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IMPORT AND TRANSFER OF EASA AIRCRAFT TO THE NETHERLANDS AND INVOLVEMENT OF THE CAA-NL

1 INTRODUCTION

This circular refers to aircraft to which the European Aviation Safety Agency (EASA) regulations apply, so called EASA aircraft. For other aircraft, like state aircraft and aircraft to which Annex I of the Basic Regulation (EC) No. 2018/1139 applies (such as MLA, amateur built, and historic aircraft), other rules can be applicable. Before you purchase an aircraft from outside the Netherlands, it is important to ensure that the aircraft type is accepted by EASA. Further information can be obtained from the EASA website <https://www.easa.europa.eu/>.

The purpose of this document is to provide guidance regarding importing and transferring of EASA aircraft into the Netherlands and to clarify in which situations CAA-NL involvement is required in the process of importing or transferring aircraft to the Netherlands. Transfer means the import of an EASA aircraft from another EU member state, while import means the import of an EASA aircraft from outside the EU.

An aircraft is not permitted to fly unless it has been properly registered and has a valid certificate of airworthiness (EASA Form 25 or 24), an airworthiness review certificate (EASA Form 15a, 15b or 15c) and appropriate noise document. Foreign registered aircraft that will be imported into the Netherlands or transferred to the Netherlands will need to apply for:

1. a certificate of registration (CofR);
2. a certificate of airworthiness (CofA) (EASA Form 25 or 24);
3. an airworthiness review certificate (ARC) (EASA Form 15a, 15b or 15c);
4. a noise document.

For the issuance of these certificates a different regulatory basis exists and therefore separate procedures exist to issue them.

2 APPLICATION AND PROCEDURE FOR ISSUING A CERTIFICATE OF REGISTRATION AND NOISE DOCUMENT

If the aircraft can be admitted and you decide to obtain the aircraft, a certificate of registration and noise document must be requested. The application forms and conditions from the CAA-NL are available on the website <https://www.ilent.nl/>.

3 APPLICATION FOR CERTIFICATE OF AIRWORTHINESS (EASA FORM 25 or 24) AND AIRWORTHINESS REVIEW CERTIFICATE (EASA FORM 15)

In addition to the application of a certificate of registration and a noise document, the owner/holder of the aircraft needs to apply for a certificate of airworthiness (Form 25 or 24) from the CAA-NL. The application form for the certificate of airworthiness and/or airworthiness review certificate can also be found on the website <https://www.ilent.nl/>.

4 PROCEDURE FOR ISSUING A CERTIFICATE OF AIRWORTHINESS (EASA FORM 25 or 24) FOR EASA AIRCRAFT TRANSFERRED OR IMPORTED TO THE NETHERLANDS

Only the competent authority, in this case the CAA-NL, can issue a certificate of airworthiness. According to Part 21 - 21.B.320 & 21.B.326 - the competent authority shall carry out sufficient investigation activities to justify the issuance of the certificate of airworthiness (EASA Form 25 or 24). This investigation may include inspections by the competent authority of the member state of registry, in this case the CAA-NL.

Before the CAA-NL can issue a certificate of airworthiness an acceptance review has to be performed in order to verify if the aircraft complies with Part 21 and is in an airworthy condition. This acceptance review procedure is set out by the CAA-NL to meet the requirement of Part 21.B.320(b).

For a greater part, acceptance reviews are outsourced to certified Continuing Airworthiness Management Organisations (CAMO). A Dutch organisation certified as Part M Subpart G or Part-CAMO can perform acceptance reviews for those aircraft it has on its scope. By completing ILT Form ILT.040.XX the certified Dutch CAMO can make a recommendation to the CAA-NL for issuing a certificate of airworthiness. The CAA-NL can issue the certificate of airworthiness after evaluation of that recommendation and after having verified compliance of additional requirements (fees, certificate of registration, application).

However, in the following cases the CAA-NL performs the acceptance review, unless otherwise decided by the CAA-NL:

1. every first complex motor-powered aircraft (EC No. 2018/1139) that is of a new type (based upon type certificate data sheet (TCDS)) to the Dutch aircraft registry;

2. the first new aircraft of a new or existing operator; Air Operator Certificate;
3. if no certified Dutch CAMO with the respective aircraft type on its scope exists;
4. if requested by owner/holder or CAMO.

5 PROCEDURE FOR ISSUING AN AIRWORTHINESS REVIEW CERTIFICATE (EASA FORM 15) FOR EASA AIRCRAFT TRANSFERRED OR IMPORTED TO THE NETHERLANDS

5.1 New EASA aircraft

A statement of conformity (EASA Form 52 or Export CofA) will be issued by the production organization or FAA/ANAC/TCCA. Aircraft imported from countries other than USA, Brasil or Canada will be subject to an aircraft inspection performed by CAA-NL. On the basis of an acceptance review performed by a certified Dutch CAMO or the CAA-NL, see paragraph 4, an airworthiness review certificate (ARC) can be issued.

Note: Performing an airworthiness review inspection for new aircraft will not be necessary.

5.2 Used EASA aircraft with a valid airworthiness review certificate (Form 15a, 15b or 15c)

In case of transfer of aircraft registered in another EU member state and having a valid certificate of airworthiness and airworthiness review certificate (M.A.903 or ML.A.905); the former airworthiness review certificate shall remain valid until its expiry date. The original airworthiness review certificate will be validated by the CAA-NL. See paragraph 4 for the procedure regarding the certificate of airworthiness.

5.3 Used EASA aircraft without a (valid) airworthiness review certificate (Form 15a, 15b or 15c)

If no valid airworthiness review certificate exists an airworthiness review according to Commission Regulation (EC) No 1321/2014 article M.A.904 or ML.A.905 will need to be accomplished. The same organisation and person performing the acceptance review is required to perform the airworthiness review. See paragraph 4 for the procedure regarding the certificate of airworthiness.

Airworthiness review by the CAMO	Airworthiness review by the competent authority (CAA-NL)
If an airworthiness review by a CAMO is carried out satisfactorily in accordance with point M.A.710 & M.A.901 or ML.A.903, the CAMO, if applicable, shall send a documented recommendation for the issuance of a Form 15a airworthiness review certificate to the CAA-NL (M.A.904).	If a satisfactory airworthiness review is carried out by the competent authority an EASA Form 15a pursuant article M.B.902 or EASA Form 15c pursuant article ML.B.902 shall be issued by the CAA-NL.

6 AIRCRAFT MAINTENANCE PROGRAMME

Unlike previous policy, the CAA-NL will not issue a certificate of airworthiness (Form 25 or 24) when there is no approved aircraft maintenance programme (AMP). AMPs for aircraft under Part-M may only be approved by:

1. a Dutch CAMO holding the indirect AMP approval of M.A.302(c) as listed on the status sheet;
2. a non-Dutch CAMO holding the indirect AMP approval privilege issued by its competent authority and agreed with CAA-NL under an agreement pursuant to article M.1.4 of the Basic Regulation No. 1321/2014; or
3. CAA-NL.

For Part-ML: any CAMO or CAO pursuant to article ML.A.302 of Part-ML.

Please ask your CAMO or CAO for advice and conditions.

7 CHARGES ASSOCIATED WITH ISSUING EASA FORM 15 AND FORM 24/25 AND INVESTIGATIONS PERFORMED BY THE CAA-NL FOR AIRCRAFT TRANSFERRED OR IMPORTED TO THE NETHERLANDS

See the "Regeling tarieven luchtvaart 2008".

8 ADDITIONAL INFORMATION

Contact your surveyor or the Dutch aircraft registry via:

Tel: +31 (0)88 489 0000
 URL: <https://www.ilent.nl/>
 Email: info.register@ilent.nl

9 DOCUMENT CONTROL

This AIC-B cancels AIC-B 02/2021 dated 08 APR 2021.

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