

Follow-up Action on Occurrence Report

AAIB SAFETY STUDY – AIRWORTHINESS OF AIRCRAFT REGISTERED OVERSEAS AND RESIDENT IN THE UK

**FACTOR F2/2016 has been reissued to reflect the CAA's revised response to Safety
Recommendation 2015-040**

CAA FACTOR NUMBER : F2/2016 Issue 2
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TYPE OF FLIGHT : N/A
CAA OCCURRENCE NUMBER : N/A
AAIB SAFETY STUDY : 1/2016

SYNOPSIS

From AAIB Safety Study

Since 2008, the AAIB investigations of several general aviation (GA) fatal accidents involving aircraft registered overseas revealed common airworthiness issues. A safety study was initiated by the AAIB to determine if these issues were associated with aircraft not registered in the UK, but resident and operated within it.

FOLLOW UP ACTION

Recommendation 2015-039

It is recommended that the European Aviation Safety Agency determine the extent to which airworthiness standards of aircraft resident within a Member State but registered elsewhere are being applied consistently across Member States, and publish its findings.

This Recommendation is not addressed to the CAA

Recommendation 2015-040

It is recommended that the UK CAA take urgent action to ensure that foreign registered aircraft permanently based and/or operated in the United Kingdom, comply with the requirements of the Air Navigation Order and their Certificate of Airworthiness.

CAA Response

The CAA does not accept this recommendation. The CAA has considered the content of the Safety Study and recognises the concerns raised by the AAIB; however, responsibility for ensuring that foreign registered aircraft in the UK comply with the requirements applicable to their certificates of airworthiness belongs to the State of Registry. This is an established international agreement set out in the ICAO Convention on International Civil Aviation. For the CAA to act outside this Convention would require substantial evidence of serious safety issues. Unfortunately, the very small sample size used to generate the AAIB's conclusions would not satisfy this test. They cover just one type of helicopter and may not be representative of the wider fleet of foreign registered fixed and rotary wing aircraft resident in the UK. To further compound this issue, the CAA has surveyed four foreign registered helicopters as part of the Safety Study, including one survey with inspectors from the foreign airworthiness authority present, and found no significant concerns.

However, although the CAA cannot accept the action recommended by the AAIB, we do wish to remain confident that the condition of foreign registered aircraft resident in the UK remain compliant with international standards. To assist in achieving this aim, and potentially provide evidence to substantiate further action, further aircraft surveys across a wider range of aircraft types are required. The CAA intends to survey 24 aircraft in the next twelve months. These surveys will be performed through the auspices of the ramp inspection programmes specified in Commission Regulation (EU) 965/2012 and through product sample audits of aircraft undergoing maintenance in the UK. The results will be shared with the relevant State(s) of Registry and will be used to determine if further any action is necessary.

CAA Status - Closed

Safety Recommendation 2015-040

Update December 2020

The CAA GAU (General Aviation Unit) performed 24 airworthiness surveys of foreign registered aircraft resident in the UK up to the period ending December 2018 through product sample audits of aircraft undergoing maintenance in the UK. These surveys were in addition to the surveys performed by the CAA SAFA (Safety Assessment of Foreign Aircraft) team through the auspices of the ramp inspection programmes specified in Commission Regulation (EU) 965/2012 during the same period.

Of the 24 surveys performed by the GAU, an analysis of the results showed there were no marked differences to the fleet sample when compared to an equivalent UK registered fleet sample. Where we had findings classified as Level 1 (i.e. significant safety concerns), these have been shared with the NAA of the state of registry and resolved. Routine findings (Level 2) have been dealt with directly with the aircraft owners or where the owner has not responded via the responsible NAA.

CAA Status - Closed