

# United Kingdom Overseas Territories Aviation Circular

OTAC 39-24

## Principal Contract for the Continuing Airworthiness Management of Aircraft

Issue 1.00  
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Effective: on issue

### GENERAL

Overseas Territories Aviation Circulars are issued to provide advice, guidance and information on standards, practices and procedures necessary to support Overseas Territory Aviation Requirements. They are not in themselves law but may amplify a provision of the Air Navigation (Overseas Territories) Order or provide practical guidance on meeting a requirement contained in the Overseas Territories Aviation Requirements.

### PURPOSE

This Overseas Territories Aviation Circular provides information and guidance on constructing a Principal Contract for the purposes of discharging all functional responsibilities of continued airworthiness management between an owner, lessee or holder of an AOC and an organisation that holds an appropriate approval granted by the Governor to the requirements of OTAR 39 Subpart E of this Part.

### RELATED REQUIREMENTS

This Circular relates to OTAR Part 39 Subpart B.

### CHANGE INFORMATION

First issue.

### ENQUIRIES

Enquiries regarding the content of this Circular should be addressed to Air Safety Support International at the address on the ASSI website [www.airsafety.aero](http://www.airsafety.aero) or to the appropriate Overseas Territory Aviation Authority.

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## ABBREVIATIONS

AD: Airworthiness Directive  
AMP: Aircraft Maintenance Programme  
AOC: Air Operator Certificate  
OTAA: Overseas Territory Aviation Authority  
OTAC: Overseas Territories Aviation Circular  
OTAR: Overseas Territories Aviation Requirements

## 1. General

The provisions of OTAR 39.53(b) (2) and (c) (2) permit the owner, lessee of an aircraft or the holder of an AOC, to fully contract the Continuing Airworthiness Management functions to an organisation approved in accordance with OTAR 39, Subpart E by means of a Principal Contract as defined in OTAR 39.

This OTAC provides guidance on the suggested content of a principal contract for the purpose of performing all continuing airworthiness tasks for the owner/lessee or AOC holder.

In this OTAC an organisation approved in accordance with OTAR 39 Subpart E shall be referred to as an "OTAR 39 Subpart E organisation".

## 2. Applicability

This OTAC is to be used by:

- (a) Owners or lessees aircraft;
- (b) AOC holders;
- (c) OTAR 39 Subpart E organisations;
- (d) OTAAs who are reviewing Principal Contracts as part of the OTAR Approval process.

## 3. Principal Contract

- 3.1 When an owner, lessee or AOC holder contracts an OTAR 39 Subpart E organisation to carry out continuing airworthiness management tasks, upon request by the OTAA, a copy of the contract signed by both parties should be sent by the owner or lessee to the OTAA of the State of registry.
- 3.2 The contract should be developed taking into account the requirements of this OTAC and should define the obligations of the signatories in relation to the continuing airworthiness of the aircraft.
- 3.3 It should contain as a minimum the following information:
  - (a) aircraft registration, type and serial number;
  - (b) aircraft owner's or registered lessee's name or company details including the address;
  - (c) details of the contracted OTAR 39 Subpart E organisation, including the address; and
  - (d) the type of operation.

3.4. It should state the following:

“The owner, lessee or AOC holder entrusts the OTAR 39 Subpart E organisation with the management of the continuing airworthiness of the aircraft, the development of an AMP that shall be approved by the OTAA, and the organisation of the maintenance of the aircraft according to said AMP.

According to the present contract, both signatories undertake to follow the respective obligations of this contract.

The owner, lessee or AOC holder declares to the best of its knowledge that all the information given to the OTAR 39 Subpart E organisation concerning the continuing airworthiness of the aircraft is and will be accurate, and that the aircraft will not be altered without prior approval of the OTAR 39 Subpart E organisation. In case of any non-conformity with this contract, by either of the signatories, the contract will become null. In such a case, the owner, lessee or AOC holder will retain full responsibility for every task linked to the continuing airworthiness of the aircraft, and the owner, lessee or AOC holder will inform the OTAA of the State of registry within 2 weeks about such non-conformity with the contract.”

## 4. Obligations of the OTAR 39 Subpart E organisation

When an owner, lessee or AOC holder contracts an OTAR 39 Subpart E organisation in accordance with OTAR 39.53(b) (2) or (c) (2), the obligations of each party should be assigned as follows:

- 4.1 have the aircraft type included in its terms of approval;
- 4.2 respect the conditions listed below with regard to maintaining the continuing airworthiness of the aircraft:
  - (a) develop an AMP for the aircraft, including any reliability programme developed, if applicable;
  - (b) declare the maintenance tasks (in the AMP) that may be carried out by the pilot/owner;
  - (c) organise the approval of the AMP;
  - (d) once it has been approved by the OTAA, provide the owner or lessee with a copy of the AMP;
  - (e) organise a bridging inspection with the aircraft prior maintenance programme;
  - (f) organise for all maintenance to be carried out by an approved maintenance organisation;
  - (g) organise for all applicable ADs to be applied;
  - (h) organise for all defects discovered during scheduled maintenance, airworthiness reviews or reported by the owner to be rectified by an approved OTAR 145 maintenance organisation;

- (i) coordinate scheduled maintenance, the application of ADs, the replacement of life-limited parts, and component inspection requirements;
  - (j) inform the owner each time the aircraft shall be brought to an approved maintenance organisation;
  - (k) manage all technical records;
  - (l) archive all technical records
- 4.3 organise the approval of any modification to the aircraft in accordance with OTAR 21, Subpart C before it is embodied;
- 4.4 organise the approval of any repair to the aircraft in accordance with OTAR 21 Subpart M before it is carried out;
- 4.5 inform the OTAA of the State of registry whenever the aircraft is not presented to the approved maintenance organisation by the owner as requested by the approved organisation;
- 4.6 inform the OTAA of the State of registry whenever the present contract is not respected;
- 4.7 ensure that the Certificate of Airworthiness renewal of the aircraft is carried out when necessary, and that the certificate is issued by the OTAA of the State of registry;
- 4.8 carry out all occurrence reporting mandated by the OTARs;
- 4.9 inform the OTAA of the State of registry when the contract is denounced by either party.

## **5. Obligations of the owner, lessee or AOC holder:**

- 5.1 have a general understanding of the approved AMP;
- 5.2 have a general understanding of OTAR 39;
- 5.3 present the aircraft to the approved OTAT 145 maintenance organisation agreed with the OTAR 39 Subpart E organisation at the due time designated at the OTAR 39 Subpart E organisation request;
- 5.4 not modify the aircraft without first consulting the OTAR 39 Subpart E organisation;
- 5.5 inform the OTAR 39 Subpart E organisation of all maintenance exceptionally carried out without the knowledge and control of the OTAR 39 Subpart E organisation;
- 5.6 report all defects found during operations to the OTAR 39 Subpart E organisation through the logbook;
- 5.7 inform the OTAA of the State of registry whenever the present contract is denounced by either party;

- 5.8 inform the OTAR 39 Subpart E organisation and OTAA Off the State of registry whenever the aircraft is sold;
- 5.9 carry out all occurrence reporting mandated by applicable OTARs, and voluntary occurrence reporting as applicable;
- 5.10 inform on a regular basis the OTAR 39 Subpart E organisation about the aircraft flying hours and any other utilisation data, as agreed with the OTAR 39 Subpart E organisation;
- 5.11 enter the CRS in the logbooks when performing pilot-owner maintenance without exceeding the limits of the maintenance tasks list as declared in the approved AMP;
- 5.12 inform the OTAR 39 Subpart E organisation not later than 30 days after completion of any pilot-owner maintenance task.