EMAD 2

Writing Guide for National Military Airworthiness Authority Exposition

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NOTE

This guide was developed using the ICAO Doc 9760 Airworthiness Manual, ICAO Doc 9734 Safety Oversight Manual. The EMAR Implementation Guides for NMAA referred to in this document can be found on the EDA public web site at MAWA Documents (europa.eu).

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1. Scope

This guide provides information on the expected content of a National Military Airworthiness Authority (NMAA) exposition.

The content of the present guide is limited to the presentation of the main topics that should be addressed and developed for exposing the mandate, missions, organisation and means of a NMAA as well as for introducing the national implemented Military Airworthiness System.

It is considered as good practice that an English and/or bilingual version of the NMAA Exposition (e.g; courtesy translation, etc.) can be provided to international partners as this may facilitate interactions and recognition activities by other NMAAs.

2. Military Airworthiness Authority

2.1. Mandate

This chapter should describe the authority and delegation of the NMAA within the national structure together with the official mandate received. In this regard, the following topics should at least be addressed:

- Scope of the mandate, e.g.: military and/or state aircraft, initial/continued and/or continuing airworthiness, military and/or industry organisations, military and/or state operators, …
- Responsibilities and missions, e.g.: publication of airworthiness regulations, management of the register of military and/or state aircraft, issuance of airworthiness certificates and associated privileges (e.g. organisation's approval, Type Certificate (TC), Certificate of Airworthiness (CoA), etc.), issuance of licences to the personnel (e.g. aircraft maintenance personnel, etc.), etc.
- Regulated community and limitations, if any, e.g.: fleet X excluded from the scope, industry organisation Y excluded from the scope, etc.
- Activities for which the NMAA is appropriately empowered, including enforcement actions, e.g.: limitation, suspension and revocation of airworthiness certificates it has issued, inspections and audits (initial and continuing oversight) of aircraft, organisations and personnel, granting exemptions/waivers, collaborate with accident and incident investigation organisations on military aviation safety matters, etc.

Note: If the NMAA has a specific policy (e.g. UAS, balloons, etc.) it should also be addressed in this chapter.

2.2. Description of Military Airworthiness System (MAS)

A MAS should be established, based on the mandate and scope of responsibility of the NMAA and whose perimeter may vary depending upon the level of complexity and scope of military aviation activity within the pMS.

The MAS may include:

a) drafting and amendment of rules relating to the airworthiness of military aircraft;

b) issuance, acceptance or validation of Type Certificate of military aircraft, engine and propeller;

c) approval and continuing oversight of Design and Production Organisations (DO and PO) of military aircraft and parts;

d) registration of military aircraft;

e) approval of Operational Suitability Data (OSD);

f) approval and continuing oversight of Continuing Airworthiness Management Organisations (CAMOs);

g) issuance, acceptance or validation of noise certificate, if applicable;

h) issuance, renewal and continuing validation of the CoA;

i) approval of Aircraft Maintenance Programmes (AMPs);

j) approval of modifications and mandatory inspections;

k) approval of repairs;

l) approval and continuing oversight of Maintenance Organisations (MOs);

m) monitoring and control of mandatory continuing airworthiness information and distribution of airworthiness information to the regulated community;

n) approval and continuing oversight of Maintenance Training Organisations (MTOs);

o) licensing of military aircraft maintenance personnel;

p) issuance of Military Permit to Fly, when applicable;

q) issuance of waivers/exemptions;

r) advising MoD.

2.3. Organisation

This chapter should describe how the NMAA is organized to fulfill its mission and is positioned within the MoD. Reference(s) to existing NMAA Exposition, Manual(s), Processes and associated procedures should be provided. It is considered good practice to include organisational charts at both the higher level and the detailed organisational level. If any, interfaces (e.g. agreements, arrangements, etc.) with relevant stakeholders and/or with other authorities (e.g. CAA, etc.) as well as any delegated task(s) to other organisation(s) should also be addressed.

2.4. Management System

If applicable, this chapter should describe the Management System (or Quality System) implemented by the NMAA to manage safety, including the necessary organisational structures, accountabilities, policies and procedures and to ensure that the NMAA continuously works in accordance with its Exposition, Manual(s), Processes & procedures (principle of independant oversight).

2.5. Staff

This chapter should describe how the NMAA is staffed. This should include the qualification, experience and competency of the personnel.

3. Airworthiness regulatory framework

3.1. Policy

3.1.1. National Airworthiness policy

This chapter should describe the airworthiness policy implemented for military aircraft.

In particular, the NMAA policy for handling approvals and privileges of organisations providing airworthiness services to military aircraft (e.g. POs, DOs, CAMOs, MOs, MTOs, etc.) and located abroad should be explained.

The way to enforce EMAR approvals to industry (if applicable) should be explained (e.g. contracts, other means, etc.) as well as any applicable fees. It should also be detailed if EMAR approvals are processed for all applications by Industry or solely to Industry organisations having a contract to provide airworthiness services to military aircraft.

The policy regarding military aircraft for which the application of a complete EMAR framework is not possible (e.g. US aircraft purchased under FMS procedure, etc.) should also be addressed.

The policy regarding military aircraft that derive from a civil certified aircraft type should be described.

The policy to switch from peace time military airworthiness system to crisis/war time system should be described, if applicable.

3.1.2. EMAR implementation policy

This chapter should describe the policy adopted for the national implementation of EMARs as initial national publications, update cycle as well as the concerned scope. When a calendar for achieving EMAR implementation is set, it should take into account the number, complexity and scope of military aircraft to be certified, organisations to be approved as well as licenses to delivered to maintenance staff.

In particular, the implementation of EMARs on all military fleets or solely on selected fleets, to all organisations providing airworthiness services to military aircraft or solely some of them (e.g. military organisations, industry, etc.).

3.1.3. International cooperation

If applicable, this chapter should describe the relations and way of working with foreign NMAAs and/or CAAs and/or international partners, including the various airworthiness forums in which the NMAA participates. Furthermore, it should also address the:

- expected benefits (e.g. in terms of saving resources, pooling and sharing, interoperability, etc.);
- recognition policy;
- policy for reusing artefacts issued by foreign NMAAs (e.g. EMAR Forms 1, etc.).

3.2. Regulatory structure

This chapter should describe the regulatory background and structure in force in the NMAA's pMS covering, at least the following domains:

- the primary military aviation legislation equivalent to the higher national level (e.g. national military aviation code or military aviation act/law or (royal) decree that establishes the NMAA's organization and empowerment, etc.), and;
- the military airworthiness regulatory documents, regulations and acts that the NMAA is empowered to publish/modify/update (e.g. EMAR regulations nationally implemented, Acceptable Means of Compliance and Guidance Material for the proper implementation of national EMARs, guidance and airworthiness documents, etc.), and;
- the airworthiness technical and safety information that the NMAA is empowered to validate/publish/modify/update (e.g. ADs, mandatory directives, technical acts, etc.).

3.3. Airworthiness regulations

This chapter should describe which airworthiness regulations are published by the NMAA in particular with regards to the following topics, e.g.:

a) registration of military aircraft;

b) implementation of the airworthiness provisions meeting the requirements of the essential requirements in the European Military Airworthiness Basic Framework Document;

c) all military aircraft on the NMAA's aircraft register to meet relevant airworthiness criteria approved by the NMAA;

d) the issuance, validation or acceptance of the Type Certificate for military aircraft intended to be entered on the NMAA's aircraft register;

e) the issuance, renewal, validation or acceptance of military aircraft certificates of airworthiness;

f) the issuance of export military certificates of airworthiness, if applicable;

g) the issuance or acceptance of ADs and service bulletins;

h) the issuance, amendment, cancellation and suspension of organisations' approvals, maintenance personnel licences and certificates;

i) the authorization of persons or organizations to perform particular tasks in relation to the initial, continued and continuing airworthiness of military aircraft, for the issuance of organisations' approvals, licences and certificates, as appropriate.

This chapter should also describe how the NMAA assess, manages and issues exemption or waiver requests received from the regulated community (e.g. regarding the certified aircraft, approved organisations, licensed personnel, etc.).

Further information on this topic can be found in the chapters "Exemptions" of EMAR M, EMAR 145 and EMAR 147/66 implementation Guides for NMAA.

4. Airworthiness Functions

4.1. Rulemaking

This chapter should describe how the NMAA:

a) develops national military airworthiness regulations, requirements, standards, policy and guidance;

b) amends, as appropriate, national military airworthiness regulations, standards, policy and guidance, based on a continual review of the applicability and effectiveness of those regulations, standards, policy and guidance;

c) examines changes in EMAR framework, as published by European Defence Agency (EDA) for incorporation into national regulations. If any, national deviations should be identified;

d) examines other regulations and determine the need for adoption of critical features of these regulations in the national regulations;

e) establish working relationships with other NMAAs, CAAs, military Operating Organisations and industry, as appropriate, that facilitates new regulations;

f) conducts research and development, as necessary, to support issuance of regulations, standards, policy and guidance.

4.2. Initial Airworthiness

This chapter should describe how the NMAA address initial airworthiness activities.

However, a NMAA is not necessarily involved in the certification of new design and its role could be limited to the issuance or validation of certificate of airworthiness for already certified aircraft/products that enter under its responsibility in the frame of purchase contracts.

In this case the NMAA doesn't need to have an organisation able to manage technical certifications. When justified, the content of the following chapters should be limited and commensurate with the effective role and related description of activities. If relevant, it could be limited to §4.2.1.2 explaining the issuance of Type Certificates based on an already achieved certification process.

4.2.1. Type certification

4.2.1.1. Certification process

This chapter should describe the way the NMAA manages a certification process of a new design:

a) Determination of the airworthiness requirements

- Safety objectives & airworthiness standards taken into account to build the certification basis (e.g. airworthiness standards and codes, environmental protection requirements, etc.)

- Content of the certification basis and approval (e.g. certification criteria, special conditions, etc.)

b) Acceptance of means & method of compliance

- Review of the certification program

- Determination of the level of involvement of the NMAA

c) Capability assessment of the Design Organisation (to show compliance)

- Requirements (e.g. DOA, etc.)

d) Review of the Compliance demonstrations / Investigation and test

- Available NMAA technical competences for reviews (e.g. structure, avionics, flights, flight test, etc.)
- Way to review the compliance demonstrations (e.g. panels, management of findings, etc.)
- Witnessing of tests and in particular of Flight tests (e.g. Flight test program, NMAA flight testing, etc.)

e) Statement of compliance

- Approval of compliance and management of residual non compliances
- Approval of the maintenance data (e.g. approval of Certification maintenance requirements, of Airworthiness Limitation, of the Structural Integrity Program, etc.)
- Approval of the Flight Manual and OSD if any.

The NMAA should mention if the certification process for major changes to the type design (e.g. changes, repair solutions…) is similar and/or describe its specificity.

4.2.1.2. Issuance of the Type Certificate

This chapter should describe:

a) The policy of the NMAA concerning TCs:

- Which are the products eligible to a TC (aircraft, engine, propeller)?
- Who is the Type Certificate holder?
- What other categories of Type Certificates can be issued by the NMAA (i.e. Restricted Type Certificate, “Export” certificate, Supplemental Type Certificate, etc.)?

b) The scope and content of a Type Certificate:

- Scope covered by the TC (e.g. type design, manuals, OSD, environment protection requirements, etc.)
- Form and content of the Type Certificate (e.g. Type Certificate Data Sheet, etc.)

c) The condition to issue a Type Certificate:

- For a new design after a certification process (i.e. approval of the statement of compliance to the certification basis, etc.)
- For product already in service or already certified (e.g. legacy aircraft, products certified by another authority, etc.)
- The alternative to TC, if any (e.g. Military Permit to Fly, etc.)

4.2.2. Equipment certification

This chapter should describe:

a) The policy of the NMAA concerning parts and appliances:

- Certification of equipment (in particular for Government Furnished Equipment (GFE), etc.) and their integration
- Issuance and/or acceptance of equipment certification authorization/approval (e.g. Technical Standard Orders (TSO), etc.)
- Which certificates of release to service are required for installation of parts and equipment on a product (e.g. Form 1, derogations, etc.)

b) The NMAA procedure for issuing a Military TSO authorization (when applicable):

- Issuance or determination (e.g. published or accepted) of the technical standards and airworthiness specifications (certification requirements)
- Capability assessment of the Design & Production Organisation
- Compliance demonstration (certification program, Declaration of Design and Performance, limitation, etc.)
- Issuance of the certification approval/authorization
- Holder of MTSO authorizations
- Management of changes to MTSO

4.2.3. Airworthiness certification

This chapter should describe how the NMAA regulates, manages, and oversees the airworthiness certification of the military aircraft under its auspices. When a CoA is issued, the main elements of the process should be described:

- application (including who can be an applicant);
- conditions for release (e.g. having a valid TC, being accepted after production, having received proper Instructions for Continuing Airworthiness (ICA), having a Military Airworthiness Review Certificate (MARC), etc);
- types of CoAs that can be issued by the NMAA (full, restricted, export);
- validity and renewal of COAs (describe triggering situations, like: changes to TC or ICA or following certain applicant request, etc.).

4.2.4. Military Permit to Fly (MPtF)

This chapter should describe the NMAA procedure for the:

- application to a MPtF by the regulated community;
- management of the approval of the flight conditions;
- management of the MPtF applications as well as related verification activities within the NMAA;
- issue of the MPtF by the NMAA, including any follow up actions.

4.2.5. Noise certification

If applicable for a given aircraft, this chapter should describe the NMAA procedure for the:

- application to a noise certificate by the regulated community;
- management of the noise certificate applications as well as related verification activities within the NMAA;
- issue of the noise certificate by the NMAA, including any follow up actions.

4.2.6. Design and production organisation's approval

4.2.6.1. Initial approval

This chapter should describe how the NMAA is handling the initial approval activities of the organisations of the regulated community (DO, APDO (Alternatives Procedures for Design Organisation), PO & POWA (Production Organisation Without Approval)). It should also describe how parts and appliances are accepted without a POA.

Depending on the concerned organisation, further information on how these activities could be performed can be found in the chapters "Initial Design Organisation Approval" and "Initial Production Organisation Approval" of the EMAR 21 Implementation Guide for NMAA.

4.2.6.2. Oversight

This chapter should describe how the NMAA is handling the oversight activities of the approved organisations of the regulated community (DO, APDO, PO & POWA). It should also include the management of changes within approved Design Organisations and approved Production Organisations.

Depending on the concerned organisation, further information on how the oversight audits could be performed can be found in the chapters " Continued Surveillance" of EMAR 21 implementation Guide for NMAA.

4.3. Continued Airworthiness

4.3.1. Occurrence reporting

This chapter should describe:

- The procedure to assess the occurrences reported by the regulated community or any other input in order to determine if any further mitigation action is necessary to ensure safety (e.g. fleet verification, audit, airworthiness review, inspection, etc.).
- How the NMAA ensures that the approval holders (Design and TC, etc.) collect, investigate, analyze data and report potential unsafe conditions to the NMAA.
- The procedure to issue mandatory directives to ensure the safety of the fleet in case a potential unsafe condition is identified.

4.3.2. Approval of modifications

This chapter should describe the way the NMAA approves modifications:

- Scope of modification approvals (e.g. changes to type design, ICA, Flight Manuals, OSD, etc.)
- Possible Design organisation privileges
- Format of the approval (e.g. approval sheet, STC, etc.)

4.3.3. Approval of repairs

This chapter should describe the way the NMAA approves repair solutions:

- Possible Design organisation privileges
- Format of the approval

4.3.4. Mandatory continuing airworthiness information (MCAI)

This chapter should describe the way the NMAA approves or issues mandatory continuing airworthiness information:

- Which are the mandatory continuing airworthiness information (i.e. Airworthiness Limitations, AD, approval of mandatory continuing airworthiness information and related changes, etc.)
- The means to distribute all necessary airworthiness information to the regulated community, including guidance for the implementation of applicable MCAI (e.g. ADs, Airworthiness Limitations, etc.).

4.4. Continuing Airworthiness

4.4.1. CAMO, MO & MTO’s approval

4.4.1.1. Initial approval

This chapter should describe how the NMAA is handling the initial approval activities of the organisations of the regulated community (CAMO, MO & MTO).

Depending on the concerned organisation, further information on how these activities could be performed can be found in the chapter " initial approval " of EMAR M, EMAR 145 and EMAR 147/66 implementation Guides for NMAA.

4.4.1.2. Oversight

This chapter should describe how the NMAA is handling the oversight activities of the approved organisations of the regulated community (CAMO, MO & MTO). It should also include the management of changes of these approved organisations.

Depending on the concerned organisation, further information on how the oversight audits could be performed can be found in the chapter "continuing oversight" of EMAR M, EMAR 145 and EMAR 147/66 implementation Guides for NMAA.

4.4.2. Licensing of personnel

This chapter should describe how the NMAA is handling the licensing activities of the regulated community. It should notably describe the NMAA procedure for the:

- application to a licence by the regulated community (e.g. originating from individuals and/or MOs, etc.);
- management of the licence applications as well as related verification activities within the NMAA;
- issue of the licences by the NMAA, including any follow up actions;
- management of the changes to a licence.

Further information for the licensing of personnel can be found in the chapter "EMAR 66 licensing activities" in EMAR 147/66 Implementation guide for NMAA.

4.4.2.1. Grandfather rule

This chapter should describe the Grandfather rule criteria established by the NMAA for the issue of EMAR 66 licences to maintenance personnel, based on their current qualifications, in order to ensure the smooth transition between the former legacy regime and the new EMAR 66 regime required by EMAR 145 approved maintenance organisations.

Further information for the establishment of a Grandfather rule can be found in the chapter “Standards for establishing a “Grandfather Rule" of EMAR 147/66 implementation Guide for NMAA.

4.4.3. Approval of Aircraft Maintenance Programme (AMP)

This chapter should describe how the NMAA is handling the approval of the AMP proposed by the CAMO.

Further information on how this activity could be performed can be found in the chapter "AMP approval” of EMAR M implementation Guide for NMAA.

4.4.4. Airworthiness Review

This chapter should describe how the NMAA is handling the performance of airworthiness review on the aircraft of the regulated community. It should also address the qualification, management of the Airworthiness Review Staff (ARS) of the NMAA as well as the acceptance procedure of the ARS of the CAMO applying for the airworthiness review privilege.

Further information on how these activities could be performed can be found in the chapter "Airworthiness Review” of EMAR M implementation Guide for NMAA.

4.4.5. Aircraft Continuing Airworthiness Monitoring (ACAM)

This chapter should describe how the NMAA is performing the ACAM activities on the fleets of the regulated community.

Further information on how these activities could be performed can be found in the chapter "Aircraft Continuing Airworthiness Monitoring” of EMAR M implementation Guide for NMAA.

4.5. Aircraft registration

This chapter should describe the procedure for registration (including the temporary registration), the scope of the register (e.g. Military aircraft, State aircraft, etc.), the data being maintained, the changes to the data of registered aircraft and aircraft deregistration.

Note: If the NMAA has a specific registration policy (e.g. UAS, balloons, etc.) it should also be addressed in this chapter.

5. Support functions

5.1. Management of human resources

This chapter should describe how the NMAA manages its staff to ensure it has sufficient and appropriate personnel to carry out its required activities (e.g. certification, licensing, oversight, etc.).

5.1.1. Initial training

This chapter should describe the NMAA procedure to ensure the competency of its staff by being appropriately qualified and having all the necessary knowledge, training and experience to perform their allocated tasks.

Depending on their authorized scope of work, NMAA personnel should have received appropriate initial training (e.g. EMARs, auditing techniques, aircraft type training for airworthiness review, etc.). This should also include a general understanding of the military airworthiness system nationally implemented as well as relevant NMAA procedures.

5.1.2. Recurrent training

This chapter should describe the NMAA procedure to provide regular training to its personnel to ensure they remain competent and up to date within their authorized scope of work (e.g. evolution of national regulatory framework or NMAA procedures, new technologies, human factor, etc.).

5.1.3. Competency assessment

This chapter should describe the NMAA procedure to ensure the competency of its personnel prior to authorize them on a given scope of work. This should cover the assessment before granting their initial authorization (e.g. stepped approach to become lead auditor: first audit(s) as observer, then audit(s) under supervision, then auditor, etc.) as well as their regular assessment throughout time (e.g. periodic assessment by sampling the authorized scope of work, etc.).

5.1.4. Nomination of inspectors

This chapter should describe how the NMAA empowers its inspectors to perform particular airworthiness activities on its behalf. The authorized scope of work should be clearly indicated in writing to NMAA inspectors (e.g. type inspector for type design assessment, EMARs organisations' auditor, airworthiness review on aircraft X, EMAR 66 licensing, etc.).

In case there is a pool of inspectors, with governmental personnel external to the NMAA, then this chapter should also describe, the specific procedures followed to ensure both their competence and how the NMAA empowers them.

5.2. Management of Work Plan

This chapter should describe the NMAA procedure to ensure the smooth implementation of its workplan by providing the appropriate resources at the right time to meet the requirements of the military airworthiness system.

5.2.1. Communication with regulated community

This chapter should describe the NMAA procedure to plan its workload by establishing proper preliminary communication with the regulated community. In this regard, it is considered good practice to publish guidelines to inform how and when the regulated community should apply to the NMAA for a given activity (e.g. minimum margin to apply for an EMAR approval audit or for an airworthiness review, content of the application package, etc.) so that it can be properly planned and staffed by the NMAA.

Depending on the concerned activity, further information can be found in the EMAR M, EMAR 145, EMAR 147/66 and EMAR 21 implementation Guides for NMAA.

5.2.2. Management of NMAA manpower

This chapter should describe how the NMAA manages its personnel and plans its availability to cope with its workplan. The number of personnel should be appropriate to manage the amount and spectrum of NMAA tasks (e.g. number of organisations to be EMAR approved, number and variety of aircraft to be certified, number of EMAR 66 licences to be delivered, etc.).

Considerations should also be given to prevent loss of competence due to the NMAA personnel turn over.

5.3. Management of records

This chapter should describe the NMAA procedure for recording all relevant documents and information (e.g. as required by EMARs, etc.).

5.4. Allocation of NMAA tasks to Qualified Entities

This chapter should describe the NMAA procedure to contract part of its activities to Qualified Entities. Depending on the activity to be allocated to a Qualified Entity, further information can be found in the chapter " contracting of NMAA activities " of EMAR M, EMAR 145 and EMAR 147/66 implementation Guides for NMAA and in the chapters dealing with the “allocation of technical tasks to an external Party” in EMAR 21 implementation Guide for NMAA.

5.5. Recognition of Authorities

This chapter should present the way to perform recognition activities, in particular if they are different from those described in EMAD R.

The list of the recognition(s) in force should be referenced in this chapter.

6. List of referenced documents

This chapter should list all relevant documents referred to in the NMAA exposition (e.g air navigation code, empowering ministerial decrees, etc.).