REPUBLIC OF MALTA

TRANSPORT MALTA
CIVIL AVIATION DIRECTORATE

MALTA
CIVIL AIRWORTHINESS REQUIREMENTS
(MCAR)

Document Reference : MCAR/07/25

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INTRODUCTION AND APPLICABILITY

1. The Malta Civil Airworthiness Requirements are published by the Transport Malta Civil Aviation Directorate.

2. These requirements are applicable to Maltese registered civilian aircraft falling under **Annex I of Regulation (EU) No 2018/1139** referred to in point (d) of Article 2(3) and exempted aircraft referred to in Article 3(8) (non-EASA aircraft) taking into consideration the type of operation specified therein.

3. In accordance with Article 3(a) of the Regulation (EU) No 2018/1139 (EASA Basic Regulation), the substantive requirements of the EASA implementing regulations are not applicable to non-EASA aircraft.

4. These aircraft shall therefore be covered by the articles of the CAP 641 Air Navigation Act as the national law covering initial and continuing airworthiness in civil aviation.

5. The MCAR include technical provisions and standards to be followed by aircraft owners and operators in order to comply with the Air Navigation Act articles relating to initial and continuing airworthiness of aircraft.

6. The MCAR apply to unmanned aircraft larger than 20 kg and not more than 150 kg operating mass.

7. The MCAR apply only to civil aircraft and to State aircraft when deemed necessary by the Minister (Director General). State aircraft are defined as being aircraft used in military, customs, firefighting, and police services.

8. New requirements and amendments will be effective from the date specified in the Regulatory Instrument issued by TM CAD.

9. References to the Air Navigation Act in the MCAR are intended as references to the latest version of the Air Navigation Act as amended.

10. The MCAR are not applicable to model aircraft flown by model aircraft club or associations for the purpose of conducting leisure flights, air displays, sporting activities or competition activities using RPA.

Capt. Charles Pace
Director General for Civil Aviation

Date: 16 MAY 2025

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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
07	24 MARCH 2025	TM CAD

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ACRONYMS

AD	Airworthiness Directive
ANA	Air Navigation Act (as amended)
AOC	Air Operator Certificate
ARC	Airworthiness Review Certificate
ARS	Airworthiness Review Staff
CAMO	Continuing Airworthiness Management Organisation
CAT	Commercial Air Transport
CE	Conformité Européene
EASA	European Union Aviation Safety Agency
ETSO	European Technical Standard Order
FAA	Federal Aviation Administration
JAR	Joint Aviation Requirements
ICAO	International Civil Aviation Organisation
MCAR	Malta Civil Airworthiness Requirements
MDCA	Malta Department of Civil Aviation
TM CAD	Transport Malta Civil Aviation Directorate
MTOM	Maximum Take Off Mass
RPA	Remote Piloted Aircraft
RPAS	Remote Piloted Aircraft System
SARP	Standard and Recommended Practices
TSO	Technical Standard Order
UAS	Unmanned Aircraft System

DEFINITIONS

(a) 'air operator certificate (AOC)' means a certificate delivered to an undertaking confirming that the operator has the professional ability and organisation to ensure the safety of operations specified in the certificate, as provided in the relevant provisions of national law, as applicable;

(b) '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;

(c) 'certifying staff' means personnel responsible for the release of an aircraft or a component after maintenance;

(d) 'commercial air transport (CAT) operation' means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration;

(e) 'component' means any engine, propeller, part or appliance;

(f) 'continuing airworthiness' means all of the processes ensuring that, at any time in its operating life, the aircraft complies with the airworthiness requirements in force and is in a condition for safe operation;

(g) 'JAA' means 'Joint Aviation Authorities';

(h) 'JAR' means 'Joint Aviation Requirements';

(i) 'just culture' means a culture in which front-line operators or other persons are not punished for actions, omissions or decisions taken by them that are commensurate to their experience and training, but in which gross negligence, wilful and destructive acts are not tolerated;

(j) 'maintenance' means any one or combination of the following activities: overhaul, repair, inspection, replacement, modification or defect rectification of an aircraft or component, with the exception of pre-flight inspection;

(l) 'occurrence' means any safety related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident;

(m) 'organisation' means a natural person, a legal person or part of a legal person. Such an organisation may be established at more than one location whether or not within the territory of the Member States;

(n) 'orphan aircraft' means an aircraft which cannot practically meet all applicable certification specifications.

(o) 'pre-flight inspection' means the inspection carried out before flight to ensure that the aircraft is fit for the intended flight;

(p) ‘qualified entity’ means an accredited legal or natural person which may be charged with certain certification or oversight tasks under the MCAR by and under the control and the responsibility of TM CAD;

(q) ‘remote pilot’ means a natural person responsible for safely conducting the flight of an unmanned aircraft by operating its flight controls, either manually or, when the unmanned aircraft flies automatically, by monitoring its course and remaining able to intervene and change the course at any time;

(r) "unmanned aircraft" means any aircraft operating or designed to operate autonomously or to be piloted remotely without a pilot on board;

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Section One

RESPONSIBILITIES

1.1 Responsibilities

1.1.1 The legal owner of an aircraft is responsible for the continuous airworthiness of the 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.

1.1.2 The owner shall ensure that:

(a) The airworthiness certificate remains valid.
(b) The maintenance is carried out in accordance with the approved maintenance programme or schedule as specified in MCAR Section 14.
(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 organization approved in accordance with the MCAR Section 14 in the case of aircraft qualifying for an issue of Certificate of Airworthiness.
(f) In the case of commercial air transport, firefighting, search and rescue, police operation or State Aircraft operations not falling under Regulation (EU) 2018/1139, 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 General.

(g) The owner/operator is responsible for granting to the Director General 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

2.1 General

The Air Navigation Act states that an aircraft is required to have a Certificate of Airworthiness issued under the Act 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 by indicating either in the Certificate of Airworthiness, or in documents associated with the Certificate, the detailed limitations which must be observed.

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Section Three

CERTIFICATES OF AIRWORTHINESS

3.1 Eligibility

The Director General of Civil Aviation will issue a Certificate of Airworthiness to an aircraft in accordance with the CAP 641 Air Navigation Act 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 I of Regulation (EU) No 2018/1139 referred to in point (d) of article 2(3) and exempted aircraft referred to in Article 3(8).

Non-EASA aircraft built to recognised international airworthiness codes and specifications 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 State of design will be required by the Director General.

Evaluation of the eligibility of an aircraft type for the issue of a Certificate of Airworthiness shall be conducted by TM CAD on a case by case basis to ensure adequate safety where the aircraft type does not have a type certificate or when it is an orphan aircraft. Limitations for use will be associated with the issue of a Certificate of Airworthiness in such circumstances where essential requirements are not met.

The same evaluation shall be done for any engine and propeller types installed on the aircraft referred to hereabove.

3.2 Introduction

Light unmanned aircraft may be exempted from compliance with design requirements for manned aircraft by the Director General provided those operational restrictions stipulated by the Director General are complied with. The exemptions requests would be received by TM-CAD upon a recommendation from a recognised organisation, following an appropriate examination of design, modification of design and manufacturing.

3.3 Applications

3.3.1 Application shall be submitted to the Transport Malta Civil Aviation Directorate in the manner specified by Directorate.

3.3.2 The charges relating to the issue of Certificates of Airworthiness are prescribed in the ANA Regulatory Instrument currently in force.

3.4 General

3.4.1 The applicant shall, for every aircraft to be issued with a Certificate of Airworthiness, issued under the provisions of this Section shall send to the Director General a copy of the Export Certificate of Airworthiness from the competent authority of the exporting country.

3.4.1.1 Additionally, the applicant may be required to provide the type certificate with which the aircraft complies, giving title, issue number and effective date.

3.4.1.2 Deviations or exceptions from the validated aircraft type certificate shall be defined by the applicant and accepted by the Director General as may have been authorised in writing by the Authority issuing the Export Certificate of Airworthiness.

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

3.4.2 A recommendation for the issue of an Airworthiness Review Certificate shall be submitted by an organisation approved in accordance with Section Fourteen to the TM CAD or a qualified person authorized by the Director General. Alternatively, TM CAD may carry out the airworthiness review when deemed necessary by the Director General for safety purposes.

3.4.3 The recommendation shall be in accordance with Section 14.7.11

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

3.4.5 The aircraft shall be in a condition acceptable to the Director General to enable the TM CAD to inspect it as necessary.

3.4.6 All relevant records shall be made available to the Director General for review. No such records shall be destroyed without the permission of the Director General. Maintenance records forming part of the logbook 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.

3.4.7 If work on the aircraft has to be carried out, then such work shall be carried out by an organisation approved by the Director General, pursuant to Section 16, 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 approved maintenance data.

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

3.4.9 When the particulars of the work done are so voluminous that it is inconvenient to record the details in the space provided in the logbook, 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 logbook, 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 logbook together with a brief description of the work to which the record relates. Where aircraft engine and propeller logbooks 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 General for examination.

3.4.10 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 General may agree to the acceptance of mass and balance details obtained for current documents relating to the aircraft.

3.4.11 When required by the Director General, a Certificate of Fitness for flight shall be issued and the aircraft shall be tested in flight to schedules approved by the Director General (see MCAR Section Ten). Particulars and results of such flight testing shall be provided. The certificate of a Fitness of flight can be in the form of a certificate of release to service issued by a MCAR Section Sixteen approved organisation.

3.4.12 The Director General may require the applicant to provide a copy of approved maintenance data and operating manuals, instructions for continued airworthiness as well as a complete set of all Service Bulletins issued in respect of the aircraft engines and propellers concerned.

3.4.13 All the approved data and instruction for continued airworthiness concerned shall before the issue of a Maltese Certificate of Airworthiness, be updated as necessary in respect of modifications or repairs embodied by the applicant before the acceptance by the aircraft by the Director General for certification. The Director General shall be provided with a copy of the approved data and instructions.

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

3.4.15 To facilitate delivery of aircraft to Malta, the Director General may, under appropriate circumstances, issue a temporary Permit to Fly 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.

3.4.16 At the time of the airworthiness review and certification, the aircraft shall have a maintenance schedule/programme developed by the owner or operator of the aircraft approved by the Director General pursuant to Section 14.5.

3.4.17 Following a review by the authority, the Director General shall decide and communicate to the aircraft owner or operator the equipment and instrumentation required for the type of

operation and airspace in which the aircraft would be utilised in accordance with the application submitted by the owner or operator. The decision shall be based on the applicable

ICAO SARPs or equivalent EU Regulation No 965/2012 Instruments, Data and Equipment requirements, applicable at the time.

3.5 Renewal of Airworthiness Review Certificate

3.5.1 Certificates of Airworthiness issued by the Director General are indefinite with an Airworthiness Review Certificate which has a maximum validity period of 36 months.

3.5.2 Applications

Applications for the renewal of an Airworthiness Review Certificate shall be made in a manner specified by TM CAD. If for the purpose of the Director General's investigations, travel outside Malta is necessitated, the applicant may be required to meet the additional costs.

3.5.3 Procedure

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

The aircraft, its records and the airworthiness review report shall be presented by an organisation approved in accordance with MCAR Section 14, 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.

Where an inspection is carried out on an aircraft, specifically for the purpose of renewal of the Airworthiness Review Certificate, an Airworthiness Review shall be prepared by an appropriate organisation approved in accordance with MCAR Section 14, or an appropriately qualified person authorised by the Director General detailing the work required, and a copy shall be given to the Director General.

All work undertaken in connection with the renewal of the Airworthiness Review Certificate of the aircraft shall be supervised by an Organisation approved in accordance with MCAR Section 16 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 General. 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.

The aircraft shall be tested in flight in accordance with MCAR Section 10. Where a flight test is necessary and the Certificate of Airworthiness has expired, a Certificate of Fitness for Flight (see MCAR Section 8 Para 9.2) shall be issued prior to the test flight.

3.5.4 Re-weighing of aircraft

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.

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

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 General may require.

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

When re-weighing is necessary, an amended Mass and Balance 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 against the appropriate manufacturer's current data.

3.5.5 Entries in the Records

Full particulars of the work done relating to the renewal of the Certificate of Airworthiness shall be entered on the appropriate logbook(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 logbooks. The reference number of this record, and the place where it may be examined, shall be entered in the logbook 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.

3.6 Manuals

3.6.1 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 General may request to see such manuals.

3.7 Continued validity

3.7.1 An airworthiness certificate may only be amended or modified by TM CAD.

3.7.2 The Director General may opt to suspend or revoke the Certificate of Airworthiness if the aircraft is not based or operated in Maltese territory, and the Director General decides that the aircraft may be more conveniently registered in another country.

3.7.3 A Certificate of Airworthiness shall remain valid subject to:

(a) Compliance with the applicable type–design and continuing airworthiness requirements.

(b) Aircraft is controlled by an MCAR Section 14 approved organisation, or a person deemed competent and authorised by the Director General.

(c) The aircraft remaining on the Maltese Aircraft Register.

3.8 Suspension and Revocation of Certificates of Airworthiness

3.8.1 The Director General shall suspend or revoke an airworthiness certificate, upon evidence that:

(a) The Airworthiness Review Certificate not being valid or renewed.

(b) The certificate surrendered, suspended, or revoked.

3.8.2 Upon issuance of the notice of suspension and revocation of a certificate of airworthiness, the Director General shall state the reasons for the suspension or revocation and inform the holder of the certificate on its right to appeal.

3.8.3 Upon surrender or revocation, the certificate shall be returned to the TM CAD.

3.9 Export Conformity Statement

3.9.1 Upon the submission of an application for an Export Conformity Statement specifying the State where the aircraft will be exported to, the Directorate shall conduct the necessary inspections and assessments in order to issue an Export Conformity Statement to the importing competent authority.

3.9.2 The Directorate shall ensure proper liaison with the importing competent authority for the definition of any associated import requirements, and the acceptance of the Statement and exceptions by the importing State.

3.9.3 The export Conformity Statement issued by TM CAD is valid for sixty days from the date of issue.

Section Four

PERMITS TO FLY

4.1 Eligibility

4.1.1 Non-EASA Aircraft that do not qualify for a National Certificate of Airworthiness shall not fly unless a Permit to Fly pursuant to this Section of MCAR has been issued by TM CAD.

4.1.2 The Permit to Fly shall be issued subject to such conditions relating to any TM CAD policy on 'Non-EASA Aircraft', airworthiness, operation, or maintenance of the aircraft as the Director General deems necessary.

4.1.3 In case when a 'Non-EASA aircraft' requiring a special permit to fly when it is not deemed to have a valid National Certificate of Airworthiness, a special Permit to Fly may be issued for the conduct of a positioning flight or check flight.

4.2 Applications

4.2.1 Application for the issue of a Permit to Fly shall be made in the manner specified by TM CAD.

4.2.2 The charges relating to the issue of a Permit to Fly are prescribed in the ANA Regulatory Instrument currently in force.

4.3 General

4.3.1 The applicant shall for every aircraft to be issued with a National Permit to Fly, send to the Director General:

(a) A copy or attestation of the Airworthiness specifications/requirements, or of the national aircraft type certificate with which the aircraft complies, giving title, issue number and effective date;
(b) An up-to-date flight manual and any supplements shall be submitted to the Director with each application for a Permit to Fly. The applicant shall also ensure to supply amendments for the copy of the flight manual so provided;
(c) Mass and Balance report, when applicable;
(d) Check flight report;
(e) National Airworthiness Directives compliance report, when applicable;
(f) An aircraft maintenance schedule accepted by TM CAD.

4.3.2 The Director General may during the investigation of an aircraft decide that additional requirements have to be met before a National Permit to Fly will be issued.

4.3.3 The aircraft shall be in a condition acceptable to the Director General to enable

the TM CAD to inspect it as necessary.

4.3.4 All relevant records shall be made available to the Director General for examination. No such records shall be destroyed without the permission of the Director General. Maintenance records forming part of the logbook 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.

4.3.5 If work on the aircraft has to be carried out, then such work shall be carried out by an organisation or person approved or authorised by the Director General for the purpose. 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, using the appropriate maintenance data and in accordance with a maintenance schedule.

4.3.6 Full particulars of the work done shall be entered in the appropriate logbook, and a Certificate of Release to Service shall be attached thereto (see MCAR Section 7).

4.3.7 The Director General may require the applicant to provide a copy of the maintenance data.

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

4.4 Flight Tests

4.4.1 The aircraft shall be tested in flight in accordance with MCAR Section 10. Where a check flight is necessary, a Permit to Fly for Testing shall be issued prior to the test flight and upon the submission of a Certificate of Fitness for Flight (see MCAR Section 8 paragraph 9.2) to TM CAD.

4.5 Re-weighing of aircraft

4.5.1 Re-weighing of aircraft at the time of renewal of the Permit to Fly will be dependent on the date of the last weighing, and on the history of the aircraft.

4.5.2 Aircraft of 500 kg MTOM or less shall be re-weighed at any time as the Director General may require.

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

4.5.4 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 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 Permit to Fly shall be entered on the appropriate logbook(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 7). 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 logbooks. The reference number of this record and the place where it may be examined shall be entered in the logbook 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 General may request to see such manuals.

4.8 Recommendations for Issue of Permit to Fly

4.8.1 The Director General may accept recommendations for the issue of a Permit to Fly. These recommendations shall be submitted in the format shown in Appendix I to this section.

4.8.2 The Director General may authorise persons to issue recommendation reports for the issue and renewal of Permit to Fly.

4.8.3 Any significant finding made by the authorised review persons during the aircraft review has to be closed by the aircraft owner or operator before the recommendation is submitted to the Director General.

4.8.4 A Significant finding is any finding non-compliant with the applicable MCAR, which could lower the safety standard and possibly hazard the flight safety.

4.8.5 Permits to Fly are issued and renewed only when the recommendation reports are accepted by the Director General.

4.9 Continued Validity

4.9.1 A Permit to Fly shall remain valid subject to:

(a) Compliance with the applicable design and continuing airworthiness requirements.

(b) The aircraft remaining on the Maltese Aircraft Register.

(c) The certificate not being renewed, surrendered, suspended, or revoked.

4.9.2 The TM CAD may opt to suspend or revoke the Permit to Fly if the aircraft is not based and operated in Maltese territory, and the director general decides that the aircraft may be more conveniently registered in another country.

4.10 Suspension and Revocation of Permits to Fly

4.10.1 Upon evidence that any of the conditions specified in Paragraph 4.9.1 are not met, the Director General shall suspend or revoke the Permit to Fly.

4.10.2 Upon issuance of the notice of suspension and revocation of a Permit to Fly, the TM CAD shall state the reasons for the suspension or revocation and inform the holder of the certificate on its right to appeal.

4.10.3 Upon surrender or revocation the certificate shall be returned to the TM CAD.

Appendix I

Inspection Report and Recommendation for Issue/Renewal of National Permit to Fly

General Information: *** Delete as applicable.**

Aircraft Registration**:** **9H-**	
Applicant:	Date of Application:
Intended Owner/Operator:	Location:
Date of Inspection - Aircraft:	Carried out by:
Date of Inspection – Records:	Carried out by:
Aircraft Total Hours:	Aircraft Total Flights:
Constructor:	Type Designation:
Aircraft Type:	TCDS or Design acceptance:
Constructors No:	Year of Manufacture: -
Engine Type:	MTOM:
No 1 Engine Serial No:	TCDS:
Propeller Type:	Propeller Serial No:
POH/Flight Manual Doc. No:	Revision Status:
Previous NAA Certification:	
Current Maintenance Program Ref:	Revision No:
Last Major Insp. By Maintenance Organisation:	Recent Minor Insp. By Maintenance Organisation:
Special Considerations:	

Check Cycle/Framework used by previous Owner/Operator:

Checks Carried out.

Check	Hours	Cycles	Calendar
	FH		

Scheduled Inspections/Checks Carried out:

Note: Record Details of last Inspections

Check	Date	A/C Hours	A/C Cycles	Time Since	Cycles Since

Changes to Type by Previous Owners:

Title	No.	Basis of Approval and related Documentation

Repairs by Previous Owners:

N/A

Airworthiness Directives/Mandatory Modifications (Changes):

The applicant is required to prepare a statement of compliance with ADs.
Airworthiness Directive Compliance against listing issued by State of Design Satisfactory: YES/NO

Latest AD Complied With:	Latest AD Bi-Weekly/Revision STD:
AD Subject:	
AD Compliance listing submitted:	
AD Sampling:	

Detail outstanding AD's and authority for non-compliance: Satisfactory: YES/NO

AD	Reason for non-compliance	Authority/NAA
Nil		

Engine Status at:
Date close to inspection date) *****Satisfactory: YES/NO

Basis of Engine Maintenance & Life Limitations: -	
Engine: Date Installed**:** Serial No:	Overhaul Life/Restoration basis: On condition, Condition trend monitoring
Time Since New: **FH** Cycles Since New: **cycles**	Time Since last - Overhaul/Shop Visit: N/A
Export C of A/Basis of Acceptance By TM:	
Life Limiting Component: N/A	Time/Cycles Remaining:

Propeller Status at:
Date close to inspection date) *****Satisfactory: YES/NO

Basis of Propeller Maintenance & Life Limitations: -	
Propeller: Date Installed**:** Serial No:	Overhaul Life/Restoration basis: On condition, Condition trend monitoring
Time Since New: **FH** Cycles Since New: **cycles**	Time Since last - Overhaul/Shop Visit: N/A

Additional Compliance Issues *****Satisfactory: YES/NO

Compliance with Hard Time/Life Limitations Listing *Satisfactory: YES/NO

Aircraft Weight and Balance Report Number:

Date of Last Weighing:

Date of Last Compass Swing/Location:

Flight Test Report (if applicable):

Date of Aircraft Records Review: _____

Aircraft Inspection *****Satisfactory: YES/NO
Noted findings are to be recorded on the appropriate aircraft survey check list. Copies of the aircraft survey check list and any follow-up Reporting Form issued to the applicant must be attached to this report.

Date of Aircraft Physical Inspections:

Aircraft Survey Report Issued: Date Issued: *****Satisfactory: YES/NO

Surveyors Name:

Action/Follow-Up Comments, or Issues

Subject	**Status**

Documents obtained from Operator/Owner: (* Delete that not supplied)

RECOMMENDATION

It is hereby (not) recommended that the Permit to Fly is granted valid for 12 months.

Issued Permit to Fly Reference and Date:

It is hereby not recommended that the Permit to Fly is granted.
Justification:

Name of Surveyor:

Signed: Date:

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Section Five

AIRCRAFT RADIO INSTALLATIONS

5.1 Only radio communication and navigation equipment that comply with the applicable United States Federal Aviation Administration Technical Standard Order (TSO) or European Technical Standard Order (ETSO) for installation on an aircraft will be considered acceptable by the Director General for the installation on Maltese registered aircraft.

5.2 The operator or owner of an aircraft who requires to install or substitute installed equipment by different models has to apply with the Director General for such modification using the same form referred to in Section 6.2.

5.3 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 General and approval for such works to be carried out is granted.

5.4 Where the modification design is deemed as major, the design shall be approved under the provisions of Section 6.

5.5 Replacement, repairs and modification of radio equipment shall be carried out only by appropriately licensed personnel, or organisations approved for such purposes by the Director General.

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Section Six

MODIFICATIONS, REPAIRS, AND INSTALLATION OF COMPONENTS

6.1 Modifications (Changes to Type Certificate)

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

6.1.2 A 'minor change' is one that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, noise, fuel venting, exhaust emission, or other characteristics affecting the airworthiness of the product. All other changes are 'major changes' under this Section. Major and minor changes shall be approved in accordance with 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 General.

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

6.2.3 A modification package shall be submitted to the TM CAD in a form acceptable to the Director General. All relevant design information, drawings and test reports shall be held at the disposal of the Director General. The Director General 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 which will ensure proper traceability of the 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 an EASA member state, shall be deemed as acceptable to the Director General.

6.2.7 Minor modifications approved by an appropriately approved EASA Part-21 Subpart J Design Organisation are deemed as approved in accordance with this Section.

6.2.8 The Director General may still request additional review and investigation of design changes to the type certificate as the Director General deems necessary for the approval of modifications referred to herein.

6.2.9 Major modifications approved by the type certificate holder are also deemed as approved in accordance with this Section. The Director General may still request additional review and investigation of design changes to the type certificate as the Director General deems necessary for the approval of modifications referred to herein.

6.2.10 The owner or operator of the aircraft shall submit an application for the approval of the modification.

6.2.11 The aircraft owner or operator shall ensure that the modification is properly recorded on the aircraft logbook, and any continuing airworthiness instructions related to these modifications are incorporated and 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 logbook or folder bearing the title "Modification Record Book".

(a) Aircraft type;
(b) Title and brief description of modification;
(c) A Modification reference number;
(d) Modification class;
(e) Reference to the associated Flight Manual amendment number if performance or handling is affected by modifications;
(f) Reference to the associated Weight and Balance reports, 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 General for the purpose (see MCAR Section 14). If the work is to be carried out by any other foreign organisation, suitable arrangements shall be agreed with the Director General.

6.4.2 Depending on the nature of the modification, the following may be requested by the Director General.

(a) The aircraft weighing, and the Mass and Centre of Gravity Schedule amended or

replaced by a revised Schedule (see MCAR Section 10);

(b) Certificate of Fitness for Flight issued (see MCAR Section 9) and the aircraft tested in flight to a schedule approved by the Director General in accordance with MCAR Section 11;

(c) Flight Manual Supplement;

(d) Maintenance Programme amendment;

(e) STC Supplements.

6.4.3 Before a Certificate of Release to Service (see MCAR Section 8) or its foreign equivalent is issued, the work should have been inspected and tested where necessary and is 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 General to inspect it as necessary.

6.5 Manuals and Records

6.5.1 Amendments to the Aircraft Flight Manual, Maintenance Data, Maintenance Schedule or Programme, and the Weight and Balance 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 General for examination on request and they shall not be destroyed without authority from the Director General.

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 by TM CAD.

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

6.6.4 Major repairs are approved by:

(a) An appropriately approved Design Organisation who is also a Type Certificate Holder;

(b) The Director General.

6.6.5 Amendments to the Aircraft Flight Manual, maintenance data, the Maintenance Schedule or Programme, Weight and Balance Schedule arising from the incorporation of a repair shall be made as required.

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/FAA Form 8130-3, or equivalent airworthiness release tag issued by an approved manufacturing organisation for that component or by an approved maintenance organization acceptable to TM CAD.

6.7.2 Prior installation of a component on an aircraft, the person or approved maintenance organisation shall ensure that the 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 to a component when the approved maintenance data specifies the 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 used material also containing a conformity to specification statement and both manufacturing and supplier source.

6.7.5 Without prejudice to the above paragraphs in case of 'non-EASA aircraft' that do not qualify for a National Certificate of Airworthiness, Airworthiness release tags for parts and components may not be in compliance with EASA or FAA requirements, but the end user shall verify the parts and components are sourced from reliable sources, or from the Original Equipment Manufacturers, and conform to manufacturers' specifications.

Section Seven

OVERHAULS

7.1 Introduction

7.1.1 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 General (See MCAR Section 6.7). In special cases the Director General may issue a one-off authorization 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 logbook 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 logbooks. The reference number of the record, and the place where it may be examined shall be entered in the logbook under a brief description of the work. A similar record shall be kept when logbooks are not required.

7.3 Records

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

Note: The CAP 641 Air Navigation Act requires that logbooks and other documents which are identified and referred to in the logbooks (therefore forming part of the logbook) 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

8.1 Introduction

8.1.1 The certification of mandatory and non-mandatory inspections, aircraft weighing, painting, 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 carried out on an aircraft which is registered in Malta or an engine, part or product installed on an aircraft registered in Malta, 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 to carry out the work in a manner that a Certificate of Release to Service maybe issued, or 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 General.

Note: The ANA prescribes that in such cases, written particulars of the flight and reasons for having carried it out are to be given to the Director General 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 Act.

8.3.1 The Certificate of Release to Service shall contain the following particulars:

(a) identify the overhaul, repair, replacement, modification, or maintenance to which the certificate relates;
(b) include detailed information about the work done;
(c) in the case of an overhaul, removal or replacement, certifies that the specified work conforms with the continuing airworthiness instructions issued by the relevant type certificate holder or manufacturers;

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 Act 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:

(a) The holder of an appropriate aircraft maintenance licence issued by the Civil Aviation Director Generalate; or

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

(c) A person, or an organisation approved by the Director General as being competent to issue such certificate; or

(d) A person, or an organisation authorised by the Director General to issue such a Certificate in a particular case; or

(e) A maintenance organisation appropriately approved in accordance with MCAR Section 16.

Note: A Certificate of release to service or an EASA Form 1 by an appropriately Part-145 approved maintenance organisation in accordance with Part-145.A.50 shall be accepted in cases where regulation (EU) No 1321/2014 can be applied for engines, products and parts falling under Regulation (EU) No 748/2012, 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 logbook 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

9.1 Introduction

9.1.1 Before an aircraft fly under a permit to fly for testing or positioning due to the aircraft having unserviceability or overdue maintenance, the aircraft and its engines shall be certified as fit for flight. This Section details the type of Certificate required.

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 the _____ (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:

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

(b) An organisation approved by the Director General under the Malta Civil Airworthiness Requirements (MCAR) Section 16;

(c) 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 Act.

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-engine 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 and 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 General 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 General 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 as appropriate.

10.3.4 The Basic Mass and the corresponding centre of gravity 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 General 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 General, 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 centre of gravity 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:

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

(b) 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 General in respect of the aircraft type. These tests are required at such other intervals or circumstances as may be agreed by the Director General with the operator of the aircraft. The Director General 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 General's representatives to become familiar with the aircraft.

11.2.2 Complete Flight Tests.

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

(a) Tests to check the performance of the aircraft;

(b) Tests to check the handling qualities of the aircraft;

These tests include:

i) A qualitative assessment of the take-off.

ii) An assessment of the trim, primary flight controls and trimmers in steady flight.

iii) Flight at maximum speed.

iv) Stalls in the take-off and landing configuration.

v) A qualitative assessment of the landing.

(c) Tests to check the functioning in flight of the aircraft systems;

(d) Such other tests as the Director General may require.

These tests are required after:
(a) a major overhaul;
(b) a major repair following an accident;
(c) a complete cycle of a progressive maintenance programme.

11.2.3 Reduced Flight Test.

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

(a) disturbance of the flight control;
(b) engine(s) removal, reinstallation;
(c) 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 General for conducting the test laid down in the Airworthiness Flight Test Schedule.

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

11.3 Modifications

11.3.1 Modifications already approved.

When modification that has already been approved by the Director General 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 General 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 General 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 General 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 Introduction

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

12.2.1 Control System

A control system is defined as a system by which the flight path, attitude, or propulsive force of an aircraft is changed.

12.2.2 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 follow as nearly as possible 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 a 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:

(a) Aircraft Maintenance certifying staff;
(b) Members of an approved Maintenance Organisation who are considered by the Quality Manager qualified to make such inspections;
(c) Aircraft pilots.

Section Thirteen

RECORDS AND LOGBOOKS

13.1 The aircraft continuing airworthiness records shall consist of, as appropriate, an aircraft logbook, engine logbook(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 applicable date of flight/s or block entry and any relevant maintenance release to service dates, together with the 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:

(a) status of airworthiness directives and any measures mandated by the Director General;
(b) status of compliance with maintenance programme (schedule);
(c) status of service life limited parts/components;
(d) list of deferred maintenance;
(e) list of modifications and repairs;
(f) mass and balance report.

13.4 In addition to the authorised release document, an EASA Form 1 or equivalent and 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;

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

Note: The Air Navigation Act requires that logbooks and other documents which are identified and referred to in the logbooks (therefore forming part of the logbooks) 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 Regulation (EU) No 965/2012 Part-CAT (EASA OPS). In the case of non-EASA aircraft used for Commercial Air Transport under a specific European Commission exemption under the provisions of Article 8 of Regulation 3922/91, or operations referred to in (EU) No 2018/1139 Article 3(7) compliance with Part-M, is established by the technical provisions of the latest revision of the MCAR to comply with the ANA.

14.2.2 The AOC holder shall have a Continuing Airworthiness Management Organisation approval issued by the Director General 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:

(a) the accomplishment of pre-flight inspections;
(b) the rectification to an officially recognised standard of any defect and damage affecting safe operation, taking into account, if applicable, the minimum equipment list;
(c) the accomplishment of all maintenance in accordance with the maintenance programme;
(d) the accomplishment of any applicable:
  i) airworthiness directives;
  ii) operational directive with a continuing airworthiness impact;
  iii) continuing airworthiness requirement established by EASA; and
  iv) measures mandated by the Director General in immediate reaction to a safety problem.
(e) the accomplishment of modifications and repairs in accordance with the MCAR;
(f) maintenance check flights when necessary.

14.4 Airworthiness Directives

14.4.1 Any applicable airworthiness directive issued by the State of Design Approval Holder or the Directorate must be complied with, unless otherwise specified by the Director General. The Transport Malta Civil Aviation Director Generalate adopts and makes mandatory any Airworthiness Directive issued by the State of the Design Approval Holder or of the Supplemental Type Certificate of the aircraft, engine type, product, appliances, or part.

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

14.4.3 A Certificate of Airworthiness or a Permit to fly ceases to be in force if any modification or inspection of the aircraft, or of any equipment that has been made mandatory by a directive issued by the TM-CAD, has not been accomplished.

14.4.4 Compliance with Airworthiness Directives shall be properly recorded in the aircraft records.

14.5 Aircraft Maintenance Programme

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

14.5.2 Any subsequent amendment shall be approved by the Director General.

14.5.3 The maintenance programme or schedule must establish compliance with the:

(a) Instructions for continued airworthiness issued by the type certificate holders, supplemental type certificate holders and any other design organisation that publishes such data, or;
(b) Instructions issued by the manufacturers of the aircraft or any other equipment;
(c) Instructions published by the competent authority in the absence of specific recommendations;
(d) Instructions defined by the owner or the operator and approved by the Director General.

14.5.4 The maintenance programme or schedule 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 issued by EASA.

14.6 Aircraft Technical Log

14.6.1 Introduction

In the case of aircraft used for commercial air transport, the operator of the aircraft 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
(b) the nationality and registration marks of the aircraft;
(c) the current Certificate of release to service;
(d) any necessary guidance instructions on maintenance support arrangements;
(e) 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 aircraft commander being a part to which a Maintenance Programme relates, or, if no such defect is known to the aircraft commander, an entry to that effect.

iii) 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.

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

v) 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 General.

14.7 Continuing Airworthiness Management Organisation

14.7.1 In the case of a National AOC or other operation certificate under the provisions of the ANA, the certificate holder shall be approved as a Section 14 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 CAMO shall produce a Continuing airworthiness management exposition which is approved by the Director General.

The continuing airworthiness management exposition shall contain the following information:

(a) 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;
(b) organization safety policy;
(c) the organisation's scope of work;
(d) the title(s) and name(s) of the postholders;
(e) an organisation chart showing associated chains of responsibility between the postholders;
(f) training standards and qualification criteria of nominated persons/managers, ARS and auditors;
(g) a general description and location of the facilities;
(h) procedures specifying how the containing airworthiness management organisation ensures compliance with the MCAR;
(i) procedures and processes to ensure continued airworthiness of the managed aircraft;
(j) procedures detailing how safety and compliance management are established and implemented, and;
(k) the exposition amendment procedure.

14.7.5 Facilities

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

14.7.6 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.

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.

Quality Manager

The quality manager should be able to demonstrate relevant knowledge, background and appropriate experience that are related to the activities of the organisation, including knowledge of and experience in independent system monitoring.

Safety Manager

The role of the safety manager should be:

(a) to facilitate hazard identification, as well as risk assessment and management;
(b) to monitor the implementation of action taken to mitigate risks as listed in the safety action plan, unless action follow-up is addressed by the independent monitoring function;
(c) to provide periodic reports on safety performance;
(d) to ensure the maintenance of safety management documentation;
(e) to ensure that there is safety training available, and that it meets acceptable standards; (6) to provide advice on safety matters, and;
(f) to ensure the initiation and follow-up of internal investigations of occurrences.

The competency of the person that assumes the function of the safety manager should include, but not be limited to, the following:

(a) knowledge of the International Civil Aviation Organization (ICAO) standards;
(b) an understanding of management systems, including compliance monitoring systems;
(c) an understanding of risk management;
(d) an understanding of safety investigation techniques;
(e) an understanding of Human Factors, including Human Performance and limitations;
(f) an understanding of a positive safety culture and of its promotion, and;
(g) operational experience related to the activities of the organisation.

Continuing Airworthiness Manager

The role of the Continuing Airworthiness Manager shall ensure that the tasks and responsibilities listed in 14.7.10 are properly managed, carried out and discharged in

accordance with the approved procedures and standard practices by properly qualified and trained staff. The Continuing Airworthiness Manager may act as Airworthiness Review Staff when the organisation has the privileges to perform Airworthiness Reviews.

Airworthiness Review Staff

Airworthiness Review Staff may be accepted by TM CAD based on the necessary training, qualifications, and the experience level determined in the approved CAME of the organisation.

Manpower

The organisation shall have enough manpower and competence for the expected work. The use of temporarily subcontracted staff is permitted in the case of higher than normally expected contracted work.

14.7.7 Privileges

Manage the continuing airworthiness of an aircraft issued with a National Certificate of Airworthiness issued under the provisions of the ANA and the MCARs.

Perform airworthiness reviews for aircraft issued with a National Certificate of Airworthiness issued under the provisions of the ANA and the MCARs, when approved by the Director General.

Extend the Airworthiness Review Certificate twice when the aircraft is under the control of the same CAMO in the last 12 months.

14.7.8 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 an environment that ensures they remain in good condition.

14.7.9 Management System

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

The Management 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 the contracted maintenance is carried out in accordance

with the contract.

The quality audit system shall be independent and shall report directly to the Accountable Manager. In the case of a small organisation, an annual compliance review is sufficient to satisfy the requirements of this Section.

The records of these activities shall be stored for at least two years.

The organisation shall establish a Safety Management System pursuant to ICAO Annex 19 and shall promote safety and just culture within the organisation.

14.7.10 Continuing Airworthiness Management

For every aircraft managed, the approved CAMO shall;

(a) develop and control a maintenance programme for the aircraft managed, including any applicable reliability programme;
(b) present the aircraft maintenance programme and its amendments to the Director General;
(c) manage the approval of modifications and repairs;
(d) ensure that all maintenance is carried out in accordance with the approved maintenance programme, and released in accordance with the ANO;
(e) ensure that all applicable airworthiness directives and operational directives with a continuing airworthiness impact are applied;
(f) ensure that all defects discovered during scheduled maintenance or reported, are corrected by an appropriately approved maintenance organisation;
(g) ensure that the aircraft is taken to an appropriately approved maintenance organisation whenever necessary;
(h) coordinate scheduled maintenance, the application of airworthiness directives, the replacement of service life limited parts, and inspection of components to ensure the work is carried out properly;
(i) manage and archive all continuing airworthiness records and/or operator's technical log;
(j) ensure that the mass and balance statement reflects the current status of the aircraft.

In the case of commercial air transport, when the operator is not appropriately approved to Section 16, the operator shall establish a written maintenance contract between the operator and a MCAR Section 16 approved maintenance organisation, or an organisation authorised by the Director General.

14.7.11 Airworthiness Review Certificate

The TM CAD may approve CAMOs to issue ARCs following a detailed review of the procedures, and of the airworthiness review staff or nominated persons of the CAMO. The CAMO shall apply for approval to obtain the privilege to issue ARCs.

Approval of the CAMO to issue ARCs is specified in Form MCAR (Appendix I to Section 14).

Appropriately approved CAMOs may issue ARCs in accordance with the approved CAME procedures and with the aircraft types specified in the CAMO approval certificate.

The TM CAD issues the ARC valid for 12 months together with the Certificate of Airworthiness, which can be extended twice before the issue of a new ARC.

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

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

General Information

(a) CAMO and owner/operator details
(b) Date and place of document and aircraft review
(c) Survey Period of review

Aircraft information

(a) Registration
(b) Type
(c) Manufacturer Serial Number
(d) Flight Manual Reference
(e) Mass and Balance Data
(f) Maintenance programme reference

Aircraft Status

(a) Aircraft total time and cycles;
(b) List of persons or organisations having carried out Continued Airworthiness activities, including maintenance tasks on the aircraft and on 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:
(a) airworthiness directives up to the latest published issue;
(b) type certificate datasheet;
(c) maintenance programme;
(d) component service life limitations
(e) the valid mass and balance schedule, reflecting the current configuration of the aircraft;
(f) approval of all modifications and repairs;

(g) the current flight manual, including supplements;
(h) Operational requirements

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

(a) A person authorised by the Director General to issue a Certificate in a particular case;
(b) A person approved by the Director General as being competent to issue a Certificate;
(c) An Airworthiness Review Staff, nominated by the appropriately approved CAMO and accepted by the Director General.

Upon evidence that any of the conditions specified in Paragraph 3.7 of MCAR Section 3 are not met, the TM CAD shall suspend or revoke the Airworthiness Review Certificate.

Upon issuance of the notice of suspension and revocation of an Airworthiness Review Certificate, the TM CAD shall state the reasons for the suspension or revocation and inform the holder of the certificate on its right to appeal.

14.7.12 Findings

(a) 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 significant non-compliance with the applicable MCAR requirements which could lower the safety standard, and possibly hazard the flight safety.

(b) 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.

TM CAD shall take the necessary actions to suspend, revoke, or limit the approval when the organisation is unable to close Level 1 findings, or fails to comply within the timescales granted by the TM CAD for the closure of the findings.

14.7.13 Continued validity of approval

An approval shall be issued for an unlimited duration. It shall remain valid subject to:

(a) The organisation remaining in compliance with this Part, in accordance with the provisions related to the handling of findings.
(b) The Director General being granted access to the organisation to determine continued compliance with this Section.
(c) The approval not being surrendered or removed.

14.7.14 Revocation, Suspension and Limitation of an Approval

The TM CAD shall:

(a) suspend an approval on reasonable grounds in the case of potential safety threat;
(b) suspend, revoke, or limit an approval pursuant to Paragraph 14.7.11.

APPENDIX 1

REPUBLIC OF MALTA
TRANSPORT MALTA - CIVIL AVIATION DIRECTOR GENERALATE

CONTINUING AIRWORTHINESS MANAGEMENT ORGANISATION APPROVAL CERTIFICATE

APPROVAL REFERENCE: MCAR-CAMO-XX (AOC Ref M-XX)

Pursuant to the Malta Civil Airworthiness Requirements Section 14 and the Air Navigation Act for the time being in force and subject to the conditions specified below, the Transport Malta Civil Aviation Directorate hereby certifies:

Organisation's Name:

Address:

as a continuing airworthiness management organisation as referred to in MCAR Section 14 approved to manage the continuing airworthiness of the following aircraft and to issue recommendations, or Airworthiness Review Certificates after an Airworthiness Review when stipulated.

Aircraft Type	Approved Maintenance Programme Reference	Airworthiness Review Authorised	Organisation(s) working under the quality system

Continuing Airworthiness Management Exposition Reference: as amended.

Date of last CAME revision: Revision No:

Date of original issue of the approval:

Date of this revision of the approval:

Signed: Stamp:

f/Director General for Civil Aviation

CONDITIONS:

1. This approval is limited to that specified in the scope of the continuing airworthiness management exposition, as referred to in the Malta Civil Aviation Requirements Section 14.

2. This approval requires compliance with the procedures specified in the organisation's approved continuing airworthiness management exposition.

3. This approval is valid whilst the approved continuing airworthiness management organisation remains in compliance with MCAR Section 14.

4. This approval does not constitute an authorisation to operate the type of Aircraft in paragraph 1. The authorisation to operate the aircraft is the National Air Operators Certificate (AOC).

5. This approval is limited to the aircraft registrations specified in the National AOC.

6. Where the continuing airworthiness management organisation contracts under its management system, the services of an organisation, this approval remains valid subject to such organisation(s) fulfilling applicable contractual obligations.

7. Termination, suspension, or revocation of the National AOC automatically invalidates the present approval in relation to the aircraft registrations specified in the National AOC, unless otherwise explicitly stated by the Transport Malta Civil Aviation Directorate.

Date of original issue:

Date of this revision:

Signed: Stamp:

f/Director General for Civil Aviation

Section Fifteen

OCCURRENCE REPORTING

15.1 This Section is pursuant to the provisions of Part XI of the ANA.

15.2 Any person or organisation responsible under Section 1 shall report to the Director General, the organisation responsible for the type design, or the supplemental type design, any identified condition of an aircraft, or of a component that hazards seriously the flight safety.

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

15.5 Organisations approved under the provisions of the ANA and the MCARs shall ensure confidentiality and just culture principles in the handling and the evaluation of voluntary reports. The evaluations and investigations should be aimed at identifying contributing factors and causes of the occurrences, incidents, and accidents.

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Section Sixteen

APPROVAL OF MAINTENANCE ORGANISATIONS

16.1 Introduction

This section establishes the requirements to be met by an organisation referred to in Article 70 of the ANA, to qualify for the issue or continuation of the approval for the maintenance of non-EASA aircraft and their components, on the Maltese Registry.

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

16.1.2 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 the following information:

(a) 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;
(b) The organisation safety policy;
(c) The title(s) and name(s) of the nominated persons;
(d) The duties and responsibilities of the nominated persons;
(e) Training standards and qualification criteria of nominated persons/managers, certifying staff and quality auditors;
(f) A list of certifying staff;
(g) A general description of manpower resources;
(h) A general description of the facilities located at each address specified in the organisation's approval certificate;
(i) A specification of the organisation's scope of work relevant to the extent of approval;
(j) The maintenance organisation exposition amendment procedure;
(k) The applicable maintenance procedures applicable to organisation taking into consideration Human Factors and Human Performance issues.
(l) The procedures of the management system including occurrence reporting scheme established by the organisation;
(m) A list of operators to which the organisation provides an aircraft maintenance service, where applicable;
(n) A list of subcontracted organisations, where applicable;
(o) A list of line stations, where applicable;
(p) A list of contracted organisations, where applicable.

16.2.2 Facility Requirements

The organisation shall ensure that:

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

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

(c) 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 a 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, safety, and compliance monitoring, as applicable.

The quality manager should be able to demonstrate relevant knowledge, background, and appropriate experience that are related to the activities of the organisation, including knowledge of, and experience in independent system monitoring.

The competency of the person that assumes the function of the safety manager should include, but not be limited to, the following:

(a) knowledge of the International Civil Aviation Organization (ICAO) standards;
(b) an understanding of management systems, including compliance monitoring systems;
(c) an understanding of risk management;
(d) an understanding of safety investigation techniques;
(e) an understanding of Human Factors, including Human Performance and limitations;
(f) an understanding of a positive safety culture, and of its promotion, and;
(g) operational experience related to the activities of the organisation.

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

Quality manager

The role of the quality manager should be to ensure that:

(a) The activities of the organisation are monitored for compliance with the applicable requirements and any additional requirements, as established by the organisation, and that those activities are performed properly under the supervision of the nominated persons;
(b) An audit plan is properly implemented and maintained, and continually reviewed and improved; and
(c) Corrections and corrective action are requested as necessary.

Safety manager

The role of the safety manager should be:

(a) To facilitate hazard identification, as well as risk assessment and management;
(b) To monitor the implementation of action taken to mitigate risks as listed in the safety action plan, unless action follow-up is addressed by the independent monitoring function;
(c) To provide periodic reports on safety performance;
(d) To ensure the maintenance of safety management documentation;
(e) To ensure that there is safety training available, and that it meets acceptable standards;
(f) To provide advice on safety matters; and
(g) To ensure the initiation and follow-up of internal investigations of occurrences.

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

Personnel who carry out specialised tasks such as welding and non-destructive testing/inspection other than colour contrast, shall be trained and examined in accordance with an officially recognised International Standard such as EN4179 for authorisation by the maintenance organisation.

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

16.2.4 Certifying Staff

The qualifications of certifying staff should be based on their knowledge, background, and experience, and on specific training that is established by the organisation to ensure that it is appropriate to the aircraft, product, part, or appliance to be released.

The certifying staff shall hold an authorisation issued by the organisation to exercise their privileges.

Certifying staff can only exercise their privileges if the organisation has ensured that the certifying staff:

(a) 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;
(b) Have an adequate understanding of the relevant aircraft and/or aircraft component(s) to be maintained, together with the associated organisation procedures;
(c) Have the basic qualifications as deemed necessary by the Director General.

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:
(a) 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;
(b) 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:
(a) Any applicable requirement, procedure, standard, or information issued by the TM CAD;
(b) Any applicable airworthiness directive;
(c) Applicable instructions for continuing airworthiness issued by type certificate holders, supplementary type certificate holders, and any other organisation approved by the Director General 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 9.

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 General, 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 an occurrence reporting scheme, and 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.

The organisation shall ensure confidentiality of the reporters, and use the principles of just culture and safety promotion in the handling of maintenance errors and evaluation of the reports.

16.2.12 Maintenance Procedures and Management System

The organisation shall establish a safety policy for the organisation to be included in the exposition.

The organisation shall establish procedures agreed by the Director General, taking into account human factors and human performance to ensure good maintenance practices and compliance with the MCAR.

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 Management system that includes the following:

(a) Independent audits to monitor compliance with the procedures and the requirements, and a Safety Management system pursuant to ICAO Annex 19. In small organisations, the audits can be contracted out.

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

16.2.13 Privileges of the organisation

The organisation may:

(a) Maintain any aircraft and/or component for which it is approved, at the location specified in the approval certificate and in the exposition;
(b) 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;
(c) 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 Findings

(a) 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 significant non-compliance with the applicable MCAR requirements which could lower the safety standard, and possibly hazard the flight safety.

(b) Closure of Findings

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

TM CAD shall take the necessary actions to suspend, revoke, or limit the approval when the organisation is unable to close Level 1 findings, or fails to comply within the timescales granted by the TM CAD for the closure of the findings.

16.2.16 Continued validity of approval

An approval shall be issued for an unlimited duration. It shall remain valid subject to:

(a) The organisation remaining in compliance with this Part, in accordance with the provisions related to the handling of findings;

(b) The Director General being granted access to the organisation to determine continued compliance with this Section;

(c) The approval not being surrendered, or removed.

16.2.17 Revocation, Suspension, and Limitation of an Approval

The TM CAD shall:
(c) suspend an approval on reasonable grounds in the case of potential safety threat;
(d) suspend, revoke, or limit an approval pursuant to Paragraph 14.7.11.

APPENDIX 1

REPUBLIC OF MALTA
TRANSPORT MALTA - CIVIL AVIATION DIRECTORATE

AIRCRAFT MAINTENANCE ORGANISATION APPROVAL CERTIFICATE

APPROVAL REFERENCE: MCAR - AMO - XX

Pursuant to the Malta Civil Airworthiness Requirements Section 16 and the Air Navigation Act for the time being in force and subject to the conditions specified below, the Transport Malta Civil Aviation Directorate hereby certifies:

Organisation Name:

Address:

as a Malta Civil Airworthiness Requirements Section 16 maintenance organisation approved to maintain the products listed in the attached approval schedule and issue related certificates of release to service using the above reference.

CONDITIONS

1. This approval is limited to that specified in the scope of work section of the MCAR Section 16 approved maintenance organisation exposition, and;

2. This approval requires compliance with the procedures specified in the approved maintenance organisation exposition, and;

3. This approval is valid whilst the approved maintenance organisation remains in compliance with MCAR Section 16.

4. Subject to compliance with the foregoing conditions, this approval shall remain valid for an unlimited duration until the approval is surrendered, suspended, superseded, or revoked.

Date of Original Issue:

Date of attached schedule of Approval:

Signed:- Stamp:

Director General for Civil Aviation

APPROVAL SCHEDULE

Organisation Name:

Address:

Reference: **MCAR - AMO - XX**

CLASS	RATING	LIMITATION	Base	Line
AIRCRAFT				
ENGINES				
COMPONENTS				

This approval schedule is limited to those products and activities specified in the scope of approval section contained in the MCAR Section 16 approved Maintenance Organisation Exposition (MOE), **MOE Reference:**

Date of issue:

Date of Revision:

Signed: Stamp:

Director General for Civil Aviation

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Section Seventeen

LICENSING OF AIRCRAFT MAINTENANCE PERSONNEL

17.1 The Transport Malta Civil Aviation Directorate only issues aircraft maintenance licenses in accordance with (EU) No 1321/2014 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 General, of a certificate of validation for their licenses. The certificate of validation will normally confer upon the holder the same privileges as he/she would be entitled to under the law of the Country that issued the holder 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 General can also include in the certificate any specific authorisation to the holder as he/she deems fit.

17.4 The Director General may issue authorisations and permissions to persons or organisations under the provisions of the Air Navigation Act to accomplish and certify maintenance as he/she deems fit, following the submission by the aircraft owner or operator of an application.

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Section Eighteen

NOISE CERTIFICATION AND EMISSIONS

18.1 TM CAD shall issue a Noise Certificates for Non-EASA Aircraft registered in Malta and falling within the categories set out in Volume I of Annex 16 (SARP) of ICAO.

18.2 The Noise Certificate referred to in Paragraph 18.1, issued in accordance with MCAR Section 18 does not comply with Regulation (EU) No 748/2012 Annex I/IB as amended.

18.3 The aeroplane shall meet the applicable standards specified in the Part-II Chapters of Volume I of Annex 16 (SARP) of ICAO.

18.4 The TM CAD shall issue a Noise Certificate in respect of any Non –EASA Aircraft registered in Malta, if it is satisfied that the aircraft complies with the standard specified for that aircraft in these requirements.

18.5 Aircraft compliance with the standards can be demonstrated with the presentation of the aircraft flight manual, including information specified in Part- II Chapter 1 of Volume 1 of Annex 16, or an acceptable attestation from the aircraft manufacturers or civil aviation authority or national certification body where the aircraft was exported or previously registered.

18.6 Noise Certificates are required to be carried in the aircraft and produced when required.

18.7 A Noise Certificate issued by TM CAD shall remain in force without limit of time unless the aircraft noise standards specified are no longer complied with, or if the aircraft or part of it is modified in any way which affects the ability of the aircraft to comply with the noise standards required in paragraph 18.2.

18.8 The TM CAD may exempt from any of the provisions of this Section any Non-EASA Aircraft, subject to conditions it deems fit.

18.9 The TM CAD may suspend and revoke the Noise Certificate if deemed necessary following an inquiry on the breach of any conditions or limitations subject to which the Noise Certificate or exemption has been issued.

18.10 The applicable emissions requirements for preventions of intentional fuel venting for aircraft established in Annex 16 to the Chicago Convention, Volume II, Part II, Chapters 1 and 2; 3. the applicable smoke, gaseous and particulate matter engine emissions requirements established in:

(i) Annex 16 to the Chicago Convention, Volume II, Part III, Chapter 1, and:
   (a) for smoke and gaseous emissions of turbojet and turbofan engines intended for propulsion only at subsonic speeds, in Chapter 2;
   (b) for smoke and gaseous emissions of turbojet and turbofan engines intended for propulsion at supersonic speeds, in Chapter 3; and
   (c) for particulate matter emissions of turbojet and turbofan engines intended for propulsion only at subsonic speeds, in Chapter 4.

(ii) Annex 16 to the Chicago Convention, Volume II:
(a) Appendix 1 for the measurement of reference pressure ratio;
(b) Appendix 2 for smoke emissions evaluation;
(c) Appendix 3 for instrumentation and measurement techniques for gaseous emissions;
(d) Appendix 4 for specifications for fuel to be used in aircraft turbine engine emissions testing;
(e) Appendix 5 for instrumentation and measurement techniques for gaseous emissions from afterburning gas turbine engines;
(f) Appendix 6 for compliance procedure for gaseous, smoke and particulate matter emissions, and;
(g) Appendix 7 for instrumentation and measurement techniques for non-volatile particulate matter.

18.11 The applicable aeroplane CO2 emissions requirements established in:

(i) Annex 16 to the Chicago Convention, Volume III, Part II, Chapter 1, and:

(a) for subsonic jet aeroplanes, in Chapter 2; and
(b) for subsonic propeller-driven aeroplanes, in Chapter 2.

(ii) Annex 16 to the Chicago Convention, Volume III, Appendices 1 and 2, for aeroplanes for which Chapter 2 of Annex 16 to the Chicago Convention, Volume III, Part II is applicable.

18.12 For engines, the applicable requirements in Annex 16 to the Chicago Convention, Volume II, Part IV and Appendix 8, concerning non-volatile particulate matter assessment for inventory and modelling purposes.

Section Nineteen

UNMANNED AIRCRAFT

19.1 In the case of mass-produced (buy and fly) RPA with a MTOM of less than 25 kg, the product shall conform with the applicable EU product legislation and bears the CE marking attesting this.

19.2 In the case of home-built RPA with a MTOM of less than 25 kg, the Director General may request compliance with product requirements published by TM CAD.

19.3 In the case of RPA with a MTOM of more than 25 kg not covered by Regulations (EU) No 748/2012 and (EU) No 2024/1108, the Director General may issue a National Permit to Fly in the case of RPAS operated for testing and produced in series. The design shall conform to certain applicable design specifications or product requirements accepted or defined by the Director General.

19.4 The provisions of the ANA for the issue of a Permit to fly or Certificate of Airworthiness shall apply to remotely piloted aircraft registered in Malta and tested in Malta's airspace when the issue of a Permit to fly or Certificate of Airworthiness is deemed necessary by the Director General.

19.5 The Director General may issue flight permits or certificates and may request a recommendation from a qualified entity contracted by TM CAD. The recommendation shall be based on a positive assessment of the design and manufacturing process of the RPA/RPAS, as well as the function and reliability of the RPA. The issued permits and certificates shall contain the necessary flight or operating conditions related to the RPA.

19.6 Approval by the Director General, of the design modifications and their embodiment, may also be subject to a recommendation by a qualified entity.

19.7 The Director General may request the operator to develop a maintenance programme for the RPAS.

19.8 The Director General may issue authorisations or qualifications validations to organisations and/or personnel for the certification of maintenance of RPAS under the provisions of the MCAR.

19.9 The Director General may issue an exemption from any of the requirements on the basis of the testing or operational specifications, risk considerations, and capabilities of the RPAS.