

UK safety regulation outside the EU

Introduction

The United Kingdom formally left the European Union on 31 January, 2020.

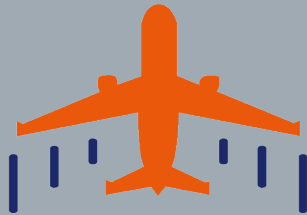
The UK is now in a 'transition period' until 31 December, 2020, during which it remains part of the EASA aviation safety system and the former regulatory framework continues to apply. **Passengers and aviation and aerospace businesses should see no change in this period.**

The long-term aviation relationship between the UK and EU will be determined during the transition period. Different outcomes of these negotiations are possible, but the respective positions outlined in the EU and UK Government negotiating mandates make clear that the UK will no longer participate in EASA systems after the end of the transition period.

We have prepared this summary of what the UK Government and the CAA will do to **maximise stability** for passengers and businesses. These plans have been shared fully with ICAO.

We encourage each State, business or individual that might be affected by such changes to consider and make decisions for themselves on the implications of this scenario and plan accordingly.

What would happen if the UK was outside EASA and with no mutual recognition of certificates or licences?



We are committed to maximising stability for consumers and the UK's aviation and aerospace industries. **UK aviation will be as safe outside EASA as before.**



We would recognise EASA certificates, approvals and licences for use in the UK aviation system and on UK-registered aircraft for up to two years after the end of the transition period.

The EU's current position is not known, but it previously indicated that EASA would recognise certain UK-issued type certificates and organisation approvals for a limited period.

What would UK-EU regulation look like?

All EU regulations in force at the end of the transition period **would be retained** in UK law.

Secondary legislation is in place to ensure that the retained regulations are amended so that they make sense when they are outside of the EU jurisdiction.

Impact on aerospace design organisations



EASA currently directly approves organisations that design aircraft and aircraft components.



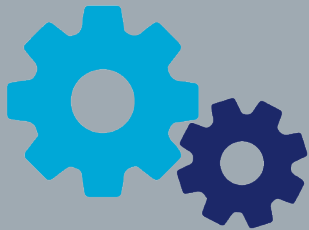
The UK CAA would recognise the validity of existing UK companies with design approvals issued by EASA prior to the end of the transition period. The CAA would continue to recognise EU member state design organisations' output within their approval issued before the end of the transition period for up to two years after the end of the transition period.

Impact on producers of aircraft components and parts



Approvals are required for organisations who produce aircraft components.

The UK would recognise the validity of existing approvals held by UK- and EU-registered businesses for components produced for UK- registered aircraft, including those already fitted, those manufactured but not yet fitted and those manufactured in the future (within an existing approval).



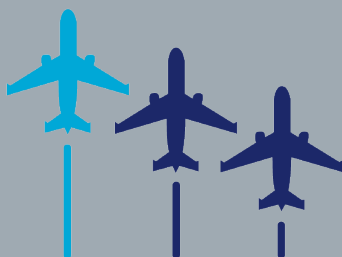
The CAA is **re-establishing its aircraft design certification capability** to fulfil its ICAO Annex 8 State of Design obligations so we can issue new approvals from the day after the end of the transition period.

New bilateral safety arrangements



Department
for Transport

The CAA and DfT have worked with the USA, Canada, Brazil and Japan to ensure replacement bilateral aviation safety agreements or arrangements would be in place after the transition period.



These arrangements facilitate the **recognition of each others' safety certificates**, and support both international trade and airline operations.



Similar agreements are not necessarily needed with other countries: membership of the global aviation regulator ICAO provides a degree of confidence in respective safety regimes.

Bilateral arrangements – Design, Production and Maintenance

The CAA is **re-establishing its aircraft design certification capability** to fulfil its ICAO Annex 8 State of Design obligations.

This will support the import/export and operation of aircraft manufactured in the UK and Third Countries. Work to re-establish this capability is at an advanced stage.

For Maintenance (Repair Station) Approvals, implementation procedures are being established. To aid implementation the **UK intends to recognise EASA approvals issued to repair stations for up to two years** after the end of the transition period.

New Maintenance Implementation Procedures (MIPs) have been developed **to replicate existing EU arrangements**.

There are no significant changes to working procedures as the UK is already the Competent Authority under Annex 8.

Airworthiness – Changes for Contracting States

The UK will fulfil all its obligations as an ICAO Contracting State and the CAA will fulfil its responsibilities as a State of Design and manufacture for UK products.

Organisations in the UK holding approvals issued in accordance with EU regulations will continue to have those approvals recognised in the UK for up to two years after the end of the transition period.

CAA-approved organisations will **no longer be able to issue an EASA Form 1** for new and used parts. It will be **replaced with the CAA Form 1**. This will have near identical content and lay-out.

The **UK regulations will be unchanged from EU regulations at the end of the transition period**. The level of oversight provided by the CAA will be unchanged.

Services and certificates provided by CAA-approved organisations should continue to be accepted on a global basis as the **regulations, systems, oversight and approvals will continue to comply with ICAO Standards and Recommended Practices (SARPs)**.

There may be a need to develop working arrangements with some States to ensure proper exchange of information for products where the UK is the State of Design.

CAA Form 1 (Legally valid from the end of the transition period)

1. Approving Competent Authority / Country CAA UK		2. AUTHORISED RELEASE CERTIFICATE CAA FORM 1			3. Form Tracking Number
4. Organisation Name and Address					5. Work Order/Contract/Invoice
6. Item	7. Description	8. Part No.	9. Qty.	10. Serial No.	11. Status/Work
12. Remarks					
13a. Certifies that the items identified above were manufactured in conformity to: : <input type="checkbox"/> approved design data and are in a condition for safe operation <input type="checkbox"/> non-approved design data specified in block 12			14a. <input type="checkbox"/> Part 145.A.50 Release to Service <input type="checkbox"/> Other regulation specified in block 12 Certifies that unless otherwise specified in block 12, the work identified in block 11 and described in block 12, was accomplished in accordance with Part 145 and in respect to that work the items are considered ready for release to service.		
13b. Authorised Signature		13c. Approval/Authorisation Number		14b. Authorised Signature	
				14c. Certificate/Approval Ref. No	
13d. Name		13e. Date (dd mmm yyyy)		14d. Name	
				14e. Date (dd mmm yyyy)	
<p>USER/INSTALLER RESPONSIBILITIES This certificate does not automatically constitute authority to install the item(s).</p> <p>Where the user/installer performs work in accordance with regulations of an airworthiness authority different than the airworthiness authority specified in block 1, it is essential that the user/installer ensures that his/her airworthiness authority accepts items from the airworthiness authority specified in block 1.</p> <p>Statements in blocks 13a and 14a do not constitute installation certification. In all cases aircraft maintenance records must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown.</p>					

CAA Form 1 Issue 1

State of Design

The current suite of EASA requirements and Certification Standards would be transposed into UK regulation. The UK CAA would:

- Ensure design aspects of the aircraft type, products and components comply with the Standards in ICAO Annex 8;
- Issue TCs (Type Certificates);
- Approve AFMs (Aircraft Flight Manuals), MMELs (Master Minimum Equipment Lists), CDLs (Configuration Deviation Lists);
- Approve changes to the Type Certificate;
- Approve Design Organisation approvals;
- Transmit any ICA (Instructions for Continued Airworthiness) and MCAI (Mandatory Continuing Airworthiness Information), including issue of Airworthiness Directives, necessary for the safe operation of the aircraft (including suspension and revocation of TCs);
- Address the information received from State of Registry on faults, malfunctions, defects and other occurrences.

Licensing – Commercial Pilots

Because the UK is a Signatory State to the Chicago Convention, **UK Part-FCL licences would continue to be valid for the operation of UK-registered aircraft.**

The CAA would provide a document to all UK Part-FCL holders to confirm the legal validity of their licences should they be subject to a ramp inspection.

Pilots with UK licences who want to fly EU-registered aircraft after the transition period would need to have transferred their licence to another EASA member state, or seek a second licence after the transition period from an EASA member state.

Pilots with EASA-issued licences required to operate UK-registered aircraft would require a UK validation, which will be available to pilots on the date the transition period ends.

Pilots with Third Country licences validated by the UK would be able to operate UK-registered aircraft. They would need to seek validation from an EASA member state to operate EU-registered aircraft. Pilots with Third Country licences validated by an EASA member state would lose validation for UK-registered aircraft at the end of the transition period.

Flight Crew Licence format

Current EASA format

United Kingdom Civil Aviation Authority



EUROPEAN UNION

FLIGHT CREW LICENCE


Issued in accordance with Part-FCL

This licence complies with ICAO standards, except for the LAPL and EIR privileges

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New UK format

United Kingdom Civil Aviation Authority



FLIGHT CREW LICENCE

Issued in accordance with Part-FCL

This licence complies with ICAO standards, except for the LAPL and EIR privileges

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The main differences between the current licence and the New UK licence relate to the removal of:

‘EUROPEAN UNION’.

The form number now starts with: ‘CAA’,

the issue number reverting to 1, as this will be the first issued under new UK legislation.

Licensed engineers

Engineers with **UK Part-66 licences** would be able to continue to maintain UK-registered aircraft, but not EU-registered aircraft.

Engineers with UK Part-66 licences **who work outside the UK and Europe on non-UK registered aircraft** would need to contact the National Aviation Authority in the state of registration of the aircraft they service.

Engineers **with licences issued by EASA member states** would be allowed to work on UK-registered aircraft for up to two years after the end of the transition period.

Flight Operations

PAVEs - All Flight Operations permissions, approvals, variations and exemptions (PAVEs) issued prior to the end of the transition period would continue to be recognised by the UK within the scope and terms of their issue.

Cargo and Mail security - Supply chain entities approved in the UK as Known Consignors or Regulated Agents would continue to be recognised in the UK.

The UK would continue to recognise existing ACC3 designations and the validated secure supply chains for the purposes of inbound cargo to the UK.

Approved Training Organisations

Existing training organisation approvals and/or declarations would remain valid under UK law.

Registered Training Facilities would still be required to either transfer to an Approved or Declared Training Organisation by the end of the transition period.

Where the CAA is to be the Competent Authority, any training courses for theoretical knowledge or flight training for the issue of a pilot's licence, rating or certificate conducted at an approved or declared training organisation issued by a Competent Authority other than the CAA, would be accepted by the CAA for up to two years after the end of the transition period.

Maintenance training organisations with non-UK Part 147 approvals would continue to have their approvals accepted for up to two years.

Summary

The long-term aviation relationship between the UK and EU will be determined by 31 December 2020. Different outcomes of these negotiations are possible, but the respective positions outlined in the EU and UK Government negotiating mandates make clear that the UK will no longer participate in EASA systems after the end of the transition period. The UK is well prepared for this:

- All EU regulations applicable at the end of the Transition Period would be retained in UK domestic legislation. The content of **UK regulations will be virtually unchanged from EU regulations at 31 December 2020** and the CAA will continue to conduct oversight.
- We would recognise EASA certificates, approvals and licences for use in the UK aviation system and on UK-registered aircraft for up to two years after 31 December 2020.
- Services and certificates provided by CAA-approved organisations should continue to be accepted on a global basis as the **regulations, systems, oversight and approvals will continue to comply with ICAO Standards and Recommended Practices (SARPs)**.
- CAA-approved organisations will issue a CAA Form 1 for new and used parts. This will be in place of the EASA Form 1 and be nearly identical in content and lay-out.

CAA EU Exit website: <https://info.caa.co.uk/eu-exit>

The EU Withdrawal Act: <http://www.legislation.gov.uk/ukpga/2018/16/contents/enacted>

The Aviation Safety Statutory Instrument: <http://www.legislation.gov.uk/ukdsi/2019/978011175101/content>

The UK-EU Withdrawal Agreement (consolidated): https://ec.europa.eu/commission/sites/beta-political/files/consolidated_withdrawal_agreement.pdf

EASA Brexit website: <https://www.easa.europa.eu/brexit>