

STATUTORY INSTRUMENTS

S.I. No. 684 of 2003

IRISH AVIATION AUTHORITY

(AIRWORTHINESS OF AIRCRAFT) (AMENDMENT) ORDER, 2003

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IRISH AVIATION AUTHORITY**(AIRWORTHINESS OF AIRCRAFT) (AMENDMENT) ORDER, 2003****SI 684 of 2003**

The Irish Aviation Authority, in pursuance of sections 5, 14, 58, 59, 60 and 67 of the Irish Aviation Authority Act 1993 (No. 29 of 1993) as amended by the Air Navigation and Transport (Amendment) Act, 1998 (No. 24 of 1998) and the Aviation Regulation Act, 2001 (No. 1 of 2001) hereby orders:

1. (1) This Order may be cited as the Irish Aviation Authority (Airworthiness of Aircraft) (Amendment) Order, 2003;
- (2) In this Order “the Principal Order” means the Irish Aviation Authority (Airworthiness of Aircraft) Order, 1996 (S.I. No 324 of 1996);
- (3) The Principal Order, the Irish Aviation Authority (Airworthiness of Aircraft) (Amendment) Order, 1997 (S.I. No. 102 of 1997) and this Order may be cited together as the Irish Aviation Authority (Airworthiness of Aircraft) Orders 1996 to 2003;
- (4) This Order shall come into operation on the first day of January 2004.
2. (1) A reference in the Principal Order to the Air Navigation (Personnel Licensing) Orders, 1966-1996, shall be construed as a reference to the Irish Aviation Authority (Personnel Licensing) Order, 2000 (S.I. No. 333 of 2000);
- (2) A reference in the Principal Order to the Air Navigation (Operations) Order, 1986 (S.I. No. 62 of 1986) shall be construed as a reference to the Irish Aviation Authority (Operations) Order 2002 (S.I. No. 437 of 2002) (as amended);
- (3) A reference in the Principal Order to the Irish Aviation Authority (Nationality and Registration of Aircraft) Order, 1996 (S.I. No. 322 of 1996) shall be construed as a reference to the Irish Aviation Authority (Nationality and Registration of Aircraft) Order, 2001 (S.I. No. 566 of 2001).
3. The Principal Order is hereby amended as follows:
 - (1) In Article 2 “Interpretation”:

add the following definitions to paragraph (1):

“airworthiness review certificate” means a certificate of validation relating to a certificate of airworthiness issued further to a review by the Authority of the airworthiness of an aircraft to which it relates;

“European Aviation Safety Agency” – (abbreviated “EASA”) means the Agency established on 28th September 2003 by EU Regulation ¹1592 of 2002 (hereinafter referred to as “the EASA Regulation”);

“the EASA Regulations” means the EASA Regulation and any regulations made thereunder, including all parts of such regulations and their associated certification specifications as adopted by EASA;

and

in the definition “applicable Joint Aviation Regulations”, delete the following phrase:

“under the European Communities Council Regulation 91/3922/EEC of 16 December 1991” and its associated footnote “OJ No. L.373, 31.12.93 pp. 4-8”.

- (2) In Article 3:

delete the existing text and insert new text as follows:

“This Order is for the purpose of giving continuing effect to Annexe 8 to the Chicago Convention in the context of membership by the State of the European Aviation Safety Agency and the Joint Aviation Authorities”.

- (3) In Article 4:

after the phrase “This Order shall apply ...”:

insert new text as follows:

“except where the provisions of the EASA Regulations already apply”.

- (4) In Article 8 and in paragraph 1 of Article 9:

after the phrase “The Authority may...”

insert new text as follows:

“unless already specified by and applicable under the EASA Regulations,”.

- (5) In Article 12 paragraph (1):

after “... a certificate of airworthiness for export...”:

delete the following text:

“issued (in either case) under the law of any state other than the State”;

and

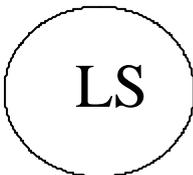
in paragraph (3):

add new subparagraph (d) as follows:

“(d) a certificate of airworthiness review relating thereto is no longer valid.”.

- (6) In Article 17 paragraph (1):
after “the State ...”:
delete the full stop and add new text as follows:
“unless the EASA Regulations already apply to such aircraft.”.
- (7) In Article 18 subparagraph (b) of paragraph (1):
after “...or the applicable Joint Aviation Regulations...”:
insert new text as follows:
“unless the EASA Regulations apply.”.
- (8) In Article 19 paragraph (3):
after “...the applicable Joint Aviation Regulations...”:
insert new text as follows:
“unless the EASA Regulations apply.”.
- (9) In Article 25:
after “...the applicable Joint Aviation Regulations...”:
insert new text as follows:
“unless the EASA Regulations apply.”.
- (10) In paragraph 5 of the Schedule to the Order:
replace the year “1994” with “1944”.

**Given under the common seal of the Irish Aviation Authority this
15th day of December, 2003.**



Neil Branagan **Director**

Sheila McCabe **Director**

Explanatory Note

(This note is not part of the Order and does not purport to be a legal interpretation).

This Amendment Order amends the Principal Order to accommodate it to the establishment of the European Aviation Safety Agency and the corresponding EU Regulations and to incorporate a minor correction in the Schedule.