

**Those are the regulatory
preparations, so what are
your options as a POA ... ?**

Assumptions – ‘Hard Brexit’

- That the preferred outcome of continued involvement in the EASA system is not achieved in the negotiations.
- That it has not been possible to enter into discussions on detailed technical arrangements with EASA on the future relationship to immediately support production and certification.
- That the UK CAA will need to undertake ICAO State of Design responsibilities with no technical support arrangement in place with EASA.
- That the current suite of EASA requirements and Certification Standards will be transposed into UK regulation.
- That the ANO will have been amended to show UK CAA as Competent Authority for Design to meet ICAO obligations.

- DOAs significantly impacted by change of Competent Authority for Design – subject of separate seminar in December 2018.
- Progress on transposition of EASA Legislation and Regulatory standards into UK law at point of exit from the EU.
- Progress on ensuring necessary legal coverage (Statutory Instrument) will be in place, CAA Policy and Legal in liaison with appropriate Government Departments.
- Significant work to amend CAA Schedule for Charges to ensure appropriate cost recovery for CAA work in both ‘Option 1’ and ‘Option 2’ scenarios.

- Formal association with EASA
- *Establishment of a UK interim relationship with EASA as it fully transitions to a CAA independent of EASA – ‘Option 1’*
- *Re-establishment of a fully independent UK CAA with no association with EASA – ‘Option 2’*
- The UK ‘contracts’ with EASA or another 3rd party as its technical agent
- These terms are referenced in the Bilaterals relating to Certification and Validation, for POA the situation is simpler ...

Options open to a UK POA

- a) Do nothing and hope it all sorts itself out.
- *Unlike DOA, POAs are not included in the Commission Statement extending validity in the EU after exit date, there is no extension to allow continued release on an EASA Form 1 after exit date.*
- The statement does amend the previous EU position, EASA Form 1s issued by UK POAs prior to exit date but not yet installed in aircraft will continue to be acceptable in EU law.
- But if your business needs to release into the EU after Brexit, then ...

Options open to a UK POA

- b) Stay registered in the UK and seek 'Third Country' approval from EASA. Advance EASA applications open for POA.
- Note: This does not give access to the Bilaterals.
- To continue to access the bilaterals a UK CAA approval will be needed. This is automatic for existing UK POAs as we will see shortly...
- *If you have already released using the advance Third Country notification letter from EASA then no further releases using these references and advise your Surveyor. The certificates are not valid while the UK remains a member of the EU and you should have received EASA communication to that effect.*

Options open to a UK POA

- c) Change Principal Place of Business (PPOB) to an EU member state. Note: This does give access to the Bilaterals.
- If complete and issued by EASA before Exit Date, will be accepted by the UK for 2 years.
- *Note: Some DOAs have already chosen this route which can impact the business with which you need to show valid DOA/POA arrangements.*

but unlike DOA ...

- d) As the CAA is already Competent Authority for production and the basis of our granting the POA approvals have been transferred into UK law, the current CAA approval certificates and approval references will remain valid immediately after EU exit.
- All currently approved POAs should make contingency plans to release using the CAA Form 1 format (hosted on the CAA Microsite) after EU exit.
- *To cover all existing customer you may need two approvals, one from the UK and one from the EU.*

- *CAA will monitor resulting updates to Exposition, DOA/POA interface arrangements and Approval Certificates as part of routine surveillance.*
- *Intend to facilitate continued supply of conforming parts with minimal disruption.*
- *Information on revised release documents shared with Bilateral partners and ICAO members to facilitate mutual acceptance.*
- *Note that with the exception of the Bilateral partners, the acceptability of these documents remains at the discretion of the importing country.*

- Except where appropriate TSO/ETSO standards do not already exist, CAA does not intend to generate equipment specification requirements separate to ETSO and TSO for the time limited period.
- EASA AP to DOA data (including Minor Changes under Subpart O) will be accepted for manufacture under a UK POA for the time limited period 'as if issued by the CAA' .
- From exit date, UK Production releases must be via CAA Form 1 as the EASA Form 1 will no longer be able to be used.
- After exit date, Major Changes requiring a new Part Number or application for new Equipment approvals will require application for a UK AP to DOA to support release under a UK Part 21G. (If the appliance is also going to be released under an approval issued by EASA, a corresponding change will also need to be approved in the EASA system)
- The amended Scheme of Charges includes provision for initial applications for AP to DOA and for continued surveillance. Applications on hold at present.

Ongoing Acceptance of DOA Privileges:-



- EASA DOAs have a privilege to classify/approve minor changes and minor repairs and issue associated technical documentation. EASA TC/STC Holder DOAs may have further privileges regarding major repairs.
- For EASA DOAs located in the UK seeking CAA approval, these privileges can continue 'as if the approval has been issued by the CAA'. As EASA itself may no longer consider such organisations as approved under EU rules, the technical data release statement will need to be amended from Brexit +1 to demonstrate that the approval/issue of technical data is now carried out under UK rules.
- For EASA DOAs located outside the UK but within the EU, these same privileges can continue to be recognised 'as if the approval has been issued by the CAA' for the time limited period because the approval/certificate granting the privileges was in force on exit day.

Questions ... ?