compliance proposal.

Subpart E — Aircraft Records

39.73 Maintenance and continuing airworthiness records

- (a) The owner or charterer by demise of an aircraft shall make provision for the retention of aircraft, engine and propeller log books recording at least the following:
- (1) maintenance records; and
 - (2) records of compliance with airworthiness directives and scheduled maintenance requirements; and
 - (3) records of modifications and repairs; and
 - (4) life component records.
- (b) Maintenance records shall be of sufficient detail to establish the full content of the maintenance activity undertaken and shall include all relevant supporting information, such as component replacement and service life records.
- (c) Records shall be of sufficient detail to demonstrate the airworthiness status of the aircraft at all times and shall include:
- (1) a description of maintenance tasks including references to the applicable approved technical data; and
 - (2) the date of completion of all scheduled maintenance tasks and reference to the approved maintenance programme; and
 - (3) the signature, and authorisation reference of the person certifying the aircraft for return to service; and
 - (4) the total time in service by the specified time control basis of the airframe, each engine, each propeller, and each rotor and installed equipment; and
 - (5) the current status of lifed parts/components of each airframe, engine, propeller, rotor and appliance with referenced to the specified time interval basis required by paragraph 39.61(i)(3); and
 - (6) the time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis; and
 - (7) the current maintenance status of the aircraft, including the time since the last inspection required by the maintenance programme under which the aircraft is maintained; and
 - (8) the current status of each applicable airworthiness directive including:
 - (i) the airworthiness directive number; and
 - (ii) the revision date; and
 - (iii) the means of compliance; and

- (iv) and if the airworthiness directive involves recurring action, the time and date when the next action is required; and
 - (9) a list of all design changes and repairs to each airframe, engine, propeller, rotor and appliance including substantiation data required by GAR Part 21.73(c); and
 - (10) a record of all airframe damage that shows each damage site with a reference to a certified assessment to approved data supporting continued aircraft operation; and
 - (11) a record of any defects or maintenance activities requiring rectification action to restore the aircraft to an airworthy condition.
- (d) The records shall be kept in hard copy form or in electronic coded form provided that this form allows for the preservation and retrieval of information in a manner acceptable to the Director.
- (e) Any additional worksheets, documents, technical logs or other documentation associated with the maintenance of the aircraft shall be referenced in the relevant log books and will become part of the maintenance records for retention of records purposes.

39.75 Retention of records

- (a) The owner or charterer by demise of an aircraft shall retain maintenance and continuing airworthiness records for at least the following specified periods:
- (1) for a minimum period of 90 days after the unit to which they refer has been permanently withdrawn from service:
 - (i) the total time in service (hours, calendar time and cycles, as appropriate) of the aeroplane and all life-limited components;
 - (ii) the current status of compliance with all mandatory continuing airworthiness information;
 - (iii) appropriate details of modifications and repairs;
 - (iv) the time in service (hours, calendar time and cycles, as appropriate) since the last overhaul of the aeroplane or its components subject to a mandatory overhaul life;
 - (v) the current status of the aeroplane's compliance with the maintenance programme
 - (2) for a minimum period of one year after the signing of the maintenance release, the detailed maintenance records to show that all requirements for the signing of a maintenance release have been met.
- (b) The owner or charterer by demise of an aircraft required by paragraph 39.79(a) to provide a Technical Log shall ensure that arrangements are established for the subsequent transmittal of sector record pages to the organisation responsible for the continuing airworthiness of the aircraft.

39.77 Transfer of maintenance records

- (a) Each holder of a Guernsey Certificate of Registration for an aircraft transferring registration to another person under GAR Part 47 shall, at the time of transfer of registration, transfer to that person all relevant maintenance records and records of continuing airworthiness.
- (b) In the event of a temporary change of owner or charterer by demise, the relevant maintenance records and records of continuing airworthiness shall be made available to the new owner or charterer by demise.

39.79 Technical log

- (a) The owner or charterer by demise of an aircraft above 2,700 kg MTOM or turbine powered shall provide a technical log for the aircraft which has provision for recording:
 - (1) the name of the operator; and
 - (2) the registration and designation of the aircraft; and
 - (3) record of aircraft utilisation including total time (daily, hours, cycles sectors) as applicable; and
 - (4) records of fuel and oil; and
 - (5) the maintenance status of the aircraft, the identity of the next scheduled inspection, including date/hours/cycles at which any other out of phase maintenance/inspection is required; and
 - (6) any defects or abnormal occurrences found by the pilot during or following a flight; and
 - (7) details of rectification of defects occurring between scheduled inspections including the certificate of release to service for any rectification; and
 - (8) details of any deferred rectification including any inoperative equipment with which the aircraft is permitted to be flown under the applicable GAR Parts relating to the operation of the aircraft; and
 - (9) records for specific approvals such as LVO; and
 - (10) the information required by the applicable GAR Parts relating to the operation of the aircraft.
- (b) The content of the Technical Log may be altered from that in paragraph 39.79(a) if alternative methods of recording this data acceptable to the Director are used.
- (c) The Technical Log shall be kept in hard copy form or in electronic coded form provided that this form allows for the preservation and retrieval of information in a manner acceptable to the Director.

Subpart F — Mass and Balance

39.81 Mass and Balance

- (a) Aircraft shall be weighed prior to initial entry into service. The accumulated effects of modifications and repairs on the mass and balance shall be accounted for and properly documented. Aircraft shall be reweighed if the effect of modifications on the mass and balance is not accurately known.
- (b) Records of aircraft mass and balance shall be maintained in a manner acceptable to the Director.
- (c) The basic record of aircraft empty mass shall be that defined by the Type Acceptance Certificate holder or that resulting from an approved configuration.
- (d) Any item installed not forming part of the Type Design shall be entered in an equipment list with its associated weight and moment and shall constitute part of the aircraft's mass and balance report.
- (e) Following any change made to the empty mass of the aircraft or its centre of gravity, an entry shall be made in the aircraft log book or other aircraft record acceptable to the Director before the next flight and shall include details of:
 - (1) the change; and
 - (2) the effective date of the change; and
 - (3) the weight and moment arm of each item installed or removed.
- (f) Subject to the requirement of 39.81(b) the particulars of any change to the empty mass of the aircraft shall be transcribed into the aircraft's empty mass and balance report.

39.83 Mass and balance - alternative configurations

Where an aircraft is operated in more than one configuration, a separate mass and balance report shall be provided for each configuration and shall contain:

- (a) details of the differences from the basic aircraft configuration; and
- (b) the empty mass and centre of gravity for the configuration; and
- (c) the approved modification details supporting the configuration.

39.85 Mass and balance certification

- (a) All mass and balance reports shall be certified by an authorised person responsible for approving the report.
- (b) Alternative configurations and changes made to the aircraft empty mass shall be certified with an appropriate maintenance release recording:
 - (1) where applicable the specific configuration; and
 - (2) details of the approved modification; and
 - (3) the changes made to the aircraft's empty mass and balance report.

Subpart G — Continuing Airworthiness Management Approval

39.87 Applicability

Organisations that undertake continuing airworthiness management of aircraft registered in Guernsey shall hold an appropriate approval or validation granted by the Director under the requirements of this GAR Part.

39.89 Standards

- (a) Option 1: Organisations approved to undertake continuing airworthiness management of aircraft to the requirements of EASA Part M Subpart G as amended;
- (b) Option 2: Organisations approved to undertake continuing airworthiness management of aircraft to the requirements equivalent to those of EASA Part M Subpart G as amended, subject to acceptance by the Director of Civil Aviation;
- (c) Option 3: Organisations seeking approval under this option shall be subject to additional requirements available on request from the Director.

39.91 Issue

- (a) An organisation holding an approval identified in GAR 39.89(a) or GAR 39.89(b) may have it validated for use on Guernsey registered aircraft subject to:
 - (1) the EASA Part M Subpart G or equivalent approval remaining valid; and
 - (2) the organisation holding an applicable rating and scope of approval; and
 - (3) the organisation having a Maintenance Control Manual supplement prescribed in GAR 39.59(j) that is acceptable to the Director; and
 - (4) the organisation complying with the relevant requirements of GARs.
- (b) An organisation not holding an approval identified in GAR 39.89(a) or GAR 39.89(b) may be approved as a Continuing Airworthiness Management Organisation by the Director for Guernsey registered aircraft subject to GAR 39 Subpart H.

39.93 Privileges of approval or validation holder

- (a) The approval or validation shall specify the actual scope of approval activity granted and shall specify the aircraft types for which approval has been granted.
- (b) In respect of a validation approval granted under option 1 or 2, the actual scope of approval activity granted by the Director may not exceed that granted by the issuing authority.

39.95 Duration of approval or validation

- (a) An approval or validation may be granted or renewed for a period determined by the Director, not exceeding 24 months.
- (b) An approval or validation remains in force until it expires or is suspended or revoked.
- (c) The holder of an approval or validation that is revoked or suspended shall forthwith surrender the approval certificate to the Director.

39.97 Notification of ceasing approval or validation activity

- (a) Each holder of an approval or validation that ceases to offer continuing airworthiness management services shall notify the Director in writing within 30 days of the date of cessation.
- (b) The notification required by paragraph 39.97(a) shall include a request for revocation of the approval or validation.

39.99 Renewal of approval or validation

The holder of the approval or validation shall make an application for the renewal of a continuing airworthiness management approval or validation to the Director not less than 30 days before the approval expires.

39.101 Continued compliance

Each holder of a Continuing Airworthiness Management organisation approval or validation shall:

- (1) hold at least one complete and current copy of its maintenance control manual and supplement; and
- (2) comply with all procedures detailed in its maintenance control manual and supplement; and
- (3) make each applicable section of its maintenance control manual and supplement available to personnel who require those sections to carry out their duties; and
- (4) continue to meet the standards and comply with the requirements of this Part; and
- (5) in respect of Option 1 and 2 approvals, maintain the issuing authority approval validity including the applicable rating and scope.

Subpart H — CAMO Option 3 requirements

39.103 Maintenance Control Manual

- (a) The continuing airworthiness management organisation shall provide a maintenance control manual containing the following information:
- (1) a statement signed by the accountable manager to confirm that the organisation will work in accordance with this Part and the exposition at all times, and;
 - (2) the organisation's scope of work, and;
 - (3) the title(s) and name(s) of person(s) referred to in GAR 39.107(a), 39.107(c), and 39.107(d), and;
 - (4) an organisation chart showing associated chains of responsibility between all the person(s) referred to in GAR 39.107(a), 39.107(c) and 39.107(d), and;
 - (5) a general description and location of the facilities, and;
 - (6) procedures specifying how the continuing airworthiness management organisation ensures compliance with this Part, and;
 - (7) the maintenance control manual amendment procedures, and;
 - (8) the list of approved aircraft maintenance programmes, or, for aircraft not used by licenced air carriers the list of 'generic' and 'baseline' maintenance programmes.
- (b) The maintenance control manual and its amendments shall be approved by the Director.
- (c) Notwithstanding point (b), minor amendments to the exposition may be approved indirectly through an indirect approval procedure. The indirect approval procedure shall define the minor amendment eligible, be established by the continuing airworthiness management organisation as part of the exposition and be approved by the Director.

39.105 Facilities

The continuing airworthiness management organisation shall provide suitable office accommodation at appropriate locations for the personnel specified in GAR 39.107.

39.107 Personnel requirements

- (a) The organisation shall appoint an accountable manager, who has corporate authority for ensuring that all continuing airworthiness management activities can be financed and carried out in accordance with this Part.
- (b) For licenced air carriers the accountable manager referred to in point (a) shall be

the person who also has corporate authority for ensuring that all the operations of the operator can be financed and carried out to the standard required for the issue of an air operator's certificate.

- (c) A person or group of persons shall be nominated with the responsibility of ensuring that the organisation is always in compliance with this Subpart. Such person(s) shall be ultimately responsible to the accountable manager.
- (d) For licenced air carriers the accountable manager shall designate a nominated post holder. This person shall be responsible for the management and supervision of continuing airworthiness activities, pursuant to point (c).
- (e) The nominated post holder referred to in point (d) shall not be employed by a GAR Part 145 approved organisation under contract to the operator, unless specifically agreed by the Director.
- (f) The organisation shall have sufficient appropriately qualified staff for the expected work.
- (g) All point (c) and (d) persons shall be able to show relevant knowledge, background and appropriate experience related to aircraft continuing airworthiness.
- (h) The qualification of all personnel involved in continuing airworthiness management shall be recorded.
- (i) The organisation shall define and keep updated in the maintenance control manual the title(s) and name(s) of person(s) referred to in GAR 39.107(a), 39.107(c) and 39.107(d).
- (j) For aircraft used by licenced air carriers the organisation shall establish and control the competence of personnel involved in the continuing airworthiness management, airworthiness review and/or quality audits in accordance with a procedure and to a standard agreed by the Director.

39.109 Continuing airworthiness management

- (a) All continuing airworthiness management shall be carried out according to the prescriptions of GAR 39 Subpart B.
- (b) For every aircraft managed, the approved continuing airworthiness management organisation shall:
 - (1) develop and control a maintenance programme for the aircraft managed including any applicable reliability programme,
 - (2) present the aircraft maintenance programme and its amendments to the Director for approval, unless covered by an indirect approval procedure in accordance with GAR 39.63(c), and for aircraft not used by licenced air carriers provide a copy of the programme to the owner or operator responsible in accordance with GAR 39 Subpart B,
 - (3) manage the approval of modification and repairs,

- (4) ensure that all maintenance is carried out in accordance with the approved maintenance programme and released in accordance with GAR Part 43 and, if applicable, GAR Part 145,
 - (5) ensure that all applicable airworthiness directives and operational directives with a continuing airworthiness impact, are applied,
 - (6) ensure that all defects discovered during scheduled maintenance or reported are corrected by an appropriately approved maintenance organisation,
 - (7) ensure that the aircraft is taken to an appropriately approved maintenance organisation whenever necessary,
 - (8) coordinate scheduled maintenance, the application of airworthiness directives, the replacement of service life limited parts, and component inspection to ensure the work is carried out properly,
 - (9) manage and archive all continuing airworthiness records and/or operator's technical log,
 - (10) ensure that the mass and balance statement reflects the current status of the aircraft.
- (c) In the case of aircraft used for commercial air transport, when the continuing airworthiness management organisation is not appropriately approved to GAR Part 145, the organisation shall in consultation with the operator, establish a written maintenance contract with a GAR Part 145 approved organisation or another operator, detailing the functions specified under GAR 39.55, ensuring that all maintenance is ultimately carried out by a GAR Part 145.
- (d) Notwithstanding point (c), the contract may be in the form of individual work orders addressed to the GAR Part 145 maintenance organisation in the case of:
- (1) an aircraft requiring unscheduled line maintenance,
 - (2) component maintenance, including engine maintenance.

39.111 Documentation

- (a) The approved continuing airworthiness management organisation shall hold and use applicable current maintenance data in accordance with GAR 43.59 and, if applicable, GAR Part 145 for the performance of continuing airworthiness tasks referred to in GAR 39 Subpart B. This data may be provided by the owner or the operator, subject to an appropriate contract being established with such an owner or operator. In such case, the continuing airworthiness management organisation only needs to keep such data for the duration of the contract, except when required by GAR 39.117.

39.113 Quality system

- (a) ensure that the approved continuing airworthiness management organisation continues to meet the requirements of this Subpart, it shall establish a quality system and designate a quality manager to monitor compliance with, and the adequacy of, procedures required to ensure airworthy aircraft. Compliance monitoring shall include a feedback system to the accountable manager to ensure corrective action as necessary.
- (b) The quality system shall monitor activities carried out under this Subpart. It shall at least include the following functions:
 - (1) monitoring that all activities carried out under this Subpart are being performed in accordance with the approved procedures, and;
 - (2) monitoring that all contracted maintenance is carried out in accordance with the contract, and;
 - (3) monitoring the continued compliance with the requirements of this Part.
- (c) The records of these activities shall be stored for at least two years.
- (d) Where the approved continuing airworthiness management organisation is approved in accordance with another GAR Part, the quality system may be combined with that required by the other Part.
- (e) For licenced air carriers the quality system shall be an integrated part of the operator's quality system.
- (f) In the case of a small organisation not managing the continuing airworthiness of aircraft used by licenced air carriers in accordance, the quality system may be replaced by regular organisational reviews subject to the approval of the Director. In the case where there is no quality system, the organisation shall not contract continuing airworthiness management tasks to other parties.

39.115 Changes to the approved continuing airworthiness organisation

In order to enable the Director to determine continued compliance with this GAR Part, the approved continuing airworthiness management organisation shall notify it of any proposal to carry out any of the following changes, before such changes take place:

- (1) the name of the organisation.
- (2) the location of the organisation.
- (3) additional locations of the organisation.
- (4) the accountable manager.
- (5) any of the persons specified in GAR 39.107.
- (6) the facilities, procedures, work scope and staff that could affect the approval.

In the case of proposed changes in personnel not known to the management beforehand, these changes shall be notified at the earliest opportunity.

39.117 Record-keeping

- (a) The continuing airworthiness management organisation shall record all details of work carried out. The records required by GAR 39 Subpart E shall be retained.
- (b) The records shall be stored in a manner that ensures protection from damage, alteration and theft.
- (c) All computer hardware used to ensure backup shall be stored in a different location from that containing the working data in an environment that ensures they remain in good condition.
- (d) Where continuing airworthiness management of an aircraft is transferred to another organisation or person, all retained records shall be transferred to the said organisation or person. The time periods prescribed for the retention of records shall continue to apply to the said organisation or person.
- (e) Where a continuing airworthiness management organisation terminates its operation, all retained records shall be transferred to the owner of the aircraft.

END