

Air Law

EMAR implementation for newly procured aircraft

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Hungary

- territory: ~ 93.000 km²
- population ~ 10.0 million
- NATO (1999.)
EU (2004.)
member state
- capital: Budapest



2019. október 15.

Nato in 1990



Nato in 1999



Nato in 2004



AIRFORCE UNIT LOCATIONS

**12th SAM
REGIMENT**

**HEAVY AIRLIFT WING
PAPA AB**

**AIRFORCE C2
CENTRE
(CRC & AOC)**

**54th RADAR
REGIMENT**

**86th HELI WING
SZOLNOK AB**

**59th FIX WING
KECSKEMET AB**

ONE CAPABILITY, ONE LOCATION

UNCLASSIFIED

OVERVIEW

UNITS



AIR FORCE
C2 CENTRE

RUNNING/PLANNED
DEVELOPMENTS OR PROCUREMENTS



**54th RADAR
REGIMENT**



**12th SAM
WING**



**59th WING
KECSKEMET AB**



**86th WING
SZOLNOK AB**

JAS-39

Dassault 7X

MI-24

MI-8/17

A 319

AN-26

Zlin 242/143

AS-350

Airbus H145M



Airbus H225M



**HAW
PAPA AB**

C-17



Scope of our responsibility

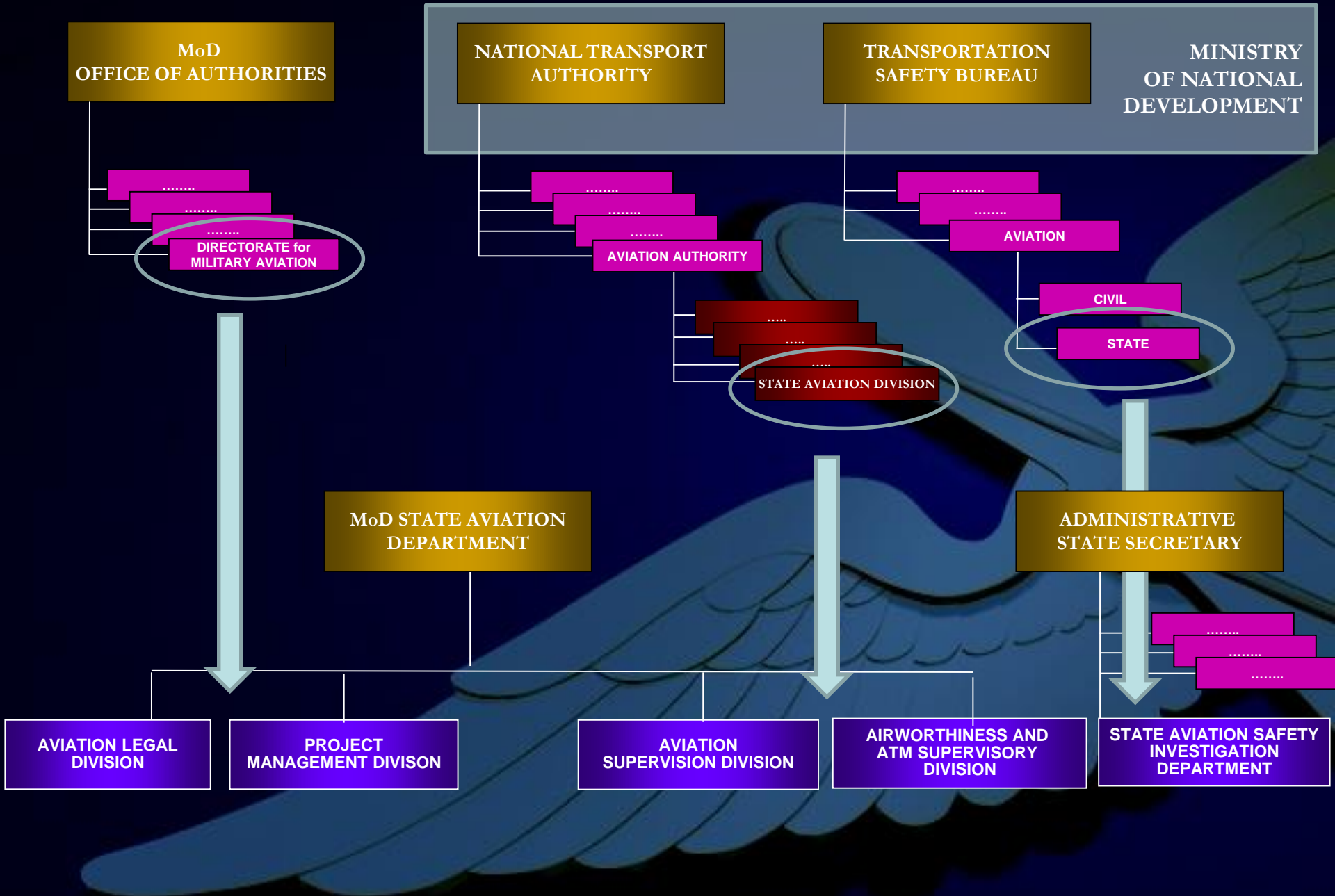
Hungarian Defence Forces



Hungarian Air Police Command

SAC C-17





State Aviation Department Organization



State Aviation Departement (HUN MAA)

Aviation Legal Division

- Regulatory tasks preparatory works,
- National and international agreements assistance,
- NATO and legal harmonization.

Aviation Project Management Division

- Leading and Coordinating Civil-Military ATM projects,
- Managing various ATM innovation projects,
- Supporting strategic Airspace Management.

Aviation Supervisory Division

- Personnel licencing,
- Register of the state aircrafts,
- Authorisation and supervision of manufacture, repair and maintenance organizations,
- Aircraft certification and airworthiness procedures, issuance of certificates,
 - Authority test flights.

Airworthiness and ATM Supervisory Division

„Rulemaking procedure obstacles

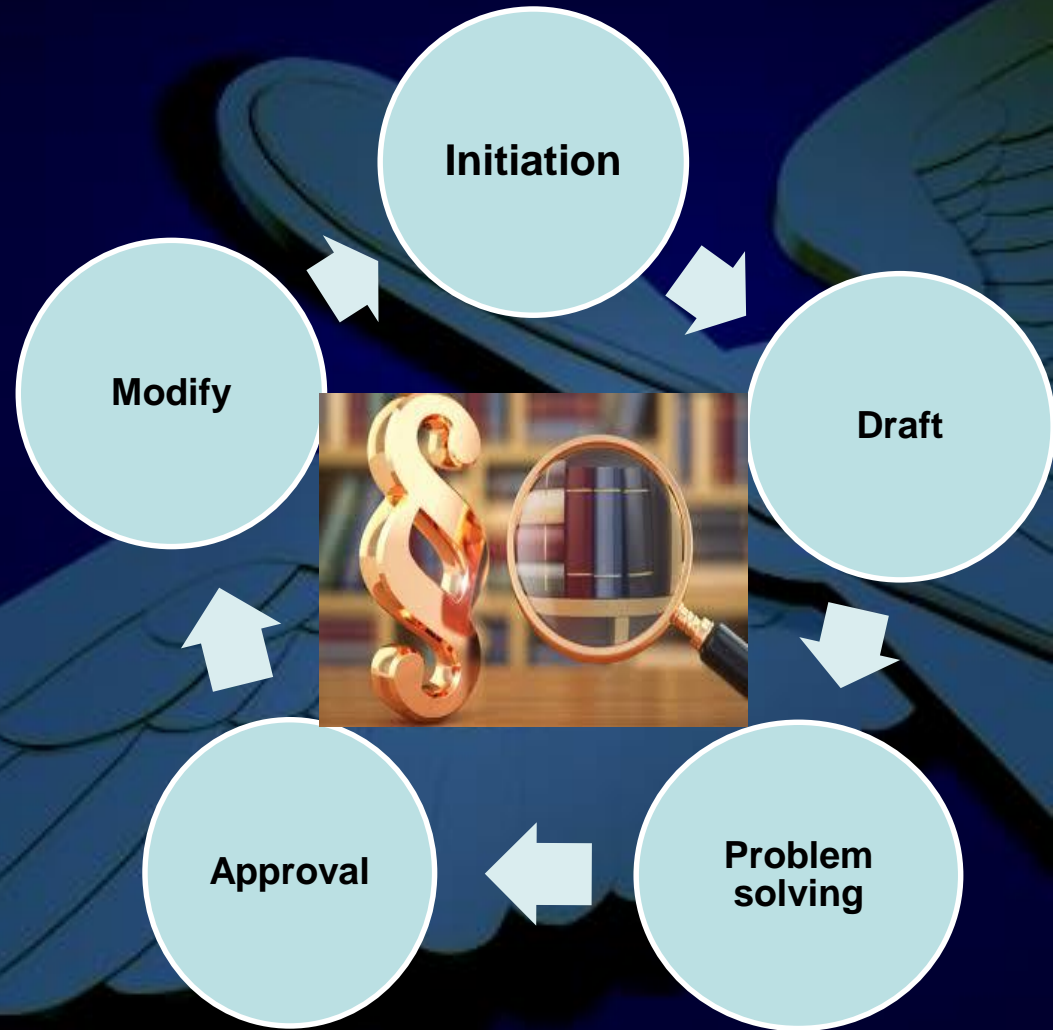
- a bit dark;
- a bit mystic;
- a bit incomprihensible;
- result in the future;



Rulemaking obstacles

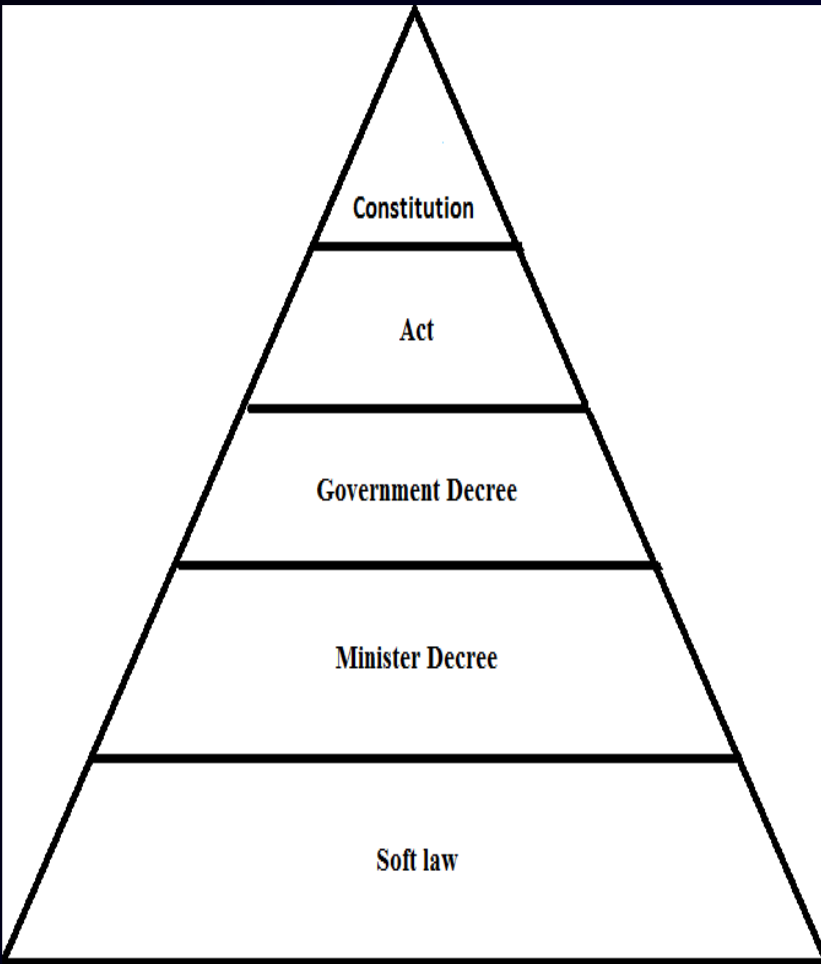


- State Aviation divided into MoD, MoI, MoF;
- Minister of Defence are not able to regulate police/finance issues;
- Gov. Degree is the common level;
- EMARs may have conflict with national rules;





Hierarchy of sources of law



The **Parliament**
shall adopt **Acts**;



The **Government**
shall adopt **decrees**



Ministers
shall adopt **decrees**.



No such lower level regulation shall conflict with a higher one.

Main rules of the state aviation

- **Act XCVII of 1995.** on air transport;
- **Decree No. 392/2016.** (XII. 5.) of the Government on the designation of the military aviation authority;



- **Decree No. 21/1998.** (XII. 21.) of the Ministry of Defence on registration, manufacture and repair, and type and airworthiness certification of state-owned aircraft;
- **Decree No. 16/1998.** (X. 28.) of the Ministry of Defence on licencing;

Act XCVII of 1995. on air transport

- **Manufacture, repair and maintenance** of state air vehicles and air transport related equipment **shall require authorisation** from the military aviation authority. (29. § (1a))



- Aircraft and aviation related equipment shall solely be operated if they are of a **type the military aviation authority certified** by issuance of an aircraft certificate on the basis of type-approval tests. (46. § (2))

must be ensured during
certificate of airworthiness

A formation of ten Eurofighter Typhoon fighter jets flying in a V-shape against a clear blue sky. The jets are arranged in two parallel V-formation groups, with five jets in each. They are all flying towards the right side of the frame. The jets are dark grey or black, and their canards and delta wings are clearly visible. The sky is a uniform light blue.



A formation of ten Eurofighter Typhoon fighter jets flying in a V-shape against a clear blue sky. The jets are arranged in two parallel lines of five, with the leading jets slightly offset from the trailing ones. The aircraft are dark grey or black, and their canards and delta wings are clearly visible. The sky is a uniform light blue, and the overall composition is clean and professional.

Decree No. 392/2016. (XII. 5.) of the Government on the designation of the military aviation authority

MAA tasks:



- theoretical examination and skill test for obtaining, revalidation, renewal, extension of licence,
- revocation, suspension of licences,
- supervision of aviation personnel , and training
- register of the state aircrafts and unmanned aircrafts

Decree No. 392/2016. (XII. 5.) of the Government on the designation of the military aviation authority

- authorisation and supervision of manufacture, repair and maintenance organisations, aviation related equipments,
- aircraft certification and airworthiness procedures, issuance of certificates
- authority maintenance test flights and civil use of state aircraft
- permit to fly
- Authorisation and supervision of the operation of state aerodromes and airport Emergency Plan
- Ad hoc airspace,
- Administrative procedures and investigation of the aviation accidents and incidents,

Decree No. 21/1998. (XII. 21.) of the Ministry of Defence on registration, manufacture and repair, and type and airworthiness certification of state-owned aircraft

Object to this decree is to

- Establish and maintain an **official register** for state-owned aircrafts;
- **Provide** for professional competence and **controllability** of the manufacture, repair and maintenance of state-owned aircrafts and aviation equipment;
- **Enforce regulations** regarding aviation in type and airworthiness certification procedures.

Decree No. 21/1998.

- **Purpose of airworthiness** examination is to determine whether an aircraft is suitable for safety operation. (43. § (1))
- Only those aircrafts may be used in air traffic which have a valid airworthiness certificate issued by the Authority and meet the statutory requirement for air traffic. (43. § (2))





Decree No. 21/1998.

➤ **Airworthiness examination** of aircrafts having a type certificate and recorded in the Register **shall be performed in the following cases:**

- before the aircraft is first put into operation;
- if validity of the airworthiness certificate expires;
- after performing minor or major overhaul;
- after repair of a damage affecting airworthiness of the aircraft;

- in case of a substantial change in flight performance or technical characteristics of the aircraft specified in the type certificate;
- in case of substantial modifications or modernization;
- in case of extension of the operating time of the aircraft.



Airworthiness examination may be started upon request of the maintainer submitted to the Authority.

Decree No. 21/1998

- In the procedure of **airworthiness examination** the Authority examines serviceability of the aircraft on the ground and in the air, and examines whether the operation of the state-owned aircraft complies with the approved system of operation.
- In case of transport aircrafts, **airworthiness certificates** are **valid** for 12 months and for 24 months in case of other aircrafts. Validity is 5 years for parachutes. The Authority may specify a shorter validity in case of limiting conditions.



Airbus operation experiences

- Military operator is not a CAMO organization;
- CAMO is contracted with a civilian licensed company;
- Maintenance procedure mixed between CAMO requirements and military operating procedure (surplus engine procurement)



- CAMO is not responsible for:
 - creating AIREVAC capability;
 - self-defence capability

Dassault operation experiences

- Military operator is not a CAMO organization;
- CAMO is contracted with a civilian licensed company;
- It Support elements are missing
- Ground handling elements are missing
- More expensive operation
- than expected, but
- +1000 hrs / year / 2 aircrafts



Mi-24 helicopter operation experiences

- 2013-2018. Mi-24 were grounded
- Overhaul of 8 helicopters (2018.) – sanctions against Russia

- **No modernization**

- Except NVG
- VOR/DME
- Transponder



- Operation through maintenance contract

ZLIN operation experiences

- Operation through maintenance contract
- Initial problems with:
 - Mass and balance;
 - Fuel compatibility,
 - NVG capability
 - Documentations

Near future:

- Airbus H225M
- Airbus H145M
- EMAR
application and
implementation

2019. október 15.



AIRBUS HELICOPTERS - Anthony Pecchi



Thank you for your attention!

