

APPENDIX 4, AIRWORTHINESS INSTRUCTIONS FOR PROCUREMENT ORGANISATIONS

A3.1 General

This Appendix shall be part of air system procurement and modification contracts.

It is the responsibility of the project manager to ensure that the requirements in this regulation, including this appendix, are implemented in the contracts with suppliers and contractors.

EMAR shall be the basis for airworthiness of Norwegian Military Aircraft. If the legacy of the applicable Aircraft Type does not allow full compliance with EMAR, due diligence to EMAR shall be taken to the maximum extent.

New aircraft types registered into the NDAR after 1st of January 2016 must have a Military Type Certificate¹ or a Military Permit to Fly² issued in order to be airworthy. The Project Manager shall facilitate the activities necessary to issue such documents.

A3.2 Airworthiness

All Aircraft Types shall have completed an airworthiness assessment iaw DoDD 5030.61³ and/or EMAR 21 before operational use or OT&E can commence, or the closest commercial milestone.

The airworthiness assessment should use either EMACC; MIL Handbook 516; or civilian EASA/14 CFR (FAR) Part 23, 25, 27 or 29 or Performance Specification Basis to define applicable military airworthiness certification criteria, standards, and methods of compliance. If required, the MAA-NOR may approve other airworthiness certification criteria.

In the case where an aircraft Type is already certified, MAA-NOR will pursue recognition of the (Military) Airworthiness Authority responsible for the initial certification of the Type through EMAD R, and subsequently validate airworthiness documentation from that authority. The certification basis shall be the original certification from the primary certifying authority.

A Tailored Airworthiness Certification Criteria (TACC) compliance document (or equivalent) shall have been developed before any equipment is delivered.

NOTE that a US NAVAIR Performance Based System Specification (PBSS) is considered equivalent, if accompanied by the applicable System Safety documentation.

Parts and installations not covered by the original Military Type Certificate (MTC) or Type Certificate (TC) should be issued as a Supplemental Military Type Certificate (MSTC) iaw AFI 62-601 and/or EMAR 21, or as deemed equivalent by the MAA-NOR.

The Design Organization of the aircraft Type shall be the MTC Holder with responsibility for continuing airworthiness as required in EMAR21.

¹ EMAR 21 or AFI62-601

² EMAR 21; Permit to Fly is Equivalent to Military Flight Release ref AFI62-601.

³ US Department of Defense Directive.

The Design Organization shall be identified to the MAA-NOR and may be an organization with EMAR/EASA/14 CFR part (FAR) part 21 Design Organization Approval (DOA), or the Original Equipment Manufacturer (OEM), or the Prime Contractor, or a government Program Office (coordinating Design Organization), or as deemed equivalent by the MAA-NOR.

NOTE

For specific aircraft types, additional requirements may apply. The requirements and related required artifacts are listed in the table.

This list does not cover requirements related to mission qualification/fitness for purpose, or safety requirements related to particular usage.

Any artifacts required must be released to the MAA-NOR minimum 90 days prior to entry into Norwegian register.

Table 1, airworthiness requirements for procurements.

Requirement	Artifact required	Comments	Regulation reference
The type shall have a completed airworthiness assessment iaw DoDD 5030.61 and/or EMAR 21.	Military type Certificate or equivalent document, including recommendation. (USN Flight Clearance or NATOPS). Including interim equivalents (Military Permit to Fly, Military Flight Release, interim Flight Clearance)	This shall be completed before operational use or OT&E can commence, or the closest commercial milestone. NOTE normally, this airworthiness assessment shall be performed by the original certifying authority.	RML The airworthiness assessment should use either EMACC; MIL Handbook 516; or civilian EASA/14 CFR part (FAR) Part 23, 25, 27 or 29; to define applicable military airworthiness certification criteria, standards, and methods of compliance. If required, the MAA-NOR may approve other airworthiness certification criteria.
An aircraft Type which is already certified: Norway will pursue recognition of the (Military) Airworthiness Authority responsible for the initial certification of the Type through EMAD R, and subsequently validate airworthiness documentation from that authority.		Authority to authority recognition is not a project activity. The MAA-NOR decides whether recognition shall be coordinated with the timeline of a specific acquisition project. The MAA-NOR will not recertify artifacts from a recognized authority, such artifacts will be subject to a validation iaw FMA LUF PRO 361.	EMAD R
The certification basis shall be the original certification from the			RML

Requirement	Artifact required	Comments	Regulation reference
primary certifying authority.			
A Tailored Airworthiness Certification Criteria compliance document (TACC or equivalent) shall have been developed before any equipment is delivered.	TACC or equivalent (USN ECP or EDRAP). Form 52 or equivalent.	USN ECP/EDRAP is regarded equivalent, provided it contains or references all Mil Handbook 516 airworthiness certification criteria. Any civilian certification basis or related data sheet is not required to reassess. Upon delivery (acceptance), the manufacturer shall produce a statement of compliance referencing the approved type version (Form 52 or equivalent).	RML
Requirements not covered by the original Military Type Certificate (MTC) or Type Certificate (TC) shall be airworthiness certified as a Supplemental Military Type Certificate (SMTC) or equivalent.	SMTC or equivalent MACC or equivalent (USN ECP or EDRAP)		AFI 62-601 and/or EMAR 21, or as deemed equivalent by the MAA-NOR.
The Design Organization of the aircraft Type shall be the MTC Holder with responsibility for continuing airworthiness as required in EMAR21.	Design Organization Exposition (DOE) or equivalent document, from the Design Organization, Original Equipment Manufacturer or Program Office clearly stating how and by whom the responsibilities for continuing airworthiness will be managed.	The Design Organization (DO) shall be identified towards the MAA-NOR and may be an organization with EMAR/EASA/14 CFR part (FAR) 21 Design Organization Approval (DOA), or the Original Equipment Manufacturer (OEM), or the Prime Contractor, or a government Program Office (coordinating Design Organization), or as deemed equivalent by the MAA-NOR. NOTE that this requirement imposes the condition that the identified organization accepts to be the MTC Holder.	RML
The system safety risk levels shall be evaluated and accepted by the MAA-NOR	System Safety Risk Assessment (SSRA) or equivalent		Validation procedure requirement
Any airworthiness criteria non-compliance or other condition which introduces additional system risk, shall be evaluated and accepted by the MAA-NOR	system compliance document or equivalent (USN integration reports)		Validation procedure requirement