



# **OVERSEAS TERRITORIES AVIATION REQUIREMENTS (OTARs)**

## **Part 43**

# **GENERAL MAINTENANCE REQUIREMENTS**

Issue 12.00

Published by Air Safety Support International Ltd

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First Issue - published for information	June 2004
Second Issue - published for information	April 2005
Third Issue – released for gazetting	July 2005
Fourth Issue	April 2011
Fifth Issue	October 2013
Sixth Issue	January 2015
Seventh Issue	August 2017
Eighth Issue	February 2019
Ninth Issue	February 2021
Tenth Issue	March 2021
Eleventh Issue	January 2023
Twelfth Issue	April 2026

The definitive version of OTARs is that on the ASSI website [www.airsafety.aero](http://www.airsafety.aero) which should be viewed to establish the latest issue of each Part.

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## Revisions

<b>OTAR Issue</b>	<b>Subject</b>
Issue 1	First issue published for information.
Issue 2	Second issue published for information.
Issue 3	Third issue released for gazetting. Editorial changes to Purpose statement and rationalisation of content.
Issue 4	The removal of the Maintenance Review in consideration of the provisions in OTAR Part 39, amendments to certification requirements, including new Subpart D, and editorial changes throughout.
Issue 5	43.101(c) - Clarification of the requirement. 43.101(d) & (e) – Additional options for persons issuing a release to service. 43.105(a) Recognition of other CRS statements acceptable to the Governor. 43.111 – Replacement of the term Duplicate Inspections, with the term Independent Inspections.
Issue 6	43.51 Clarification on persons to perform maintenance. 43.101 Clarification on persons to issue release to service. 43.105 Component release added back into the CRS statement. 43.155 Clarification of the responsibilities and requirements for the issue of a Permit to Fly authorisation. 43.157 Permit Airworthiness Release Authorisation deleted.
Issue 7	Change of ASSI's address. 43.51 re-written. Added continuation training requirements. 43.101 re-write of persons authorised to issue a release to service. Consequential editorial amendments.
Issue 8	Subpart C, paragraph 43.101 re-written to clarify qualification of persons authorised to issue a release to service when authorised directly under 43.101(a) outside of the scope of a OTAR Part 66 or Part 145 Organisation. Subpart D, paragraphs 43.151, 43.153 & 43.155 re-written to reflect changes to Part 21 Subpart P, introduction of Special Flight Permit terminology to align with AN(OT)O and ICAO Annex 8 SARPs.
Issue 9	43.105(a) clarification of component release in the context of a whole aircraft release in accordance with AN(OT)O Article 32 and the release to service of an uninstalled component or equipment. New paragraph 43.105(b) added to permit the optional use of an OTAA Component Release Form 71, for OTAR Part 145 Subpart D Option 2 approval holders, as referred to in OTAR 145.115 (b) at Revision 9 and new OTAC 145-17 Issue 1.
Issue 10	Typographical error corrected in Paragraph 43.105(b), OTAA Component Release Form references changed to OTAR 145.59 Release Certificate (Form 71), as intended by Issue 9 of OTAR Part 145 Subpart D Appendix A.
Issue 11	New paragraph 43.101(e) added to permit holders of a pilot licence to be authorised to update navigation databases.

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	Paragraph 43.105(b) amended to change OTAR Form 71 to OTAA Form 71, and to permit OTAR 145 Option 1 Approved Organisations to release components on an OTAA Form 71 for components not installed on an OTAA state registered aircraft.
Issue 12	<p>OTAR 43 Subpart B. Paragraph 43.53(a) amended paragraph (a) to change reference to paragraph (b) from and to or.</p> <p>OTAR 43 Subpart C. Paragraph 43.105(b) amended to clarify the use of a 43.105(a)(i) release to service statement for the certification of release to service for uninstalled Engines, Propellers and Components. Paragraph 43.105(b) sub-paragraphs (i), (ii) and (iii) notes amended to clarify and align with OTAR 145.59 requirements.</p>

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## **Subpart A — General**

### **43.1 Purpose**

- (a) The requirements of this Part cover:
- (1) the maintenance of aircraft which are required to have a certificate of airworthiness issued under OTAR Part 21 Subpart E; and
  - (2) the release to service after maintenance of aircraft which are required to have a certificate of airworthiness issued under OTAR Part 21 Subpart E; and
  - (3) the maintenance and arrangements for the release for flight of aircraft operating under a Permit to Fly.
- (b) These Requirements are not in themselves Law. Failure to comply may not constitute an offence. However, the Requirements repeat or reproduce many of the provisions of the Air Navigation (Overseas Territories) Order (“the Order”). Therefore, failure to comply with these Requirements may:
- (1) constitute a breach of the Order; and
  - (2) result in proceedings for breaches of the Order; or
  - (3) result in the refusal of an application for renewal of a certificate or licence; or
  - (4) result in action to suspend or revoke a certificate or licence.
- (c) The Order details the legal obligations governing general maintenance requirements in rather general terms, therefore there is a provision in the Order which requires the Governor to publish Requirements to augment, amplify and detail more precisely the manner in which these obligations shall be met. The Requirements are the means by which the operator will be able to satisfy the Governor as to the fulfilment of the obligations in respect of maintenance of an aircraft on the Territory’s register or their entitlement to hold a certificate, licence or approval.
- (d) The issue of a certificate, licence or approval indicates only that the holder is considered competent to secure the safe maintenance of aircraft. The possession of such a document does not relieve the operator of an aircraft, or the pilot-in-command, from the responsibility for compliance with the Order and any other legislation in force. Neither does it relieve them of their responsibility for the safe conduct of any particular flight, as the ultimate responsibility for the safety of flight operations always rests with the operator and the pilot-in-command.
- (e) Other OTAR Parts may impinge upon activities conducted under this Part. In particular, Part 1 contains definitions which apply, unless otherwise stated, to all Parts. A full list of OTAR Parts, a description of the legislative structure and the place of OTARs and OTACs within it can be viewed on the ASSI website [www.airsafety.aero](http://www.airsafety.aero). OTACs relevant to this Part can be viewed at: <https://www.airsafety.aero/Requirements-and-Policy/OTACs.aspx>.

- (f) References to the Governor in this OTAR Part mean the regulator designated by the Governor of the Territory to exercise his functions under the Order.

## **Subpart B — Maintenance**

### **43.51 Persons to perform maintenance**

- (a) A person shall not perform maintenance on an aircraft or aircraft component unless:
- (1) in the case of an aircraft below 2,700 kg MTOM not operated for commercial air transport, that person holds a current aircraft maintenance engineer licence and an appropriate type rating issued or validated under OTAR Part 66; or
  - (2) in the case of an aircraft not operated for commercial air transport and which is under the control of an OTAR Part 39 organisation, that person holds a current aircraft maintenance engineer licence and an appropriate type rating issued or validated under OTAR Part 66; or
  - (3) authorised by a maintenance organisation approved under OTAR Part 145 to perform maintenance and the maintenance is within the scope of that approval; or
  - (4) the person performs maintenance under the direct supervision of a person authorised to certify the release to service in accordance with the requirements of paragraph 43.101; or
  - (5) the person has been authorised by the Governor in a particular case.
- (b) Notwithstanding the requirements of paragraph 43.51(a), the holder of a valid pilot's licence may perform maintenance on an aircraft not exceeding 2,700 kg MTOM and not operated for the purpose of commercial air transport or aerial work as detailed in Appendix A.
- (c) The initial and continuation training standards of persons performing maintenance shall be acceptable to the Governor and consist of:
- (1) recent experience of being engaged in aircraft maintenance activity relevant to the scope of maintenance for a total of at least six (6) months within the last twenty-four (24) months; and
  - (2) successful completion of type specific training relevant to the maintenance conducted; or
  - (3) if the type specific training was not completed within the last thirty-six (36) months, completion of type specific continuation training within the last thirty-six (36) months.

### **43.53 Recording of overhaul**

A person shall not state in any maintenance record document entry that an aircraft, airframe, engine, propeller or other aircraft component has been overhauled unless it has been:

- (a) released to service by an appropriately approved organisation by an NAA identified in OTAR Part 21.25(a)(1); or
- (b) supported by a release document in compliance with OTAR Part 21 Subpart K.

### **43.55 Non-destructive testing**

- (a) NDT inspections shall only be undertaken by authorised, trained and qualified personnel to standards accepted by an NAA identified in OTAR Part 21.25(a)(1); and
- (b) All NDT inspections shall be undertaken to techniques approved or accepted by the applicable type design authority for the aircraft.
- (c) Primary inspections shall not include the use of Dye Penetrant inspection techniques. Dye Penetrant techniques shall only be used in confirming visual indicators, unless:
  - (1) approved maintenance data require such an inspection technique; and
  - (2) maintenance personnel undertaking the inspection have been suitably trained and authorised.

### **43.57 Maintenance records**

- (a) Each person or organisation performing maintenance on an aircraft or component shall on completion of the maintenance task record:
  - (1) details of the maintenance activity including, where applicable, the identity of the inspection, any technical data used and the date of completion; and
  - (2) details of measurements or test results obtained, including the results of any ground or air tests; and
  - (3) for a component removal or installation:
    - (i) its description; and
    - (ii) its part number, serial, or batch number; and
    - (iii) the references to the applicable release documentation; and
  - (4) where applicable the location and the name of the facility where the maintenance was carried out.
  - (5) the details of certification, including the name of the person making the record and reference of the authorisation granted to him.
- (b) The person or organisation performing the maintenance shall:
  - (1) record the details required by paragraph 43.57(a):
    - (i) legibly and by permanent means in the appropriate aircraft record acceptable to the Governor; or

- (ii) in electronic coded form provided that this form allows for the preservation and retrieval of information in a manner acceptable to the Governor; and
- (2) where worksheets or other associated maintenance records are used to document the detail of the maintenance task, make reference to those records in:
  - (i) the appropriate logbook; or
  - (ii) a maintenance record acceptable to the Governor.
- (c) Records shall be retained in a manner that protects them from environmental damage and hazards such as fire, floods and sabotage. Additionally, in the case of electronic coded records, suitable and verifiable back up storage arrangements, acceptable to the Governor, shall be made.

### **43.59 Maintenance data**

- (a) The maintenance organisation or person performing aircraft maintenance shall hold and use applicable and current maintenance data in the performance of maintenance including modifications and repairs.
- (b) Maintenance data acquired from an operator shall be verified against primary data control listings to establish its status of revision including that of any required supplements.

## **Subpart C — Release to Service**

### **43.101 Persons to issue a release to service**

A person shall not certify an aircraft or aircraft component for release to service after maintenance unless he:

- (a) is authorised by the Governor in a particular case in relation to the specific aircraft maintenance task; and
  - (1) has attained a level of initial/continuation training and evidence of recent experience and competence assessment acceptable to the Governor; and
  - (2) holds a current valid licence and type specific training acceptable to an ICAO contracting State in accordance with ICAO Annex 1; or
    - (i) where an aircraft is grounded or operating away from a supported location other than the main base where no appropriate certifying staff are available, holds a current valid licence issued by an ICAO contracting State in accordance with ICAO Annex 1 on an aircraft type of similar technology, construction and systems; or
    - (ii) in the case of aircraft operating away from a supported location, holds a flight crew licence with sufficient practical training acceptable to the Governor, to ensure that the flight crew member can accomplish the specified task to the required standard; or
- (b) is authorised by the Governor under the provisions of OTAR Part 66.
- (c) holds an authorisation issued by a maintenance organisation appropriately approved under OTAR Part 145 and is certifying within the scope of that approval; or
- (d) in the case of flight crew, holds an authorisation issued by a maintenance organisation appropriately approved under an OTAR Part 145 to carry out the actions associated with a repetitive pre-flight airworthiness directive.
- (e) Updates of databases in installed avionics meeting the conditions of this paragraph are not considered maintenance and may be performed by flight crew provided:
  - (1) The database upload is:
    - (i) Initiated from the flight deck;
    - (ii) Performed without disassembling the avionics unit; and
    - (iii) Performed without the use of tools and/or special equipment.
  - (2) The flight crew must comply with the Operator's procedures or the manufacturer's instructions.
  - (3) The holder of Operator certificates must make available written procedures consistent with manufacturer's instructions to the pilot that describe how to:

- (i) Perform the database update; and
- (ii) Determine the status of the data upload.

### 43.103 Certifying requirements

- (a) A person authorised by the Governor under paragraph 43.101 shall not certify an aircraft for release to service after maintenance unless that maintenance has been performed in accordance with this OTAR Part and, in respect of that maintenance, the aircraft is fit for release to service.
- (b) An OTAR Part 145 approved maintenance organisation shall not certify an aircraft for release to service after the embodiment of a major design change or a major repair unless that design change or repair has been approved in accordance with OTAR Part 21 Subpart C.
- (c) Where the acceptable technical data for a design change or repair to an aircraft or component includes changes to the aircraft flight manual, the OTAR Part 145 approved maintenance organisation shall not certify the release to service until these changes have been incorporated into the applicable flight manual.
- (d) Each person issuing a Release to Service under an authorisation granted by the Governor as specified in paragraph 43.101 shall after performing maintenance on an aircraft:
  - (1) ensure maintenance is only conducted within the scope of the authorisation granted under paragraph 43.101 and any limitations identified in the approved maintenance programme; and
  - (2) be familiar with the maintenance actions required for the continued airworthiness of that aircraft or component; and
  - (3) use adequate environmentally protected housing, lighting, access equipment and facilities for the necessary disassembly, proper inspection, and reassembly of the aircraft or component; and
  - (4) perform the maintenance in accordance with the manufacturer's instructions using methods, techniques, and practices that:
    - (i) are prescribed in the current manufacturer's maintenance manual or Instructions for Continued Airworthiness; or
    - (ii) are acceptable to the Governor; and
  - (5) use materials, parts, and appliances approved in accordance with OTAR Part 21 Subpart K; and
  - (6) use the tools, equipment, and test apparatus necessary to ensure completion of the work in accordance with paragraph 43.103(d)(3); and
  - (7) ensure that any special tools or test equipment recommended by the manufacturer are used as specified and have been tested and calibrated to standards accepted by an NAA identified in OTAR Part 21.25(a)(1); and

- (8) perform the maintenance taking into consideration human factors so as to ensure that the aircraft or component meets all applicable airworthiness requirements.

### 43.105 Certificate of Release to Service

- (a) Each person authorised to certify an aircraft, or any part of the aircraft or such of its equipment as is necessary for the airworthiness of the aircraft, for release to service after maintenance shall:

- (i) enter in the logbook or other record required by paragraph 43.57(b)(1) a statement of release to service that states that:

“The work recorded has been carried out in accordance with the Air Navigation (Overseas Territories) Order as amended and in respect of that work the aircraft or component is fit for release to service”.

Note: The Governor may approve a different release statement that recognises the maintenance standards and approvals of an NAA identified in OTAR Part 21.25(a)(1) provided that the legal intent of the statement above is maintained and the applicable CRS statement is set out in the OTAR Part 145 MOE Supplement.

- (ii) in all cases enter beside the statement of release to service:

- (1) their signature; and
- (2) their OTAR Part 66, licence or validation number or pilot's licence number and where applicable the Governor's authorisation reference; or,
- (3) AMO approval and authorisation number; and
- (4) the date of entry.

- (b) Each person authorised to certify maintenance on an engine, propeller, APU or other aircraft component that is not installed on an aircraft, shall issue a OTAR 43.105(a) certificate of release to service for such maintenance confirming it meets the required standards and is fit for use, provided that the applicable requirements of OTAR 145.59 are met and:

- (i) OTAR 43.105 certificate of release to service statement should be in the form of that given in OTAR 43.105(a)(i), OTAR 145 Appendix A, or other format as approved or accepted by the doner aircraft registry Overseas Territory Aviation Authority; and
- (ii) the transfer of any maintained parts or components between aircraft is performed under the direction and control of the Aircraft Owners or Operators who retain ownership and the airworthiness status of the parts/components concerned; and
- (iii) operator's and Owner's should be made aware that a OTAR 43.105 certificate of release to service for uninstalled component is specific to the Overseas Territory State of doner Registration and therefore, may not be accepted by other ICAO contracted States for purposes of import from or export to a different aircraft registry; and

- (iv) a component which has been maintained off the aircraft needs the issuance of a certificate of release to service for such maintenance and another certificate of release to service in regard to being installed properly on the aircraft when such action occurs; and
- (v) when an organisation maintains a component for use by the same organisation, a OTAR 145 Appendix A certification may not be necessary depending upon the organisation's internal release procedures defined in the maintenance organisation exposition or OTAR 145 supplement.

### **43.107 Inoperative equipment**

Each person authorised to certify an aircraft for release to service that includes equipment permitted to be inoperative in accordance with the Order and provided for in an approved MEL, CDL or as otherwise approved by the Governor shall:

- (a) provide the owner or operator with a list of the inoperative equipment including details of any associated aircraft performance limitations; and
- (b) place a placard on each inoperative instrument and cockpit control for each item of inoperative equipment, marking each item inoperative; and
- (c) make reference to the approved data permitting inoperative equipment in the aircraft technical logbook; and
- (d) record limitations for the rectification interval.

### **43.109 Defects**

- (a) Details of any known defect shall be recorded in the appropriate aircraft technical logbook referred to in OTAR Part 39.79 or appropriate aircraft record and be supplied to the owner or operator of the aircraft.
- (b) Any defect that materially affects the performance of a special operational approval or system reliability monitored by a reliability centred aircraft maintenance programme shall be rectified in manner consistent with an established programme acceptable to the Governor.
- (c) All defects shall be rectified and released to service in accordance with this OTAR Part.

### **43.111 Independent inspection**

- (a) A person shall not certify an aircraft or component for release to service after the initial assembly, subsequent disturbance or adjustment of:
  - (1) an engine control system; or
  - (2) a flight control system; or
  - (3) a vital point; or

- (4) any task identified in the aircraft maintenance programme requiring such inspections unless an independent maintenance inspection has been performed.
- (b) The independent maintenance inspection required by paragraph 43.111(a) shall include:
  - (1) an inspection first made by an authorised person signing the maintenance release who assumes full responsibility for the satisfactory completion of the work; and
  - (2) a subsequent inspection by a second, independent, competent person who attests to the satisfactory completion of the work recorded and that no deficiencies have been found.

Note: The second independent competent person is not issuing a maintenance release and therefore is not required to hold certification privileges but shall be suitably qualified to carry out the inspection.

- (c) When work is being done under the control of an approved maintenance organisation, that organisation shall have procedures to demonstrate that the signatories have been trained and have gained experience on the specific control systems being inspected. It is not acceptable for the certifying staff signing the release to show the person performing the independent inspection how to perform the inspection at the time the work is completed.
- (d) The authorised person who certifies an independent maintenance inspection required by paragraph 43.111(a) shall enter in the aircraft logbook or other maintenance record required by paragraph 43.57(b)(1):
  - (1) a statement that indicates that the disturbed aircraft control system or critical task performed is in compliance with the approved maintenance data including, where appropriate, safety locking and the system has full and free movement and operates in the correct sense; and
  - (2) beside that statement:
    - (i) their signature; and
    - (ii) their OTAR Part 66 licence or validation number and/or authorisation number; and
    - (iii) the date and time of entry.

### **43.113 Specialised checks**

Where the maintenance manual prescribes specialised functional checks such as an engine run following power plant or system maintenance, pressurisation, avionics, and any other critical functional check, the person undertaking such a check shall:

- (a) be an authorised person acceptable to the Governor; and
- (b) have undergone a concurrent programme of continuation training; and

- (c) ensure comprehensive and detailed records are maintained, in a manner acceptable to the Governor, of the specified functional check completed, including any parameters required to be recorded in compliance with specifications.

### **43.115 Technical Log completion**

- (a) A person shall not certify an aircraft or aircraft component for release to service in an aircraft technical log unless so authorised in accordance with paragraph 43.101.
- (b) The operator's instructions on the completion of the technical log shall be adhered to, including the retention and promulgation of completed pages.
- (c) The requirements for an aircraft technical log are prescribed in OTAR Part 39 Subpart D.

## **Subpart D — Aircraft operating under a Permit to Fly or a Special Flight Permit**

### **43.151 Purpose**

This Subpart details the requirements for airworthiness, maintenance and arrangements for the release for flight of aircraft operating under a Permit to Fly or a Special Flight Permit in accordance with OTAR 21 Subpart P.

### **43.153 Airworthiness and maintenance**

Arrangements for the airworthiness management and maintenance for aircraft operating in the following circumstances shall be as follows:

- (a) an aircraft granted a Permit to Fly as prescribed in OTAR Part 21.703(a) because the aircraft does not qualify for a Certificate of Airworthiness shall have maintenance arrangements in compliance with OTAR Part 145 and this Subpart, or as otherwise approved by the Governor, and airworthiness management arrangements as specified on the Permit to Fly Certificate.
- (b) an aircraft granted a Special Flight Permit as prescribed in OTAR Part 21.703(b) because the Certificate of Airworthiness or Permit to Fly is not in force shall have maintenance arrangements in accordance with OTAR Part 145 and in compliance with this Subpart, or as otherwise approved by the Governor, and airworthiness management arrangements in compliance with OTAR Part 39.

### **43.155 Special Flight Permit Release Authorisation**

- (a) For an aircraft referred to in paragraph 43.153(a), unless specified on the Permit to Fly Certificate, the aircraft may be normally released for service in accordance with Part 43 Subpart C. Where conditions on the Permit to Fly Certificate require a Permit Flight Release Certificate, it shall be issued by a person authorised by the Governor or authorised in a manner approved by the Governor in accordance with paragraph 43.155(b).
- (b) For an aircraft referred to in paragraph 43.153(b) the organisation or person issuing a Special Flight Permit Release Certificate shall be first satisfied that:
  - (1) any maintenance disturbance has been carried out in conformance with instructions and standards promulgated by the aircraft manufacturer and any prescribed by the Governor; and
  - (2) the aircraft is configured to the conditions prescribed on the Special Flight Permit certificate; and
  - (3) the aircraft and its' records are reviewed and the aircraft is considered to be fit for the intended flight; and
  - (4) any required Aircraft Airworthiness Review has been satisfactorily completed.

- (c) When an aircraft is released for flight test after the incorporation of an unapproved modification, the responsible design organisation shall have produced an appropriate flight test schedule and declare the design approved for release to flight test. In addition, the OTAR Part 145 organisation shall release the aircraft as fit to fly in accordance with any specific configuration defined in the approved modification and flight test programme instructions.

## **Appendix A – Pilot maintenance prescribed repairs, replacements and adjustments**

### **43. A.1 Applicability**

This Appendix describes the privileges of the holder of a valid pilot's licence, granted or rendered valid by the Governor, who is also the owner or operator of an aircraft to perform maintenance tasks on that aircraft in accordance with paragraph 43.51(b).

### **43. A.3 Records**

A pilot carrying out repairs or replacements shall keep in the aircraft logbook a record which identifies the repairs or replacement and shall sign and date the entries.

### **43. A.5 Materials and Parts**

Any materials and parts used in performing maintenance shall be acceptable to the Governor as specified in OTAR Part 21 Subpart K.

### **43. A.7 Prescribed repairs or replacements**

The following repairs or replacements are specified:

- (1) Replacement of landing gear tyres, landing skids or skid shoes;
- (2) Replacement of elastic shock absorber cord units on landing gear where special tools are not required;
- (3) Replacement of defective safety wiring or split pins excluding those in engine, transmission, flight control and rotor systems;
- (4) Patch repairs to fabric not requiring rib stitching or the removal of structural parts or control surfaces, if the repairs do not cover up structural damage and do not include repairs to rotor blades;
- (5) Repairs to upholstery and decorative furnishing of the cabin or cockpit interior when the repair does not require dismantling of any structure or operating system or interfere with an operating system or affect the structure of the aircraft;
- (6) Repairs, not requiring welding, to fairings, non-structural cover plates and cowlings;
- (7) Replacement of side windows where that work does not interfere with the structure or with any operating system;
- (8) Replacement of safety belts or safety harness;

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- (9) Replacement of seat parts not involving dismantling of any structure or of any operating system;
- (10) Replacement of bulbs, reflectors, glasses, lenses or lights;
- (11) Replacement of any cowling not requiring removal of the propeller, rotors, or disconnection of engine or flight controls;
- (12) Replacement of unserviceable sparking plugs;
- (13) Replacement of batteries;
- (14) Replacement of wings and tail surfaces and controls, the attachment of which are designed to provide for assembly immediately before each flight and dismantling after each flight;
- (15) Replacement of generator and fan belts designed for removal where special tools are not required;
- (16) Replacement of VHF communication equipment, being equipment which is not combined with navigation equipment.

**END**