

PART VIII

AIRWORTHINESS REQUIREMENTS

183. Definitions.- In this Part, unless there is anything repugnant in the subject or context,-

" **aircraft component**" means any equipment or part of an aircraft which when fitted to an aircraft may, if it is not sound or not functioning correctly, affect the safety of the aircraft;

"**major damage**", in relation to an aircraft, means damage of such a kind that it may affect the safety of the aircraft or the persons on board the aircraft, whether the damage occurs in flight or on the ground;

"**major defect**", in relation to an aircraft, means a defect of such a kind that it may affect the safety of the aircraft or of persons on board the aircraft, whether the defect occurs in flight or on the ground.

"**anticipated operating conditions**" means those conditions which are known from experience or which can be reasonably envisaged to occur during the operational life of the aircraft taking into account the operations for which the aircraft is made eligible, the conditions so considered being relative to the meteorology State of the atmosphere, to the configuration of terrain, to the functioning of the aircraft, to the efficiency of personnel and to all the factors affecting safety in flight. Anticipated operating conditions do not include:

- (i) those extremes which can be effectively avoided by means of operating procedures; and
- (ii) those extremes which occur so infrequently that to require the Standards to be met in such extremes would give a higher level of airworthiness than experience has shown to be necessary and practical.

"**aircraft component**" means any equipment or part of an aircraft which when fitted to an aircraft may, if it is not sound or not functioning correctly, affect the safety of the aircraft.

or

any part the soundness and correct functioning of which when fitted to an aircraft, is essential to the continuous airworthiness or safety of the aircraft and includes any items or equipment.

"**airworthiness**" means the continuing capability of the aircraft to perform in a satisfactory manner the flight operations for which it was designed.

“airworthiness directives” means an instruction issued by an Airworthiness Authority that amends an approved document or requires a modification, restriction, replacement or special inspection of an aircraft, aircraft component or item of equipment necessary to maintain it in an airworthy condition.

“airworthiness officials” means personnel who have been delegated and authorised to exercise powers on behalf of the Chairman, relating to Airworthiness and Engineering Licensing functions in general and any other additional specific powers and authority; such personnel may be known by the designation of Inspector of Aircraft, Senior Inspector of Aircraft, Deputy Director (AELD) or by any other designation as may be notified from time to time.

“appropriate airworthiness requirements” means the comprehensive and detailed airworthiness code established, adopted or accepted for the class of aircraft, engine or propeller under consideration.

“approved” means accepted by Chairman, Civil Aviation as suitable for a particular purpose.

“aircraft components” means any part the soundness and correct functioning of which, when fitted to an aircraft, is essential to the continuous airworthiness or safety of the aircraft and includes any items of equipment.

“aircraft goods” means aircraft components or materials including paints, dopes, thinner, fuels, lubricants & special petroleum products, intended for use in civil aircraft and which are required to be produced and certified in conformity with an approved specification drawing or process.

“bilge area” means the almost flat part of the bottom of the aircraft where dirty water is collected.

“condition monitoring” means a failure preventive process having neither Hard Time nor On Condition elements but one in which information on items gained from operational experience is collected, analyzed and interpreted on a continuing basis as a means of implementing corrective procedures.

“continuing airworthiness of an aircraft” means the continuing capability of the aircraft to perform in a satisfactory manner the flight operation for which it was designed.

“certificate of approval” means a document issued to an organization approved by the Chairman, defining the scope of approval granted.

“certificate of airworthiness” means a document issued by the Chairman on the basis of the satisfactory evidence that the aircraft complies with the design aspects of the appropriate airworthiness requirements.

“configuration” means a particular combination of the position of the moveable elements such as wing flaps and landing gears, etc., that affect the aerodynamic

characteristics of the aircraft.

“category A” means with respect to helicopters, means a multi-engined helicopter designed with engine and system isolation features capable of operations using take-off and landing data schedule under a critical engine failure concept which assures adequate designated surface area and adequate performance capability for continued safe flight or safe rejected take-off.

“category B” means with respect to helicopters means a single engine or multi-engined helicopter which does not meet category standards. Category B helicopters have no guaranteed capability to continue safe flight in the event of an engine failure, and a force landing is assumed.

“critical power-unit(s)” means the power-unit (s) failure of which gives the most adverse effect on the aircraft characteristics relative to the case under consideration.

“design landing mass” means the maximum mass of the aircraft at which, for structural design purposes, it is assumed that it will be planned to land.

“design take-off mass” means the maximum mass at which the aircraft, for structural design purposes, is assumed to be planned to be at the start of the take-off run.

“design taxiing mass” means the maximum mass of the aircraft at which structural provision is made for load liable to occur during use of the aircraft on the ground prior to the start of take-off.

“discrete source damage” means structural damage of the aeroplane that is likely to result from impact with a bird, uncontained fan blade failure, uncontained engine failure, uncontained high energy rotating machinery failure or similar causes.

“engine” means a unit used or intended to be used for aircraft propulsion. It consists of at least those components and equipment necessary for the functioning & control but excludes the propeller.

“export certificate of airworthiness” means a document issued by the Chairman in respect of a complete aircraft, complete engine, complete propeller being exported from Bangladesh which attests that the aircraft engine or propeller with any stated exceptions meets the airworthiness and design standards established by the Chairman, but which is neither a certificate of airworthiness nor an authority to fly.

“flight test” means the flying of an aircraft exclusively for the purpose of ensuring that the flight performance and characteristics of the aircraft and functioning in flight of the aircraft parts do not differ significantly in adverse sense from those of its prototype.

“fire proof” means the capability to withstand the application of heat by a flame for a period of 15 minutes.

“fire resistant” means the capability to withstand the application of heat by a flame for a period of 5 minutes.

“factor of safety” means a design factor used to provide for the possibility of loads greater than those assumed and for uncertainties in design and fabrication.

“final approach and take-off area (FATO)” means a defined area over which the final phase of the approach manoeuvre to hover or landing is completed and from which the take-off manoeuvre is commenced. Where the FATO is to be used by performance Class 1 helicopters, the defined area includes the rejected take-off area available.

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes.

“human factors principles” means principles which apply to aero-nautical design, certification, training, operations and maintenance and which seek safe interface between the human and other system components by proper consideration to human performance.

“human performance” means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations

“hard Time” means this is failure preventive process in which deterioration of an item is limited to an acceptable level by the maintenance which is carried out at periods related to time in service e. g. calendar time, number of cycles, number of landings.

“item of equipment” means any self contained unit, which, when attached, to or installed in an aircraft, performs a function essential under certain operating conditions of airworthiness or safety of the aircraft or its occupants.

“landing surface” means the part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft landing in a particular direction.

“limit load” means the maximum loads assumed to occur in the anticipated conditions.

“load factor” means the ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions.

“major damage” means in relation to an aircraft, means damage of such an extent that it may affect the safety of the aircraft or the person on board the aircraft, whether the damage occurs in flight or on the ground.

“major defect” means in relation to an aircraft, means a defect of such an extent that it may affect the safety of the aircraft or of persons on board the aircraft, whether the defect occurs in flight or on the ground.

“maintenance schedule” means a document approved by the Chairman, containing a list

of items to be inspected, calibrated, tested, overhauled, replaced, serviced or otherwise maintained at specified intervals for each aircraft and details the period at which maintenance certification shall be issued.

“mandatory modification” means the modification incorporated in an aircraft, aircraft component & item of equipment after type certification to maintain it in an airworthy condition.

“maintenance” means the action or a set of actions including inspection, servicing and determination of condition required to achieve a desired outcome which restores an aircraft part, equipment in serviceable condition.

“on condition” means failure preventive process but one in which the item is inspected or tested at a specific period to an appropriate standard in order to determine whether it can continue in service such an inspection or test may reveal a need for servicing action.

“overhaul” means stripping a unit and restoring to its original design performance level after replacing/reworking parts to a given standard.

“processing” means workshop process & inspection of aircraft components by electroplating, anodic treatment, metal spraying, heat treatment & chemical analysis etc.

“performance Class 1 helicopter” means a helicopter with performance such that, in case of engine failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area.

“performance Class 2 helicopter” means a helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which cases a forced landing may be required.

“performance Class 3 helicopter” means a helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed.

“power unit” means a system of one or more engines and ancillary parts which are together necessary to provide thrust, independently of the continued operation of any other power-unit(s), but not including short period thrust-producing devices.

“pressure-altitude” means an atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere.

“repair” means restoration of an aeronautical product to an airworthy condition as defined by the appropriate airworthiness requirements.

“rendering a certificate of airworthiness valid” means the action taken by the contracting state, as an alternative to issuing its own certificate of airworthiness, in accepting a certificate of airworthiness issued by any other contracting State as the equivalent of its own certificate of airworthiness.

“satisfactory evidence” means a set of documents or activities that a Contracting State accepts as sufficient to show compliance with airworthiness requirements.

“standard atmosphere” means an atmosphere defined as follows:

(a) the air is a perfect dry gas;

(b) the physical constants are:

-- Sea level mean molar mass

$M = 28.964420 \times 10 \text{ kg mol}$

-- Sea level atmospheric pressure:

$P = 1013.250 \text{ hp}$

-- Sea level temperature:

$t = 15 \text{ }^\circ\text{C}$

$T = 288.15 \text{ K}$

-- Sea level atmospheric density:

$\rho = 1.2250 \text{ kg m}^{-3}$

-- Temperature of the ice point:

$T = 273.15 \text{ K}$

-- Universal gas constant:

$R = 8.31432 \text{ JK}^{-1} \text{ mol}^{-1}$

(c) the temperature gradients are:

Geopotential altitude Temperature gradient (Kelvin per standard geopotential kilometre) (km)

From	To	Temperature gradient
-5.0	11.0	-6.0
11.0	20.0	0.0
20.0	32.0	+1.0
32.0	47.0	+2.0
47.0	51.0	0.0
51.0	71.0	-2.8
71.0	80.0	-2.0

“State of design” means the State having jurisdiction over the organization responsible for the type design.

“structural significant item” means a structural detail; structural element or structural assembly is judged significant because of the reduction in aircraft residual strength or

loss of structural function which are subsequent to its failure.

“State of manufacture” means the State having jurisdiction over the organization responsible for the final assembly of the aircraft.

“State of registry” means the State on whose register the aircraft is entered.

“take-off surface” means that part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking-off in a particular direction.

“type certificate” means a document issued by a contracting State to define the design of an aircraft type and to certify that this design meets the appropriate airworthiness requirements of the state.

“ultimate load” means the limit load multiplied by the appropriate factor of safety.”

184. Design standards.- (1) The Chairman shall issue such design standards as are necessary from time to time.

(2) A design standard shall set out the specifications which the Chairman considers an aircraft or aircraft component of the relevant type should conform if it is to be used safely for aviation purposes.

(3) The design shall not have any features or characteristics that render it unsafe under the anticipated operating conditions.

(4) There shall be an approved design consisting of such drawings, specifications, reports and documentary evidence as are necessary to define the design of the aircraft and to show compliance with the design of the aircraft and to show compliance with the design aspects of the appropriate airworthiness requirements.

(5) The aircraft shall be subjected to such inspections and ground and flight tests as are deemed necessary by the Chairman to show him compliance with the design aspect of the appropriate airworthiness requirements.

(6) The Chairman upon receipt of satisfactory evidence that the aircraft type is in compliance with the design aspect of the appropriate airworthiness requirements, shall issue a type certificate to define the design and to signify approval of the design of the aircraft type.

185. Certificate of type approval.- (1) The Chairman may notify in the Air Navigation Orders that there shall be a certificate of type approval in respect of a type of aircraft or aircraft component manufactured, sold or distributed in Bangladesh as a pre-requisite to the issue, renewal or continued validity of a certificate of airworthiness in respect of an aircraft of that type/or in respect of an aircraft in which an aircraft component of that type has been fitted.

(2) A person may apply to the Chairman for the issue of a certificate of type approval in respect of a type of aircraft or aircraft component.

(3) The Chairman may issue a certificate of type approval where the applicant-

(a) furnishes such document or other evidence relating to the suitability of the aircraft or aircraft component for aviation purposes as the Chairman requires; and

(b) satisfies the Chairman that the aircraft or aircraft component conforms with the applicable design standards and is suitable for aviation purposes.

(4) Any modification considered necessary by the Chairman as a result of the inspection/performance test carried out by the airworthiness officials, shall be incorporated.

(5) If the Chairman is satisfied that types component or item or equipment conforms to the relevant acceptable standard in respect of the design and performance, he may issue to the applicant a type approval in respect of the type. The type approval shall refer only to the aircraft/component/items of equipment conforming in detail with the documents specified on such approval.

186. Certificate of airworthiness.- (1) The owner or operator of a Bangladesh aircraft may apply to the Chairman for the issue or renewal of a certificate of airworthiness in respect of the aircraft or for the validation of a certificate of airworthiness issued by a Contracting State in respect of the aircraft.

(2) The Chairman may issue, renew or validate a certificate of airworthiness in respect of an aircraft where the applicant -

(a) furnishes to the Chairman such documents or other evidence relating to the airworthiness of the aircraft as the Chairman requires; and

(b) satisfies the Chairman that the aircraft is fit to fly.

(3) The Chairman may direct the owner or operator of an aircraft in respect of which a certificate of airworthiness is in force to furnish to the Chairman such documents or other evidence as the Chairman requires relating to the airworthiness of the aircraft.

(4) A certificate of airworthiness shall be issued by the Chairman on the basis of satisfactory evidence that the aircraft complies with the design aspects of the appropriate airworthiness requirements.

(5) The Chairman shall not issue or render valid a Certificate of Airworthiness for which it intends to claim recognition pursuant to Article 33 of the Convention on International Civil Aviation unless it has satisfactory evidence that the aircraft complies with the applicable standards of this Annex through compliance with appropriate airworthiness

requirements.

(6) A certificate of airworthiness shall be renewed or shall remain valid, provided that the continuing airworthiness of the aircraft shall be determined by a periodical inspection at appropriate intervals having regard to lapse of time and type of service or, alternatively, by means of a system of inspection, approved by the Chairman, that will produce at least an equivalent result.

(7) Any failure to maintain an aircraft in an airworthy condition, as defined by the appropriate airworthiness requirements, the Chairman may render the aircraft ineligible for operation until the aircraft is restored to an airworthy condition.

(8) When an aircraft possessing a valid certificate of airworthiness (C of A) issued by a contracting State is entered on the register of Bangladesh, The Chairman, when issuing its certificate of airworthiness may consider the previous certificate of airworthiness as satisfactory evidence in whole or in part that the aircraft complies with the applicable standards through compliance with the appropriate airworthiness requirements. However, the validity of the certificate of airworthiness shall not extend beyond the period of validity of certificate of airworthiness being rendered.

(9) When the Chairman renders valid a certificate of airworthiness issued by another contracting state, as an alternative to issuance of its own certificate of airworthiness, he shall establish validity by suitable authorization to be carried with the formal certificate of airworthiness accepting it as the equivalent of the later. The validity of the authorization shall not extend beyond the period of validity of the certificate of airworthiness being rendered valid.

(10) When a certificate of airworthiness issued by another contracting State is in a language other than English, it shall include an authentic English translation certified by the State of registry for acceptance of the Chairman.

(11) Each aircraft shall be provided with a flight manual, placards, or other documents stating the approved limitations within which the aircraft is considered airworthy as defined by the appropriate airworthiness requirements and additional instruction and information necessary for the safe operation of the aircraft.

(12) When a Bangladesh registered aircraft has sustained damage within Bangladesh, the Chairman shall judge whether the damage is of a nature such that the aircraft is no longer airworthy as defined by the appropriate airworthiness requirements.

(13) When the Chairman considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it shall prohibit the aircraft from resuming flight until it is restored to an airworthy condition. The Chairman may, however, in exceptional circumstances, prescribe particular limiting conditions to permit the aircraft to fly a non-commercial air transport operation to an aerodrome at which it will be restored to an airworthy condition.

(14) When the Chairman considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed to resume its flight.

(15) When a Bangladesh registered aircraft suffers damage while in the territory of another contracting state, and if the appropriate aviation authority of that State notifies any restriction on operation of that aircraft, then the Pilot-in-Command of that Bangladesh registered aircraft shall comply with the direction. In such circumstances, it shall be the joint responsibility of the Pilot-in-Command of that aircraft and the Operator to immediately inform all details to the Chairman, who shall finally decide in liaison with the appropriate authority of that State regarding operation of the aircraft under the circumstance.

(16) The owner or operator of Bangladesh aircraft may apply to the Chairman for the issue and (or) renewal of certificate of airworthiness in respect of the aircraft or for the validation certificate of airworthiness issued by a contracting State in respect of the aircraft.

(17) Every certificate of airworthiness shall specify the category or categories of aircraft mentioned below as are in the opinion of the Chairman appropriate to the aircraft, and the certificate issued subject to the condition that the aircraft shall be operated for the purpose and class(es) of operations as endorsed on the Air Operator Certificate (AOC):

- (a) Transport category;
- (b) Normal category;
- (c) Utility category;
- (d) Acrobatic category;
- (e) Commuter category;
- (f) Sailplanes category;
- (g) Manned free balloons; and
- (h) Special category.

(18) The purposes for which the aircraft may fly are as follows:

- (a) Transport category-Non-acrobatic manoeuvre and any classes of operations;
- (b) Normal category-Non-acrobatic manoeuvre and any classes of operations other than Commercial Air Transport Operations.
- (c) Utility category-Limited acrobatic manoeuvre and any classes of operations other than Commercial Air Transport Operations.

(d) Acrobatic category- Acrobatic manoeuvre and any classes of operations other than Commercial Air Transport Operations.

(e) Commuter category- Non-acrobatic manoeuvres any classes of operations.

(f) Sailplanes category- For General Aviation Operations.

(g) Manned free balloons- For General Aviation Operations.

(h) Special category- Any purpose as may be specified in the certificate of airworthiness but not including the carriage of passengers unless expressly permitted.

(19) The Chairman may notify through ANO (Airworthiness) fee for issue and renewal of certificate of airworthiness including issue of a duplicate copy of a certificate of airworthiness.

187. Duration of certificate of airworthiness and its renewal process.-

(1) Period of validity: Validity period of certificate of airworthiness is indicated on the certificate itself and shall be limited to a period of one year.

(2) Renewal procedure: The operator/owner of an aircraft may apply for renewal of certificate of airworthiness giving the information as per certificate of inspection envisaged in the ANO (Airworthiness) with appropriate fees. The application shall be made to the Chairman in advance of the expiry date of the certificate of airworthiness (preferable 30 days in advance) to enable the airworthiness officials to complete inspection of the documents & of the aircraft before the C of A expires. This will enable the operator to undertake test flight (if applicable) and other time consuming tasks like compass swing and weighing of the aircraft.

(3) It is imperative that at the time of submitting an aircraft for inspection to the airworthiness officials, for the purpose of renewal of C of A, all equipment on board the aircraft are in serviceable condition. If it is not so, the owner/operator of the aircraft shall notify the Chairman in writing and the Chairman may consult the airworthiness officials prior to affecting the renewal of certificate of airworthiness.

(4) As the aircraft is required to be subjected to a continuous cycle of approved maintenance schedule therefore, for the purpose of renewal of certificate of airworthiness, the aircraft would simply be required to be inspected in accordance with maintenance schedule followed by test flight (if due). In case major maintenance schedules are not due at the time of renewal of certificate of airworthiness, the operator/owner shall intimate the Chairman about carrying out such maintenance schedules as and when these are due. But at least thirty days before these are due, to enable the airworthiness officials to carry out such physical inspections of the aircraft as considered necessary by the Chairman during the year.

(5) Procedure for renewal of certificate of airworthiness of Bangladesh registered aircraft abroad: There may be situation where certificate of airworthiness of Bangladesh registered aircraft may set lapsed while operating in foreign countries for prolonged period in this case, the owner/operator may apply to the Chairman for renewal of certificate of airworthiness abiding by the renewal procedure rule in advance of the expiry date of the certificate (preferable forty five days in advance) to enable the airworthiness officials to inspect the aircraft abroad cost of which shall fully be borne by the owner/operator including daily allowances of the airworthiness officials assigned by the Chairman to accomplish the task of inspection abroad.

(6) The certificate of airworthiness shall cease to be valid if:

(a) approved inspection schedules are not completed when due

(b) "liferated" components are not replaced on expiry of stipulated "lives"

(c) mandatory modifications/inspections/SBs are not carried out as and when called for

(d) unapproved repair/modifications are carried out

(e) unapproved materials/procedures/practices are used

(f) aircraft has suffered major damage/defect.

(7) In case the airworthiness official(s) completes his final inspection of the aircraft and its documents within validity period of the certificate of airworthiness, the certificate shall be renewed i. e. the validity of the next currency of C of A shall start right from the expiration date of the certificate of airworthiness on continuous basis.

(8) In case the airworthiness officials complete final inspection of the aircraft and its documents after the expiry of the certificate of airworthiness which resulted due to the backlog of the owner/operator of the aircraft, then the validity of the next currency of C of A shall start from the date of inspection for complete one year.

(9) In case the C of A of aircraft is suspended on account of a major accident or due to any other reason (s), the same may be re-validated/restored by the Chairman, subject to the completion of the required repairs/modifications maintenance action(s) from the date of inspection by the airworthiness official(s) for complete one year.

(10) The certificate of airworthiness shall not be renewed if it is observed by the Chairman that mandatory modifications/inspections due on the aircraft, components or items of equipment installed on the aircraft, along with all other applicable mandatory tasks have not been complied with.

188. Export certificate of airworthiness.- (1) Where an aircraft is to be exported from

Bangladesh, the Chairman may issue an export certificate of airworthiness in accordance with such form as he considers appropriate in respect of the aircraft.

(2) An export certificate of airworthiness is not a certificate of airworthiness for the purposes of these rules.

(3) An export certificate of airworthiness shall be issued only in respect of a product of the following types when of such a product is to be exported from Bangladesh.

(a) a complete aircraft, including engine and propeller

(b) a single complete engine

(c) a single complete propeller

(4) An export certificate of airworthiness shall not be issued unless the Chairman is satisfied that at the time of issue, with any stated expectations, the aircraft engine or propeller:

(a) conforms to the type approval or type certificate for the product identified.

(b) is airworthy and in a condition for safe operation.

(c) complies with all pertinent Civil Aviation Rules, Air Navigation Orders and Airworthiness Directives.

(5) In respect of complete aircraft, the Chairman shall issue export certificate of airworthiness of the aircraft:

(a) has in force a valid certificate of airworthiness, or satisfy the requirements for issue of Bangladesh certificate of airworthiness.

(b) have been submitted for survey to an approved maintenance organization as specified by the Chairman through the Air Navigation Orders (Airworthiness) within the preceding thirty days, except that if the aircraft has been maintained in accordance with an approved continuous airworthiness programme, the Chairman may waive the inspection and survey requirements following assessment of the aircraft maintenance records.

(6) An application for issue of export certificate of airworthiness shall be made to the Chairman not later than thirty days before the required date.

(7) The application for issue of export certificate of airworthiness shall provide the following document to the purchaser of each product for which an export certificate of airworthiness is issued:

(a) current log book of aircraft, engine, propeller & radio station licence, as applicable appropriately certificate to show the modification status and airworthiness directives compliance status.

(b) the method used, if any for the preservation and packing of the aircraft and it's components to prevent these from corrosion and damage during transit and storage, and the duration or the effectiveness of such method preservation.

(c) the extent of dismantling of the aircraft for shipment and the identification of the pertinent instructions to be used for reassemble and testing.

189. Foreign operators.- (1) Where an aircraft of foreign nationality is in Bangladesh and is found to have suffered major damage or to have developed a major defect, the Chairman shall direct that the aircraft be grounded and shall not fly.

(2) Where the Chairman so directs that an aircraft shall not fly, he shall notify the appropriate authority of the country of registration of his action and a report of the damage or defect.

(3) The Chairman may revoke a direction given under this rule if the appropriate authority of the country of registration of the aircraft notifies him that-

(a) any suspension of the certificate of airworthiness regarding that aircraft imposed by that authority in respect of the damage or defect has been removed;

(b) it considers that the damage or defect is not of such a nature as to prevent the aircraft from fulfilling the minimum requirements of safety adopted in pursuance of the convention; or

(c) it considers that the aircraft should be permitted to fly without passengers to a place at which the necessary repairs or modifications can be made.

(4) In revoking a direction given under this rule, the Chairman may impose such conditions on the operation of the aircraft as are notified to him by the appropriate authority of the country of registration.

(5) When a foreign registered aircraft or an aircraft of a foreign nationality has sustained damage in the territory of Bangladesh and the damage is of a nature such that the aircraft is no longer airworthy, the Chairman shall prevent the damaged unairworthy aircraft from resuming flight on the condition that he (the Chairman) shall advise the State of registry immediately communicating to it all details necessary to formulate the judgement of damage of aircraft.

(6) When the State of registry considers that the damage sustained is of a nature such that the aircraft is no longer airworthy, it shall prohibit the aircraft from resuming flight until it is restored to an airworthy condition, the State of registry, may, however in exceptional

circumstance prescribe particular limiting condition (s) acceptable to the Chairman to permit the aircraft fly without fare paying passengers to an aerodrome at which it shall be restored to an airworthy condition.

(7) The Chairman, if satisfied as mentioned in sub-rule (5) prevented the aircraft from resuming flights shall permit such flights

(8) When the State of registry considers that the damage sustained is of a nature such that the aircraft is still airworthy, the aircraft shall be allowed by the Chairman to resume its flights.

190. Certificate of approval: (1) Any Bangladesh based person or organization intending to be engaged in any State of design, manufacture, distribution, maintenance, modifications, repair, processing, testing of aircraft, aircraft components, items of equipment or other aircraft goods, establishment of training schools to impart training in aviation sector, storage & distribution of civil aircraft components, items of equipment or aircraft materials, parts & goods may apply to the Chairman for a certificate of approval in respect of the above activities but not limited to and for renewal of such certificate (s).

(2) Any foreign based aircraft maintenance organization intends to accomplish the task of maintenance of airframe, engines electrical systems, instruments systems, radio systems & associated parts any of the components installed on the Bangladesh registered civil aircraft may apply to the Chairman for a certificate of approval in respect of the tasks mentioned above, but not limited to and for renewal of such certificate(s).

(3) An organization either local based or foreign seeking certificate of approval in any of the activities mentioned at para-1 & 2 of this rule shall have to apply to the Chairman on the prescribed form available in the airworthiness & engineering licensing division along with supporting documents & appropriate fees. On receipt of the completed application forms, Chairman shall assign the airworthiness official (s) to visit and inspect the engineering facilities of the organization (s).

(4) It shall be the function of the airworthiness official(s), in course of his (their) visit to satisfy himself (themselves) that the organization can satisfactorily accomplish the tasks relevant to the "scope of approval" applied for.

(5) The Chairman on the basis of the satisfactory inspection report being made by his assigned airworthiness official(s) shall issue the certificate of approval period of which shall be indicated on the certificate itself and shall be limited for a period of one year. An organization either local or foreign based, seeking an approval for renewal of the certificate of approval of the activities mentioned in the sub-rule (1) and (2) of this rule, may apply to the Chairman at least forty-five days in advance. Renewal of certificate of approval of either local or foreign-based organization shall be processed upon compliance of sub-rule 3 & 4 of this rule by the organization(s).

(6) In the event an organization willing to increase the scope of it's existing approval, it

shall have to make fresh application to the Chairman & the Chairman on being satisfied on compliance of sub-rule (3) shall grant extension of scope of approval applied for.

(7) Total expenditure involved in the inspection tour to either local or foreign based organization shall have to be borne by the organization concerned.

(8) The Chairman may notify through ANO (Airworthiness) fees for issue, extension and renewal of certificate of approval including its duplicate copy.”

191. Maintenance Systems and Directions.- (1) The Chairman may give directions specifying requirements for maintenance of aircraft registered in Bangladesh.

(2) The Chairman may give a directions to the owner or operator of an aircraft registered in Bangladesh or holder of an Air Transport Operating Licence issued by the Chairman, requiring him to submit a proposed system of maintenance of the aircraft, including any subsequent amendments of the system of maintenance for approval.

(3) The Chairman may approve a proposed system of maintenance with or without amendments and direct the person to institute the approved system for the use and guidance of his maintenance and operational personnel, details of which shall be set out in a manual or manuals, which shall at least include-

- (a) instructions for maintenance, control and maintenance procedures;
- (b) reference to the maintenance schedule or programme as applicable; and
- (c) quality control or quality assurance system as applicable.

(4) A person who has been directed to institute a system of maintenance shall furnish copies of the Maintenance System Manual to -

- (a) The Chairman; and
- (b) such other persons associated with the maintenance of the aircraft as the Chairman directs.

(5) A person who has been directed to institute a system of maintenance shall not fail to comply with the requirements of the system in so far as they apply to him or to take all steps reasonably required to ensure that persons in his employ or working under an arrangement with him comply with the requirements of the system in so far as those requirements apply to them.

(6) A person who has been directed to institute a system of maintenance may, at any time, request the Chairman to approve a change in the system and the approval may be given accordingly following which the person shall ensure that the change is incorporated in all copies of the Maintenance System Manual and that notice of those changes is forwarded to

all persons to whom copies of the Manual have been furnished.

(7) A person who has been directed to institute a system of maintenance shall ensure the airworthiness of the aeroplane and the serviceability of both operational and emergency equipment must be performed in accordance with procedures acceptable to the Chairman and by:

- (a) the accomplishment of pre-flight inspections;
- (b) the rectification to an approved standard of any defect and damage affecting safe operation, taking into account the Minimum Equipment List and Configuration Deviation List if available for the aeroplane type;
- (c) the accomplishment of all maintenance in accordance with the approved operator's Aeroplane Maintenance Programme;
- (d) the analysis of the effectiveness of the operator's approved Aeroplane Maintenance Programme;
- (e) the accomplishment of any operational directive, airworthiness directive and any other continued airworthiness requirement made mandatory by the Chairman or the regulatory authority responsible for issue of Type Certificate of the aircraft; and
- (f) the accomplishment of modifications in accordance with an approved standard and, for non- mandatory modifications, the establishment of an embodiment policy.

(8) An operator shall ensure that the Certificate of Airworthiness for each aeroplane operated remains valid in respect of:

- (a) the requirements in sub-rule (7) ;
- (b) any calendar expiry date specified in the Certificate; and
- (c) any other maintenance condition specified in the Certificate.

(9) An operator shall not operate an aeroplane unless it is maintained and released to service by an organisation approved in accordance with Rule 190 and is holder of a valid Certificate of Approval issued by the Chairman.

(10) The Chairman may direct the operators of Bangladesh registered aircraft to ascertain airworthiness of aircraft and safety of their operations to adopt appropriate maintenance philosophy as may be directed through ANO (Airworthiness).

(11) Approval of the system: An operator depending on the capability, staff and other support organization may apply to the Chairman for approval of his maintenance schedule or maintenance program as may be applicable.

192. System of Certification: (1) All Bangladesh registered civil aircraft are required to possess a current certificate of airworthiness issued by the Chairman before taking any flight. It is, therefore, obligatory that the aircraft are maintained as per maintenance schedule approved by the Chairman certified by the maintenance engineers accordingly. System components are replaced when due, modifications are effected when required, special due inspection are accomplished, defects are rectified.

(2) On completion of approved inspection schedule or any major maintenance, repair, overhaul, modification, replacement etc. a certificate is required to be issued by appropriately licensed AMEs, approved or authorized person.

(3) For each type of aircraft routine periodical maintenance schedule and other important schedule like heavy landing, post lightning strike, post propeller strike etc shall be prepared by the owner/operator/ and submitted to the Chairman for approval before the operation of the aircraft is undertaken.

(4) Owner/operator shall submit a proposal to the Chairman regarding operational lives between overhauls in respect of the major components installed on each type of aircraft for approval. Once approved by the Chairman, lives shall not be enhanced without obtaining proper approval. However, lives can be reduced by the operators on their own.

(5) All maintenance schedules shall be signed & also certified in the logbooks by appropriately licensed AMEs, approved or authorized persons. The signature on the schedules and on the certificate shall indicate that the work performed complies with the airworthiness requirements and while carrying out the inspection/repair/replacement/modification, approved materials and methods have been used.

(6) All works on aircraft shall have to be recorded in the relevant logbooks & sign by licensed AMEs, authorized persons and dated. The copies of certificate of flight release shall have to be preserved.

(7) The certificate of flight release shall be rendered in valid in case the aircraft suffers any major damage or defect and subsequent to the necessary rectification/repair, a fresh certificate shall have to be issued.

(8) In case an aircraft makes a series of Take-Offs on the same day, then the pre flight inspection may be carried out once before the first flight of the day, unless the aircraft is suspected to have suffered same defect or damage.

(9) The certificate of flight release shall have to be signed in duplicate and one copy shall be carried in aircraft and other copy shall be kept by the operator in the office folder.

(10) If the aircraft is operated in an area where radio navigation communication on board the aircraft is not required due to the absence of corresponding facilities on ground, the certification by the AME in "R" category may be deferred to the next inspection schedule

provided the operating captain/pilot is satisfied with the operation of the equipment.

(11) Certificate of flight release shall be preserved for a period of six months from the date of issue unless otherwise directed by the Chairman.

(12) Form of certificate of flight release or maintenance release may be reflected in ANO (Airworthiness).

193. Modification and repair.- (1) The Chairman may notify aircraft owners / operators regarding a mandatory modification / inspection to be accomplished in the aircraft to avoid unsafe and other conditions affecting the airworthiness of their aircraft and / or accessories.

(2) The Chairman may declare those Service Bulletins/instructions are mandatory which affect the safety of aircraft operations. These shall be notified to operators in the form of mandatory modification.

(3) The Chairman may declare all mandatory modifications issued by FAA (USA), DGAC (France) or CAA (UK) as mandatory on the aircraft, aircraft components or item of equipment depending on the country of the manufacture. Operators shall have to get copies of such Airworthiness Directives (AD) from the manufacturer or through the foreign airworthiness authorities where these are normally available.

(4) The Chairman may not renew the certificate of airworthiness of an aircraft if he observes that any mandatory modification/inspection due on the aircraft, aircraft component or item of equipment installed on the aircraft has not been complied with.

(5) Normally a type certified product shall not be altered or modified by the operator unless prior approval is obtained from the Chairman. However, products can be modified in accordance with the manufacturers' Service Bulletin or instructions provided the recommended material, spare parts & procedure as suggested their in are used and in corporation of the said Service Bulletin/modification is certified by licensed/approved person or organization. Any deviation from the above shall require prior approval of the Chairman. In case of experiencing difficulties in complying with the modification, the operator may apply for concession with prior justification to the Chairman. Incorporation of an unapproved modification/inspection to a type certified product shall render the C of A invalid.

(6) Any operator may apply to the Chairman for approval of the design or modification or repair of an aircraft or aircraft component.

(7) The Chairman may approve the design or a modification or repair when the applicant furnishes to the Chairman such evidence relating to the design which conforms to any relevant design standard in force under these rules.

194. Approval of replacement of component.- (1) A person may apply to the Chairman for approval of an aircraft component as a replacement for another aircraft component.

(2) The Chairman may approve an aircraft component as a replacement for another

aircraft component where the applicant furnishes to the Chairman such evidence relating to the suitability of the aircraft component as the replacement set out in the application that the design of any such aircraft component conforms with any relevant design standard in force under these rules.

195. Permissible unserviceabilities, Minimum Equipment List. (1) The Chairman may, for the purposes of these rules, approve a defect in, or damage to, a Bangladesh registered aircraft, as a permissible unserviceability in relation to the aircraft.

(2) The Chairman may direct that the use of a Bangladesh registered aircraft with permissibility is subject to such condition as he directs.

(3) The Chairman may direct that an operator shall establish, for each aeroplane, a Minimum Equipment List (MEL) listing permissible unserviceabilities approved by the Chairman which shall be based upon, but not less restrictive than the relevant Master Minimum Equipment List (MMEL), if such list exists and is accepted by the Chairman.

(4) An operator shall not operate an aeroplane other than in accordance with the MEL unless permitted by the Chairman, any such permission will in no circumstances permit operation outside the constraints of the MMEL.

(5) Minimum Equipment List (MEL) need not include items like wings, flight controls, complete engines, landing gears etc. the airworthiness and correct functioning of which is absolutely necessary before any flight. It may not also include item like galley equipment, entertainment system which does not affect the airworthiness of an aircraft.

(6) All items which affect the airworthiness of aircraft or safety of those carried on board are not included in MEL are automatically required to be operative.

(7) An operator shall be responsible for exercising necessary control to ensure that no aircraft is dispatched with multiple items inoperative, which shall increase the crew workload. In such cases the crews shall be consulted.

196. Maintenance of aircraft within Bangladesh.- (1) The owner, operator or pilot-in-command of a Bangladesh aircraft in Bangladesh shall not authorise or permit any maintenance to be carried out on the aircraft except by an appropriate person.

(2) A person shall not carry out maintenance in Bangladesh of a Bangladesh aircraft unless he is an appropriate person in relation to the maintenance.

(3) An appropriate person shall not carry out a modification or repair in Bangladesh of a Bangladesh aircraft unless-

(a) the design of the modification or repair has been approved under rule 193 or has been specified by the Chairman by a direction under rule 191; and

(b) the modification or repair is carried out in accordance with that design.

(4) When carrying out maintenance of a Bangladesh aircraft in Bangladesh, an appropriate person shall not replace one aircraft component with another unless the aircraft component that he installs-

(a) is identical with the aircraft component that it replaces; or

(b) has been approved under rule 194 as replacement for that aircraft component.

(5) Unless the Chairman otherwise approves, no aircraft material or aircraft component may be used or installed in a Bangladesh aircraft in Bangladesh by an appropriate person unless-

(a) where the aircraft material or aircraft component has been manufactured or maintained by or on behalf of the appropriate person, the work of manufacturing or maintenance has been certified to have been completed in accordance with a system of certification instituted under rule 192; or

(b) where the aircraft material or aircraft component has been supplied to the appropriate person by another person, the aircraft material or aircraft component so supplied under cover of a certificate or other document specified by the Chairman for such purposes.

(6) In this rule, "appropriate person", in relation to any maintenance, means-

(a) the holder of a certificate of approval covering the maintenance or a person working under an arrangement with such a holder, or

(b) the holder of an aircraft maintenance engineers license who has in his employ a person who is the holder of an aircraft maintenance engineer's license covering the maintenance; or

(c) a person authorised to carry out maintenance.

197. Manufacture and maintenance of aircraft components.- Unless the Chairman otherwise approves, the holder of a certificate of approval shall not manufacture or carry out maintenance of an aircraft component or aircraft material unless-

(a) where, in the course of such maintenance, any aircraft component that was manufactured or overhauled by that holder was incorporated in that first mentioned aircraft component - the work of manufacturing or overhauling that aircraft component has been certified in accordance with a system or certification instituted under rule 192 to have been completed;

(b) where, in the course of such maintenance which includes a modification or repair, the design of the modification or repair has been approved under rule 193 or has been

specified by the Chairman by a direction under rule 191 and the modification or repair is carried out in accordance with that design; and

(c) where, in the course of such maintenance, any aircraft component that was supplied to that holder by another person and was incorporated in that first mentioned aircraft component - the aircraft component was so supplied under cover of a certificate or other document specified by the chairman for such purposes

198. Use of aircraft material.- Where, in the flight manual or in the maintenance documents of a Bangladesh aircraft or in Air Navigation Orders, provision is made for the use in the servicing or operation of the aircraft of a specified aircraft material, the owner, operator or pilot-in-command of the aircraft shall not, unless the Chairman otherwise approves, use, or permit the use of, anything other than that kind of aircraft material for that purpose.

199. Maintenance of an aircraft registered in Bangladesh when it is outside of Bangladesh. - (1) Unless the Chairman otherwise approves, the owner, operator or pilot-in-command of a Bangladesh registered aircraft when it is outside Bangladesh shall not, in the maintenance of the aircraft, use, or permit the use of, any aircraft component, aircraft material or other thing of its use in Bangladesh would be an offence against this rules.

(2) The owner, operator, or pilot-in-command of Bangladesh registered aircraft when it is outside Bangladesh shall not authorize or permit any maintenance to be carried out on the aircraft except by

(a) the holder of an aircraft maintenance engineer's licence covering that maintenance;

(b) a person authorized to carry out that maintenance;

(c) a person who is authorized by the appropriate authority of a Contracting State to carry out aircraft maintenance in that State of the same type; or

(d) a person who possesses qualifications that are recognized by the Chairman as sufficient for the purpose.

(3) The owner, operator or pilot-in -command of a Bangladesh registered aircraft on which maintenance has been carried out outside Bangladesh shall not fly the aircraft or permit it to be flown, until the completion of the maintenance has been certified in a manner approved by the Chairman.”

200. Serviceability of replacement items.- A person shall not make a certification in accordance with a system of certification instituted under rule 192 with respect to the installation or use in a Bangladesh aircraft of an aircraft component or aircraft material unless he considers that the component or material is serviceable.

201. Maintenance releases.- (1) Maintenance releases in respect of Bangladesh aircraft

shall be issued only by authorised persons and only in such manner, and in accordance with such form, as the Chairman directs.

(2) The Chairman may give a direction specifying the information to be entered on maintenance release before its issue.

(3) Where a person authorised to issue a maintenance release is a body corporate, the Chairman shall specify in the instrument of authorisation that any maintenance release issued by the authorised person is to be signed by a specified person or by a person included in a specified class of persons.

(4) The Chairman may give a direction with respect to the retention and transfer of maintenance releases and copies of maintenance releases issued under this rule.

(5) The Chairman may give a direction specifying the period, or the maximum period, that a maintenance release of a specified kind is to be expressed to remain in force.

(6) Unless the Chairman otherwise approves, a maintenance release shall not be issued in respect of an aircraft unless there is in force a certificate of airworthiness in respect of that aircraft.

(7) A maintenance release shall not be issued in respect of an aircraft unless-

(a) all kinds of maintenance in respect of the aircraft required to be carried out to comply with any requirement or condition imposed under these rules has been certified, in accordance with a system of certification instituted under rule 192 or in a manner acceptable to the Chairman for the purposes of sub-rule (3) or rule 199, to have been completed; or

(b) in the case of a maintenance release in respect of a flight for which permission has been given by the Chairman any maintenance specified as a condition of that permission has been certified, in accordance with a system of certification instituted under rule 192, to have been completed.

(8) For the purpose of clause (a) of sub-rule (7) the existence of an earlier maintenance release issued under that clause in respect of an aircraft may in the absence of any evidence to the contrary, be accepted by an authorised person for the purposes of this rule as proof that all maintenance required under these rules to be carried out on the aircraft before the date of issue of the earlier maintenance release has been certified to have been completed as required by that clause.

(9) A maintenance release may bear an endorsement that the release is issued subject to a condition set out in the endorsement, being a condition imposed for the purpose of ensuring the safety of air navigation.

(10) Where an aircraft has a permissible unserviceability, a maintenance release issued in

respect of the aircraft shall bear an endorsement-

(a) setting out each permissible unserviceability that exists with respect to the aircraft;

(b) setting out such of the conditions, if any, with respect to the use of aircraft with those permissible unserviceabilities set out in any direction given under rule 195 in relation to those permissible unserviceabilities as are not set out in any operations manual issued with respect to the aircraft; and

(c) stating that the maintenance release is issued subject to those conditions, whether set out in the maintenance release or otherwise.

(11) A person shall not sign a maintenance release to be issued by virtue of clause (a) of sub-rule (7) in respect of an aircraft if-

(a) he considers that the aircraft is suffering major damage or a major defect and the damage or defect is not a permissible unserviceability;

(b) he considers that maintenance carried out on the aircraft may have adversely affected to such an extent as to affect the safety of the aircraft, the flight characteristics of the aircraft or the operating characteristics of any aircraft component or of any system of aircraft components installed in the aircraft;

(c) he is aware that certain maintenance that has been carried out on the aircraft has not been certified in accordance with a system of certification instituted under rule 192 or in manner acceptable to the Chairman for the purposes of sub-rule (3) of rule 199, to have been completed; or

(d) he is aware that information entered on the maintenance release is incorrect or that the maintenance release does not contain all information that it is required by or under these rule to contain.

(12) Clause (a) of sub-rule (7) and clause (c) of sub-rule (11) do not apply in relation to approved maintenance carried out by the pilot-in-command of the aircraft.

(13) Where a maintenance release is issued under this rule, or again commences to be in force by virtue of rule 203, in respect of an aircraft, any other maintenance release in force in respect of the aircraft immediately before that issue or that commencement ceases to be in force.

(14) Where the Chairman is satisfied that a condition set out in, or applying in relation to a maintenance release has not been complied with, he may suspend or cancel the maintenance release.

202. Endorsements on maintenance release.- (1) Where the owner, operator or a flight crewmember of, or an authorised person engaged in the maintenance of an aircraft in respect of which a maintenance release is in force or a person authorised by the chairman considers-

(a) that-

(i) a requirement or condition imposed under these rules in respect of the maintenance of the aircraft has not been completed with;

(ii) the aircraft has suffered major damage or has developed a major defect, other than damage or a defect that is a permissible unserviceability;

(iii) abnormal flight or ground loads have been imposed on the aircraft; or

(iv) maintenance carried out on the aircraft may have adversely affected to such an extent as to affect the safety of the aircraft, the flight characteristics of the aircraft or the operating characteristics of any aircraft component or any system of aircraft components installed in the aircraft; and

(b) that there is a likelihood that aircraft will be flown before-

(i) the requirement or condition referred to in sub-clause (i) of clause (a) has been complied with;

(ii) the damage or defect referred to in sub-clause (ii) of clause (a) has been remedied;

(iii) any damage caused by the imposition of the abnormal loads referred to in sub-clause (iii) of clause (a) has been remedied; or

(iv) the characteristics referred to in sub-clause (iv) of clause (a) have been corrected,

he shall enter on the maintenance release an endorsement signed by him setting out the facts of the situation and stating that the aircraft is unairworthy, and thereupon the maintenance release ceases to be in force.

(2) A person is not required under sub-rule (1) to enter an endorsement on a maintenance release if-

(a) the maintenance release was issued by virtue of clause (b) of sub-rule (7) of rule 201; and

(b) the person considers that the ground for entering the endorsement existed when the maintenance release was issued and was known to the person who issued the maintenance release or to a responsible employee of that person.

(3) Where the owner, operator or the pilot-in-command of, or an authorised person engaged in the maintenance of, an aircraft in respect of which a maintenance release is in force, becomes aware that the certificate of airworthiness in respect of the aircraft has been

suspended or cancelled, he shall enter on the maintenance release an endorsement signed by him setting out the facts of the situation and stating that the aircraft is unairworthy, and thereupon the maintenance release ceases to be in force.

203. Maintenance release recommences.- (1) Where a maintenance release ceases to be in force by virtue of an endorsement made under sub-rule (1) of rule 202, the maintenance release shall again commence to be in force if there is entered on the maintenance release a certification, in accordance with system of certification instituted under rule 192, that-

(a) where the endorsement refers to a requirement or condition in respect of the maintenance of the aircraft not having been complied with the maintenance to which the requirement or condition relates has been completed;

(b) where the endorsement refers to the aircraft having suffered major damage or developed a major defect- the maintenance required to remedy the damage or the defect has been completed;

(c) where the endorsement refers to the aircraft having had imposed on it abnormal flight or ground loads - the maintenance required to be carried out to check whether that imposition has cause any damage to the aircraft, and if any damage so caused, has been remedied;

(d) where the endorsement relates to the flight characteristics of the aircraft or the operating characteristics of an aircraft component, or system of aircraft components, installed in the aircraft - the maintenance required to correct the flight characteristics or the operating characteristics has been completed.

(2) Where a maintenance release ceases to be in force by virtue of an endorsement made under sub-rule (1) of rule 202 the maintenance release shall again commence to be in force if there is entered on it a further endorsement signed by an authorised person canceling the first-mentioned endorsement.

(3) An authorised person shall not make an endorsement under sub-rule (2) unless he is satisfied that there is no reason why the endorsement to be cancelled should continue in force.

(4) A maintenance release that has ceased to be in force by virtue of an endorsement made under sub-rule (1) of rule 202 shall not again commence to be in force except by virtue of an endorsement made under this rule.

(5) This rule does not have effect in relation to a maintenance release issued in respect of an aircraft if-

(a) the period during which the maintenance release is expressed to remain in force has expired; or

(b) a subsequent maintenance release has been issued in respect of the aircraft by virtue of clause (a) of sub-rule (7) of rule 201.

204. Permissible unserviceabilities endorsed on maintenance release.- Where the owner, operator or a flight crewmember of, or an authorised person engaged in the maintenance of, an aircraft in respect of which a maintenance release is in force considers-

(a) that the aircraft has developed a defect, or has suffered damage, that is a permissible unserviceability; and

(b) that there is a likelihood that the aircraft will be flown before the permissible unserviceability is rectified,

he shall enter on the maintenance release an endorsement signed by him-

(c) setting out each permissible unserviceability that exists with respect to the aircraft;

(d) setting out such of the conditions, if any, with respect to the use of an aircraft with those permissible unserviceabilities as are not set out in any operations manual issued with respect to the aircraft; and

(e) stating that the maintenance release has effect subject to those conditions, whether set out in the maintenance release or otherwise.

205. Defects and major damage endorsed on maintenance release.- Where the owner, operator or a flight crew member of a Bangladesh aircraft-

(a) becomes aware of the existence of a defect in the aircraft; or

(b) becomes aware that the aircraft has suffered damage that in the opinion of the owner, operator or the flight crew member is major damage,

he shall enter on the maintenance release an endorsement signed by him setting out the particulars of the defect or damage.

206. Documents alternative to the maintenance release.- Where under sub-rule (9) of rule 201, sub-rules (1) and (2) of rule 202, sub-rule (1) and (2) of rule 203 or rule 204 or 205, reference is made to the placement of an endorsement on a maintenance release, the Chairman may approve the use of another document as an alternative to the maintenance release for the purposes of the particular sub-rule or rule.

207. Reporting of defects in aircraft.- (1) Where a person who, in the course of his employment is engaged in the maintenance of a Bangladesh aircraft becomes aware of the existence of a defect in the aircraft, the person shall report the defect to his employer.

(2) where a person engaged, other than as an employee, in the maintenance of a

Bangladesh aircraft, other than an aircraft owned or operated by him becomes aware of the existence of a defect in the aircraft, he shall, if he considers it is a major defect, report the defect to the owner or operator of the aircraft and make a report to the Chairman in the manner specified by the Chairman for the purposes of this sub-rule.

(3) Where the owner or operator of a Bangladesh aircraft becomes aware of the existence of a defect in the aircraft he shall-

(a) have an investigation made of the defect; and

(b) if it is a major defect - have a report made to the Chairman with respect to the defect and to any matters revealed by the investigation, in the manner specified by the Chairman for the purpose of this sub-rule.

207A. Continuing airworthiness information.- (1) The operator of an aeroplane over 5700 kg maximum certificated take-off mass shall obtain and assess continuing airworthiness information and recommendations available from the manufacturer and the airworthiness authority responsible for the type and design, and shall implement resulting actions considered necessary in accordance with the procedure issued by the Chairman.

(2) The Chairman may direct to an operator to develop or adopt requirements to ensure continued airworthiness of an aircraft during its service life, including requirements to ensure that the aircraft:

(a) continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part; and

(b) is maintained in an airworthy condition and in compliance with the maintenance requirements.

(3) The continuing airworthiness of an aircraft shall be determined by the Chairman in relation to the appropriate airworthiness requirements in force for that aircraft.

(4) When CAAB first enters on its register an aircraft of a particular type for which it is not the State of design and issues or validates a certificate of airworthiness, the Chairman shall advise the State of design that he has entered such an aircraft on the register of civil aircraft of Bangladesh.

(5) Chairman shall determine the continuing airworthiness of an aircraft in relation to the appropriate airworthiness requirements in force for that aircraft.

(6) The Chairman shall develop or adopt requirements to ensure the continuing airworthiness of the aircraft during its service life.

(7) Upon receipt of mandatory continuing airworthiness information from the State of design, the Chairman shall adopt the mandatory information directly or assess the information received and take appropriate action.

(8) Chairman shall ensure the transmission to the State of Design of all mandatory continuing airworthiness information which it, as the State of registry, originated in respect of that aircraft.

(9) The Chairman shall establish, in respect of aeroplanes over 5700 kg and helicopter over 3175 kg maximum certificate of take-off mass, the type of service information that it is to be reported to its airworthiness authority by operators, organization responsible for type design and maintenance organizations. Procedures for reporting this information shall also be established.

(10) Maintenance information shall include a description of the aeroplane and recommended methods for the accomplishment of maintenance tasks. Such information shall include guidance on defect diagnosis.

(11) Maintenance program information shall include the maintenance tasks and the recommended intervals at which these tasks are to be performed.

(12) Maintenance information resulting from the type design approval.

208. Reporting of defects in aircraft components.- (1) Where the holder of a certificate of approval covering the maintenance of aircraft components owned by him becomes aware that an aircraft component owned by him has developed a defect, he shall-

(a) have an investigation made of the defect; and

(b) if the defect is such that, if the components were installed in an aircraft, the safety of the aircraft or persons on board the aircraft might be affected - have a report made of the Chairman with respect to the defect and of any matters revealed by the investigation, in a manner specified by the Chairman for the purpose of this sub-rule.

(2) Where the holder of a certificate of approval covering the maintenance of aircraft components becomes aware of the existence of a defect in an aircraft component in the maintenance of which he is engaged (other than an aircraft component owned by him). he shall, if the defect is such that if the components were installed in an aircraft, the safety of the aircraft might be affected, report the defect to the owner of the aircraft components and make a report to the Chairman in the manner specified by the Chairman for the purposes of this sub-rule.

(3) where the holder of an air operator license issued by the Chairman becomes aware of the existence of a defect in an aircraft component, owned by him and intended for use in aircraft used in operation under his licence, he shall-

(a) have an investigation made of the defect; and

(b) if the defect is such that, if the components were installed in aircraft, the safety of

the aircraft or of persons on board the aircraft might be affected - have a report made to the Chairman with respect to the defect and of any matters revealed by the investigation, in a manner specified by the Chairman for the purpose of this sub-rule.

209. Investigation of defects in aircraft.- (1) An authorised person may conduct an investigation into any matter connected with any defect in a Bangladesh aircraft including the making of a test of an aircraft or of any aircraft component installed or provided in an aircraft.

(2) An investigation under sub-rule (1) may extend to defects generally or may be limited to the investigation of a particular defect or a particular kind of defect.

(3) The authorised person may, for the purposes of carrying out the investigation-

(a) by order in writing served on a person, require the production to the authorised person of any documents, aircraft components or other things that are in the possession, or under the control, of the person on whom the order is served;

(b) retain any document, aircraft component or other thing produced during the course of the investigation for such period as is necessary for the purpose of carrying out the investigation; and

(c) make and retain copies of, or take extracts from, any document so produced.

(4) Where the retention of a document, aircraft component or other thing produced for the purposes of an investigation is no longer necessary the authorised person shall return the document, aircraft component or other thing to the person by whom it was produced.

210. Maintenance records.- (1) The Chairman may give direction specifying-

(a) the records to be kept in relation to-

(i) the maintenance done on each Bangladesh aircraft (including any aircraft component fitted in that aircraft); and

(ii) the time in service and the aircraft;

(b) the form of and the manner of keeping, a record referred to in sub-clause (ii) of clause(a); and

(c) the period during which a record kept in compliance with a direction under this rule is to be retained and the circumstances in which the record may, during that period, be transferred to another person.

(2) The owner or operator shall take such action as is necessary to ensure that records with respect to the aircraft are kept, retained and transferred in accordance with any direction

under this rule.

(3) The Chairman or an authorised person may, at any time, inspect any records kept in compliance with a direction under this rule, and the person keeping the records shall make them available for that purpose.

(4) The Chairman may direct the owner or operator to arrange for copies of the entries made in any record kept in compliance with a direction under this rule and carried on the aircraft during a flight be also kept in a safe place on the ground.

211. Flight manuals.- (1) The Chairman may-

(a) approve a flight manual for an aircraft and any subsequent alteration to that flight manual, prepared by, or on behalf of, the manufacturer, owner or operator;

(b) authorise the manufacturer, owner or operator to issue a flight manual for the aircraft and to issue subsequent alterations to that flight manual; or

(c) prepare and issue a flight manual for each Bangladesh aircraft and any subsequent alterations to that flight manual.

(2) A flight manual referred to in sub-rule (1) shall contain information and instructions relating to-

(a) the identification of the aircraft;

(b) unless the Chairman otherwise approves, the operating procedures and the limitations of the aircraft;

(c) the performance and loading of the aircraft; and

(d) the date (if any) of which, or the period (if any) after which, the flight manual ceases to have effect.

(3) The pilot-in-command of a Bangladesh aircraft shall comply with all the requirements, procedures and limitations with respect to the operation of the aircraft set out in the flight manual for the aircraft.

212. Provision of maintenance facilities,- (1) An operator engaged in, or offering to be engaged in, an aircraft operation for hire or reward shall provide an adequate organisation including training staff, together with workshop and other equipment and facilities in such quantities and at such places as the Chairman directs in order to ensure that his airframes, engines, propellers, instruments, equipment and accessories are properly maintained at all times when they are in use.

(2) An operator engaged in, or offering to be engaged in, an aircraft operation for hire or reward shall ensure that provision is made for imparting of proper and periodic instructions to all maintenance personnel, particularly in connection with the introduction into service of

new equipment or equipment with which the maintenance personnel are not familiar, and the training program shall be subject to the approval of the Chairman.

213. Overseas investigation costs,- Where the Chairman or an authorised person may, upon an application made to him, finds it necessary to travel outside Bangladesh for the purpose of investigation of an application for the grant, issue or renewal of a licence, certificate of approval referred to in this part, the applicant shall meet the costs involved in that travel.