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Operators of non-EASA Type Certificated Aircraft who are affected by Part-NCC

Operators of Large and Turbojet aircraft on the 'M-' Register must have an operators specific aircraft MEL approved by the Isle of Man Aircraft Registry (IOMAR) as the State of Registry in accordance with ICAO Annex 6 Part II ¹Standards and Recommended Practices (SARPs). The MEL is a joint operational and airworthiness document and as such must conform to the operational and airworthiness regulations of the Isle of Man as the State of Registry. The IOMAR will only approve an operators MEL which is based on the MMEL approved by the aviation authority which approved the Type Certificate Data Sheet (TCDS) of the aircraft².

Approximately half of the aircraft on the 'M-' Register are affected by the European Air Ops requirements, known as 'Part-NCC' and under the Part-NCC implementing rules, the European National competent authority in which the Operator has its principal place of business or is residing, are required to approve the MEL³. The regulations also require the MEL to be based on the EASA OSD MMEL⁴.

Where the IOMAR approved MEL is based on the EASA OSD MMEL, the EASA Air Ops requirements do not conflict with the State of Registry requirements.

However, where the IOMAR approved MEL is not based on the EASA MMEL (as the aircraft conforms to an FAA, ANAC or Transport Canada TCDS), the EASA Air Ops requirements DO conflict with the State of Registry requirements.

EASA have recognised this problem and have advised the Member States' competent authorities of a method by which they are able to approve an MEL for aircraft not on an EASA register, i.e. the 'M-' Register.

"Provided that the MEL of an operator affected by Part-NCC is no less restrictive than both MMELs, the EASA Competent Authority is able to approve the MEL."

The IOMAR has **no objection** to this provided that the **basis of the MEL** is in accordance with the **MMEL approved** by the **State of TCDS compliance**.

In order to assist operators who are affected by this, the IOMAR is amending the IOMAR standard Preamble in RP 6, to meet the requirements of both sets of regulations. A copy is included as Attachment A.

¹ ICAO Annex 6 Part II 3.6.1.1

² IOMAR RP6 MEL Preparation Guide

³ EASA Air Ops ORO.MLR.105 (b), ORO.GEN.105 & NCC.GEN.100

⁴ EASA Air Ops ORO.MLR.105 (a)

Attachment A – IOMAR Standard Preamble for Operators Affected by EASA Part-NCC who operate a non-EASA Type Certificated Aircraft

Note: Text in red font requires the operator to enter the indicated information.

PREAMBLE

1 Introduction

The Minimum Equipment List (MEL) is based on the *(Certifying Authority)* Master Minimum Equipment List (MMEL) *(Aircraft Type) (Revision, dated)*, and the *(Aircraft Type)* Operation & Maintenance (O&M) Procedures Manual *(Revision, dated)*.

Owing to operations conducted under EASA Part-NCC, and requirement for Competent Authority *(Applicable CAA)* approval, the MEL has also been reviewed against EASA Operational Suitability Data (OSD), *(Aircraft Type) (Revision, dated)*.

This MEL takes into consideration *(the operator's)* particular aircraft equipment, configuration and operational conditions, routes being flown and requirements set by the IOMAR.

This MEL will not deviate from any applicable Airworthiness Directive or any other Mandatory Requirement and will be no less restrictive than both the *(Certifying Authority)* MMEL and EASA OSD MMEL.

The MEL is intended to permit operations with inoperative items of equipment for a period of time until rectification can be accomplished.

Rectification is to be accomplished at the earliest opportunity.

MEL Conditions and Limitations do not relieve the Pilot in Command from determining that the aircraft is in a fit condition for safe operation with specified unserviceabilities allowed by the MEL.

The provisions of the MEL are applicable until the aircraft commences the flight.

Any decision to continue a flight following a failure or unserviceability which becomes apparent after the commencement of a flight must be the subject of pilot judgement and good airmanship. The Pilot in Command may continue to make reference to and use of the MEL as appropriate.

By approving the MEL, the IOMAR permits dispatch of the aircraft for flight with certain items or components inoperative provided an acceptable level of safety is maintained by use of appropriate operational or maintenance procedures, by transfer of the function to another operating component, or by reference to other instruments or components providing the required information.

2 Contents of MEL

... The remainder of the preamble should reflect the Standard Preamble from RP 6.