

Notice No.

AWN -01-21

Date:

11 February 2021

**BREXIT Impacts****1. Introduction**

- 1.1. BCAA wishes to provide guidance to the community of Bermuda license, certificate and approval holders, on the implications for airworthiness approvals and certifications, arising from the exit of the United Kingdom from the European Union (BREXIT).

**2. Background**

- 2.1. From 1<sup>st</sup> January the United Kingdom (UK) was no-longer part of the European Union (EU) aviation system, including the European Union Aviation Safety Agency (EASA). Although UK CAA publications continue to refer to EU law, where references to EU law are made, they now relate to those laws as retained and amended in UK domestic law, under the European Union (Withdrawal) Act 2018. There is a rolling programme of updates underway to replace these EU references.
- 2.2. UK certifications, approvals and licensing will now be managed, granted and overseen solely by UK CAA, under UK laws including a suite of regulations which currently mirror those of EASA.

**3. Guidance**

- 3.1. Air Safety Support international (ASSI), holds the remit for managing the OTAR system and addressing regulatory change. ASSI has published some guidance on the changes arising from Brexit here: [OTAC 21-11 Withdrawal-from-the-European-Union-\(Brexit\)](#). The OTAR's are also currently in the process of being revised to address changes to our regulatory system, including those arising from BREXIT. For further information on these changes, please visit ASSI's website at; [www.airsafety.aero/Home](http://www.airsafety.aero/Home) & [www.airsafety.aero/Requirements-and-Policy/Consulting-you](http://www.airsafety.aero/Requirements-and-Policy/Consulting-you).
- 3.2. BCAA will continue to accept the EASA system, as a basis for its approvals and certificates and will now additionally accept those certifications, approvals and licenses issued by UK CAA under its airworthiness system.
- 3.3. Organisation approvals which had been issued by UKCAA to the EASA regulations and the certifications made under them, are no-longer acceptable within the EU following BREXIT. However, UK CAA continues to recognise these approvals and certifications, now under its own national legal structure.
- 3.4. Following BREXIT as of 1<sup>st</sup> January 2021, UK has in effect, transitioned all extant airworthiness approvals under its own national legal system and this framework is currently a copy of the EU law and EASA regulation.
- 3.5. BCAA will continue to recognise those airworthiness organisation approvals, issued by UK CAA under the UK legal system, to the standards of, EASA Part 145, EASA Part M and EASA Part CAMO.
- 3.6. As the UK system fully transitions to a system of UK certification, licensing and approvals, BCAA will continue to recognise those certifications, licenses and approvals, issued under UK laws and regulations.



- 3.7. For a detailed understanding of the UK legal structure, its position with respect to EASA states and those other states with which it has established bilateral arrangements, please visit <https://www.caa.co.uk/home/> & <https://info.caa.co.uk/uk-eu-transition/>
- 3.8. We have gathered together here some responses to frequently asked questions, which may help in navigating issues associated with BREXIT.

#### 4. Airworthiness Brexit FAQ

##### 4.1. Eligibility of Approvals

- Can I use a UK CAA issued Part 145 or Part CAMO approval as the basis of an Option 1 approval?
  - If you have a BCAA Option 1 approval as an organisation based in the UK and do not intend to obtain the equivalent EASA third-country approval, BCAA will recognise your UK approval as a valid basis for your Bermuda Option 1 approval.
  
- As a UK company we obtained an EASA third-country approval, does BCAA accept these third-country approvals as the basis for a Bermuda Approval?
  - BCAA accepts the standards of EASA issued approvals as the basis upon which it grants its own approvals and therefore it accepts those issued within EU member states and those issued by EASA outside the EU member states.
  
- As a UK Part 145 company, we did not opt to obtain an EASA Part 145 third-country approval at BREXIT; will my Bermuda Option 1 maintenance approval now be revoked?
  - As indicated in question 1 above, no, your Bermuda approval will not be automatically revoked, this is because, on the transition date, the UK CAA will have accepted your extant EASA approval as valid under UK law and allowed your approval to continue in force under UK law. Your UK approval is acceptable under the OTAR and [OTAC 21-11](#) describes this. You will need to advise your assigned inspector that this change has happened and that your Bermuda approval is now based on your UK CAA Part 145 approval.

##### 4.2. New Approval Numbers

- My Bermuda Option 1 approval is based upon an EASA approval, but the certificate approval number of my EASA approval was changed when I was required to obtain an EASA third- country approval, to continue to certify products on the EU registries. Do I need a new Bermuda Certificate, reflecting the new EASA approval number?
  - Yes, you'll need to notify your assigned inspector of the issue of your EASA third-country approval. Please send your PMI a copy of the newly issued EASA Certificate, with its new approval number and BCAA will issue a new certificate to you. This new BCAA certificate will have the same validity period as the certificate it replaces.

##### 4.3. Certification of Maintenance

- As a UK company we obtained an EASA third-country Part 145 maintenance approval; does the BCAA accept the certifications made by these third-country approval holders?
  - Yes, the new and used parts certified by EASA companies are eligible under the OTAR, this is not dependent upon their being issued by approval holders of the EU member states only.



- Can I use parts on my Bermuda registered aircraft which were released new or used under a UK Part 21 or UK Part 145 approval?
  - New and used parts released under UK issued approvals are considered eligible under the OTAR, though owners should recognise that these parts may not be acceptable to other NAA's upon transfer of registry, this is due to the absence of bilateral arrangements between the UK and other states at the time of BREXIT.

## **5. Enquiries**

5.1. Enquiries regarding the content of this Notice should be made to the Bermuda Civil Aviation Authority and may be sent by email to; [info@bcaa.bm](mailto:info@bcaa.bm)