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Reference: DIRECTIVE 145.01.2
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Date: 03 June 2022

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PER EMAIL

DIRECTIVE CAR 145.01.2

To: Aircraft Operators, Aircraft Maintenance Organisations, Aircraft Parts Suppliers

Dear Sir/Madam

ISSUANCE OF DCA DIRECTIVE AIR 2022/002-GEN (DATED 03 JUNE 2022) IN RELATION TO CAR 145.01.2 (1)(b) AND THE PROCEDURE TO BE FOLLOWED WHEN COMPLYING WITH THE DIRECTIVE

The Director of Civil Aviation (DCA) of South African Civil Aviation Authority ("SACAA") has, in terms of Part 11.01.3 of the Civil Aviation Regulations, 2011 ("CARs"), issued a directive in relation to Part 145.01.2 (1)(b) of the CARs. The Directive is effective for two years (24 months) from date of Publication of the directive.

The SACAA has noted through its Aircraft Maintenance Organisation ("AMO") audit programme that Operators and AMOs have been sending components and/or part(s) to international repair organisations that are not SACAA approved, contrary to the provisions of Part 145.01.2 (1)(b) of the CARs.


This Directive is drafted in reference to a previously published Aeronautical Information Circular ("AIC") 18.16, dealing with the requirement of foreign AMOs to hold SACAA approval to conduct maintenance on any component and/or part(s) removed and intended to be fitted to a South African registered aircraft. An exemption issued previously under this AIC 18.16 under South African Aviation Regulations (SACAR) of 1997 was withdrawn in 2016. This created a challenge as most class II components were maintained by Foreign Organisations without SACAA approval.

It is based on the above that in the exercise of my powers, I have issued a Directive requiring strict compliance with the conditions set out in Airworthiness Directive AIR - 2022/002-GEN. The SACAA, as part of its oversight responsibility, will undertake compliance verification on organisations falling within the ambit of operations under Part 145.01.2 (1)(b) of the CARs.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Poppy Khoza', is written over a horizontal line.

Ms. Poppy Khoza
Director of Civil Aviation

 SOUTH AFRICAN CIVIL AVIATION AUTHORITY Tel: (011) 545-1000 Fax: (011) 545 1485 Email: AMO@caa.co.za	REPUBLIC OF SOUTH AFRICA CIVIL AVIATION AUTHORITY AMO 145 DIRECTIVE	SACAA PRIVATE BAG X 73 HALFWAY HOUSE 1685 AIR-2022/002-GEN 03 June 2022
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GENERAL LEGISLATION MATTERS

PUBLICATION IN TERMS OF PART 11.01.3 OF THE CIVIL AVIATION REGULATIONS, 2011- THE DIRECTIVE BY THE DIRECTOR OF THE CIVIL AVIATION RELATING TO THE REQUIREMENTS TO THE REQUIREMENTS OF PART 145.01.2(1)(b) OF THE CIVIL AVIATION REGULATIONS, 2011.

1. DIRECTIVE IN TERMS OF CIVIL AVIATION REGULATIONS PART 11.01.3, RELATING TO CIVIL AVIATION 145.01.2.(1) (b).

2. DETAILS OF THE DIRECTIVE

The SACAA has received multiple applications from Aircraft Maintenance Organisations ("AMO") for a deviation from the requirements of Part 145.01.2(1)(b) of the Civil Aviation Regulations, 2011 ("CARs"). These provisions dictate that all maintenance carried out on a South African Registered Aircraft shall be conducted by a SACAA approved AMO. This includes all maintenance conducted on aircraft components as well. The relevant legislative provisions are stated below:

Part 1.01.1 DEFINITION

"Class I product" means a complete aircraft, aircraft engine or propeller, which-

- (a) *has been type certificated in accordance with the provisions of these regulations and for which the South African Specifications or type certificate data sheets have been issued; or*
- (b) *is identical to a type certificated product referred to in paragraph (a) in all respects except as in otherwise acceptable to the appropriate authority of the importing State.*

"Class II product" means-

- (c) *a major component of a Class I product, including wings, fuselages, empennage assemblies, landing gears, power transmissions, control surfaces and installed equipment, the failure of which jeopardise the safety of a Class I product; or*

(d) a part, material, or appliance, approved and manufactured under the TSO system as prescribed in Subpart 12 of Part 21

“Class III product” means any part or component which is not a Class I or a

Class II product **Part 145.01.2(1)(b)**

145.01.2(1) No organisation shall perform maintenance on or release to service -

- (a) an aircraft used or intended to be used for flight operations; or*
- (b) an aircraft component fitted or intended to be fitted to the aircraft, except under the authority of, and in accordance with the provision of an AMO approval with the appropriate rating issued under this part.*

3. BACKGROUND

It has been found, through oversight activities on SACAA approved AMO's, that some organisations are utilizing non-SACAA approved facilities to repair their aircraft parts and/or components. It is only when it is flagged as a non-conformance that the issue is dealt with by the Approval Holder (organisation) and only then that a proper certification process is initiated with the affected AMO and their contractor(s) or supplier(s).

The SACAA withdrew an Aeronautical Information Circular (AIC) 18.16 dealing with a need by foreign AMOs to hold SACAA approval to conduct maintenance on aircraft component(s) and/or parts removed and intended to be fitted to a South African registered aircraft; at the time the AIC was issued under CARs of 1997. These were mostly aircraft components and/or parts maintained by foreign organisations holding approvals from their respective states.

Part 145 of CARs requires that an organisation must obtain an approval as an AMO in order to conduct maintenance on Aircraft Part(s) and/or Component(s). The requirement for an Approval is contained in CAR Part 145.01.2(1) read together with CAR 43.02.5 and SA-CATS 43.02.5(3), addressing South African registered aircraft and/or component(s) that form part of these aircraft or are intended to be returned to these aircraft.

4. CONSIDERATION

There is a legacy issue, where aircraft components that were previously accepted under AIC 18.16 where maintenance was certified by organisation(s) that do not have the SACAA approval however, these suppliers hold a foreign National Authority Approval.

The SACAA has considered various scenarios, dealt with below:

Contracted Maintenance Organisations

South African registered aircraft parts are supported through various agreements with organisations that have the capability under the National Authority Approval and in some cases, these agreements have been signed covering specific period.

Parts Pooling

This is an arrangement where different operators come to an agreement and have a certain number of component(s) and/or part(s) stored for use at their convenience and at a place of their choice. The operators will agree who signs the release certificates of their component(s) and/or part(s). The complexity of the matter is that not all maintenance organisations are from the same state. Operators would no longer be able to rely on pool agreements in support of their operations in different countries.

Service Exchanges

This is where the component(s) and/or part(s) manufacturer or repairer and an operator are exchanging used component(s) and/or part(s) for reconditioned components. The issue arises where the components were in a South African registered aircraft and returns to a South African registered aircraft at a later stage. It would seem that the component repairer is doing explicit work on South African registered aircraft, which would then warrant an approval.

Parts upgrade solely by OEM

The component(s) and/or part(s) which the manufacturer is the only service provider to upgrade that component(s) and/or part(s). In this case, CAR 145.01.2 requires an approval holder to maintain any components fitted on a South African registered aircraft. The OEM sees no financial benefit in getting the SACAA approval, as this upgrade is usually a once off. In most cases, these upgrades stem from Airworthiness Directives (ADs) and therefore, a five-phase certification does not seem feasible for once-off upgrade and the timeframe given to comply to such an AD.

Global Recognition of AMOs

Recently, ICAO Airworthiness Panel as well as Global Aviation Safety Program (GASP) have made firm commitments towards recognizing that there is an onerous task of oversight that is a heavy burden on operators of aircraft. However, we still do not have an ICAO standard to work with in the interim. This lack of standard means that the SACAA is unable to implement recognition of foreign AMO Approval.

The above situation indicates that the SACAA would need to find a solution of how to either approve foreign AMOs or ensure that components used on South African registered aircraft are of an acceptable standard.

5. INTERIM SOLUTION

With the considerations above, the Director hereby Issues a Directive in relation to CAR 145.01.2(b) with the following provisions:

- a. The Aircraft Maintenance Organisation (AMO) that intends utilizing a component maintained by a foreign Maintenance and Repair Organisation (MRO) must conduct a comprehensive maintenance records review to confirm traceability (Note: Traceability

means the record is complete [all the contents of the work package must be retained with the components]. As an example of records would be in relation to work step sheets, materials utilized, other processes concluded, etc.

- b. The AMO that intends sending components to foreign MROs, must ensure compliance with the supplier and subcontractor evaluation and control procedure and record of this compliance is kept for audit purposes by SACAA.
- c. Future assessment of class II components – this should be conducted in line with the Technical Guidance Material for Authenticity and Serviceability of Aircraft Parts in conjunction with points (above).
- d. All repairs and modifications must be conducted utilizing OEM Instructions for Continued Airworthiness (ICA). Alternate processes will not be acceptable.
- e. An Organisation that has identified itself to be performing maintenance on Aircraft Components intended for use on South African registered aircraft has 24 months from the date of this AMOC, to complete certification under Part 145 of the CAR.

6. PERIOD OF THE DIRECTIVE

This Directive is valid for 24 months from the publication date. This Directive should be read in conjunction with other published guidance issued by the Director in particular, the technical Guidance Material for Authenticity and Serviceability of Aircraft Parts.



DIRECTOR OF CIVIL AVIATION