



Brexit Update for US Industry

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- Government position on post-exit arrangements with EASA
- UK Regulatory framework after Brexit
- Impact on Bilateral arrangements
- Contingency Plans



Introduction

The stated preference of the UK Government and the CAA is that the UK remains part of the EASA aviation safety system post Brexit. Whilst this remains our position, we are preparing for the possibility of a no deal Brexit in March 2019

Based on the Technical Notices published on 13 September 2018, this document explains for businesses and individuals operating in the EU aviation system what the UK Government and the CAA would do in this scenario to maximise continuity and stability for the aviation and aerospace sector. It also states the EU's current position on a number of issues.

Each business or individual that might be affected by a no deal Brexit should consider and make decisions for itself on the implications of this scenario and plan accordingly

Brexit & aviation safety



Aviation is a **global industry** that is globally regulated. Under any Brexit scenario, the UK and the CAA remain committed to maintaining global safety standards



The UK is currently a **key member of EASA**, the EU's agency that oversees aviation safety



Remaining an **EASA member** is a goal shared by the UK Government and the CAA. However we are working closely to prepare in case this can't be achieved.

What is our position if there is no deal by 29 March 2019?



We are committed to **maximising continuity and stability** for consumers and the UK's aviation and aerospace industries.



UK aviation will be as safe after we leave the EU as before. In the no deal scenario, we would recognise **EASA certificates, approvals and licences** for use in the UK aviation system and on UK-registered aircraft at least for a period of two years following Brexit. It would, in the UK's view, be in the EU's interests to recognise UK certificates, approvals and licences in the same way. To date, the EU has publicly stated it would not do so.



Regulatory Framework After Withdrawal from the EU

- All EU regulations applicable at the point of UK's exit from the EU will be retained in UK domestic legislation
- The EU Withdrawal Bill will ensure that the applicable regulations in a non-negotiated Brexit are the same as those today.
- UK is currently finalizing the secondary legislation for a non-negotiated withdrawal from the EU, to ensure that the rules and standards applied today and on exit, continue to apply post-Brexit.
- Amendments to EU regulations are being prepared to deal with deficiencies on exit (i.e., removing EU Commission (EC) enforcement powers, correcting references to EASA, etc.)
- UK issued certificates will remain valid in the UK, but their continued validity in the EASA system is a matter for negotiation.

Aircraft design organisations – what would it mean?



EASA currently directly approves organisations that **design aircraft and aircraft components**.



The CAA **would recognise the validity** of existing UK companies with design approvals issued prior to Brexit by EASA. The UK CAA would continue to recognise EU member state design organisations for up to two years after Brexit.

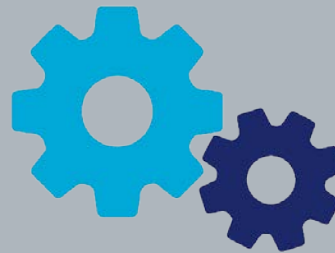


The EU has said that existing UK design approvals **would not be valid post Brexit**. Unless the EU changes its position, UK design businesses wanting to support EU aircraft would need to register themselves in an EASA Member State post Brexit.

Production of aircraft components and parts - what would it mean?



Approvals are given to organisations who produce **aircraft components**.



The UK would recognise the validity of existing approvals held by UK and EU registered businesses for **components** they produce for UK registered aircraft, including those already fitted to aircraft, those manufactured but not yet fitted and those manufactured in the future.

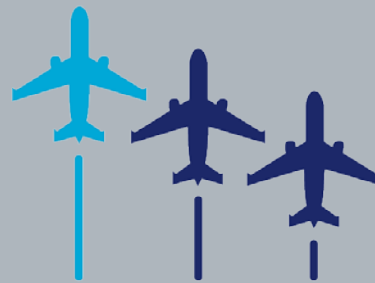


The EU has said that it would recognise the **validity** of components already on EU aircraft, but not components already manufactured by UK registered businesses and not yet fitted to EU aircraft, nor new components manufactured in the future by UK registered businesses against existing or new designs.

But it's not just the EU...



Department
for Transport



The CAA and DfT are working with the USA, Canada and Brazil to ensure replacement [Bilateral Aviation Safety Agreements](#) are in place post Brexit. These arrangements facilitate the recognition of each others' safety certificates, and support both international trade and airline operations. Similar agreements are not necessarily needed with other countries: member of the global aviation regulator ICAO provides a degree of confidence in respective safety regimes, and in some cases we agree specific working arrangements with individual states.

Bilateral Arrangements

- On 29 March 2019 – The UK will withdraw from the EU, and will no longer benefit from EU-US BASA if transitional arrangements are not in place
- The 1995 UK-US Bilateral Aviation Safety Agreement remains in force, and in use today (no amendment needed). The scope is sufficient to accommodate all of the technical annexes currently implemented under the EU-US BASA.
- However, the Implementation procedures are out of date

Bilateral Arrangements – Design and Production (1)

- New implementation procedures are needed to maintain current EU-US arrangements
- For Aircraft Design and Production Approvals implementation procedures are being finalized to address two scenarios:
 1. UK remains part of the EASA system; and,
 2. The UK is not part of the EASA system
- These new Implementation Procedures for Airworthiness (IPA) seek to replicate existing EU-US arrangements in both scenarios

Bilateral Arrangements – Design and Production (2)

- For option 1: there are no changes to the working level arrangements currently in place between the EU and USA
- EASA will continue to be the Competent Authority for Design related matters
- For option 2: the CAA needs to re-establish its aircraft design certification capability to fulfil its ICAO Annex 8 State of Design obligations and support the import/export and operation of aircraft manufactured in the UK and third countries.
- Work to re-establish this capability is underway

Bilateral Arrangements- Maintenance (1)

- For Maintenance (Repair Station) Approvals implementation procedures are being finalized to address two scenarios:
 1. The UK remains part of the EASA system; and,
 2. The UK is not part of the EASA system
- New Maintenance Implementation Procedures (MIP) have been developed to replicate existing EU-US arrangements for both potential outcomes
- There are no significant changes to working procedures in either scenario
- To aid implementation the UK intends to recognize EASA approvals issued to US based repair stations for up to 2 years after exit day

Bilateral Arrangements- Maintenance (2)

- FAR 145 approved repair stations in the UK will continue to be approved in the same way as they currently under the EU-US MIP/MAG
- As a contingency measure the CAA and the FAA agreed to ask some UK based repair stations to renew their certification early to avoid any potential impacts/delays around exit day.
- Only repair stations whose certificates expire renewed in first half of 2018 are affected

Questions & Thank you

Useful Links

Department for Transport Guidance – Aviation Safety if there is no Brexit deal

<https://www.gov.uk/government/publications/aviation-safety-if-theres-no-brexit-deal/aviation-safety-if-theres-no-brexit-deal>

CAA Brexit Website

<https://info.caa.co.uk/eu-exit/aerospace-design-organisations/>

European Commission Notice to Stakeholders

<https://ec.europa.eu/transport/sites/transport/files/legislation/brexit-notice-to-stakeholders-aviation-safety.pdf>

EASA Brexit Website

<https://www.easa.europa.eu/brexit>