AMI-100A
0014771

U.S. Department of Transportation
Federal Aviation Administration

Advisory Circular

Subject: Acceptance of Repair Stations by the JAA and JAA-Member NAAs Under the Maintenance Implementation Procedures of a Bilateral Aviation Safety Agreement

Date: 3/29/99 **AC No:** 145-8
Initiated by: AFS-350

1. PURPOSE. This advisory circular (AC) is intended to provide information and guidance concerning acceptable means, but not the only means, that should be used by repair station certificate holders in the United States to obtain Joint Aviation Authorities (JAA) and foreign National Aviation Authority (NAA) acceptance under the provisions of Maintenance Implementation Procedures (MIP) concluded pursuant to a Bilateral Aviation Safety Agreement (BASA).

2. FOCUS. This AC applies to repair station certificate holders who must demonstrate compliance with requirements for JAA and NAA acceptance. This AC has been subjected to comment from various NAAs and the JAA. However, persons should be aware that, ultimately, responsibility for administration of NAA requirements and the Joint Aviation Requirements (JAR) rests with the respective NAAs and the JAA. Accordingly, legal resolution of NAA and JAR compliance issues raised by this AC should be directed to the relevant NAA or the JAA.

3. RELATED MATERIAL.

a. Title 14, Code of Federal Regulations, parts 43, 121, and 145.

b. Federal Aviation Administration (FAA) Order 8300.10, Airworthiness Inspector's Handbook. Copies of this document may be purchased from New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954.

c. JAR 145, Approved Maintenance Organizations; Joint Aviation Authorities, Administrative and Guidance Material, Section Two: Maintenance; Joint Aviation Authorities, Maintenance Leaflet No. 22, JAA Acceptance of American Repair Stations; JAA Administrative and Guidance Material Section Two: Maintenance, Part Two: Procedures, Chapter 30 (which describes

working procedures for the application of the general elements of the special conditions in the MIP) and Chapter 31 (which describes working procedures for JAA and JAA-NAA acceptance of repair stations certificated under FAR part 145). Copies of these documents may be obtained from Westward Digital Limited, 37 Windsor Street, Cheltenham, GL52 2DG England. Copies of JAA Maintenance Leaflet No. 22 also may be obtained from the local Flight Standards District Office (FSDO).

4. BACKGROUND.

a. JAR 145 is a set of requirements established by the JAA that are similar to FAR part 145. JAR 145 has been adopted by all JAA-member NAAs and includes those requirements that a repair station must comply with to qualify as a JAA-accepted maintenance organization. JAR 145 also includes a requirement specifying that the maintenance of all aircraft registered in JAA-member countries and used in commercial air transport operations be performed by a maintenance organization approved or accepted by the JAA.

b. A repair station certificated under FAR part 145 located in the United States may qualify for acceptance by the JAA as a maintenance organization in accordance with JAR 145.10. JAR 145.10 permits organizations located outside the territories of the countries that have joined the JAA to be accepted when working in accordance with JAA maintenance special conditions detailed in the MIP of a BASA.

c. As a result of these provisions, a repair station certificated under FAR part 145 may be accepted by the JAA on behalf of the JAA-member NAA if the repair station complies with special conditions in addition to the requirements of FAR part 145. These conditions are specified in the MIP executed between the FAA and various JAA-member NAAs. These special conditions are listed in appendix 1 to this AC and further described in JAA Maintenance Leaflet No. 22. A repair station accepted by the JAA may perform work on any aircraft registered in a JAA-member country. A repair station accepted by the JAA has the acceptance of all JAA-member NAAs and does not require independent certification by a JAA-member NAA.

5. DEFINITIONS.

a. Bilateral Aviation Safety Agreement (BASA). An executive agreement concluded between the United States and a foreign country for the purpose of promoting aviation safety, also known as an Agreement for the Promotion of Aviation Safety.

b. Compliance with JAR 145. Compliance with the latest issue of FAR part 145 and the special conditions as set forth in a MIP, recognizing that ACs provide additional guidance in this area.

c. Joint Aviation Authorities (JAA). An organization consisting of representatives of the Civil Aviation Authorities (CAA) of the countries that have signed the "Arrangements Concerning the Development and the Acceptance of the Joint Airworthiness Requirements." Countries with full JAA membership are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Monaco, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. The JAA are located at Joint Aviation Authorities, Saturnusstraat 8-10, P.O. Box 3000, 2130 KA Hoofddorp, Netherlands; telephone: 31-23-56-79711; facsimile: 31-23-56-21714. For additional FAA information regarding JAA-member countries contact the Flight Standards International Liaison Staff, AFS-50, at 202-267-3719.

d. JAA/NAA Acceptance. JAA procedures by which the JAA accepts an FAA-certificated repair station seeking a JAA listing to perform work on civil aeronautical products under the regulatory control of any JAA-member NAA. Such JAA procedures involve issuing a JAA acceptance and entering information concerning the FAA-certificated repair stations accepted by the JAA into a list published by the JAA of certificated repair stations. Continued listing is predicated on the continued monitoring and approval of such facilities by the FAA.

e. Joint Aviation Requirements (JAR). The JAR are a uniform set of regulations issued by the JAA. The JAR are interpreted and implemented by JAA policy guidance in the form of Interpretive Explanatory Material (IEM), Acceptable Means of Compliance (AMC), JAA Maintenance Leaflets, and JAA Administrative and Guidance Material Section Two: Maintenance.

f. Maintenance Implementation Procedures (MIP). Procedures for implementing the provisions of a BASA that apply to maintenance.

g. National Aviation Authority (NAA). The aviation regulatory authority of a foreign country.

h. Special Conditions. Conditions in a MIP that specify the requirements in FAR part 145 that the FAA has determined are not contained in JAR 145 (FAA Special Conditions) and the requirements in JAR 145 that an NAA has determined are not contained in FAR part 145 (JAA Special Conditions). NAA Special Conditions are based on the JAA Special Conditions in appendix 1 to this AC.

6. DISCUSSION.

a. General. A repair station seeking JAA/NAA acceptance under JAR 145 must hold a valid repair station certificate and operations specifications issued under FAR part 145 and be located in the United States. Acceptance by the JAA is limited to the scope of work specified in the operations specifications issued to the repair station. A repair station that has obtained JAA acceptance has the acceptance of all JAA-member NAAs and, subject to the terms of its operations specifications, may perform work on any aeronautical product under the regulatory control of any JAA-member NAA.

b. Procedures for Obtaining Initial JAA/NAA Acceptance Under JAR 145.

(1) A repair station seeking initial JAA/NAA acceptance under JAR 145 should request an application packet from the FAA FSDO with certificate oversight responsibility for the repair station. This application packet will contain a copy of this AC and JAA Maintenance Leaflet No. 22. JAA Maintenance Leaflet No. 22 provides guidance on compliance with those provisions of JAR 145 not addressed in FAR part 145. It also contains a sample JAA Supplement to a repair station's Inspection Procedures Manual (IPM) and JAA Form 16, Repair Station Application for Initial/Renewal/Amendment of JAA Acceptance in Accordance with JAR 145 (appendix 2 to this AC).

(2) The repair station should prepare two copies of JAA Form 16 and two copies of its JAA Supplement to its IPM. The proposed JAA Supplement should conform to the sample JAA Supplement contained in JAA Maintenance Leaflet No. 22.

(3) The repair station should obtain evidence of its need for JAA acceptance. This evidence may be a letter of intent, contract, or work order from a JAR 145-approved maintenance organization, a FAR part 145 repair station located in the United States that is JAA accepted, a Transport Canada Civil Aviation AM573-certificated maintenance organization located in Canada that is JAA accepted, or a European airline or air taxi organization.

(4) The repair station should send the two copies of JAA Form 16 and the proposed JAA Supplement and one copy of evidence of its need for JAA acceptance to its supervising FSDO for review.

(5) Subject to resource availability, the assigned FAA inspector will conduct a physical inspection of the repair station for compliance with the JAA Supplement.

(6) When satisfied that the repair station is in compliance with FAR parts 43 and 145 and the proposed JAA Supplement, and subject to the satisfactory outcome of any

FAA inspection, the FAA will recommend acceptance of the repair station to the JAA. If any deficiencies are noted in an inspection they must be corrected within 60 days of the FAA's notification to the repair station. If the deficiencies have not been corrected within 60 days the FAA will terminate the application. In the event of unusual circumstances the FAA may extend the 60-day period provided the applicant demonstrates an ability and willingness to correct the noted deficiencies. The JAA will not issue an acceptance unless it has received a positive recommendation from the FAA. The FAA will not issue a positive recommendation until all deficiencies have been corrected.

(7) An initial acceptance fee should be sent to the JAA account specified on JAA Form 16 at least 30 days before the date initial acceptance is needed. Electronic transfers should quote the information on page 2 of the latest version of JAA Form 16. The fee is nonrefundable.

(8) After receiving a positive recommendation from the FAA and proof of initial fee payment, the JAA will forward a JAA acceptance to the repair station and a copy to the repair station's principal inspector. A JAA acceptance is valid for up to 2 years.

c. Procedures for Renewing JAA/NAA Acceptance Under JAR 145.

(1) A repair station seeking renewal of its acceptance should request an application packet from the FAA FSDO with certificate oversight responsibility for the repair station.

(2) The repair station should complete JAA Form 16 in duplicate.

(3) The repair station should obtain evidence of its need for JAA acceptance as specified in paragraph 6.b.(3) of this AC. Evidence of need also may consist of a copy of FAA Form 8130-3, Airworthiness Approval Tag, indicating that the repair station has performed maintenance for an organization specified in paragraph 6.b.(3) of this AC.

(4) The repair station should check that its JAA Supplement reflects current repair station procedures and activities. The repair station's JAA Supplement need not be revised or resubmitted if current procedures are reflected in the document and the document has been previously submitted to the FAA. Any changes will require revision of the JAA Supplement and resubmission to the FAA.

(5) The repair station should send two copies of JAA Form 16 as well as any amendment to its JAA Supplement, if appropriate, and a copy of its evidence of need for JAA acceptance to its supervising FSDO at least 60 days before the expiration of its current JAA acceptance. This will ensure

continuity of the acceptance unless significant changes have taken place since the last issue or renewal of acceptance.

(6) The repair station must have been subject to two FAA facility inspections during the preceding 2 years. All outstanding issues resulting from these facilities inspections must have been resolved.

(7) When the repair station is in compliance with FAR parts 43 and 145 and the JAA Supplement (including amendments), the FAA will recommend renewal of its JAA acceptance on JAA Form 9, FAA Status Report on a FAR Part 145 Repair Station JAA Accepted or Applicant for JAA Acceptance (appendix 3 to this AC). When the repair station is not in compliance, the FAA may allow the repair station to submit a plan for corrective action depending on the nature of the deficiencies. If the repair station fails to correct the deficiencies or provide a plan for corrective action, the FAA will terminate the renewal application and submit JAA Form 9 to the JAA with a non-recommendation of acceptance. In the event of unusual circumstances, the JAA may extend the duration of the repair station's acceptance for a reasonable period of time. The JAA will not issue an acceptance unless it has received a positive recommendation from the FAA.

(8) The repair station should send a renewal fee to the JAA account specified on JAA Form 16 at least 30 days before its current acceptance expires. Electronic transfers should quote the information contained on page 2 of JAA Form 16. The fee is nonrefundable.

(9) After receiving a positive recommendation from the FAA and proof of fee payment, the JAA will forward a JAR 145 acceptance to the repair station and a copy of the acceptance to the repair station's principal inspector.

d. Procedures for Amending JAA/NAA Acceptance Under JAR 145.

(1) A repair station seeking to amend its acceptance should follow the procedures for a repair station seeking initial acceptance as specified in this AC, except as noted in this section.

(2) An amendment of acceptance requires the submission of JAA Form 16 for changes to a repair station's name, ownership, location, or ratings. Amendments issued to a repair station's JAA acceptance will not change the expiration date of the repair station's current acceptance. Depending on the nature of the proposed amendment, the FAA may need to perform a limited facility inspection of the repair station.

(3) The repair station should revise its JAA Supplement to reflect any changes resulting from amending its JAA acceptance and resubmit the changed portions. Revisions to the repair station's JAA Supplement that do not change the nature of the

repair station's JAA acceptance should be submitted to the FAA for review but do not require the submission of JAA Form 16. Evidence of the repair station's need for JAA acceptance is not required to be submitted for an amendment of acceptance.

(4) No fee is required for amending an existing JAA acceptance; therefore, the fee section of JAA Form 16 is not applicable.

e. Additional Conditions for the Acceptance of Air Carrier Line Stations.

(1) While this JAR 145 procedure is primarily intended for the acceptance of FAR part 145-certificated repair stations located in the United States, it also can be extended to line stations of a U.S. air carrier that is a FAR part 145 certificate holder.

(2) Air carrier line stations in the United States can be accepted by the JAA if the air carrier holds a FAR part 145 certificate valid for all operated aircraft types for at least one of its base maintenance facilities and shows that its quality monitoring system covers operations conducted under both certificates and at the line stations.

(3) A U.S. air carrier seeking JAA acceptance for a line station outside the United States should contact its Principal Maintenance Inspector to obtain assistance in applying to the JAA for acceptance of the line station.

L. Nicholas Lacey
Director, Flight Standards Service

Appendix 1 JAA SPECIAL CONDITIONS CONTAINED IN THE MAINTENANCE IMPLEMENTATION PROCEDURES OF A BILATERAL AVIATION SAFETY AGREEMENT

3.0 [NAA] Special Conditions Applicable to U.S.-Based Repair Stations

3.0.1 The [NAA] agrees that an FAA-approved repair station that applies to work on a civil aeronautical product under the regulatory control of the [NAA] is eligible for a JAA certificate and JAA listing if the FAA endorses via JAA procedures that the repair station complies with all of the following Special Conditions:

(a) The repair station must hold a valid FAA repair station certificate issued in accordance with FAR part 145 issued as a final rule.

(b) Repair stations with airframe or limited airframe ratings must have appropriate covered hangar(s) for the base maintenance of aircraft.

(c) The repair station must provide a supplement to its Inspection Procedures Manual (IPM) accepted by FAA on behalf of the [NAA], to include the following:

(i) Detailed procedures for the operation of an independent quality monitoring system.

(ii) Procedures for the release or approval for return to service that meet the requirements of JAR § 145.50 for aircraft and the use of the FAA Form 8130-3 for aircraft components, and any other information required by the owner or operator as appropriate.

(iii) Procedures to ensure that repairs and modifications as defined by JAA requirements are accomplished in accordance with data approved by the [NAA].

(iv) Procedures for reporting of unairworthy conditions as required by JAR 145 on civil aeronautical products to the [NAA], aircraft design organization, and the customer or operator.

(v) Procedures to ensure completeness of and compliance with the customer or operator work order or contract including notified [NAA] airworthiness directives and other notified mandatory instructions.

(vi) A statement by the accountable manager, as defined by JAR 145, which commits the repair station to these Special Conditions.

(vii) For a repair station rated for an aircraft type, procedures to ensure that the aircraft's airworthiness certificate has not expired prior to releasing or returning the aircraft to service.

(viii) The repair station must specify the items to be contracted and have procedures in place to ensure that contractors meet the terms of these implementation procedures; that is, using a JAA-accepted source or, if using a non-JAA-certificated source, the repair station returning the product to service is responsible for ensuring its airworthiness.

(d) The JAA certification will not exceed the scope of the ratings and limitations contained in the FAR part 145 certificate.

3.0.2 To continue to be JAR-145 accepted:

(a) The repair station shall allow the [NAA], or the JAA or FAA on behalf of the [NAA], to inspect it for continued compliance with the requirements of FAR part 145 and these Special Conditions, that is, JAR 145.

(b) Investigation and enforcement action by the [NAA] may be taken in accordance with [NAA] regulations and JAA procedures.

(c) The repair station must cooperate with any investigation or enforcement action.

(d) The repair station must continue to comply with FAR part 145 and these Special Conditions.

(vii) For a repair station rated for an aircraft type, procedures to ensure that the aircraft's airworthiness certificate has not expired prior to releasing or returning the aircraft to service.

(viii) The repair station must specify the items to be contracted and have procedures in place to ensure that contractors meet the terms of these implementation procedures; that is, using a JAA-accepted source or, if using a non-JAA-certificated source, the repair station returning the product to service is responsible for ensuring its airworthiness.

(d) The JAA certification will not exceed the scope of the ratings and limitations contained in the FAR part 145 certificate.

3.0.2 To continue to be JAR-145 accepted:

(a) The repair station shall allow the [NAA], or the JAA or FAA on behalf of the [NAA], to inspect it for continued compliance with the requirements of FAR part 145 and these Special Conditions, that is, JAR 145.

(b) Investigation and enforcement action by the [NAA] may be taken in accordance with [NAA] regulations and JAA procedures.

(c) The repair station must cooperate with any investigation or enforcement action.

(d) The repair station must continue to comply with FAR part 145 and these Special Conditions.

Appendix 2 JAA FORM 16

USA REPAIR STATION APPLICATION FOR INITIAL / RENEWAL / AMENDMENT OF JAA ACCEPTANCE IN ACCORDANCE WITH JAR-145	JAA FORM 16 PAGE 1

REPAIR STATION DETAILS:

Name: .....

Address: .....

Tel: ..... Fax: .....

E Mail: ..... FAA Cert No.: .....

BRIEF SUMMARY OF HISTORY, WORK CAPABILITY & NUMBER OF STAFF:

Note that for renewal of JAA Acceptance it is sufficient to state "no change from the last JAA Acceptance" if there are no changes.

I wish to apply on behalf of this repair station for acceptance by the JAA as a source of maintenance for JAA regulated aircraft and / or aircraft components, as indicated below.
I understand that when working for a JAA customer, the repair station is required to work in accordance with FAR Part 43 and 145 except where varied by the JAA conditions specified in TGL 22 and accept that failure to comply could result in JAA enforcement action against this repair station.

CEO Signature: ..... Date: .....

CEO Name: .....

Tick appropriate box:

- ☐ Initial acceptance
- ☐ Renewal acceptance
- ☐ Amendment

USA REPAIR STATION APPLICATION FOR INITIAL / RENEWAL / AMENDMENT OF JAA ACCEPTANCE IN ACCORDANCE WITH JAR-145	JAA FORM 16 PAGE 2

BRIEF SUMMARY OF HISTORY, WORK CAPABILITY & NUMBER OF STAFF (CONTINUED):

AMENDMENT OF ACCEPTANCE ONLY: State reason for amendment.

JAA Acceptance Fees: Please transfer fee stated below to the:
Stichting Beheer JAA Account No. 456 0-5968 17-41 at the
ABN-AMRO Bank NV, New York USA ABA # 026 009 580.
Stating either "JAA Initial Acceptance" or "JAA Renewal Acceptance" as appropriate
at least 30 days prior to date JAA Acceptance is required.

Otherwise send a cheque to Stichting Beheer JAA, P O Box 9426, Uniondale, NY 11555-9426, USA
to arrive at least 30 days prior to date JAA Acceptance is required.

Initial Acceptance: US$ 800 Renewal Acceptance: US$ 600

Appendix 3 JAA FORM 9

FAA STATUS REPORT ON A FAR PART 145 REPAIR STATION JAA ACCEPTED OR APPLICANT FOR JAA ACCEPTANCE	JAA FORM 9 PAGE 1

REPAIR STATION DETAILS:

Name: .....
Address: .....
Tel: ..... Fax: ..... FAA Cert: .....

COMPLIANCE STATUS: (Tick relevant box)		Yes	No	N/A
1.	FAR Part 145	☐	☐	☐
2.	FAR Part 43	☐	☐	☐
3.	FAA access satisfactory	☐	☐	☐
4.	Current CEO signature in Supplement	☐	☐	☐
5.	Work orders clear	☐	☐	☐
6.	Work orders followed	☐	☐	☐
7.	FAA approved data used except for items 9, 10, 11 & 12	☐	☐	☐
8.	FAA ADs used on original USA TC products	☐	☐	☐
9.	Foreign ADs used on original foreign TC products	☐	☐	☐
10.	Additional JAA-NAA ADs on any TC Product	☐	☐	☐
11.	Major repairs JAA-NAA approved	☐	☐	☐
12.	Major alterations JAA-NAA approved	☐	☐	☐
13.	Component maintenance release complete	☐	☐	☐
14.	FAA Form 8130-3 used for component release	☐	☐	☐
15.	Awareness of Airworthiness Certificate validity	☐	☐	☐
16.	Aircraft maintenance release complete	☐	☐	☐
17.	Reporting serious defects to JAA	☐	☐	☐
18.	Quality Monitoring System working	☐	☐	☐
19.	JAA regulated aircraft hangered	☐	☐	☐
20.	Aircraft components used comply with JAA Supp Appendix 4	☐	☐	☐

FAA OVERSIGHT AUDIT.

The last oversight audit of this repair station was completed on .....

JAA SUPPLEMENT STATUS:

The JAA Supplement of this repair station has been examined and found to comply with the intent of the JAA Supplement example contained in TGL No.22 and is available throughout the repair station at relevant locations.

FAA STATUS REPORT ON A FAR PART 145 REPAIR STATION JAA ACCEPTED OR APPLICANT FOR JAA ACCEPTANCE		JAA FORM 9 PAGE 2

FINDINGS / DISCREPANCIES STATUS:

The following significant findings / discrepancies were found during the preceding 2 year period and corrected as indicated; (State "None" if there are none)

FINDINGS / DISCREPANCY DETAILS	DATE CORRECTED	FILE REF.

RECOMMENDATION: This repair station is considered to be in compliance with FAR Part 43/145 and the JAA Supplement with no significant findings / discrepancies outstanding at this time. It is therefore recommended that JAA accepts the repair station.

PMI Signature: ..... Date: .....

PMI Name: ..... FSDO: .....

NON RECOMMENDATION: This repair station has one or more significant findings / discrepancies outstanding as detailed above and may be or is being subjected to FAA enforcement action. JAA may therefore wish to review the current JAA acceptance status of the repair station.

PMI Signature: ..... Date: .....

PMI Name: ..... FSDO: .....