



# BAILIWICK OF JERSEY

Director of Civil Aviation

## Jersey Aviation Requirements (JARs)

### Part 39

## Continued Airworthiness Requirements

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**REVISIONS**

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## **Subpart A — General**

### **39.1 Purpose**

- (a) This Part details the requirements governing aircraft registered in the Bailiwick and issued with an airworthiness certificate under JAR Part 21 Subpart E and any aeronautical product associated with those aircraft.
- (b) The holder of an air operator's certificate or the owner or lessee of an aircraft above 2,700 kg MTOM shall have arrangements for continued airworthiness management in accordance with the requirements of Subpart E of this JAR Part.
- (c) The requirements of this JAR Part cover the grant and renewal of continued airworthiness inspection programmes and management approvals. These are the approval options under this JAR Part:
  - (1) Subpart E Option 1: the approval of an organisation based on the acceptance of the European Aviation Safety Agency (EASA) requirements of Part M Subpart G and the EASA regulatory oversight of that organisation.
  - (2) Subpart E Option 2: the approval of an organisation that does not hold an approval identified in paragraph 39.1(c)(1).
- (d) Subpart F is a standard of continued airworthiness management required for Bailiwick registered aircraft operating under a foreign air operator certificate and subject to an ICAO Article 83*bis* agreement with the Bailiwick.
- (e) Throughout this JAR Part reference is made to the options identified in paragraph 39.1(c)(1) and (2). The options are not at the discretion of an applicant but are routes that depend on the existing approval status of an organisation and are determined by the Director.
- (f) These requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the requirements reproduce many of the provisions of the Air Navigation (Jersey) Law ("the Law"). Therefore, failure to comply with these Requirements may:
  - (1) constitute a breach of the Law; and
  - (2) result in proceedings for breaches of the Law; or
  - (3) result in the refusal of an application for renewal of an approval; or
  - (4) result in action to suspend or revoke an approval.
- (g) The Law details the legal obligations governing the continued airworthiness of aircraft on the Bailiwick's register. The Law specifies these obligations in rather general terms, therefore there is a provision in the Law which requires the Director to publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Requirements are the means by which the operator or maintenance organisation will be able to satisfy the Director as to the fulfilment of the obligations in respect of continued airworthiness and the entitlement of the holder to hold and exercise the privileges of a certificate, licence or approval.

- (h) Other JAR Parts, in addition to that referred to in this Part, may impinge upon activities conducted under this Part. In particular, Part 1 contains definitions, which apply, unless otherwise stated, to all Parts. A full list of JAR Parts, a description of the legislative structure and the place of JARs and JACs within it can be viewed on the website:  
<https://www.gov.je/Travel/MaritimeAviation/CivilAviation/Pages/OfficeDirector.aspx>.
- (i) References to the Director in this JAR Part mean the regulator designated by the Director of the Bailiwick to exercise his functions under the Law.

### 39.3 Definitions

Definitions, in the context of this Part of the JARs shall have the meanings listed in JAR Part 1 (Definitions, Abbreviations and Units of Measurement); except that:

**Principal Contract** means a contract established to discharge all functional responsibilities of continued airworthiness management to an organisation appropriately approved under this JAR Part.

## **Subpart B — Continued Airworthiness Management**

### **39.51 Management personnel**

- (a) Except where provided in paragraph 39.51(b), the owner or, where it is leased, the lessee of an aircraft registered in the Bailiwick shall appoint a person acceptable to the Director and known as the Technical Co-ordinator who will ensure that appropriate arrangements for continued airworthiness management required by this JAR Part are in place.
- (b) Each holder of an air operator's certificate shall appoint a post holder under the requirements of JAR Part 119 within its organisation who will be responsible for the continued airworthiness management of the operator's aircraft as required by this JAR Part.
- (c) The appointed post-holder for continued airworthiness of Bailiwick registered aircraft operating under a foreign air operator's certificate and the provisions of an ICAO Article 83*bis* agreement shall establish and maintain arrangements for the continued airworthiness management of the Bailiwick registered aircraft as required by Subpart F of this JAR Part.

### **39.53 General continued airworthiness arrangements**

- (a) The holder of an air operator's certificate or the owner or lessee of an aircraft above 2,700 kg MTOM shall have arrangements for continued airworthiness management to the requirements of Subpart E of this Part.
- (b) The Technical Co-ordinator identified in paragraph 39.51(a) shall ensure that suitable arrangements for continued airworthiness management by either:
  - (1) holding an approval granted by the Director to the requirements of Subpart E of this Part; or
  - (2) a Principal Contract between the operator and an organisation that holds an appropriate approval granted by the Director to the requirements of Subpart E of this Part.
- (c) The person identified in 39.51(b) shall ensure that suitable arrangements for continued airworthiness management are in place by either:
  - (1) the AOC holder being approved by the Director to the requirements of Subpart E of this Part; or
  - (2) a Principal Contract between the AOC holder and an organisation that holds an appropriate approval granted by the Director to the requirements of Subpart E of this Part.
- (d) The appointed post-holder identified in 39.51(c) shall ensure that suitable arrangements for continued airworthiness management are in place to a standard equivalent to Subpart F of this Part.

## 39.55 Management responsibilities

The personnel identified in paragraph 39.51 are responsible for ensuring that the certificate of airworthiness continues to remain valid by suitable arrangements made in accordance with in paragraph 39.53 that also ensure that:

- (a) the aircraft, including its airframe, engines(s), propellers, appliances, emergency equipment and operational equipment, is maintained in an airworthy condition; and
- (b) all scheduled maintenance is performed in accordance with a maintenance programme approved by the Director; and
- (c) appropriate contracted maintenance arrangements are made acceptable to the Director; and
- (d) no person certifies maintenance on the aircraft other than as prescribed in JAR Part 43; and
- (e) any defects and unserviceabilities are rectified or deferred in accordance with JAR Part 91.610(a) prior to flight or, as permitted by JAR Part 91.610(b), are rectified, repaired or, where approved data so provides, the equipment/instrument is removed at or before the next inspection required by the applicable approved maintenance programme; and
  - (1) as applicable for aircraft subject to reliability analysis, a verification of the associated aircraft system's functional reliability is undertaken to ensure the certification basis of the MEL/CDL is not compromised; and
  - (2) repetitive defects are identified and controlled in accordance with procedures approved in the maintenance control manual; and
  - (3) procedures are in place for the notification of any MEL/CDL limitations to the operating crew; and
  - (4) procedures are established for the subsequent control of required rectification intervals; and
- (f) applicable mandatory continued airworthiness requirements are complied with within the prescribed period; and
- (g) for operators of aeroplanes over 5,700 kg or Helicopters over 3,175 kg maximum certified take off mass and all turbine powered aircraft:
  - (1) there are suitable arrangements in place to obtain and assess relevant continuing airworthiness information and recommendations from the organisation responsible for the type design and any applicable accomplished major design changes; and
  - (2) any required technical and reliability assessments are undertaken, and reports of aircraft continued airworthiness status are made by arrangements acceptable to the Director; and
  - (3) applicable continued airworthiness data is reviewed for the determination of any required actions to be taken and records of such reviews are maintained; and



- (h) repairs are carried out and approved in accordance with JAR Part 21 Subpart M that, wherever possible, do not impose further continued airworthiness requirements: and
- (i) design changes are carried out and approved in accordance with JAR Part 21 Subpart C and any continued airworthiness requirements arising from them are incorporated in the aircraft maintenance programme: and
- (j) suitable arrangements, acceptable to the Director, are made for the regular development of the maintenance programme to ensure effective continued airworthiness of the applicable aircraft; and
- (k) any applicable continued airworthiness data is made available to those involved in the maintenance of the aircraft; and
- (l) procedures prescribed in any applicable maintenance control manual are complied with; and
- (m) any required technical despatch procedures for special operations approved by the Director are complied with; and
- (n) for any aircraft having systems utilising Field Loadable Software and Database Field Loadable Data, controlling procedures acceptable to the Director are in place to ensure that:
  - (1) Field Loadable Software uploads are accomplished in accordance with the approval requirements of JAR Part 21 Subpart C: and
  - (2) Database Field Loadable Data is controlled and transferred in accordance with the equipment manufacturer's instructions; and
- (o) continued airworthiness records are maintained in accordance with Subpart D of this JAR Part; and
- (p) occurrence reporting is accomplished to the requirements of JAR Part 13 and appropriate investigations are undertaken to safeguard the aircraft and that of any other, records of such investigations any actions taken shall be reported as required by JAR Part 13; and
- (q) where applicable, there are suitable procedures acceptable to the Director for the control of aircraft, product, and component leasing; and
- (r) up-to-date mass and balance records are maintained that reflect the approved configuration of the aircraft; and
- (s) arrangements are made for technical liaison with applicable type design organisations, operators and maintenance organisations to address any airworthiness issues such as faults, malfunctions, defects, any required inspection task reporting and inaccurate/misleading airworthiness data; and
- (t) liaison meetings are held in compliance with any applicable reliability monitoring programme requirement.

### **39.57 General maintenance arrangements**

- (a) Except as permitted by paragraph 39.57(b), arrangements for maintenance of aircraft with a MTOM of 2700 kg or above, shall be established by a suitable contract with an appropriately approved JAR Part 145 maintenance organisation.
- (b) In the case of an aircraft not operated for commercial air transport, a person holding an authorisation to perform maintenance on the aircraft issued by the Director may perform maintenance in accordance with the requirements of JAR Part 43.
- (c) The annual maintenance check or that specified in the approved maintenance programme for aircraft below 2,700kg MTOM and operating for commercial air transport purposes shall be undertaken by an appropriately approved JAR Part 145 maintenance organisation.
- (d) The maintenance contract shall specify:
  - (1) a clear description of the work required of the maintenance organisation or person that takes account of human factors; and
  - (2) that a fatigue management system shall be in place to ensure that any person involved in the maintenance of the operator's aircraft is not fatigued; and
  - (3) the applicable Maintenance Control Manual including any operator specific maintenance control procedures that are to be followed; and
  - (4) the operator contact information; and
  - (5) details of any supplied maintenance data including its revision status and applicability.
- (e) Persons signing a Certificate of Release to Service shall be appropriately authorised in accordance with the requirements specified in JAR Part 43 Subpart C.
- (f) Aircraft to be operated under a Permit to Fly or a Special Flight Permit granted by the Director under the requirements of JAR Part 21 Subpart P shall have maintenance arrangements acceptable to the Director as required by that JAR Subpart.

### **39.59 Maintenance Control Manual**

- (a) The Maintenance Control Manual forms the basis for an approval prescribed in paragraph 39.89(a) and (b) and is subject to approval by the Director. It shall be in the English language; the content shall be representative of the organisation and it shall address compliance with the applicable requirements of this JAR Part.
- (b) Where an organisation is approved under the requirements of Option 2 identified in paragraph 39.89(b), organisation documents such as a General Maintenance Manual approved by an NAA listed in JAR Part 21.25(a) may be acceptable provided that suitable cross references to the requirements of

this JAR Part are provided. Any JAR Part 39 requirements not detailed in the existing organisation documentation shall be detailed in a separate JAR Part 39 Supplement.

- (c) Where an organisation is approved under the requirements of Option 1 identified in paragraph 39.89(a), combined organisation documents such as EASA CAME may be acceptable provided suitable cross references to the requirements of this JAR Part are provided.
- (d) The Maintenance Control Manual shall contain details of the accountable manager and a corporate commitment to compliance with applicable JARs.
- (e) The Maintenance Control Manual shall be approved by the Director and amendments shall be either:
  - (1) approved by the Director; or
  - (2) be approved by the organisation in accordance with a procedure approved by the Director; and
  - (3) be made available to personnel at all locations where access to that material may be required either in hard copy or electronic format in a manner acceptable to the Director.
- (f) The Maintenance Control Manual shall take account of human factors, a fatigue management system and contain details of continuation training for all personnel involved in airworthiness management.
- (g) The Maintenance Control Manual shall contain the necessary procedures for applicable continued airworthiness management functions prescribed in paragraph 39.55 and 39.57 to:
  - (1) ensure the continued airworthiness of the managed aircraft and ensure the continued validity of the Certificates of Airworthiness; and
  - (2) as appropriate, where the Certificate of Airworthiness is not in force, to ensure that processes are established, and authorised individuals nominated for the control of applications to the Director for Special Flight Permits.
- (h) The organisation shall establish a safety and quality policy for the organisation to be included in the MCM that shall detail:
  - (1) a quality system that includes independent audits to monitor the adequacy of procedures and to ensure that the organisation functional responsibilities are discharged effectively; and
  - (2) a quality feedback reporting system to the person or group of persons specified in paragraph 39.51 and ultimately to the accountable manager; and
  - (3) procedures to ensure that proper and timely corrective action is taken in response to reports resulting from the independent audits.
- (i) in small organisations of fewer than 5 people the independent audit part of the quality system may be contracted to another JAR Part 39 approved organisation or a person with appropriate technical knowledge and proven satisfactory audit experience, in a manner acceptable to the Director.

- (j) Procedures shall be established for a regular review of the MCM to ensure that it remains effective in maintaining aircraft in an airworthy condition.
- (k) All amendments shall be made in a timely manner and the amendment status of each document shall be readily identifiable by personnel. Obsolete material shall be removed promptly from all points of issue or use, and controls shall be in place to preclude the use by personnel of superseded material.
- (l) The Maintenance Control Manual shall contain details of:
  - (1) the available facilities; and
  - (2) personnel including their duties and responsibilities; and
  - (3) any computer-based systems and data to be utilised for the purpose of continued airworthiness management.
- (m) The Maintenance Control Manual shall contain details of any subcontracted activities.
- (n) Where the organisation is to be approved for the purpose of undertaking an aircraft airworthiness review required by JAR Part 21.175(b), detailed procedures shall be established for compiling suitable reports to the Director and shall include the identification of personnel authorised to submit such reports.
- (o) The Maintenance Control Manual shall contain details of personnel nominated to certify an airworthiness status report as required by JAR Part 21.175(d) in relation to the C of A.
- (p) The capability and scope of the approval shall be recorded in the MCM.
- (q) The Maintenance Control Manual shall contain a list of definitions and acronyms used.

## **Subpart C — Inspection Requirements**

### **39.61 Maintenance programme**

- (a) Aircraft granted a certificate of airworthiness under the requirements of JAR Part 21 Subpart E shall be maintained in accordance with a maintenance programme approved by the Director.
- (b) The maintenance programme and any amendments require approval by the Director for each aircraft and shall include details of the maintenance of the aircraft, engines, propellers, rotors, appliances, and emergency equipment items.
- (c) The maintenance programme shall reference the required inspection standards, practices and procedures that shall be at least equivalent to the Type Certificate holder's scheduled maintenance requirements.
- (d) Any schedule of inspections/tests required by any approved programme amendment shall be introduced in a controlled manner to ensure the continued airworthiness of the aircraft.
- (e) Consideration shall be given to human performance within the maintenance programme including the format of the maintenance programme document, maintenance task breakdown and combined maintenance tasking, particularly safety critical tasks which shall be identified in the maintenance programme.
- (f) The maintenance programme shall readily identify any certification inspection tasks and other significant continued airworthiness inspection tasks that are the subject of specific control and mandated by the applicable State of Type Certification, as referred to in JAR Part 21.19(a), such as but not limited to:
  - (1) Supplemental Structural Inspection Document;
  - (2) Fuel Tank Safety Inspections;
  - (3) Ageing Aircraft;
  - (4) Widespread Fatigue Damage;
  - (5) Electrical Wiring Interconnection Systems (EWIS).
- (g) Each maintenance programme approval holder shall make any revisions to the maintenance programme as required by the Director and any applicable mandatory amendments promulgated by the Type Certificate holder or its NAA to satisfy the continuing airworthiness requirements for the aircraft.
- (h) The maintenance programme including any amendments shall be produced in the English language, be readily available and shall contain within it:
  - (1) an explanation of the programme, including the continuity of inspection responsibility, procedures for making any required reports and technical reference material; and

- (2) instructions and procedures for the implementation of inspection tasks for the particular aircraft type, taking account of the aircraft modification status and any repairs that have associated instructions for continued airworthiness; and
- (3) an inspection schedule for performing the inspections required by the programme expressed in terms of the total time in service, cycles, calendar time, number of system operations, or any combination of these; and
- (4) for a progressive inspection programme, an inspection schedule that provides for the complete inspection of the aircraft within each 12-month period or is consistent with:
  - (i) the manufacturer's recommendations; and
  - (ii) the operator's service experience; and
  - (iii) the type of operation in which the aircraft is engaged; and
  - (iv) the utilisation of the aircraft in terms of hours and cycles or a combination thereof.
- (5) instructions, taking account of detailed technical justification, for altering and gaining approval for a change of inspection intervals or a maintenance process because of service experience; and
- (6) instructions for varying an inspection interval under exceptional circumstances taking account of overriding mandatory requirements and maintenance programme inspection requirements referred to in paragraphs 39.61(e) and (f); and
- (7) sample inspection forms, reports and instructions for their use; and
- (8) procedures for maintenance trend analysis if the programme utilises condition monitored maintenance or information derived from health and usage monitoring systems; and
- (9) inspection requirements required for approved special operations; and
- (10) instructions for continued airworthiness including inspection and analysis of any installed Flight Data Recorder (FDR) and/or Cockpit Voice Recorder (CVR) in accordance with instructions from the Type Certificate holder. If the Type Certificate holder has not provided specific requirements, the limitations specified in ICAO Annex 6 Part I, II, or III, as applicable shall prevail; and
- (11) a list of definitions and acronyms used.

### **39.63 Maintenance programme approval**

- (a) Each applicant for the approval of a maintenance programme shall apply to the Director for approval.
- (b) The application for approval of the maintenance programme shall contain, or references shall be made to, the following information:
  - (1) the name and address of the owner or lessee or the holder of an air operator's certificate; and

- (2) the maintenance status of the aircraft prior to the commencement of the programme; and
- (3) the means of introducing the programme; and
- (4) technical justification relating to the anticipated utilisation of the aircraft, inspection intervals and procedures for inspection task management; and
- (5) a copy of the maintenance programme either in hard copy or electronic format in a manner acceptable to the Director; and
- (6) copies of any other supporting documents, such as condition monitored maintenance activities, structural integrity programmes, engine off-wing maintenance programmes, fuel tank safety inspection programmes; and
- (7) the aircraft designation, serial number and registration mark for each aircraft that is subject to the programme; and
- (8) any further particulars relating to the programme and applicant as may be required by the Director.

### **39.65 Condition monitored and reliability maintenance programmes**

- (a) Where the manufacturer of aircraft, engines and propellers prescribe MSG-3 logic, condition monitoring, or health and usage monitoring systems these shall form part of the maintenance programme approved by the Director under paragraph 39.63.
- (b) Appropriate procedures acceptable to the Director shall be established for any applicable condition monitoring or reliability or health and usage monitoring systems referred to in paragraph 39.65(a).
- (c) Where data gathering is required, the following shall form the basis of an acceptable programme:
  - (1) aircraft utilisation; and
  - (2) pilot reports; and
  - (3) aircraft mechanical delays and cancellations; and
  - (4) unscheduled engine shutdowns; and
  - (5) unscheduled engine removals; and
  - (6) unscheduled component removals; and
  - (7) confirmed component failures; and
  - (8) occurrences.

### **39.67 Airworthiness Directives applicability**

- (a) Except as provided for in paragraph 39.67(b), the airworthiness directives applicable under this Part are those airworthiness directives or equivalent mandatory continued airworthiness requirements:
  - (1) prescribed for that aircraft or product by the State of type certification on which Type Acceptance Certification rests; and
  - (2) any prescribed by the state of certification of an applicable approved design change.
- (b) Compliance with alternative or additional airworthiness directives may be required as a condition of issue or continuity of the Type Acceptance Certificate.

### **39.69 Airworthiness Directives compliance**

An aircraft shall not be released to service unless for each applicable airworthiness directive:

- (a) compliance can be demonstrated with the specified compliance criteria; or
- (b) an alternative means of compliance has been approved under paragraph 39.71.

### **39.70 Continued airworthiness improvements**

An aircraft holding a Certificate of Airworthiness granted in the Bailiwick shall comply with the special conditions of Type Acceptance referred to in JAR Part 21.19(a) for any additional requirements of continued airworthiness.

### **39.71 Alternative means of compliance with mandatory continued airworthiness requirements**

An alternative means of compliance may be proposed for the Director's approval provided that the regulatory authority of the Contracting State that issued the original requirement has accepted the alternative compliance proposal.



## **Subpart D — Aircraft Records**

### **39.73 Maintenance and continued airworthiness records**

- (a) The owner or, where it is leased the lessee, of an aircraft or the holder of an air operator's certificate shall make provision for the retention of aircraft engine and propeller log books recording at least the following:
  - (1) maintenance records; and
  - (2) airworthiness records of compliance with airworthiness directives and scheduled maintenance requirements; and
  - (3) records of modifications and repairs; and
  - (4) life component records.
- (b) Maintenance records shall be of sufficient detail to establish the full content of the maintenance activity undertaken and shall include all relevant supporting information, such as component replacement service life records.
- (c) Records shall be of sufficient detail to demonstrate the airworthiness status of the aircraft at all times and shall include:
  - (1) a description of maintenance tasks including references to the applicable approved technical data; and
  - (2) the date of completion of all scheduled maintenance tasks and reference to the approved maintenance programme; and
  - (3) the signature, and authorisation reference of the person certifying the aircraft for return to service; and
  - (4) the total time in service by the specified time control basis of the airframe, each engine, each propeller, and each rotor and installed equipment; and
  - (5) the current status of lifed parts/components of each airframe, engine, propeller, rotor, and appliance with referenced to the specified time interval basis required by paragraph 39.61(h)(3); and
  - (6) the time since last overhaul of all items installed on the aircraft which are required to be overhauled on a specified time basis; and
  - (7) the current maintenance status of the aircraft, including the time since the last inspection required by the maintenance programme under which the aircraft is maintained; and
  - (8) the current status of each applicable airworthiness directive including:
    - (i) the airworthiness directive number; and
    - (ii) the revision date; and
    - (iii) the means of compliance; and
    - (iv) and if the airworthiness directive involves recurring action, the time and date when the next action is required; and

- (9) a list of all design changes and repairs to each airframe, engine, propeller, rotor, and appliance including substantiation data required by JAR Part 21.73; and
  - (10) a record of all airframe damage that shows each damage site with a reference to a certified assessment to approved data supporting continued aircraft operation; and
  - (11) a record of any defects or maintenance activities requiring rectification action to restore the aircraft to an airworthy condition.
- (d) The records shall be kept in hard copy form or in electronic coded form provided that this form allows for the preservation and retrieval of information in a manner acceptable to the Director.
  - (e) Any additional worksheets, documents, technical logs or other documentation associated with the maintenance of the aircraft shall be referenced in the relevant log books and will become part of the maintenance records for retention of records purposes.

### **39.75 Retention of records**

- (a) The owner, or where it is leased the lessee, of an aircraft or the holder of an air operator's certificate shall retain maintenance and continued airworthiness records as follows:
  - (1) for a minimum period of 12 months after the unit to which they refer has been permanently withdrawn from service:
    - (i) the total time in service (hours, calendar time and cycles, as appropriate) of the aeroplane and all life-limited components; and
    - (ii) the current status of compliance with all mandatory continuing airworthiness information; and
    - (iii) appropriate details of modifications and repairs; and
    - (iv) the time in service (hours, calendar time and cycles, as appropriate) since the last overhaul of the aeroplane or its components subject to a mandatory overhaul life; and
    - (v) the current status of the aeroplane's compliance with the maintenance programme.
  - (2) for all detailed maintenance records in respect of the aircraft and any service life-limited component fitted thereto, not less than 24 months after the aircraft been released to service in respect of that maintenance or until the information contained therein is superseded by new information equivalent in scope and detail, whichever is the longer time.
  - (3) the current status of compliance with the maintenance programme; such that compliance with the approved aircraft maintenance programme can be established, at least until the aircraft or component scheduled maintenance has been superseded by other scheduled maintenance of equivalent work scope and detail.

- (b) The owner, or where it is leased the lessee, of an aircraft or the holder of an air operator's certificate required by paragraph 39.79(a) to provide a Technical Log shall ensure that arrangements are established for the subsequent transmittal of sector record pages to the organisation responsible for the continued airworthiness of the aircraft.

### **39.77 Transfer of maintenance records**

- (a) Each holder of a Bailiwick Certificate of Registration for an aircraft transferring registration to another person under JAR Part 47 shall, at the time of transfer of registration, transfer to that person all relevant maintenance records and records of continued airworthiness.
- (b) In the event of a temporary change of operator, the relevant maintenance records and records of continued airworthiness shall be made available to the new operator.

### **39.79 Technical log**

- (a) The holder of an air operator's certificate, owner or, where it is leased the lessee, of an aircraft above 2,700 kg MTOM or turbine powered shall provide a technical log for the aircraft which has provision for recording at least the following, as applicable:
  - (1) the name of the operator; and
  - (2) the registration and designation of the aircraft; and
  - (3) record of aircraft utilisation including total time (daily, hours, cycles sectors) as applicable; and
  - (4) records of fuel and oil; and
  - (5) the maintenance status of the aircraft, the identity of the next scheduled inspection, including date/hours/cycles at which any other out of phase maintenance/inspection is required; and
  - (6) any defects or abnormal occurrences found by the pilot during or following a flight; and details of rectification of defects occurring between scheduled inspections including the certificate of release to service for any rectification; and
  - (7) details of any deferred rectification including any inoperative equipment with which the aircraft is permitted to be flown under the applicable JAR Parts relating to the operation of the aircraft; and
  - (8) records for special operations such as AWOPs and ETOPs; and
  - (9) the information required by the applicable JAR Parts relating to the operation of the aircraft; and
  - (10) the time when ground de-icing and/or anti-icing was started and the type of fluid applied, including fluid/water mixture ratio; and

- (11) the time spent in particular engine power ranges where the use of such engine power affects the life of the engine or engine module; and
  - (12) the number of landings where landings affect the life of an aircraft or aircraft component; and
  - (13) flight pressure cycles where such cycles affect the life of an aircraft or aircraft component.
- (b) The content of the Technical Log may be altered from that in paragraph 39.79(a) if alternative methods of recording this data acceptable to the Director are used.
  - (c) The Technical Log shall be kept in hard copy form or in electronic coded form provided that this form allows for the preservation and retrieval of information in a manner acceptable to the Director.

### **39.81 Mass and Balance**

- (a) An aircraft is to be weighed:
  - (1) at intervals not exceeding 5 years or, where the aircraft is part of an operator's fleet weighing programme accepted by the Director, at intervals specified by that programme; and
  - (2) whenever alterations affecting mass and balance of the aircraft are made that exceed the limits for computed mass and balance changes advised by the aircraft type certificate holder.
- (b) Records of aircraft mass and balance shall be maintained in a manner acceptable to the Director and reflect the modification and repair status by:
  - (1) calculations where approved data is available for incorporated design changes; and
  - (2) by periodic weighing of aircraft as prescribed in the applicable approved aircraft maintenance programme.
- (c) The basic record of aircraft empty mass shall be that defined by the Type Certificate holder and any approved configuration.
- (d) Any item installed not forming part of the Type Design shall be entered in an equipment list with its associated weight and moment and shall constitute part of the aircraft's mass and balance report.
- (e) Following any change made to the empty mass of the aircraft or its centre of gravity, an entry shall be made in the aircraft log book or other aircraft record acceptable to the Director before the next flight and shall include details of:
  - (1) the change; and
  - (2) the effective date of the change; and
  - (3) the weight and moment arm of each item installed or removed.

- (f) Subject to the requirement of paragraph 39.81(b) the particulars of any changes to the empty mass of the aircraft shall be transcribed into the aircraft's empty weight and balance report.

### **39.83 Alternative configurations**

Where an aircraft is operated in more than one configuration, a separate mass and balance report shall be provided for each configuration and shall contain:

- (a) details of the differences from the basic aircraft configuration; and
- (b) the empty mass and centre of gravity for the configuration; and
- (c) the approved modification details supporting the configuration.

### **39.85 Certification**

- (a) All mass and balance reports shall be certified by an authorised person responsible for compiling the report.
- (b) Alternative configurations and changes made to the aircraft empty mass shall be certified with an appropriate maintenance release recording:
  - (1) where applicable the specific configuration; and
  - (2) details of the approved modification; and
  - (3) the amendment made to the aircraft's empty mass and balance report.

## **Subpart E — Continued Airworthiness Management Approval**

### **39.87 Applicability**

- (a) Organisations that undertake continued airworthiness management of aircraft registered in the Bailiwick shall hold an appropriate approval granted by the Director under the requirements of this JAR Part.
- (b) Organisations to which this Subpart applies are:
  - (1) each holder of an air operator's certificate issued under JAR Part 119; or
  - (2) the Technical Co-ordinator identified in 39.51(a); or
  - (3) organisations which are the subject of a Principal Contract as prescribed in paragraph 39.53(b)(2) and 39.53(c)(2).

### **39.89 Standards**

- (a) Option 1: Organisations approved by EASA to undertake continued airworthiness management of aircraft to the requirements of EASA Part M Subpart G as amended.
- (b) Option 2: Organisations or AOC holders seeking approval under this option shall comply with the provisions for an applicable Maintenance Control Manual prescribed in paragraph 39.59 that is acceptable to the Director.

### **39.91 Issue**

- (a) Option 1: an organisation holding an approval identified in paragraph 39.89(a) may be approved under this Subpart subject to:
  - (1) the EASA approval remaining valid; and
  - (2) the organisation holding an applicable rating and scope of approval; and
  - (3) the organisation having a Maintenance Control Manual prescribed in paragraph 39.59 that is approved by the Director; and
  - (4) the organisation complying with the relevant requirements of JARs.
- (b) Option 2: an organisation not holding a valid approval described in paragraph 39.89(a) may be approved under this Subpart subject to:
  - (1) the organisation having a maintenance control manual prescribed in paragraph 39.59 that is approved by the Director; and
  - (2) compliance with applicable requirements of this JAR Part; and
  - (3) the organisation complying with the relevant requirements of JARs.

### **39.93 Privileges of approval holder**

- (a) The approval certificate shall specify the actual scope of approval activity granted and shall specify the aircraft types for which approval has been granted.
- (b) In respect of an approval granted under Option 1, the actual scope of approval activity granted by the Director may exceed that granted by EASA if existing approval ratings are considered comparable.

### **39.95 Duration of approval**

- (a) An approval may be granted or renewed for a period determined by the Director.
- (b) An approval remains in force until it expires or is suspended or revoked.
- (c) The holder of an approval that is revoked or suspended shall forthwith surrender the certificate to the Director.

### **39.97 Notification of ceasing approval activity**

- (a) Each holder of an approval that ceases to offer continued airworthiness management services shall notify the Director in writing within 30 days of the date of cessation.
- (b) The notification required by paragraph 39.97(a) shall include a request for revocation of the approval.

### **39.99 Renewal of approval**

The holder of the approval shall make an application for the renewal of a continued airworthiness management approval to the Director not less than 30 days before the approval expires.

### **39.101 Continued compliance**

Each holder of a Continued Airworthiness Management organisation approval shall:

- (a) hold at least one complete and current copy of its maintenance control manual; and
- (b) comply with all procedures detailed in its maintenance control manual; and
- (c) make each applicable section of its maintenance control manual available to personnel who require those sections to carry out their duties; and
- (d) continue to meet the standards and comply with the requirements of this JAR Part; and
- (e) in respect of an Option 1 approval, maintain the EASA approval validity including the applicable rating and scope.

## **Subpart F — Continued airworthiness management in association with an ICAO Article 83bis agreement**

### **39.103 Applicability**

- (a) Organisations that undertake continued airworthiness management of aircraft registered in the Bailiwick and operated under an ICAO Article 83bis agreement shall have arrangements for the continued airworthiness management in accordance with this Subpart.
- (b) Such organisations may be:
  - (1) holders of a foreign air operator's certificate which operate Bailiwick registered aircraft under an ICAO Article 83bis agreement with a Bailiwick; or
  - (2) organisations that have a Principal Contract to perform the management of continued airworthiness for an air operator certificate holder under an Article 83bis agreement.

### **39.105 Standards**

The technical standard of continued airworthiness management for this Subpart is EASA Part M Subpart G, as revised, and the applicable requirements of Subparts B, C and D of this JAR Part.

### **39.107 Compliance**

Organisations will be required to demonstrate compliance with the standards of this Subpart to the NAA of the State of Operator and the applicable NAA.

**END**