

Guernsey ODCA Notice of Proposed Amendment: 2022-1

1. Title

Omnibus changes to GAR 39, GAR 43 and GAC 66-2; introduction of GAC 43-1 and GAC 43-2

2. Introduction

This Notice of Proposed Amendment proposes changes as follows:

1. GAR 39.1(b) and (c), 39.87, 39.103: requirement for stand-alone CAMO for commercial air transport aircraft;
2. GAR 39.1(b), 39.51(b), 39.81: deletion of option 2 and adjustment of option 1 to include the United Kingdom;
3. Changes to reflect the new standards for EASA CAMOs and CAOs applicable since 25 September 2021;
4. (a) GAR 39.57(a) and (b): expansion of classes of aircraft for which no approved maintenance organization is required;
(b) GAR 43.101(f): expansion of classes of aircraft for which an independent licence holder may issue a release to service;
5. GAC 39-1(b): extension of requirement for a Technical Co-ordinator to all turbine-engined aircraft
6. GAC 39-4/43-1: introduction of guidance for GAR 39.57 and GAR 43.101;
7. GAC 43-2: transfer of GAR 43 authorisation guidance from GAC 66-2 to new GAC 43-2;
8. GAC 66-2: editorial changes resulting from introduction of GAC 43-2.

3. Consultation and timeline

3.1 Consultation categories

This Notice of Proposed Amendment is offered to interested parties for both information and public consultation. The proposals in this NPA fall into two categories¹, as follows:

Category 1 – information only. This applies to those proposals that would have no material impact on interested parties, or codify policies and practices that are already in use, or are adaptations to external developments that cannot be influenced by Guernsey;

Category 3 – comments invited on both the proposed implementation period and the substance of the change. This applies to those changes that may have a material effect on interested parties. Comments that propose changes to the substance of the proposal should state the reason and preferably contain an alternative text proposal, and be supported with evidence. Any comment for

¹ The Guernsey ODCA NPA process has three different consultation categories. In this NPA, category 2 is not used.

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extending the implementation period should be substantiated with the reason and supported with evidence.

3.2 Consultation categories and proposed implementation periods

Proposal no.	Title of proposal	Consultation category	Interested parties	Proposed effectivity date
1	GAR 39.1(b) and (c), 39.87, 39.103 – requirement for stand-alone CAMO for commercial air transport aircraft	1	AOC holders	upon publication
2	Deletion of CAMO option 2 and adjustment of option 1 to include the United Kingdom	3	CAMOs from non-EASA countries	3 months from GAR revision date
3	Changes to reflect the new standards for EASA CAMOs and CAOs applicable since 25 September 2021	1	CAMOs from EASA countries	upon publication
4(a)	GAR 39.57(a) and (b): expansion of classes of aircraft for which no AMO is required;	1	2-REG users	upon publication
4(b)	GAR 43.101(f) expansion of classes of aircraft for which an independent licence holder may issue a release to service	1	2-REG users	upon publication
5	Extension of requirement for a Technical Co-ordinator to all turbine-engined aircraft	3	users of turbine-engined aircraft below 2,700 kg MTOM	3 months from GAR revision date
6	Introduction of guidance for GAR 39.57 and GAR 43.101 in GAC 39-4/43-1	1		upon publication
7	Transfer of guidance for GAR 43.101 authorisations from GAC 66-2 to new GAC 43-2	1		upon publication
8(a)	Removal of GAR 43 authorisation guidance from GAC 66-2	1		upon publication
8(b)	GAC 66-2 editorial changes	1		upon publication

3.3 Method of consultation

Interested parties should use the commenting form [\[link\]](#) for submitting their comments.

3.4 Timeline

The commenting period for this NPA is three months. All comments received by 30 June 2022 will be processed by the Guernsey Office of the Director of Civil Aviation (ODCA). It is expected that this process will take 2 months and result in publication of the revised GARs and GACs on 1 September 2022. The changes that would materially affect interested parties would then become effective 3 months after that, i.e. 1 December 2022. Changes that have no effect or would be a relaxation will become effective on the publication date.

4. Proposals - rationale

4.1 Proposal 1 – GAR 39.1(b) and (c), 39.87, 39.103 – requirement for stand-alone CAMO for commercial air transport aircraft

Since the first application for an Air Operator Certificate (AOC) was received and processed in 2016, the Director has applied the policy that an AOC holder must manage continuing airworthiness of its aircraft by means of a Continuing Airworthiness Management Organisation (CAMO) approved by the Director rather than by means of a Technical Co-ordinator or validation of a CAMO issued by another jurisdiction. This policy however has not been codified. This is now proposed by means of a change to GAR 39.1(b) and (c), with consequential changes to GAR 39.87 and GAR 39.103.

4.2 Proposal 2 – Deletion of CAMO option 2 and adjustment of option 1 to include the United Kingdom

CAMO option 2 was introduced in 2014. The difference between option 1 and option 2 was that option 1 effectively referred to EASA member states, or EASA itself as issuer of a CAMO approval to organisations outside EASA member states, whereas option 2 referred to states that are not an EASA member state but have adopted EASA regulations. Examples of the latter are the United Arab Emirates and South Africa. Although not specifically stated, common practice was that when accepting such a CAMO for validation, the applicant was required to demonstrate equivalency of the local regulations to those of EASA. This demonstration was only required at initial application and not on a repetitive basis so as to cover regulatory changes. This however has the inherent risk that over time, the equivalency will be lost without the Director being aware and thus being able to re-evaluate the validation. Rather than introducing a requirement for such repetitive checks, which requires additional resources, the Director has now decided to discontinue the practice of validating CAMOs that were based on standards equivalent to those of EASA.

Since 1 January 2021, the date of its withdrawal from the European Union and EASA, the United Kingdom is no longer an EASA member state so would be eligible under (former) option 2. The Director is of the opinion that approvals issued by the UK should continue to be eligible for validation. As the UK continues to use EASA standards (albeit embedded in UK national air law), it is decided that the UK can continue to be addressed by option 1, when that has appropriately been adjusted. For clarification purposes, the text of option 1 has been changed by now making reference to the issuing authority (i.e EASA, EASA member state or the UK), as opposed to reference to the set of standards. The previous option 3 has been renumbered into option 2 in the entire document. CAMO validations that have been issued as per current option 2 will be rescinded not later than [3 months after publication date].

4.3 Proposal 3 - changes to reflect the new standards for EASA CAMOs and CAOs applicable since 25 September 2021

The EU in March 2020 changed the regulations with respect to EASA CAMOs. They became effective 25 September 2021. CAMOs are no longer codified in EASA Part M Subpart G but in a separate Part-CAMO and Part-CAO (Combined Airworthiness Organisation). The references in GAR Part 39 therefore need adjusting. This is done by removing the references to EASA Part M Subpart G in several places.

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4.4 Proposal 4(a) – GAR 39.57(a) and (b): expansion of classes of aircraft for which no AMO is required;

Proposal 4(b) - GAR 43.101(f) expansion of classes of aircraft for which an independent licence holder may issue a release to service

Guernsey applies the concept of validating maintenance engineer licences issued by other states. A general principle of such validations is that the privileges of the host licence apply without further restriction. However, for maintenance of aircraft and for the release to service of an aircraft, the current Guernsey requirements, codified in GAR 39.57 and GAR 43.101, are more stringent than those of EASA, FAA and other. Where EASA allows a licence holder working independent from an approved maintenance organisation to maintain and/or release non-jet aircraft up to 5,700 kg MTOM (or 3,175 kg MTOM in the case of a helicopter) being operated neither for aerial work nor commercial air transport, current GAR 39.57(a) and GAR 43.101(f) restricts this to piston engine aircraft below 2,700 kg MTOM only. The FAA regulations are even more liberal. This has led to cases where an aircraft owner had to engage the services of a maintenance organization where this would not have been the case if the aircraft was registered in an EASA member state, the United States or elsewhere. Such a maintenance organisation may however not always be available and, in any case, would bring extra costs for the aircraft owner. A partial way out is for the licence holder to apply for an authorization pursuant to GAR 43.101(a). However, GAR 43.101(a) is not meant for such cases, as it is restricted to particular cases and specific maintenance tasks.

This NPA proposes to expand the scope of GAR 39.57(a) and GAR 43.101(f) to the extent that independent licence holders are authorized to release to service aircraft of classes beyond 2,700 kg MTOM, similar to those allowed by EASA. EASA defines those classes as ‘non-complex motor-powered aircraft’. Guernsey, in the Air Navigation (Guernsey) Law (ANL) uses the concept of non-complex aircraft with slightly different criteria. The main difference is in the capacity: where EASA allows up to 19 seats in an aeroplane and up to 9 seats in a helicopter, the ANL limits this to 9 and 5 respectively. As a consequence of the change to GAR 39.57(a), GAR 39.57(b) is proposed to be changed by raising the discriminant accordingly.

This expansion of scope does not affect the requirement for continuing airworthiness management.

4.5 Proposal 5 – Extension of requirement for a Technical Co-ordinator to all turbine-engined aircraft

Current 39.1(b)(5) allows the owner or charterer by demise of aircraft having an MTOM of 2,700 kg or less to perform continuing airworthiness management without the involvement of a Technical Co-ordinator or a CAMO. Whilst this is acceptable for piston-engine aircraft, the Director has decided that for turbine-engine aircraft this is no longer acceptable. Smaller turbine-engine aircraft, such as helicopters, even with an MTOM below 2,700 kg, are considered too complex to leave continuing airworthiness management to the owner or charterer by demise. It is therefore proposed to require a Technical Co-ordinator for any turbine-engine aircraft. In order to allow affected parties to make arrangements, a transition period of 3 months is proposed.

4.6 Proposal 6 – Introduction of guidance for GAR 39.57 and GAR 43.101 in GAC 39-4/43-1

The multitude of options for an owner to arrange maintenance either by an independent licence holder or an approved maintenance organization and similarly for the release to service subject to aircraft class, mass, capacity and use may not be immediately clear to the reader of the GARs. A

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quick reference overview for guidance is now proposed in new GAC 43-1 and includes eligibility requirements.

4.7 Proposal 7 – Transfer of guidance for GAR 43.101 authorisations from GAC 66-2 to new GAC 43-2

GAR 43.101(a) provides for the Director to authorize a release to service in a particular case and for a specific maintenance task. This is informally referred to as the GAR 43 authorisation. Guidance for this authorisation was issued in 2020 by means of GAC 66-2. However, the GAC identifier misses in number and title a reference to GAR 43 and the GAR 43 authorisation. This means that interested parties may miss this guidance. This proposal removes the guidance with respect to the GAR 43 authorisation from GAC 66-2 and places it in new GAC 43-2.

4.8 Proposal 8(a) - Removal of GAR 43 authorisation guidance from GAC 66-2

Proposal 8(b) - GAC 66-2 editorial changes

As a result of proposal 7, guidance with respect to the GAR 43 authorisation is proposed to be removed from GAC 66-2. At the same time, current GAC 66-2 has been screened for currency, accuracy and ease of understanding. This has resulted in a number of change proposals which are mainly editorial of nature. One of these changes is the removal from GAC 66-2 of the medical condition. That chapter repeats the GAR 66.19 requirements, albeit with the extension to GAR 43 authorisation holders. However, as GAR 43 authorisations will only be issued to GAR 66 validation holders, the medical condition requirement is already covered. Furthermore, in the Guernsey regulatory system, a GAC cannot contain requirements, so any inclusion in the GAC about medical conditions can only be to give guidance. As there is no need for such guidance, it is proposed to delete this section of GAC 66-2.

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5 Proposals – The changes and their justification

5.1 Proposal 1 – GAR 39.1(b) and (c), 39.87, 39.103 – requirement for stand-alone CAMO for commercial air transport aircraft

5.1.1 The changes

Current GAR 39 text	Proposed GAR 39 text	Gist of change
39.1		
(a) For continuing airworthiness management of Guernsey registered aircraft these are the options under this GAR Part: [...]	(a) For continuing airworthiness management of Guernsey registered aircraft not operated for commercial air transport, these are the options under this GAR Part: [...] (c) Continuing airworthiness management of Guernsey registered aircraft operated for commercial air transport shall be performed by an organisation holding an approval per the requirements of Subpart H of this GAR Part.	Restriction for aircraft operated for commercial air transport added in (a) and by new (c).
39.87	39.87	
(a) Organisations that undertake continuing airworthiness management of aircraft registered in Guernsey and holding an approval as per either 39.89(a) or 39.89(b) may do so under a validation granted by the Director under the requirements of this GAR Subpart.	(a) Organisations that undertake continuing airworthiness management of aircraft registered in Guernsey not used for commercial air transport and holding an approval as per 39.51(b)(1) may do so under a validation granted by the Director under the requirements of this GAR Subpart.	<ul style="list-style-type: none"> Restriction for aircraft operated for commercial air transport added; Reference to 39.89 changed into 39.51(b)(1) due to proposal 2.
39.103	39.103	
Organisations that undertake continuing airworthiness management of aircraft registered in Guernsey and not holding a validation as per either 39.89(a) or 39.89(b) may do so under an approval granted by the Director under the requirements of this GAR Subpart.	Organisations that undertake continuing airworthiness management of aircraft registered in Guernsey and not holding a validation as per Subpart G, or are so required by virtue of GAR 39.1(c), shall do so under an approval granted by the Director under the requirements of this GAR Subpart.	<ul style="list-style-type: none"> Reference to GAR 39.1(c) added for clarity; 'May' replaced by 'shall' as this is required and not optional.

5.1.2 – Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact is neutral. The proposal does not change a practice that has been applied since the start of AOC issuing. There will therefore be no degradation of safety. However, in the case that an AOC applicant would legally and successfully challenge the requirement for applying for, or maintaining, a Guernsey approved CAMO, a degradation of safety may arise. This proposal will prevent that.	ICAO: Annex 6, Pt 1 (amdt 44), 8.1; Annex 6, Pt 3 (amdt 23), III-6 ANL (as valid Feb 2021): s. 7

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5.2 Proposal 2 – Deletion of CAMO option 2 and adjustment of option 1 to include the United Kingdom

5.2.1 The changes

Current GAR 39 text	Proposed GAR 39 text	Gist of change
39.1(b)	39.1(b)	
<p>For continuing airworthiness management of Guernsey registered aircraft, these are the options under this GAR Part:</p> <p>[...]</p> <p>(2) CAMO option 1: validation of a continuing airworthiness management organisation approved to undertake continuing airworthiness management of aircraft to the requirements of EASA Part M Subpart G as amended (EASA CAMO);</p> <p>(3) CAMO option 2: validation of a continuing airworthiness management 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);</p> <p>(4) CAMO option 3: the approval of a continuing airworthiness management organisation that does not hold an approval identified in paragraph 39.1(b)(1) or 39.1(b)(2);</p>	<p>For continuing airworthiness management of Guernsey registered aircraft, these are the options under this GAR Part:</p> <p>[...]</p> <p>(2) CAMO option 1: validation of the holder of a continuing airworthiness management organisation approval issued by either EASA, an EASA member state, or the UK;</p> <p>(3) CAMO option 2: the approval of a continuing airworthiness management organisation that does not hold an approval identified in paragraph 39.1(b)(2);</p>	<ul style="list-style-type: none"> • (b)(3) deleted and replaced by former (b)(4), thus removing old option 2 and renaming old option 3 into new option 2. • Text changed for clarification by replacing the standard by the issuing authority <p>Note: the reference in old 39.1(b)(4) to 39.1(b)(1) or 39.1(b)(2) was incorrect and should have been to 39.1(b)(2) or 39.1(b)(3).</p>

5.2.2 – Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact will be positive. By eliminating the option to validate CAMOs issued by authorities other than EASA or EASA member states, CAMOs based on standards that can potentially digress from those of EASA are no longer acceptable.	<p>ICAO: Annex 1 (amdt 44), 8.1; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6</p> <p>ANL (as valid Feb 2021): s. 7</p>

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5.3 Proposal 3 - changes to reflect the new standards for EASA CAMOs and CAOs applicable since 25 September 2021

5.3.1 The changes

Current GAR 39 text	Proposed GAR 39 text	Gist of change
39.1(b)	39.1(b)	
(2) CAMO option 1: validation of a continuing airworthiness management organisation approved to undertake continuing airworthiness management of aircraft to the requirements of EASA Part M Subpart G as amended (EASA CAMO); (3) CAMO option 2: validation of a continuing airworthiness management 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);	(2) CAMO option 1: validation of the holder of a continuing airworthiness management organisation approval issued by either EASA, an EASA member state, or the UK; (3) CAMO option 2: the approval of a continuing airworthiness management organisation that does not hold an approval identified in paragraph 39.1(b)(2);	References to EASA standard (Part M Subpart G) deleted and replaced by reference to issuing authority
39.51, 39.91	39.51, 39.91	
Similar changes are proposed for 39.51, 39.91		

5.3.2 – Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact is neutral. The change is primarily for administrative reasons.	ICAO: Annex 1 (amdt 44), 8.1; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6 ANL (as valid Feb 2021): s. 7

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5.4 Proposal 2(a) – GAR 39.57(a) and (b): expansion of classes of aircraft for which no AMO is required ;

Proposal 2(b) - GAR 43.101(f) expansion of classes of aircraft for which an independent licence holder may issue a release to service

5.4.1 The changes

Current GAR 39 text	Proposed GAR 39 text	Gist of change
39.57	39.57	
<p>(a) Arrangements for maintenance of aircraft above 2,700 kg MTOM required by paragraph 39.55(c) shall be established by a suitable contract:</p> <p>(1) with an appropriately approved GAR Part 145 maintenance organisation; and</p> <p>(2) where applicable, to the requirements of GAR 43.101(a) and (b).</p> <p>(b) The annual maintenance check or that specified in the approved maintenance programme for aircraft below 2,700 kg MTOM and operating for commercial air transport purposes or aerial work shall be undertaken by an appropriately approved GAR Part 145 maintenance organisation.</p>	<p>(a) Arrangements for maintenance of aircraft of the classes as defined in section 75.(2)(a) to 75.(2)(e) inclusive of the Law shall be established by a suitable contract with an appropriately approved GAR Part 145 maintenance organisation.</p> <p>(b) The annual maintenance check or that specified in the approved maintenance programme for aircraft operating for commercial air transport purposes or aerial work shall be undertaken by an appropriately approved GAR Part 145 maintenance organisation.</p>	<p>In (a), the discriminant of 2,700 kg MTOM replaced by reference to complex aircraft as established in the ANL. In (b), reference to 2,700 kg deleted as this is no longer applicable.</p>
Current GAR 43 text	Proposed GAR 43 text	
<p>43.101 Persons to issue a release to service</p> <p>A person shall not certify an aircraft or aircraft component for release to service after maintenance unless he:</p> <p>[...]</p> <p>(f) in the case of piston engine aircraft below 2,700 kg MTOM, holds an appropriately rated GAR Part 66 licence or validation.</p>	<p>43.101 Persons to issue a release to service</p> <p>A person shall not certify an aircraft or aircraft component for release to service after maintenance unless he:</p> <p>[...]</p> <p>(f) holds an appropriately rated GAR Part 66 validation and the aircraft</p> <p>(1) is not operated for commercial air transport or aerial work; and</p> <p>(2) of a class as defined in section 75.(2)(a) to 75.(2)(e) inclusive of the Law.</p>	<p>Widen the authorisation privilege for independent licensed maintenance engineers from piston-only/below 2,700 kg MTOM to any small, non-jet airplane or small helicopter, both of limited capacity and not used for either CAT or aerial work.</p>

5.4.2 - Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact is neutral. The resulting safety level will not be less than that of the two leading international aviation safety regulators (EASA and FAA) and is therefore considered acceptable.	<p>ICAO:</p> <p>Annex 1 (amdt 44), 8.7, 8.8; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6</p> <p>ANL (as valid Feb 2021): s. 9; s. 10; s. 11</p>

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5.5 Proposal 5 – Extension of requirement for a Technical Co-ordinator to all turbine-engined aircraft

5.5.1 The change

Current GAR 39 text	Proposed GAR 39 text	Gist of change
39.1(b)	39.1(b)	
For continuing airworthiness management of Guernsey registered aircraft, these are the options under this GAR Part: [...] (4) Continuing airworthiness management by the owner or charterer by demise for piston engined aircraft having an MTOM of 2,700kg or less.	For continuing airworthiness management of Guernsey registered aircraft, these are the options under this GAR Part: [...] (4) Continuing airworthiness management by the owner or charterer by demise for piston engined aircraft having an MTOM of 2,700kg or less and, until [3 months after publication date of this change] for turbine engined aircraft having an MTOM of 2,700 kg or less.	Restriction added that a person or organisation approved by the Director for continuing airworthiness management (i.e. a Technical Co-ordinator or CAMO) is also required for turbine aircraft of 2,700 kg MTOM or less when turbine powered.
39.1(c)	39.1(c)	
As an alternative to GAR 39.51(a)(1), for aircraft having an MTOM authorised of 2,700 kg or less the owner or charterer by demise may choose to undertake continuing airworthiness management in accordance with a maintenance programme approved by the Director in relation to that aircraft.	As an alternative to GAR 39.51(a)(1), for piston-engined aircraft having an MTOM of 2,700 kg or less, and until [3 months after publication date] for turbine engined aircraft having an MTOM of 2,700 kg or less, the owner or charterer by demise may choose to undertake continuing airworthiness management in accordance with a maintenance programme approved by the Director in relation to that aircraft.	Restriction added that a person or organisation approved by the Director for continuing airworthiness management (i.e. a Technical Co-ordinator or CAMO) is also required for turbine aircraft of 2,700 kg MTOM or less when turbine powered.

5.5.2 - Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact will be positive. The introduction of a requirement for a Technical Co-ordinator or CAMO for turbine aircraft of 2,700 kg or less will lead to improved control of maintenance.	ICAO: Annex 1 (amdt 44), 8.1; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6 ANL (as valid Feb 2021): s. 7

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5.6 Proposal 6 – Introduction of guidance for GAR 39.57 and GAR 43.101 in GAC 39-4/43-1

5.6.1 The change

Current GAC text	Proposed GAC 39-4/43-1 text	Gist of change
This GAC does not exist.	See separate document.	New GAC.

4.6.2 - Justification

Drive for this proposal	Safety impact:	Regulatory verification:
See introduction	The safety impact of this proposal is neutral. The change merely adds an overview of existing (and proposed) regulations but does not introduce any material change.	ICAO: Annex 1 (amdt 44), 8.1, 8.7, 8.8; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6 ANL (as valid Feb 2021): s. 7, 9, 10, 11

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5.7 Proposal 7(a) - Guidance for GAR 43.101 authorisations moved from GAC 66-1 to new GAC 43-2

5.7.1 The change

Current GAC 66-2 text	Proposed GAC 43-2 text	Gist of change
<p><i>Note: text not relevant to the GAR 43 authorisation has been deleted or may appear as [...].</i></p>		
<p>4 - Introduction [...] Furthermore, this GAC specifies the requirements for the “GAR 43 authorisation” and the process that is to be followed to obtain such an authorisation.</p>	<p>4 - Introduction This GAC explains the various options for persons to issue a release to service and provides guidance for the process to be followed for applying for an authorisation pursuant to either GAR 43.101(a) or GAR 43.101(b), commonly referred to as a ‘GAR 43 authorisation’.</p>	<p>Redacted to give clarity as to intent of the GAC.</p>
<p>5 – Principles [...]</p>	<p>5 - Principles The release to service of aircraft or aircraft component is codified in GAR 43.101 by offering six options. Four of these options regulate the release to service in such a way that a person, once appropriately licensed or approved respectively, can do this autonomously, with or without the involvement of a maintenance organisation validated or approved by the Director. However, two options involve an authorisation by the Director. These are regulated in GAR 43.101(i) and (b) respectively and are further explained in chapter 6. The other four options involve combinations of reliance on a GAR 145 maintenance organisation, either validated or approved by the Director, in combination with at least an authorisation by the maintenance organisation, or reliance on a GAR 66 validated person only, as follows: [table] Of these four, the second and third option (43.101(d) and (e)) are rarely employed, as the number of applications for approval, as opposed to validation, by maintenance organisations is very low. The last option (43.101(f) - GAR 66 licence validation without involvement of a maintenance organisation) was restricted since the start of the Guernsey aircraft register to piston engine aircraft below 2,700 kg MTOM. With issue 4 of GAR 43, this has however been expanded to include more aircraft classes. The effect of this will be that</p>	<p>Background information about the options of GAR 43.101 added.</p>

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	less GAR 43 authorisations will be applied for.	
<p>7 – GAR 43 Authorisations According to GAR Part 43.101 A person shall not certify an aircraft or aircraft component for release to service after maintenance unless he/ she:</p> <ol style="list-style-type: none"> 1. In the case of piston engine aircraft below 2,700 kg MTOM, holds an appropriately rated GAR Part 66 licence or validation. 2. For other aircraft (aircraft of 2,700 kg MTOM or above and turbine engine aircraft), holds an authorisation issued by a maintenance organisation appropriately validated under GAR Part 145 ‘option 1 or option 2’ and is certifying maintenance within the scope of that approval. Or holds a GAR Part 66 licence, a validation in the appropriate category or holds valid licence in the appropriate category acceptable to the Director and holds an authorisation issued by a maintenance organisation appropriately approved under a GAR Part 145 ‘option 3’ and is certifying maintenance within the scope of that approval. <p>In derogation of above, if authorised by the Director, the following “GAR 43 authorisations” can be provided;</p> <ol style="list-style-type: none"> 3. For limited aircraft scheduled maintenance tasks identified in the approved maintenance programme and the rectification of defects that have been recorded in accordance with the approved aircraft MEL, provided he/ she holds a licence issued or validated in accordance with GAR Part 66 in the appropriate category. 4. For a particular case in relation to the specific aircraft maintenance task, in other words, a one-off authorisation. <p>The “GAR 43 authorisation” allows to deviate from the requirements mentioned in point 1 and/ or 2, only for a limited number of tasks or a particular case for a limited number of time and a specific aircraft/ project. An applicant must make a specific application for this “GAR 43 authorisation”, which is a separate approval next to the GAR 66 Certificate of Validation.</p>	<p>6 – GAR 43 authorisations GAR 43.101(a) permits the Director to authorise an applicant to release to service an aircraft or aircraft component after maintenance in a particular case in relation to a specific maintenance task. This is also referred to as a ‘one-off authorisation’.</p> <p>GAR 43.101(b) permits the Director to authorise a license holder to perform limited maintenance tasks identified in the approved maintenance programme and the rectification of defects that have been recorded in accordance with the approved aircraft MEL. This authorisation is issued on an ongoing basis in those circumstances where the Director considers it justified that no GAR Part 145 maintenance organisation is engaged.</p> <p>In all cases, however, a Technical Co-ordinator or Continuing Airworthiness Management Organisation is involved.</p> <p>The authorisations will be referred to as either a ‘GAR 43(a) authorisation’ or a ‘GAR 43(b) authorisation’, as the case may be.</p> <p>When applying for a GAR 43 authorisation the applicant should identify the maintenance task or tasks for which the request is made and in relation to which aircraft or series of aircraft and the requested duration. The application itself may be arranged via a proxy, typically the Technical Co-ordinator or CAMO involved.</p>	<p>Improved explanation of the two GAR 43 authorisation options.</p>

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<p>When applying for a “GAR 43 authorisation” it must be clear for what limited maintenance task(s) the request is made and in relation to which aircraft/project. Generally, only limited “line maintenance” tasks will be authorised by issuance of the GAR 43 authorisation.</p>		
<p>8 – Initial issue 8.1 An applicant should make the application for a [...] GAR 43 authorisation through the 2-REG website (https://www.2-reg.com/on-line-application/) as follows:-</p> <ol style="list-style-type: none"> 1. the applicant details must be completed as prompted; 2. a copy must be uploaded of the applicant’s current host licence (issued in accordance with ICAO Annex 1) including current type or group rating if applicable and evidence of currency; 3. A copy must be uploaded of the applicant’s current passport, including the signature page; 4. Payment for the issue of the validation must be completed by credit card; 5. A list of the maintenance task or tasks for which authorisation is sought. This list shall contain task numbers and descriptions in the following format. <p>[table] The application will not be processed until all of the above documents have been received and payment has been made. All [...] authorisation applications will be subject to verification of the host licence with the State of issue. On satisfactory completion of the above process [...] the authorisation will be issued by the Director and sent to the applicant by 2-REG.</p>	<p>7 – Initial issue An applicant should make the application for a GAR 43 authorisation through the 2-REG website (https://www.2-reg.com/on-line-application/) as follows:-</p> <ol style="list-style-type: none"> 1. the applicant details should be completed as prompted; 2. a copy should be uploaded of the applicant’s current host licence (issued in accordance with ICAO Annex 1) including current type or group rating if applicable and evidence of currency; 3. A copy should be uploaded of the applicant’s current passport, including the signature page; 4. Payment for the issue of the validation should be completed by credit card; 5. A list of the maintenance task or tasks for which authorisation is sought. This list should contain task numbers and descriptions in the following format. <p>[table] The application will not be processed until all of the above documents have been received and payment has been made. All authorisation applications will be subject to verification of the host licence with the State of issue. On satisfactory completion of the above process the authorisation will be issued by the Director and sent to the applicant by 2-REG.</p>	<ul style="list-style-type: none"> • Words ‘must’ and ‘shall’ replaced by ‘should’ as a GAC cannot contain requirements.
<p>8.3 Duration of validation The duration of the [...] authorisation will be a maximum of three years. In the case where the host licence will expire in less than one year, the duration of the [...] will be limited to the expiry date of the host licence.</p>	<p>8 - Duration of authorisation The duration of the authorisation will be as appropriate to the request but in no case more than three years. The validity of the authorisation is dependent upon the continued validity of the host licence.</p>	<p>Clarification added that authorisations may be for short duration.</p>
<p>10 – Renewal One month prior to the expiry of the [...] GAR 43 authorisation an applicant must follow the same application process as</p>	<p>9 – Renewal For those authorisations which have been issued for one year or more, one month prior to the expiry of the</p>	<p>Clarification added that renewals will not be considered for short time authorisations.</p>

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<p>described in Part 8 of this GAC in order to maintain currency of the [...] authorisation.</p> <p>A new [...] authorisation will be issued from the expiry date of the previous [...] authorisation provided that all relevant requirements continue to be met.</p>	<p>authorisation an applicant should follow the initial application process described in Chapter 7 of this GAC in order to maintain currency of the authorisation.</p> <p>A new authorisation will be issued from the expiry date of the previous authorisation provided that all relevant requirements continue to be met.</p>	
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5.7.2 - Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The safety impact of this proposal is neutral. The change improves the accessibility of the GAC to users and improves the guidance but does not introduce any material change.	<p>ICAO:</p> <p>Annex 1 (amdt 44), 8.8; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6</p> <p>ANL (as valid Feb 2021): s. 9</p>

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5.8 Proposal 8(a) - Removal of GAR 43 authorisation guidance from GAC 66-2

Proposal 8(b) - GAC 66-2 editorial changes

5.8.1 The changes

Current GAR 66-2 text	Proposed GAC 66-2 text	Gist of change
Global changes		
[references to GAR 43 authorisations]	Deleted; consequential chapter numbering changes	Guidance with respect to GAR 43 authorisations moved to new GAC 43-2
[the verb 'must']	[replaced by the verb 'should']	A GAC cannot contain hard requirements
Individual changes		
4 - Introduction [...] <p>The information contained within this GAC is provided to:</p> <ul style="list-style-type: none"> assist with the understanding of the requirements for the validation of an aircraft maintenance licence and the process that is to be followed to obtain a Certificate of Validation. 	4 - Introduction [...] <p>The information contained within this GAC is provided to:</p> <ul style="list-style-type: none"> assist with the understanding of the requirements for the validation of an aircraft maintenance licence; identify from which countries licences are validated with minimum scrutiny; provide information on the application process that is to be followed to obtain a Certificate of Validation. 	Improved listing of objectives
5 – Principles [...] <p>National licences from certain Contracting States may not be accepted as host licences for validation purposes</p>	5- Principles [this sentence deleted]	Redundant, as all host licences are national licences.
6 – Eligibility requirements GAR 66 Validation	6 – Eligibility requirements GAR 66 Validation Maintenance licences issued by the following ICAO Contracting States will be validated with minimum scrutiny: <ul style="list-style-type: none"> Canada (TCCA); China, excluding Hong Kong, Macau and Taiwan (CAAC); EASA member states; United Kingdom, excluding Overseas Territories; United States of America (FAA). The minimum scrutiny will entail a check of validity and ratings and, where available, an on-line check in the relevant database of the state concerned.	<ul style="list-style-type: none"> Text added to give a positive list of states from which licences are validated with minimum scrutiny; Description of minimum scrutiny; Improved references to states.
Acceptance of an application for the validation of a licence on the basis of holding a current licence issued by an ICAO Contracting State not being EASA, USA (FAA), Canada (TCCA) or	Applications for the validation of a licence on the basis of holding a licence issued by any other ICAO Contracting State will be subject to investigation by the Director of the	<ul style="list-style-type: none"> Redacted to meet the above. Clarification of investigation method.

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<p>China (CAAC) will be subject to investigation of the foreign aircraft maintenance engineer licensing scheme (GAR Part 66.205(b)).</p> <p>If the issuing authority is not EASA, USA (FAA), Canada (TCCA) or China (CAAC), the ICAO USOAP audit outcome will be checked, and a verification letter will be requested from the issuing authority. If a State is flagged with a significant safety concern as a result of an ICAO USOAP audit or if the Licensing category is below the global average, the Director of Civil Aviation will not issue a licence validation.</p>	<p>foreign aircraft maintenance engineer licensing scheme. This investigation will entail, in addition to a check of validity and ratings:</p> <ul style="list-style-type: none"> • a check of the most recent ICAO USOAP audit outcome for CE check; and • the request for a verification letter from the issuing authority. <p>If a State is flagged with a significant safety concern as a result of an ICAO USOAP audit or if the Licensing category is below the global average, or if the verification letter request has a negative outcome or is not responded to, the Director will not issue a licence validation.</p>	
8 – Initial issue	7 – Initial issue	
	<ul style="list-style-type: none"> • A demonstration of knowledge form should be successfully completed; 	Condition added for sake of completeness as it has already been in practice.
All validation and/or authorisation applications will be subject to verification of the host licence with the State of issue	[This sentence deleted]	Text removed as not consistent with chapter 6 above, which says that in some cases there will be no such verification.
9 – Medical fitness The holder of a validation or authorisation shall not exercise the privileges of that validation or authorisation while that person has a known medical deficiency, or increase of a known medical deficiency, that might render that person unable to safely and properly to exercise those privileges or create a risk of harm to that person or any other person.	[This chapter removed]	Redundant with GAR 66.19.
10 – Renewal One month prior to the expiry ...	10 – Renewal Ultimately one month prior to the expiry ...	The word ‘ultimately’ added to obviate the need for the applicant to do this exactly one month prior to the expiry.

5.8.2 - Justification

Drive for this proposal:	Safety impact:	Regulatory verification:
See introduction	The proposal involves reducing the involvement of a maintenance organization for the release to service of certain classes of aircraft by relying solely on independent engineers. Yet, in doing that, a safety level is maintained that is acceptable to that of the two leading international aviation safety regulators: EASA and FAA.	<p>ICAO: Annex 1 (amdt 44), 8.1, 8.7, 8.8; Annex 6, Pt 2 (amdt 37), 2.6 and 3.8; Annex 6, Pt 3 (amdt 23), II-6 and III-6</p> <p>ANL (as valid Feb 2021): s. 10</p>