REPUBLIC OF MALTA

TRANSPORT MALTA
CIVIL AVIATION DIRECTORATE

MALTA
CIVIL AIRWORTHINESS REQUIREMENTS
(MCAR)

Document Reference: MCAR/06/10

MALTA CIVIL AIRWORTHINESS REQUIREMENTS

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INTRODUCTION AND APPLICABILITY

1. The Malta Civil Airworthiness Requirements are published by the Transport Malta Civil Aviation Directorate. These requirements are applicable to aircraft classified by the Transport Malta Civil Aviation Directorate as (EC) No 216/2008 Annex II aircraft (non-EASA aircraft). They include requirements and procedures to be followed by aircraft owners and operators in order to comply with the Air Navigation Order provisions relating to initial and continuing airworthiness of aircraft.

2. In accordance with Article 4.2 of the (EC) No 216/2008 (EASA Basic Regulation) and Article 1.2 of (EC) No 2042/2003 (Continuing Airworthiness), the substantive requirements of the EASA implementing regulations are not applicable to non-EASA aircraft. The MCAR are therefore the requirements adopted by the TM CAD, which cover continuing airworthiness and aircraft maintenance.

3. The MCAR are also applicable to non-EASA aircraft not flying for Commercial Air Transport with MTOM exceeding 500 kg.

4. MCAR Section 5 is applicable to all Annex II aircraft including microlight aircraft.

5. New requirements and amendments will be effective from the date printed on them.

6. Requests for copies or for further explanation of these airworthiness requirements should be addressed to the Airworthiness Inspectorate of the Transport Malta Civil Aviation Directorate.

ANTHONY GATT
Acting Director General for Civil Aviation

2nd August 2010

RECORD OF AMENDMENTS

NUMBER	DATE OF AMENDMENT	ENTERED BY
01	1 SEPTEMBER 1993	MDCA
02	1 AUGUST 1995	MDCA
03	9 AUGUST 1995	MDCA
04	19 SEPTEMBER 1996	MDCA
05	21 JUNE 2007	MDCA
06	2 AUGUST 2010	TM CAD
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ACRONYMS

AD	Airworthiness Directive
ANO	Air Navigation Order (as amended)
AOC	Air Operator Certificate
ARC	Airworthiness Review Certificate
CAMO	Continuing Airworthiness Management Organisation
CMR	Certificate of Maintenance Review
EASA	European Aviation Safety Agency
ETSO	European Technical Standard Order
FAA	Federal Aviation Administration
JAR	Joint Aviation Requirements
MCAR	Malta Civil Airworthiness Requirements
MDCA	Malta Department of Civil Aviation
TM CAD	Transport Malta - Civil Aviation Directorate
MTOM	Maximum Take Off Mass
TSO	Technical Standard Order

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TABLE OF CONTENTS

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Section One

RESPONSIBILITIES

1. Responsibilities

1.1 The owner is responsible for the continuous airworthiness of an aircraft. When the aircraft is leased, the responsibilities of the owner are transferred to the lessee if the lessee is stipulated on the Certificate of Registration of the aircraft.

1.2 The owner shall ensure that:

a. The airworthiness certificate remains valid, and;

b. The maintenance is carried out in accordance with the approved maintenance programme as specified in Section;

c. The aircraft is maintained in an airworthy condition.

d. Any person or organisation performing any maintenance shall be responsible for the tasks performed.

e. The owner may contract the tasks associated with continuing airworthiness to an approved continuing airworthiness management organisation.

f. In the case of commercial air transport the operator is responsible for the continuing airworthiness of the aircraft it operates and shall:

i Be appropriately approved in accordance with the MCAR Section 14

ii Be approved in accordance with the MCAR Section 16 or contract an organisation appropriately approved or authorised by the Director.

g The owner/operator is responsible for granting to the Director access to the organisation/aircraft to determine continued compliance with the MCAR.

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Section Two

CERTIFICATION OF AIRCRAFT ON THE MALTESE REGISTER

2. General

2.1 The Air Navigation Order published in LN 196/90 states (Art. 7) that an aircraft is required to have a Certificate of Airworthiness issued under the Order before it can fly. The Certificate of Airworthiness or associated documents imposes conditions affecting the manner in which an aircraft may be maintained and operated, and the purposes for which it may be used.

The conditions are imposed in the following manner:-

a) By placing the aircraft in Categories which indicate the uses for which the aircraft is approved.
b) By indicating either in the Certificate of Airworthiness, or in documents associated with the Certificate, the detailed limitations which must be observed.

2.2 Categories and Purposes

The Categories in which an aircraft may be placed are as follows:

a) Transport Category (Passenger)
b) Transport Category (Cargo)
c) Aerial work Category
d) Private Category
e) Special Category

2.3 The purpose for which the aircraft may fly are as follows:

a) Transport Category (Passenger): Any Purpose
b) Transport Category (Cargo): Any Purpose, other than the public transport of passengers.
c) Aerial Work Category: Aerial Work only
d) Private Category: Any purpose other than public transport or aerial work.
e) Special Category: Any purpose other than public transport, specified in the Certificate of Airworthiness but not including the carriage of passengers unless expressly permitted.

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Section Three

ISSUE OF CERTIFICATES OF AIRWORTHINESS

3.1 Introduction

The Director of Civil Aviation will issue a Certificate of Airworthiness to an aircraft in accordance with the ANO when the aircraft is deemed by the Transport Malta Civil Aviation Directorate as a non-EASA aircraft, which means that the aircraft falls under Annex II of Regulation (EC) No 1592/2002. Aircraft built to recognised international airworthiness codes would be accepted provided that the Type Certificate Holder can provide technical support to the aircraft type. A copy of the Type Certificate Data Sheet issued by a certifying state will be required by the Director.

3.2 Applications

3.2.1 Application forms for the issue of a Certificate of Airworthiness may be obtained from the Transport Malta Civil Aviation Directorate, Luqa Airport, Luqa, Malta.

3.2.2 The charges relating to the issue of Certificates of Airworthiness are prescribed in the ANO currently in force.

3.2.3 During the investigation for the issue of the Certificate of Airworthiness, if it is necessary for an aircraft survey authorised by the Director to proceed to a place outside Malta to examine the aircraft, the applicant may be required to meet such additional costs as may be involved.

3.3 General

3.3.1 The applicant shall for every aircraft to be issued with a Malta Certificate of Airworthiness, send to the Director a copy of the Export Certificate of Airworthiness. Additionally the applicant may be required to provide:

i) the Airworthiness Codes/Requirements with which the aircraft complies, giving title, issue number and effective date.
ii) such deviations from these National Airworthiness Codes/Requirements as may have been authorised in writing by the Authority issuing the Certificate of Airworthiness.

3.3.2 An up to date flight manual approved by the state of manufacturer for the aircraft shall be submitted to the Director with each application for a Certificate of Airworthiness. The applicant shall also ensure to supply amendments for the copy of the flight manual so provided.

3.3.3 The Director may during the investigation of an aircraft decide that additional requirements have to be met before a Malta Certificate of Airworthiness will be issued.

3.3.4 The aircraft shall be in a condition acceptable to the Director to enable him to inspect it as necessary.

3.3.5 All relevant records shall be made available to the Director for examination. No such records shall be destroyed without the permission of the Director. Maintenance records forming part of the log book shall be kept for the same period as the logbook, i.e. until a date two years after the aircraft, engine or variable pitch propeller has been destroyed or has been permanently withdrawn for use.

3.3.6 If work on the aircraft has to be carried out, then such work shall be carried out by an organisation approved by the Director for the purpose or under the supervision of an appropriately licensed technician. Before the work is finally certified, the certifying staff of the approved organisation or the licensed aircraft technician shall be satisfied that the work has been carried out, inspected and tested where necessary, in conformity with the specifications, drawings and instructions relating to the approved design.

3.3.7 Full particulars of the work done shall be entered in the appropriate log book and a Certificate of Release to Service shall be attached thereto (see MCAR Section Seven).

3.3.8 When the particulars of the work done are so voluminous that it is inconvenient to record the details in the space provided in the log book, the details shall be entered in a separate maintenance record which shall be numbered for identification purposes, certified in the same manner as that required for the relevant entry in the log book, and kept safely in order that it may be produced for examination. The reference number of such record, and particulars of the place where it may be examined, shall be inserted in the log book together with a brief description of the work to which the record relates. Where aircraft engine and propeller log books are not required to be kept, the particulars of the work done and relevant certificate shall be entered in a suitable maintenance record book or folder and made available to the Director for examination.

3.4 The aircraft shall be weighed and copies of the Mass and Centre of Gravity Schedule, and where appropriate the Mass and Balance Report shall be provided (see MCAR Section Nine). The Director may agree to the acceptance of Mass and centre of gravity details obtained for current documents relating to the aircraft.

3.5 When required by the Director, a Certificate of Fitness for flight shall be issued and the aircraft shall be tested in flight to schedules approved by the Director (see MCAR Section Ten). The certificate shall be issued in duplicate and one copy shall be kept elsewhere than on the aircraft. Particulars and results of such testing shall be provided. The certificate of a Fitness of flight can be in the form of a Part-145 certificate of release to service

3.6 The Director may require the applicant to provide a copy of the maintenance, overhaul and repair manuals and operating manuals as well as a complete set of all Service Bulletins issued in respect of the aircraft engines and propellers concerned.

3.6.1 All the manuals concerned shall, before the issue of a Maltese Certificate of Airworthiness, be amended, as necessary in respect of modifications embodied by the applicant before the acceptance by the aircraft by the Director for certification. The Director shall be provided with a copy of the amended manuals.

3.6.2 The applicant shall be responsible for obtaining such additional technical information as the Director may require in respect of the aircraft, its engines and equipment.

3.7 To facilitate delivery of aircraft to Malta the Director may, under appropriate circumstances, issue a temporary Maltese certificate of airworthiness before the aircraft and its documents are available for inspection in Malta or elsewhere as may be specified provided the aircraft owner or operator obtains a valid export certificate of airworthiness from the State which the aircraft is being delivered from.

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Section Four

RENEWAL OF CERTIFICATES OF AIRWORTHINESS

4.1. Introduction

Certificates of Airworthiness are issued by the Director with a maximum validity period of 12 months. However, the Director may, under special circumstances, issue such a Certificate with a period of validity exceeding 12 months.

4.2. Applications

Applications for the renewal of a certificate of airworthiness are obtainable from the Department of Civil Aviation. The charges applicable to the renewal of a certificate of airworthiness are prescribed in the current ANO. If for the purpose of the Director's investigations, travel outside Malta is necessitated, the applicant may be required to meet the additional costs.

4.3. Procedure

4.3.1 The aircraft and its records shall be in a condition acceptable to the Director, for such inspections as are considered necessary.

4.3.2 The aircraft and its records and the airworthiness review report shall be presented by an appropriate Continuing Airworthiness Management Organisation when the aircraft is used for commercial air transport or by an appropriately licensed aircraft maintenance technician when the aircraft is used for private purposes.

4.3.3 Where an inspection is carried out on an aircraft, specifically for the purpose of renewal of the Certificate of Airworthiness, an Airworthiness Review shall be prepared by an appropriate CAMO (see Section Fourteen) or an appropriately licensed aircraft maintenance technician detailing the work required, and a copy shall be given to the Director.

4.3.6 All work undertaken in connection with the renewal of the Certificate of Airworthiness of the aircraft shall be supervised by an Organisation approved by the Director for the purpose or by an appropriately licensed aircraft maintenance technician, at a place where the equipment, the general conditions under which the work is performed, and the necessary supervisory procedures are to a standard acceptable to the Director. Before the work is finally certified, the Approved Organisation or the licensed aircraft maintenance technician, shall be satisfied that the work has been carried out, inspected, and tested where necessary, for conformity with the specifications, drawings and instructions relating to the approved design and with the requirement for the continuing airworthiness of the aircraft and its equipment.

4.4 Flight Tests

4.4.1 The aircraft shall be tested in flight in accordance with MCAR Section Ten. Where a flight test is necessary and the Certificate of Airworthiness has expired a Certificate of Fitness for Flight (see MCAR Section Eight para 9.2) shall be issued prior to the test flight.

4.5 Re-weighing of aircraft

4.5.1 Re-weighing of aircraft at the time of renewal of the Certificate of Airworthiness will be dependent on the date of the last weighing, and on the history of the aircraft

4.5.2 Aircraft of 5,700 kg MTOM or less shall be re-weighed at any time as the Director may require.

4.5.3 Aircraft of more than 5,700 kg MTOM shall be weighed within two years after the date of manufacture, and subsequent weighing shall be carried out at intervals not exceeding four years, and at such other times as the Director may require.

4.5.4 The Director shall be consulted if there is any doubt as to whether the aircraft ought to be re-weighed.

4.5.5 When re-weighing is necessary, an amended Mass and Centre of Gravity Schedule, shall be prepared. During the course of any re-weighing procedures the accuracy of all data previously recorded, for example lever arms shall be checked e.g. against the appropriate manufacturer's current data.

4.6 Entries in the Records

4.6.1 Full particulars of the work done relating to the renewal of the Certificate of Airworthiness shall be entered on the appropriate log book(s) or other approved maintenance records, and a Certificate of Release to Service shall be completed and shall be attached or included as appropriate (see MCAR Section Seven). When it is not convenient, particulars of work done shall be enlisted in a separate maintenance record which shall be certified in the same manner as that reported for entries in the log books. The reference number of this record, and the place where it may be examined, shall be entered in the log book under a brief description of the particular work. All entries made in the aircraft continuing airworthiness records shall be clear and accurate. When it is necessary to correct an entry, the correction shall be made in a manner that clearly shows the original entry.

4.7 Manuals

4.7.1 A check shall be made that the Flight Manual, or in cases where a flight manual is not issued, the appropriate Pilot's Operating Handbook or Owner's Manual, is up to date and any

necessary action to bring it up to date shall be taken. The Director may request to see such manuals.

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Section Five

AIRCRAFT RADIO INSTALLATIONS

5.1 Only radio communication and navigation equipment that has been approved for installation on aircraft by an Airworthiness Authority such as the United States Federal Aviation Administration (FAA TSO) or European Aviation Safety Agency (ETSO) will be considered acceptable by the Director for installation on Maltese registered aircraft.

5.2 No radio communication or navigation equipment can be used or operated on board aircraft unless there is in force an Aircraft Radio Station Licence issued in respect of that equipment by the Malta Communications Authority. Such a licence can be obtained after the relative application form available from the Department of Civil Aviation, is completed and sent to the same Department for processing.

5.3 The Aircraft Radio Station Licence will include a list of equipment that has been authorised for use on the aircraft concerned. The operator or owner of an aircraft who required to install or substitute installed equipment by different models has to apply to the Director for such modification using the same form referred to in para. 5.2.

5.4. Installation of new equipment or modification of installed equipment must not be carried out before full details of such work including wiring diagrams have been submitted to the Director and approval given for such works to be carried out. After successful operational trials of the new equipment are carried out the Director shall be informed so that the Aircraft Radio Station Licence would be amended to include the new equipment.

5.5 Repairs and modification of radio equipment shall be carried out only by appropriately licensed personnel or organisations approved by an airworthiness authority for such purposes. However the holder of an aircraft maintenance engineer's licence (airframe and/or engine) may replace a radio unit if such replacement can be done without the use of special tools or test equipment.

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Section Six

MODIFICATIONS, REPAIRS AND INSTALLATION OF COMPONENTS

6.1 Modifications (Changes to Type Certificate)

Modifications are changes made to a particular aircraft including its components, engines propellers, radio apparatus, accessories, instruments and avionic equipment. The approval of modifications will be subject to procedures outlines in this Section.

6.2 Investigation and approval of modifications

6.2.1 At an early stage during the design of a modification, brief particulars shall be provided to the Director.

6.2.2 All modifications, excepting those which are agreed by the Director to be of such a nature that airworthiness is not affected, shall be approved by the Director.

6.2.3 A modification package shall be submitted to the TM CAD in a form acceptable to the Director. All relevant design information, drawings and test reports shall be held at the disposal of the Director. The Director shall classify the modification as 'Major' or 'Minor'.

6.2.4 Modification documents shall bear a modification reference number, issue number and date, a description of the modification and an index list of all relevant drawings, together with a list of parts and assemblies affected by the modification and, where necessary, drawings giving particulars of the parts before and after modification. Each design drawing shall bear a description with the drawing number, issue number and date of issue. All alterations to drawings shall be made in accordance with a drawing amendment system such as will ensure amendment to design records.

6.2.5 When modifications affect unit interchangeability, or are of such an extent as to request amendment of approval documents or any documents associated with the Certificate of Airworthiness, a separate type or designation reference shall be allocated to the modified unit.

6.2.6 Any modification (change to Type Certificate) or Supplemental Type Certificate approved by the State of the type certificate holder such as the FAA, Transport Canada, EASA or EASA member state shall be deemed as acceptable to the Director and would be approved. The TM CAD would ensure that any continuing airworthiness issues related to these modifications would be implemented.

6.3 Modification Record

When the design of a modification is undertaken by an Approved Design Organisation, a record of the following particulars shall be prepared and kept in a log book or folder bearing the title "Modification Record Book".

(i) Aircraft type
(ii) Title and brief description of modification
(iii) A Modification reference number
(iv) Modification class
(v) Reference to the associated Flight Manual amendment number if performance or handling is effected by modifications.
(vi) Reference to the associated Maintenance, Overhaul and Repair Manuals, Crew Manual and Maintenance Schedule amendments numbers.

6.4 Works and Certification

6.4.1 Work undertaken in incorporating a modification or on carrying out a mandatory inspection, shall be supervised by an Organisation approved by the Director for the purpose (see MCAR Section Fourteen). If the work is to be carried out by any other foreign organisation, suitable arrangements shall be agreed with the Director.

6.4.2 Depending on the nature of the modification the following may be requested by the Director:

(i) The aircraft weighed and the Mass and Centre of Gravity Schedule amended, or replaced by a revised Schedule (see MCAR Section Ten).
Certificate of Fitness for Flight issued (see MCAR Section Nine) and the aircraft tested in flight to a schedule approved by the Director in accordance with MCAR Section Eleven.
(ii) Flight Manual Supplement
(iii) Maintenance Programme amendment
(iv) STC Supplements

6.4.3 Before a Certificate of Release to Service (see MCAR Section Eight) or its foreign equivalent is issued, the work should have been inspected and tested where necessary in conformity with the specifications drawings and instructions relating to the modification or mandatory inspection.

6.4.4 The aircraft shall be made available to enable the Director to inspect it as necessary.

6.5 Manuals and Records

6.5.1 Amendments to Manuals, that is the Flight Manual, Maintenance, Overhaul and Repair Manuals, or the Crew Manual or the Maintenance Schedule arising from the incorporation of a modification shall be made as required.

6.5.2 All relevant records of modification and mandatory inspection shall be made available to the Director for examination on request and they shall not be destroyed without authority from the Director.

6.6 Repairs

6.6.1 A 'repair' means elimination of damage and/or restoration to an airworthy condition following initial release into service by the manufacturer of any product, part or appliance

6.6.2 Classification of repairs as major or minor is accomplished either by an appropriately approved design organisation who is also a Type certificate holder or the TM CAD.

6.6.3 Structural repairs within the scope of the Structural Repair Manual are deemed as minor repairs that do not need to be approved by the Director.

6.6.3 Major repairs are approved by:
i An appropriately approved Design Organisation who is also a Type Certificate Holder;
ii The Director.

6.7 Installation

6.7.1 No component may be fitted unless it is in a satisfactory condition, has been appropriately released to service on an EASA Form 1 or equivalent (airworthiness release tag) issued by an approved manufacturing organisation for that component or by an approved maintenance organisation.

6.7.2 Prior installation of a component on an aircraft the person or approved maintenance organisation shall ensure that the particular component is legible to be fitted when different modification and/or airworthiness directives configuration may be applicable.

6.7.3 Standard parts shall only be fitted to an aircraft or a component when the approved maintenance data specifies the particular standard part. Standard parts shall only be fitted when accompanied by evidence of conformity traceable to the applicable standard.

6.7.4 Material being either raw material or consumable material shall only be used on an aircraft or component when the aircraft or component manufacturer states so in relevant maintenance data. Such material shall only be used when the material meets the required specification and has appropriate traceability. All material must be accompanied by documentation clearly relating to the particular material and containing a conformity to specification statement plus both manufacturing and supplier source.

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Section Seven

OVERHAULS

7 Introduction

7.1 This Chapter concerns the general procedures for overhauls, repairs and replacements applicable to an aircraft and where appropriate, their components, engines, propellers, radio apparatus, accessories, instruments, equipment and their installation.

7.2. General

7.2.l. Overhauls shall be carried out in accordance with the approved Manuals, drawings and schedules related thereto, at an appropriately approved overhaul facility.

7.2.2 Certificate of maintenance following overhaul shall be issued by an appropriately approved overhaul facility.

7.2.3 Replacement parts shall be certified by an Organisation acceptable to the Director (See MCAR Section 6.7) In special cases the Director may issue a one-off authorisation for the certification of overhaul or maintenance tasks to an organisation or a natural person.

7.2.4 Before a certificate of Release to Service (see MCAR Section 7) is issued, the work shall have been inspected and tested where necessary, for conformity with the specifications, drawings and instructions relating to the overhaul, repair or replacement.

7.2.5 Full particulars of the work done shall be entered in the appropriate log book and a Certificate of Release to Service completed and attached thereto.

Note: Where it is not convenient these particulars may be entered in a separate record which shall be certified in the same manner as that requested for entry in the log books. The reference number of the record, and the place where it may be examined, shall entered in the log book under a brief description of the particular work. A similar record shall be kept when log books are not required.

7.3 Records

7.3.1 All relevant records of overhauls shall be made available to the Director for examination and these shall not be destroyed without authorisation from the Director.

Note: The Air Navigation Order requires that log books and other documents which are identified and referred to in the log books (therefore forming part of the log book) shall be preserved for 2 years after the aircraft, engine or variable pitch propeller has been destroyed or permanently withdrawn from use.

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Section Eight

CERTIFICATION OF MAINTENANCE

8 Introduction

8.1 The certification of mandatory inspections, overhauls, repairs, replacements and modifications to aircraft, including components, engines, equipment and their installations, will be subject to compliance with the procedures outlined in this Section.

8.2 General

8.2.1 A Certificate of Release to Service shall be issued after any overhauls, repairs, replacements, modification and mandatory inspections have been carried out on an aircraft which is registered in Malta and has a Certificate of Airworthiness in force, except that if a repair or replacement of a part of an aircraft is undertaken when the aircraft is at such a place that is not reasonably practicable (a) to carry out the work in a manner that a Certificate of Release to Service maybe issued, or (b) for the Certificate to be issued at that particular place, the aircraft may be ferry flown to the nearest place at which a Certificate may be issued, following formal acceptance by the TM CAD. This shall be accomplished in accordance with a procedure approved by the Director.

Note: The ANO prescribes that in such cases written particulars of the flight and reasons for having carried it out are to be given to the Director within 11 days.

8.3 Certificate of Release to Service

A Certificate of Release to Service is a certification that all maintenance required has been carried out in accordance with the requirements of the Air Navigation Order.

8.3.1 The Certificate of Release to Service shall contain particulars of the work done, and the place at which the work was carried out.

8.3.2 The certificate of release to service shall contain the following statement:

"The work recorded above has been carried out in accordance with the requirements of the Air Navigation Order for the time being in force and in that respect the aircraft/equipment is considered fit for release to service."

8.3.3 A certificate of Release to Service shall only be issued by:

(i) The holder of an appropriate aircraft maintenance licence issued by the Civil Aviation Directorate; or

(ii) The holder of a recognised maintenance licence or certificate granted under the law of a country other than Malta and rendered valid under the Air Navigation Order; or

(iii) A person, or firm approved by the Director as being competent to issue such certificate; or

(iv) A person, or firm, authorised by the Director to issue such a Certificate in a particular case;

(v) An appropriately approved or accepted (EC) No 2042/2003 Part-145 maintenance organisation.

(vi) A maintenance organisation appropriately approved in accordance with MCAR Section Sixteen.

NOTE: A Certificate of release to service by a Part-145 approved maintenance organisation in accordance with Part-145.A.50 shall be issued only in cases where regulation (EC) No 2042/2003 can be applied and the work accomplished is within the scope of the organisation as specified in the maintenance organisation exposition.

8.3.4 Retention of Documents

Certificates of Release to Service relating to public transport or aerial work aircraft, shall be kept by the operator in the appropriate log book, or associated document/s for two years after the aircraft, engine, or variable pitch propeller, to which the Certificate relates, have been destroyed or has been permanently withdrawn from use. In the case of aircraft where logbooks are not mandatory the Certificates shall be kept by the operator of the aircraft for a period of two years.

Section Nine

CERTIFICATE OF FITNESS FOR FLIGHT UNDER "A" CONDITIONS

9.1 Introduction

Before an aircraft flies under "A" Conditions the aircraft and its engines shall be certified as fit for flight. This Section details the type of Certificate required.

Note: "A" Conditions of Flight as prescribed in the Air Navigation Order.

9.2 Certificate of Fitness for Flight

9.2.1 The Certificate shall be as follows:
It is hereby certified that the aircraft defined hereon has been inspected and is fit for flight provided it is properly loaded.
This Certificate is valid until or until the airworthiness condition of the aircraft is altered, whichever is earlier.

Signed:- CAD Approval No._____

9.2.2 The period of validity shall be stated but shall not exceed 7 days.

9.2.3 The Certificate shall be issued in duplicate and one copy kept elsewhere than in the aircraft.

9.2.4 A Certificate of Fitness for Flight shall be issued only by the following:

(i) The holder of an appropriate aircraft maintenance engineer's licence granted or rendered valid in Malta;

(ii) An organisation approved by the Director under the Malta Civil Airworthiness Requirements (MCAR) Section Sixteen;

(iii) Appropriately approved/accepted Part-145 maintenance organisation.

9.2.5 If the original airworthiness condition of the aircraft is affected during the period of validity, the Certificate shall be re-issued.

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Section Ten

MASS AND BALANCE OF AIRCRAFT

10.1 Introduction

This Section prescribes the requirements for the weighing of aircraft, the determination of the corresponding centre of gravity position and the provision of information for which the loading for flight can be correctly determined.

Note: The operator's responsibilities are prescribed in the Air Navigation Order.

10.2 Definitions

10.2.1 Basic Mass - Basic Mass is the Mass of the aircraft and all its basic equipment, plus that of the declared quantity of unusable fuel and unusable oil. In the case of turbine engined aircraft and aircraft the Maximum Take off Mass of which does not exceed 5,700 kg, it may also include the Mass of usable oil.

10.2.2 Basic Equipment - Basic Equipment is the inconsumable fluids, and the equipment which is common to all roles for which the operator intends to use the aircraft.

10.2.3 Variable Load - Variable Load is the Mass of the crew, of items such as the crew's baggage, removable units, and other equipment the carriage of which depends upon the role for which the operator intends to use the aircraft for the particular flight.

10.2.4 Disposable Load - Disposable Load is the Mass of all persons and items of load, including fuel and other consumable fluids, carried in the aircraft, other than the Basic Equipment and Variable Load.

Note: To obtain the total loaded Mass it is necessary to add to Basic Mass the Mass of those Variable and Disposable Load items which are to be carried for the particular role for which the aircraft is to be used.

10.3 General

10.3.1 Aircraft the Maximum Take off Mass of which exceeds 5,700 kg shall be weighed at intervals not exceeding four years and at such times as the Director may require. New aeroplanes and aeroplanes transferred from an operator with an approved mass control programme need not be weighed prior to use unless more than four years have elapsed since the last weighing.

10.3.2 Aircraft the Maximum Take Off Mass of which does not exceed 5,700 kg shall be re-weighed at such times as the Director may require, but not more than every four years.

10.3.3 When an aircraft is weighed, the condition of the aircraft (i.e. the equipment and other items of load such as fluid and tanks) shall be recorded. The equipment installed shall not differ from that included in the declared list of Basic Equipment associated with the Mass and Centre of Gravity Schedule or the Loading and Distribution Schedule or the Loading and Distribution Schedule as appropriate.

10.3.4 The Basic Mass and the corresponding c.g. position shall be determined and entered in the Mass and Centre-of-Gravity Schedule or in the Loading and Distribution Schedule as appropriate.

10.3.5 The Director may require that the actual Mass of the items of Variable Load be ascertained.

10.3.6 A Weighing Record containing records of the weighing and the calculations involved shall be made available to the Director, and such records shall be retained by the operator. When the aircraft is again weighed the previous Weighing Record shall be retained with the aircraft records.

10.3.7 Operators shall maintain records of all known Mass and c.g. changes which occur after the aircraft has been weighed, and such records shall be retained by the operator.

Section Eleven

FLIGHT TESTING OF AIRCRAFT

11.1 Introduction

The procedures outlined in this Section apply to the flight testing of the following categories of Aircraft:

(i) Aircraft being flown on airworthiness flight tests including those required by a Maintenance Programme.

(ii) Aircraft under investigation for the acceptance of modifications made after issue of the Certification of Airworthiness.

11.2 Airworthiness Flight Tests

11.2.1 Flight tests shall be completed periodically to ensure that the aircraft flight characteristics, and the functioning in flight of the aircraft, do not differ significantly from those acceptable to the Director in respect of the aircraft type. These tests are required at such other intervals or circumstances as may be agreed by the Director with the operator of the aircraft. The Director will give notification if it requires its representatives to participate in flight tests and for this purpose adequate opportunity shall be provided for the Director's representatives to become familiar with the aircraft.

11.2.2 Complete Flight Tests

The Director may require the aircraft operator to follow an Airworthiness Flight Test Schedule for the aircraft type concerned. The schedule will include the following tests:

(i) Tests to check the performance of the aircraft;
(ii) Tests to check the handling qualities of the aircraft.

These tests include:

(a) A qualitative assessment of the take-off.
(b) An assessment of the trim, primary flight controls and trimmers in steady flight.
(c) Flight at maximum speed.
(d) Stalls in the take-off and landing configuration.
(e) A qualitative assessment of the landing

(iii) Tests to check the functioning in flight of the aircraft systems
(iv) Such other tests as the Director may require.

These tests are required after:

- a major overhaul
- a major repair following an accident
- a complete cycle of a progressive maintenance programme

11.2.3 Reduced Flight Test

This is required when ever the ground test does not allow for the system involved to be properly checked, especially after;

- disturbance of the flight control
- engine(s) removal, reinstallation
- a major repair of modification and whenever the procedure requires it

11.2.4 The tests pilots shall consist of persons who are familiar with the type of aircraft concerned and must be acceptable to the Director for conducting the test laid down in the Airworthiness Flight Test Schedule.

11.2.5 The Director shall be provided with a flight test report prepared in an acceptable form. If on receipt of the flight test report the Director concludes that certain tests need to be repeated, the Director will give notification accordingly.

11.3 Modifications

11.3.1 Modifications already approved

When modification that has already been approved by the Director is embodied on an aircraft, flight tests shall be conducted as necessary to ensure compliance with the appropriate airworthiness requirements. Details on the flight test requirements and standards for acceptance will form part of the modification instructions.

11.3.2. Modifications not previously approved

If in the opinion of the Director a modification is such that it is likely to affect the flight characteristics or performance or the functioning in flight of the aircraft, the Director may decide that special flight test are required. In such instances the applicant for modification approval shall submit all the necessary information that will enable the Director to approve the flight test schedule that is intended to complete the said flight test.

11.3.3 Flight Test results

11.3.3.1 The flight test results shall include a certificate, in the following form, which shall be signed by the pilot who conducted the test.

Annex "A"

Flight Test Certificate

Aircraft type: .....
Registration: .....
Constructor's number .....

I certify that I have tested the above aircraft to the Airworthiness Flight Test Schedule reference .....
The following deficiencies and unsatisfactory features were revealed by the flight test or noted at other times during the flight(s) and I consider that those annotated 'R' and/or 'FT' should be dealt with as follows:

(a) Those annotated 'R' should be rectified prior to renewal of the Certificate of Airworthiness of flight for hire or reward, whichever occurs first.
(b) Those annotated 'FT' should be re-assessed in flight, following remedial action, before the defect can be considered to be rectified.

l. .....
2. .....
3. .....
4. .....

The above have been transcribed to .....
for rectification and clearance.

Pilot ..... Signed .....
Date ..... Licence No. .....

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Section Twelve

DUPLICATE INSPECTION OF CONTROL SYSTEMS

12.1 The procedures outlined in this Section apply to control systems and units of control systems, the failure of which affect the safety of the aircraft. For the purpose of this Section a control system shall include the flight, engine and propeller controls, the related system and the associated operating mechanisms.

12.2 Definitions

Control System. A control system is defined as a system by which the flight path, attitude, or propulsive force of an aircraft is changed.
Duplicate Inspection. A duplicate inspection is defined as an inspection first made and certified by one qualified person and subsequently made by a second qualified person.

12.3 Duplicate inspection procedures

12.3.1 Control Systems. A duplicate inspection of all control systems in the aircraft shall be made before the first flight after assembly, and the first flight after overhaul repair, replacement, modification or adjustment.

Note: Dependent on the extent of the work, it may be possible to limit the duplicate inspection to that part of the system which has been disturbed.

12.3.2 Control systems subject to duplicate inspection must not be disturbed or readjusted after the first certified inspection and the second part of the duplicate inspection must, as nearly as possible, follow immediately after the first part.

Note: In some circumstances, due to peculiarities of assembly or accessibility, it may be necessary for both parts of the inspection to be made simultaneously. It is desirable that the inspections of the control systems are made as near as is practical to the time of the intended flight.

12.3.3 If the control system is disturbed after completion of the duplicate inspection, that part of the system which has been disturbed shall be inspected in duplicate before the aircraft flies.

12.3.4 Should a minor adjustment of the control system be necessary when the aircraft is away from base, the second part of the duplicate inspection may be completed by a pilot or flight engineer licensed for the type of aircraft concerned.

12.3.5 The duplicate inspection shall be the final operation to establish the integrity of the system when all the work has been completed.

12.3.6 The inspection prescribed in this Section shall include an inspection to ensure that full free, and correct sense of movement of the controls is obtained throughout the systems relative to the movements of the crew controls. An additional inspection shall be made, when all covers and fairings are finally secured, to ensure that full and correct movement of the controls is obtained.

Persons qualified to make the first and/or second parts of the duplicate inspection are as follows:

(i) Aircraft Maintenance certifying staff

(ii) Members of an approved Maintenance Organisation, who are considered by the Quality Manager, qualified to make such inspections.

(iii) Aircraft pilots.

Section Thirteen

RECORDS AND LOG BOOKS

13.1 The aircraft continuing airworthiness records shall consist of, as appropriate, an aircraft logbook, engine logbooks(s) or engine module log cards, propeller logbooks and log cards, for any service life limited component and the operator's technical log.

13.2` The aircraft type and registration mark, the date, together with total flight time and/or flight cycles and/or landings, as appropriate, shall be entered in the aircraft logbooks.

13.3 The aircraft continuing airworthiness records shall contain the current:

1. status of airworthiness directives and any measures mandated by the Director;
2. status of compliance with maintenance programme (schedule);
3. status of service life limited components;
4. list of deferred maintenance;
5. mass and balance report.

13.4 In addition to the authorised release document, EASA Form 1 or equivalent, the following information relevant to any component installed shall be entered in the appropriate aircraft or engine logbook, engine module or service life limited component log card;

1. identification of the component and;
2. the type, serial number and registration of the aircraft to which the particular component had been fitted, along with the reference to the installation and removal of the component, and;
3. the particular component accumulated total flight time and/ or flight cycles and/or landings and/or calendar time, as appropriate, and;
4. the current paragraph 13.3 information applicable to the component.

Note: The Air Navigation Order requires that log books and other documents which are identified and referred to in the log books (therefore forming part of the log books) shall be preserved until a date two years after the aircraft, engine or variable pitch propeller has been destroyed or permanently withdrawn from use.

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Section Fourteen

CONTINUING AIRWORTHINESS MANAGEMENT

14.1 Introduction

This section covers the requirements related to continuing airworthiness management of aircraft and components.
'aircraft' means any machine that can derive support in the atmosphere from the reactions of the air other than reactions of the air against the earth's surface.
'component' means any engine, propeller, part or appliance.

14.2 Air Operators' Certificate

14.2.1 Air Operators' Certificates for commercial air transport issued by the TM CAD are issued in accordance with JAR-OPS 1 and 3. The requirements for JAR-OPS Subpart-M have been replaced by the (EC) 2042/2003 Annex I, Part-M. In the case of non-EASA aircraft, compliance with Subpart-M of JAR-OPS 1 is established by the provisions of the latest revision of the MCAR to comply with the ANO.

14.2.2 The AOC holder shall have a Continuing Airworthiness Management Organisation approval issued by the Director in accordance with this Section of the MCAR.

14.3 Continuing Airworthiness Tasks

14.3.1 The aircraft continuing airworthiness and the serviceability of both operational and emergency equipment shall be ensured by:

1. the accomplishment of pre-flight inspections;
2. the rectification to an officially recognised standard of any defect and damage affecting safe operation taking into account, if applicable, the minimum equipment list;
3. the accomplishment of all maintenance in accordance with the maintenance programme;
4. the accomplishment of any applicable:
   airworthiness directives;
   operational directive with a continuing airworthiness impact;
   continuing airworthiness requirement established by the Agency;
   measures mandated by the director in immediate reaction to a safety problem.
5. the accomplishment of modifications and repairs in accordance with the MCAR;
6. maintenance check flights when necessary.

14.4 Airworthiness Directives

14.4.1 Any applicable airworthiness directive must be carried out within the requirements of that airworthiness directive, unless otherwise specified by the Director. The Transport Malta Civil Aviation Directorate adopts and makes mandatory any Airworthiness Directive issued by the State of the Type Certificate Holder or Supplemental Type Certificate of the aircraft type, product or part.

14.4.2 Mandatory Service Bulletins may also be made mandatory by the Director.

14.5 Maintenance Programme (Maintenance Schedule as referred to in the ANO)

14.5.1 Every aircraft shall be maintained in accordance with a maintenance programme approved by the Director, which shall be periodically reviewed and amended accordingly.

14.5.2 Any subsequent amendment shall be approved by the Director

14.5.3 The maintenance programme must establish compliance with:

1. Instructions for continued airworthiness issued by the type certificate holders, supplemental type certificate and any other organisation that publishes such data or;
2 Instructions published by the competent authority in the absence of specific recommendations;
3 Instructions defined by the owner or the operator and approved by the Director

14.5.4 The maintenance programme shall contain details, including frequency, of all maintenance to be carried out, including any specific tasks linked to specific operations.

NOTE: The maintenance programme shall be based upon the recommendations found in AMC M.A.302 (Annex II) of EASA Decision Document 2003/19/RM

14.6 Technical Log

14.6.1 Introduction

In the case of commercial air transport, the operator shall use an aircraft technical log system (journey logbook).

14.6.2 General

The Technical Log shall contain the following:
(a) The registered name and address of the operator and the nationality and registration marks of the aircraft;

(b) the current Certificate of release to service;

(c) any necessary guidance instructions on maintenance support arrangements;
(d) A record sheet for entering:
(i) The times when the aircraft took off and landed.

Note:- A landing is defined as an occasion when the main landing gear makes contact with the landing surface and lift is significantly destroyed.

(ii) Particulars of any defect in any part of the aircraft or its equipment which is known to the commander, being a part to which a Maintenance Programme relates, or, if no such defect is known to him, an entry to that effect.

(iv) A Certificate of Release to Service, required by MCAR Section 7, in respect of work done for the rectification of defects. This shall be entered in such a position and manner as to be readily identifiable with the entry of the defect to which it relates.

(v) Details of operationally acceptable deferred defects given reference to the original defect entry.

(vi) The quantities of fuel and oil uplifted, and the quantity available in each tank, or combination of tanks, at the beginning of the flight.

All entries in the Technical Log, sector record shall be made in duplicate, with provision of one copy, where applicable, of each entry to be removed and retained elsewhere than in the aircraft.

The aircraft technical log system and any subsequent amendment shall be approved by the Director.

14.7 Continuing Airworthiness Management Organisation

14.7.1 Every AOC holder shall be approved as a Continuing Airworthiness Management Organisation, as part of the AOC issued by the TM CAD, pursuant to this Section for the aircraft it operates.

14.7.2 An application for issue or variation of a continuing airworthiness management organisation approval shall be made on a form and in a manner established by the Airworthiness Inspectorate of the TM CAD.

14.7.3 The grant of the approval is indicated by the issue of an approval certificate by the TM CAD.

14.7.4 Continuing Airworthiness Management Exposition

The continuing airworthiness management organisation shall provide a continuing airworthiness management exposition containing the following information:
a statement signed by the accountable manager to confirm that the organisation will work in accordance with this Section and the exposition at all times, and;
the organisation's scope of work and;
the title(s) and name(s) of the postholders;
an organisation chart showing associated chains of responsibility between the postholders;
a general description and location of the facilities;
procedures specifying how the containing airworthiness management organisation ensures compliance with MCAR;
the exposition amendment procedure.

NOTE: The CAME shall be based upon the recommendations found in AMC (Annex II) of EASA Decision Document 2003/19/RM

The CAME and its amendments shall be approved by the Director

14.7.5 Facilities

The continuing airworthiness management organisation shall provide suitable office accommodation at appropriate locations for the personnel.

14.7.5 Personnel Requirements

The organisation shall appoint an accountable manager, who has corporate authority for ensuring that all continuing airworthiness management activities and the operations of the operator can be financed and carried out in accordance with the MCAR.

14.7.6 Privileges

Manage the continuing airworthiness of commercial air transport aircraft when listed on its AOC.
Issue a certificate of airworthiness review.

14.7.7 Record Keeping

The CAMO shall record all details of work carried out.

The records shall be stored in a manner that ensures protection from damage, alteration and theft.

All computer hardware used to ensure backup shall be stored in a different location from that containing the working data in environment that ensures they remain in good condition.

14.7.8 Quality System

The CAMO quality system shall be an integrated part of the operator's quality system.

The quality system shall monitor the CAMO activities to ensure they are being performed in accordance with the approved procedures and the requirements of the MCAR and to monitor that the in-house or contracted maintenance is carried out in accordance with the contract.
The records of these activities shall be stored for at least two years.

14.7.9 Continued Validity of Approval

An approval shall be issued for an unlimited duration. It shall remain valid subject to:
The organisation remaining in compliance with the MCAR.
The approval not being surrendered or revoked.
The competent authority being granted access to the organisation to determine continued compliance with the MCAR.

14.7.10 Continuing Airworthiness Management

For every aircraft managed, the approved CAMO shall;

1. develop and control a maintenance programme for the aircraft managed including any applicable reliability programme.
2. present the aircraft maintenance programme and its amendments to the Director,
3. manage the approval of modifications and repairs,
4. ensure that all maintenance is carried out in accordance with the approved maintenance programme and released in accordance with the ANO,
5. ensure that all applicable airworthiness directives and operational directives with a continuing airworthiness impact, are applied,
6. ensure that all defects discovered during scheduled maintenance or reported are corrected by an appropriately approved maintenance organisation,
7. ensure that the aircraft is taken to an appropriately approved maintenance organisation whenever necessary,
8. coordinate scheduled maintenance, the application of airworthiness directives, the replacement of service life limited parts, and component inspection to ensure the work is carried out properly,
9. manage and archive all continuing airworthiness records and/or operator's technical log.
10. ensure that the mass and balance statement reflects the current status of the aircraft.

14.7.11 Certificate of Maintenance Review

The ANO article 9(1)b states that the certificate of maintenance review is not required where an aircraft is being operated to the requirements of JAR-OPS.

14.7.12 Airworthiness Review Certificate

The Airworthiness Review Certificate shall be issued by the CAMO every 12 months.

The ARC is issued by the CAMO following the aircraft Airworthiness Review.

The airworthiness review should contain a report containing at least the items described below:

General Information

CAMO and owner/operator details
Date and place of document and aircraft review and survey
Period of review

Aircraft information

- Registration
- Type
- Manufacturer
- Serial number
- Flight manual reference
- Mass and centre of gravity data
- Maintenance programme reference

Aircraft Status

Aircraft total time and cycles
List of persons or organisations having carried out Continued Airworthiness activities including maintenance tasks on the aircraft and its components since the last airworthiness certificate.

Aircraft Survey

Findings

A list of all findings made during the airworthiness review with the corrective action carried out

Statement

A statement signed by the airworthiness review staff recommending the issue of an airworthiness review certificate
The statement should confirm that the aircraft in its current configuration complies with the following:

- airworthiness directives up to the latest published issue, and;

- type certificate datasheet, and;
- maintenance programme, and;
- component service life limitations, and;
- the valid mass and centre of gravity schedule reflecting the current the current configuration of the aircraft, and;
- approval of all modifications and repairs, and;
- the current flight manual including supplements, and;
- Operational requirements

The Airworthiness Review Certificate shall be issued only by the following:

(a) A person authorised by the Director to issue a Certificate in a particular case.

(b) A person approved by the Director as being competent to issue a Certificate.

(c) A person nominated by the CAMO and accepted by the Director.

14.7.13 Findings

Classification of Findings

A level 1 finding is any significant non-compliance with the applicable MCAR requirements which lowers the safety standard and hazards seriously the flight safety.

A level 2 finding is any non-compliance with the applicable MCAR which could lower the safety standard and possibly hazard the flight safety.

Closure of Findings

After receipt of notification of findings from the TM CAD, the holder of the approval shall define a corrective action plan and demonstrate corrective action to the satisfaction of the TM CAD within a period agreed with the TM CAD.

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Section Fifteen

OCCURRENCE REPORTING

15.1 This Section is pursuant to the provisions of Article 81 of the ANO.

15.2 Any person or organisation responsible under Section One shall report to the Director, the organisation responsible for the type design or supplemental type design any identified condition of an aircraft or component that hazards seriously the flight safety.

15.3 Reports shall be made in a manner established by the Agency and contain all pertinent information about the condition known to the person or organisation.

15.4 Reports shall be made as soon as practicable, but in any case within 72 hours of the person or organisation identifying the condition to which the report relates.

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Section Sixteen

APPROVAL OF MAINTENANCE ORGANISATIONS

16.1 Introduction

1 Pursuant to Articles 9 and 11 of the Air Navigation Order (ANO), this section establishes the requirements to be met by an organisation to qualify for the issue or continuation of the approval for the maintenance of non-EASA aircraft and their components on the Maltese Registry.

16.1.2 An application for the issue or variation of an approval shall be made to the Airworthiness Inspectorate.

16.1.3 The organisation shall specify the scope of work deemed to constitute approval in its exposition.

16.2 General

16.2.1 Maintenance Organisation Exposition

The maintenance organisation shall provide a manual containing at the following information:

A statement signed by the accountable manager to confirm that the organisation will continuously work in accordance with the MCAR and the manual at all times, and;

The organisation safety and quality policy ;
The title(s) and name(s) of the persons nominated;
The duties and responsibilities of the persons nominated;
A list of certifying staff;
A general description of manpower resources;
A general description of the facilities located at each address specified in the organisation's approval certificate;
A specification of the organisation's scope of work relevant to the extent of approval;
The maintenance organisation exposition amendment procedure;
The procedures and quality system established by the organisation;
A list of operators where applicable to which the organisation provides an aircraft maintenance service;
A list of subcontracted organisations where applicable;
A list of line stations where applicable;
A list of contracted organisations, where applicable.

16.2.2 Facility Requirements

The organisation shall ensure that:

1 Facilities are provided for all planned work, specialised workshops and bays are segregated as appropriate, to ensure protection from contamination and the environment. The working environment must be such that the effectiveness of the personnel is not impaired

2 Office accommodation is provided for the management of all planned work including in particular, the completion of maintenance records.

3 Secure storage facilities are provided for components, equipment, tools and material. Storage conditions shall ensure segregation of unserviceable components and material from all other components, material, equipment and tools. Storage conditions shall be in accordance with the manufacturers' instructions and access shall be restricted to authorised personnel.

16.2.3 Personnel Requirements

The organisation shall appoint an accountable manager, who has corporate authority for ensuring that all maintenance required by the customer is accomplished.

A person or group of persons shall be nominated with the responsibility of ensuring that the organisation is always in compliance with this Section. Such person(s) shall be ultimately responsible to the accountable manager. These persons shall be able to show relevant knowledge, background and appropriate experience related to aircraft and/or component maintenance.

The organisation shall have appropriate staff for the normal expected contracted work. The use of temporarily sub contracted staff is permitted in the case of higher than normally expected contracted work.

The qualification of all personnel involved in maintenance shall be demonstrated and recorded.

Personnel who carry out specialised tasks such as welding, non destructive testing/inspection other than colour contrast shall be qualified in accordance with an officially recognised standard.

The maintenance organisation shall have sufficient certifying staff to issue certificates of release to service for aircraft and components.

16.2.4 Certifying Staff

Certifying staff can only exercise their privileges, if the organisation has ensured:
That certifying staff can demonstrate that in the preceding two-year period they have either had six months of relevant maintenance experience or, met the provision for the issue of the appropriate privileges;
That certifying staff have an adequate understanding of the relevant aircraft and/or aircraft component(s) to be maintained together with the associated organisation procedures.
That the certifying staff have the basic qualifications as deemed necessary by the Director.
The approved maintenance organisation shall record all details concerning certifying staff and maintain a current list of all certifying staff.

16.2.5 Components, equipment and tools

The organisation shall:

1. hold the equipment and tools specified in the maintenance data or verified equivalents as listed in the maintenance organisation manual as necessary for day-to-day maintenance within the scope of the approval, and
2. demonstrate that it has access to all other equipment and tools used only on occasional basis.

Tools and equipment shall be controlled and calibrated to an officially recognised standard. Records of such calibrations and the standard used shall be kept by the organisation.

The organisation shall inspect, classify and appropriately segregate all incoming components

16.2.6 Maintenance data

The approved maintenance organisation shall hold and use applicable current maintenance data specified

For the purpose of this Section, applicable maintenance data is:

1. Any applicable requirement, procedure, standard or information issued by the TM CAD,
2. Any applicable airworthiness directive,
3. Applicable instructions for continuing airworthiness, issued by type certificate holders, supplementary type certificate holders and any other organisation approved by the Director to publish such data.

16.2.7 Maintenance work orders

Before the commencement of maintenance a written work order shall be agreed between the organisation and the customer to clearly establish the maintenance to be carried out.

16.2.8 Aircraft certificate of release to service

At the completion of all required aircraft maintenance in accordance with this Section an aircraft certificate of release to service shall be issued according to Section 8.

16.2.9 Component certificate of release to service

At the completion of all required component maintenance in accordance with this Section an aircraft certificate to release to service shall be issued in accordance with Section Nine.

16.2.10 Maintenance Records

The approved maintenance organisation shall record all details of work carried out. Records necessary to prove all requirements have been met for issuance of the certificate of release to service including the sub-contractors' release documents shall be retained.

The approved maintenance organisation shall retain a copy of all maintenance records and any associated maintenance data for three years from the date the aircraft or aircraft component to which the work relates was released from the approved maintenance organisation.

The records shall be stored in a manner that ensures protection from damage and theft
All computer hardware used to ensure backup shall be stored in a different location from that containing the working data in an environment that ensures they remain in good condition.

16.2.11 Occurrence reporting

The organisation shall report to the Director , the State of Registry and the type certificate holder of the aircraft or component any condition of the aircraft or component identified by the organisation that has resulted or may result in an unsafe condition that hazards seriously the flight safety.

The organisation shall also report to the owner or the operator or the continuing airworthiness management organisation any such condition affecting the owner's or the operator's aircraft or component.

The organisation shall have procedures for the management and handling of occurrence reporting, follow-up and closure of any investigation related to the occurrence.

The organisation shall produce and submit such reports as soon as practicable but in any case within 72 hours of the organisation identifying the condition to which the report relates.

16.2.12 Maintenance procedures and quality system

The organisation shall establish a quality policy for the organisation to be included in the exposition
The organisation shall establish procedures agreed by the Director taking into account human factors and human performance to ensure good maintenance practices and compliance with the MCAR.

16.2.13 The organisation shall establish procedures to minimise the risk of multiple errors and capture errors on critical systems, in particular when the same person is repeating tasks and inspections on the same aircraft in the same maintenance check.

The organisation shall establish a quality system that includes the following:
Independent audits to monitor compliance with procedures and the requirements. In small organisations the audits can be contracted out

A quality feedback report system to the postholders and ultimately to the accountable manager that ensures proper and timely corrective actions taken in response to reports resulting from the independent audits.

16.2.13 Privileges of the organisation

The organisation may:
Maintain any aircraft and/or component for which it is approved at the location specified in the approval certificate and in the exposition
Maintain any aircraft and/or component for which it is approved at any other location subject to such maintenance being only necessary to rectify arising defects.
Issue certificate of release to service on completion of maintenance

16.2.14 Changes to the approved maintenance organisation

In order to enable the competent authority to determine continued compliance with this Part, the approved maintenance organisation shall notify it of any proposal to carry out any of the following changes, before such changes take place.

16.2.15 Continued validity of approval

An approval shall be issued for an unlimited duration. It shall remain valid subject to:
The organisation remaining in compliance with this Part, in accordance with the provisions related to the handling of findings
The director being granted access to the organisation to determine continued compliance with this Section.
The approval not being surrendered or removed.

16.2.16 Findings

Classification of Findings

A level 1 finding is any significant non-compliance with the applicable MCAR requirements which lowers the safety standard and hazards seriously the flight safety.

A level 2 finding is any non-compliance with the applicable MCAR which could lower the safety standard and possibly hazard the flight safety.

Closure of findings

After receipt of notification of findings from the TM CAD, the holder of the approval shall define a corrective action plan and demonstrate corrective action to the satisfaction of the TM CAD within a period agreed with the TM CAD.

Section Seventeen

LICENSING OF AIRCRAFT MAINTENANCE PERSONNEL

17.1 The Transport Malta Civil Aviation Directorate only issues aircraft maintenance licenses in accordance with (EC) No 2042/2003 Annex III - Part-66.

17.2 Only holders of aircraft maintenance engineer licence issued by an ICAO Contracting State will be eligible for the issue, by the Director, of certificate of validation for their licenses. The certificate of validation will normally confer upon the holder the same privileges as he would be entitled to under the law of the Country that issued him with the licence.

17.3 A certificate of validation normally includes reference to the particular aircraft or groups of aircraft on which the holder will be permitted to certify work carried out thereon. The Director can also include in the certificate any specific authorisation to the holder as he deems fit.