

FAQ n.47404

FAQs:

[Continuing airworthiness - General](#), [Continuing Airworthiness](#), [Regulations](#)

Question:

Where can I find the continuing airworthiness requirements for third-country registered aircraft used by EU operator/owner?

Answer:

The European Implementing Rules for continuing airworthiness (EU) 1321/2014 **do apply** to third-country registered aircraft if:

- The regulatory safety oversight of such aircraft has been delegated to one of the Member States (*), in which case Part-M (Annex I) or Part-ML (Annex Vb) applies [see Article 3(1) of Regulation (EU) No 1321/2014] or
- The aircraft is dry leased-in by an EU licenced air carrier, in which case Part-T (Annex Va) is applicable [see Article 3(6) of Regulation (EU) No 1321/2014].

When third-country registered aircraft are not captured by above-mentioned cases, it is advised to go back to the foundation of the EASA system, namely the Basic Regulation (BR), i.e.

[Regulation \(EU\) 2018/1139](#).

Reference should be made to Annex V (**Essential requirements for air operations**) in accordance with Article 29 for the aircraft described in Article 2(1)(b)(ii) (aircraft registered in a third country and operated by an aircraft operator established, residing or with a principal place of business in the territory to which the Treaties apply). **Point 6 in Annex V** of the BR describes air operations requirements related to continuing airworthiness, such as the requirement for release to service, pre-flight inspection, maintenance programme, records, ... Being part of an Annex relevant to air operations, these requirements have to be overseen by the competent authority of the state of the operator.

Furthermore, as required by point 8 of Annex V of the BR, **for commercial air transport and other operations subject to a certification or declaration requirement performed with aeroplanes, helicopters or tilt rotor aircraft**, the continuing airworthiness management and maintenance tasks shall be controlled by an organisation, whose obligations (such as establishment of a management system) are referred to in points 8.8 and 8.9 of Annex V.

(*) – *The transfer of a state's oversight responsibility is addressed in Article 83bis bis of*

Chicago Convention.

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Link:

<https://www.easa.europa.eu/cs/faq/47404>