



# AVIATION SAFETY CIRCULAR 01/2021

## THE UNITED KINGDOM DEPARTURE FROM EASA (BREXIT) – IMPACT ON AIRWORTHINESS MATTER AND GUIDANCE TO COMPLIANCE WITH AIRWORTHINESS RELATED BRUNEI AVIATION REQUIREMENTS (BARS)

In exercise of powers conferred by sections 7(a) of the Civil Aviation Order, 2006 and regulations 86 of the Civil Aviation Regulations, 2006, I, **AWANG HAJI MOHD SALIHIN BIN HAJI ASPAR**, the Acting Director of the Department of Civil Aviation hereby issue this Direction for the purpose of –

- I. Providing information to the Aviation Industry the impact following the departure of The United Kingdom from The European Union on Airworthiness related matter.
- II. Providing guidance to the Aviation Industry for compliance to Brunei Aviation Requirements on Airworthiness (BAR 8) specifically on the certification of parts, appliances and maintenance, following the departure of The United Kingdom from The European Union/ European Union Aviation Safety Agency (EASA).

Any further queries in relation to this Direction may be directed to Safety and Security Policy Unit, Regulatory Division at [safetysec.regulatory@dca.gov.bn](mailto:safetysec.regulatory@dca.gov.bn).

## BACKGROUND

Following the departure, The United Kingdom (UK) and The European Union (EU) has developed a Trade and Cooperation Agreement document dated 31<sup>st</sup> December 2021. Aspects of Aviation Safety are addressed in Title II (Aviation Safety) and the related Annex AVSAF-1: Airworthiness and Environment Certification.

The agreement covers several areas relating to the Airworthiness Certification and the summary of The EU recognition on The UK certification are detailed in Table 1 below (including BARs impact):

No	UK Certification	Status	EASA Recognition Method	Impact on BARs – Brunei DCA
1.	Type Certificates, including Restricted Type Certificates	-	Validation	UK CAA are not included in BAR 8 Part 21, Paragraph 21.25 (a) (1) as the NAA accepted for Type Certificate.
2.	Supplemental Type Certificates	-	Validation	
3.	Major Changes	-	Validation	Therefore, UK CAA design data from Part 21J cannot be used for design changes on Brunei registered aircraft.
4.	Major Repair	-	Validation	
5.	Technical Standard Order Authorisation	-	Validation	
6.	Minor changes	-	Acceptance	
7.	Minor Repair	-	Acceptance	
8.	Export Certificates:			
	UK CAA Form 52 for New Aircraft	New	Acceptance	Not acceptable yet. See Impact Explanation in Item 1
	Export Certificate of Airworthiness	Used	Acceptance	Acceptance. Covered by BAR 8 Part 21, Subpart L.
	UK CAA Form 1	New	Acceptance	Acceptance. Covered by BAR 8 Part 21, Subpart K, paragraph 21.303 (b).
	UK CAA Form 1	Overhauled, Repaired, Inspected/ Tested, Modified	Not addressed in the agreement. Therefore, not accepted/ validated.	Acceptance is subject to prior Brunei DCA validation of UK CAA Approved Maintenance Organisation (Part 145).

With the departure of The UK from The EU, several previously Approved Design Organisation (Part 21J) and Approved Production Organisation (Part 21G) surrendered their EASA approval while retaining their UK approval. This affects some OEM organisation which issued Form 1 for Aircraft Parts, Components and Appliances. Therefore the table above will be used as Brunei DCA guidance on addressing compliance to BARs. See Next Page.

## **GUIDANCE FOR COMPLIANCE TO BARS**

### **BAR 8 PART 21 – Certification of Aircraft Parts and Appliances**

#### **Subpart B – Type Acceptance Certificates:**

Extracts of Paragraph 21.25 (a) (1): “the Type Design has been approved by the Federal Aviation Administration (FAA) of the United States, Transport Canada, or the European Aviation Safety Agency (EASA) by the issue of a Type Certificate; or Restricted Type Certificate and”

**Conclusion:** *Type Certificate from the UK Civil Aviation Authority is not accepted in Brunei.*

#### **Subpart D – Design Changes:**

Extracts of Paragraph:

21.71 (b): “The approval of design changes by the Brunei DCA is based largely on the acceptance and approval for installation of an existing design change approved by one of the NAAs specified in paragraph 21.25(a)(1).”

21.81 (a): Service Bulletin; “the design change is approved by an NAA specified in paragraph 21.25(a)(1) to the applicable Type Certification standards identified on the Type Acceptance Certificate or Restricted Type Acceptance Certificate for the aircraft; and”

**Conclusion:** *Design Changes from UK CAA Part 21J Design Organisation Approval is not accepted in Brunei.*

#### **Subpart K – Materials, Parts, Components & Appliances:**

Extract of Paragraph 21.303 – Replacement and Modification of Parts, Components and Appliances:

“A replacement or the design change of a new or used part, component or appliance to be installed in an aircraft registered in Brunei Darussalam shall conform to the certification standards of the applicable Type Acceptance Certificate or Restricted Type Acceptance Certificate and any applicable Supplemental Type Certificate and:

(a) be supported by an authorised internationally-accepted release certificate issued by an organisation approved by an NAA listed in paragraph 21.25(a)(1); or

(b) for new parts and appliances only, be supported by a release certificate from an NAA not identified in paragraph 21.25 (a)(1) when subject to the requirements of an active bilateral agreement covering such matters with an NAA of Type Certification listed in paragraph 21.25(a)(1).”

**Conclusion:** *Brunei DCA only accept UK CAA Form 1 for NEW part as the agreement fulfill the requirement of paragraph 21.303 (b) above. For parts other than new, limited acceptance of UK CAA Form 1 are subject to the validation/ acceptance on the release of maintenance under UK CAA Approved Maintenance Organisation (Part 145) by Brunei DCA.*



**Subpart M – Repairs:**

Extract of Paragraph 21.435 (c) – Approval of Minor Repairs:

“(c) A minor repair that is not covered by existing approved maintenance data but has been approved in accordance with the respective procedures of an NAA identified in paragraph 21.25(a) (1) will be approved in accordance with Subpart D of this BAR 8, Part 21 as a change to the approved Design Standard.”

**Conclusion:** *Repair Data from UK CAA Part 21J Design Organisation Approval is not accepted in Brunei.*

**BAR 8 PART 26 – General Requirement for Airworthiness**

- NIL IMPACT -

**BAR 8 PART M – Continuing Airworthiness**

- NIL IMPACT -

**BAR 8 PART 145 – Maintenance Organisation Approvals**

- NIL IMPACT -

**‘AL-QURAN PANDUAN KEHIDUPAN’**



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Department of Civil Aviation  
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Official Stamp

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