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## GUIDANCE FOR AIRCRAFT AIRWORTHINESS DIRECTIVES

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### SECTION 1 POLICY & GENERAL INFORMATION

#### 1.1 PURPOSE

This AC provides guidance and information to Air Operating Certificate holder (AOC), aircraft owner and maintenance personnel regarding their responsibility for complying with Airworthiness Directives (ADs) and recording compliance with the AD in the appropriate maintenance records.

#### 1.2 STATUS OF THIS AC

This AC is an original issuance.

#### 1.3 BACKGROUND

- A. Airworthiness Directives (ADs) are key elements in implementing the safety responsibilities conferred on CAAV by VAR. Together with the safety standards imposed through type certification and other airworthiness certification requirements, ADs provide an additional and indispensable level of regulation to ensure that aircraft and aeronautical products remain airworthy at all times. Unanticipated problems arising during service, such as design deficiencies, material wear, fatigue, corrosion, and deterioration, which may pose substantial hazards to the continued airworthiness of aircraft and aeronautical products, can be prevented through the prompt issue of accurate ADs.
- B. In accordance with the current VAR:
- All aircraft on the Vietnam register are required to comply with applicable ADs issued by the National Airworthiness Authority (NAA) of the State of Design
  - It is the responsibility of the registered aircraft operator (AOC) and aircraft owner to monitor all ADs (Vietnam and State of Design ADs) applicable to their aircraft and aeronautical products
  - CAAV does not produce a Vietnam AD that mirrors a State of Design AD unless the applicability of the State of Design AD requires amendment to include Vietnam aircraft operated in similar conditions
  - CAAV may issue unique CAAV ADs to address an unsafe condition in an aircraft/engine or aeronautical product

- Advisory Circulars are intended to provide advice and guidance to illustrate a means, but not necessarily the only means, of complying with the Regulations, or to explain certain regulatory requirements by providing informative, interpretative and explanatory material.
- Where an AC is referred to in a 'Note' below the regulation, the AC remains as guidance material
- ACs should always be read in conjunction with the referenced regulations.

- Except for emergency ADs, CAAV does not forwards State of Design ADs to applicable AOC and/or aircraft owners.
- C. From 27 Jan. 2012, CAAV has automatically accepted an alternate means of compliance Alternate Means of Compliance (AMOC) for a State of Design AD provided the AMOC is approved by the NAA of the State of Design. If the State of Design NAA appoints a delegate or authorised person to issue AMOCs on its behalf, then the AMOC approved by such a delegate or authorised person is recognised by CAAV. That is, industry and/or aircraft owner is no longer need to submit an exclusion or a proposed AMOC application to CAAV if the AMOC against a State of Design AD has been approved by the NAA of the State of Design. However, industry and/or owner must notify to the CAAV once they comply with AMOC before they perform action that compliance with AMOC.
- D. In order to ensure compliance with all applicable mandatory requirements, the owners and AOC of aircraft must ensure they are aware of the content of any AD issued by the NAA of the State of Design and any applicable CAAV AD. In addition, organisations or individuals undertaking maintenance and overhaul must ensure that they are in receipt of ADs issued by the NAA of the State of Design and any CAAV AD or mandatory requirements applicable to Products, Parts and Appliances which they maintain or overhaul.

#### **1.4 APPLICABILITY**

- A. The guidance provided in this advisory circular is applicable to Viet Nam-registered aircraft and the personnel and organizations that are authorized by the CAAV to perform evaluate and apply Airworthiness Directives.
- B. This Advisory Circular (AC) applies to:
- 1) Registered AOC holder
  - 2) Aircraft Owner

#### **1.5 RELATED REGULATIONS**

This advisory circular provides guidance regarding airworthiness reliability that is applicable to compliance with—

- Part 4, Continuing Airworthiness.
- Part 12, Air Operator Certification and Administration

#### **1.6 RELATED PUBLICATIONS**

The following publications also contain pertinent technical background regarding reliability programs—

- 1) Civil Aviation Authority of Viet Nam (CAAV)
  - ◆ Airworthiness Inspector Manual
- 2) International Civil Aviation Organization (ICAO)
  - ◆ Document 9760, Airworthiness Manual

The CAAV Airworthiness Division can provide access to these reference documents.

#### **1.7 DEFINITIONS & ACRONYMS**

### 1.7.1 DEFINITIONS

The following definitions are used in this document—

- 1) **Inspection.** The examination of an aircraft or aircraft component to establish conformity with a standard approved by the CAAV;
- 2) **State of Design.** The Contracting State which approved the original type certificate and any subsequent supplemental type certificates for an aircraft, or which approved the design of an aeronautical product or appliance.
- 3) **State of Manufacture.** The Contracting State, under whose authority an aircraft was assembled, approved for compliance with the type certificate and all extant supplemental type certificates, test flown and approved for operation. The state of manufacture may or may not also be the state of design.
- 4) **An air operator's certificate (AOC).** Is the approval granted by a national aviation authority (NAA) to an aircraft operator to allow it to use aircraft for commercial purposes. This requires the operator to have personnel, assets and system in place to ensure the safety of its employees and the general public. The certificate will list the aircraft types and registrations to be used, for what purpose and in what area - specific airports
- 5) **State of Registry.** The Contracting State on whose register the aircraft is entered.geographic region.

### 1.7.2 ACRONYMS

The following acronyms are used in this document—

- 1) **AOC** – Air Operator Certificate
- 2) **AMO** – Approved Maintenance Organization
- 3) **TSO** – Technical Standard Order

## SECTION 2 STATE OF DESIGN AIRWORTHINESS DIRECTIVES

### 2.1 COMPLIANCE WITH STATE OF DESIGN ADS

- A. From 27 Jan 2012, all AOC and aircraft owner have been required to comply with the requirements of State of Design ADs applicable to their aircraft, including revisions to existing State of Design ADs. CAAV does not issues State of Design ADs as CAAV ADs. This means the AOC and aircraft owner must now monitor State of Design ADs to ensure the continuing airworthiness of their aircraft. In many circumstances, it is anticipated that the AOC maintenance organisation will assist with the monitoring of and ensuring compliance with ADs.
- B. In accordance with the current VARs, CAAV will conduct recognition process for Type Certificate of all aircraft/engine, propeller that FAA and EASA have issued or validated. So, all the AD that issued by FAA and EASA will automatically be applicable to Vietnam registered aircraft/engine, propeller and appliances.
- C. The AOC, and aircraft owner are responsible to access regularly to FAA and/or EASA website as official sources of State of Design AD, this means that all ADs, service bulletins, etc., issued by the Type certification authority (FAA/EASA), which could be accessible from [https://www.faa.gov/regulations\\_policies/airworthiness\\_directives/](https://www.faa.gov/regulations_policies/airworthiness_directives/) or <https://www.easa.europa.eu/easa-and-you/aircraft-products/airworthiness-directives-ad>

### 2.2 REGULAR MONITORING OF STATE OF DESIGN ADS

- A. NAAs can issue a State of Design AD at any time, so it is important to AOC, AMO and aircraft owners regularly check the NAA AD website and to regularly search up-to-date State of Design AD information for their aircraft, engine, propellers and appliances.
- B. Occasionally, an NAA may issue an urgent AD with immediate or very short compliance periods. In such cases, CAAV will endeavor to fax, email or express post all urgent ADs to applicable AOC, AMO and aircraft owners who have registered their details in CAAV.
- C. To ensure compliance with all applicable ADs (both emergency and non-emergency ADs), it is recommended that the AOC, AMO and aircraft owner monitor the NAA AD at least daily.

## **2.3 RESPONSIBILITY FOR AIRWORTHINESS DIRECTIVE COMPLIANCE**

### **2.3.1 RESPONSIBILITIES OF THE OPERATOR**

- A. The manner in which the operator complies with Airworthiness Directives depends upon the arrangements under which he has leased, chartered or otherwise acquired control of an aircraft.
- B. He may arrange with the owner for the latter to carry out all actions arising out of Airworthiness Directives, or he may arrange to carry them out himself.
- C. The means by which the operator keeps himself informed on ADs is at his own option. However, he must make a reasonable effort to ascertain that the ADs have been implemented in the manner prescribed and refrain from engaging in flight operations contrary to the provisions of the applicable ADs.
- D. The CAAV-FSSD inspector is required to ensure that each operator, AMO and aircraft owner have in place a programme that provides for notification and accomplishment of ADs.

### **2.3.2 THE OWNER'S ROLE**

- A. The owner may not use his aircraft, or knowingly allow it to be used by others, except in compliance with ADs issued up to date.
- B. He cannot assume that others will take over the burden of maintenance automatically.
- C. The situation may call for a written agreement, or a verbal one, depending on circumstances. But there should be no doubt as to who will take the necessary responsive action to ADs.

## **2.4 ROLE OF AIRCRAFT MAINTENANCE PERSONNEL & ORGANIZATIONS**

### **2.4.1 POSSIBLE ELEMENT OF CONFUSION**

- A. The responsibility of the aircraft maintenance engineer (AME) or approved maintenance organization, with regard to AD compliance, should also be clearly understood.
- B. Some operators may be under the impression that when they take their aircraft into the facility for an inspection, the AME or AMO will routinely ensure that all ADs in effect on that date are complied with before "signing off" on the inspection. This is not necessarily true.
- C. Some ADs in effect may deal with components, which are not normally part of the inspection, such as radios. Also, some ADs already in effect at the time of the inspection may have delayed compliance dates. In such cases the AME or AMO is not obliged to act upon them, and may not do so unless requested by the operator.

**2.4.2 REQUIREMENT FOR PROPER RECORDS**

- A. Whenever an AD has been complied with, the person accomplishing the AD shall not only record the date of compliance and time in service in the aircraft maintenance records, but also furnish a description of the work done.
- B. Several alternative methods of compliance may be possible, and at some later date it may be important to know which route was followed.
- C. When the aircraft goes back into service, whoever accepts it from the shop should make it his business to see that the maintenance record, including ADs, is fully up to date before it is operated.

**2.4.3 ALL PARTIES HAVE RESPONSIBILITIES**

- A. The responsibility for compliance with ADs cannot be disclaimed by any of the parties involved in its operation or maintenance, i.e., the AME, AMO, owner or operator.
- B. All have some degree of responsibility depending always upon the circumstances under which the aircraft is used; all are expected to know about the procedures for issuing ADs, and to understand their role in compliance.