



Airworthiness Bulletin

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Acceptance of Manufacturers Recommendations to Vary Approved Technical Data

An Airworthiness Bulletin is an advisory document that alerts, educates and makes recommendations about airworthiness matters. Recommendations in this bulletin are not mandatory.

1. Effectivity

All aircraft owners, operators and maintainers seeking alleviation or variation from airworthiness or operational constraints contained in the aircraft's maintenance or operational data.

2. Purpose

To clarify the status of a "No Technical Objection" (NTO) provided by the organisation responsible for the type design of an aircraft or aeronautical product where the document contains instructions for continuing airworthiness.

NOTE: An NTO is the generic term for advice provided by a Type Certificate (TC) holder who concurs with an operator's request for alleviation or variation from airworthiness or operational constraints contained in the aircraft's maintenance or operational data.

3. Background

Aircraft or aeronautical product TC holders have specific responsibilities and privileges that are accorded them by the National Airworthiness Authority (NAA) of the State of Design (SoD) by virtue of their "ownership" of the TC. The privilege extends to the provision of service documents and recommendations such as NTOs.

There is an incorrect assumption that an aircraft or aeronautical product can continue to operate if an NTO is received from the organisation responsible for type design. Typically, an NTO recommends:

- operation with damage outside the limits specified in approved data; or
- operation with systems that perform in a degraded manner; or
- the extension of a maintenance interval for an aircraft or aeronautical product; or
- changes to approved procedures, specifications or instructions.

The advice or recommendation from the manufacturer usually includes a statement such as "the manufacturer has **no technical objection** to the operator's request". Under Australian legislation these statements do not constitute approved data for continued operation of the aircraft, irrespective of whether they are signed by a delegate of the NAA responsible for type design.



Similarly, under the airworthiness requirements of the U.S. Code of Federal Regulations (14 CFR), a NTO letter or statement that a particular maintenance or alteration action is “DER approvable” does not constitute FAA approval. However, such a statement may be considered, when supported along with other technical information, when evaluating the airworthiness of a particular maintenance or alteration action or continue-in-service condition.

Example 1: Regulations 42U and 42V of the Civil Aviation Regulations (CAR 1988) provide that maintenance must be carried out in accordance with the applicable provisions of the aircraft’s approved maintenance data. CAR 2A defines approved maintenance data. An NTO cannot be taken to have been automatically approved for the purpose of these regulations.

Example 2: Regulations 21.008 and 21.009 of the Civil Aviation Safety Regulations (CASR 1998) provides the meaning and approval of technical data in connection with various design changes, i.e., modification/repair design. An NTO cannot be taken to have been approved for the purpose of these regulations with exceptions as prescribed in paragraph 5.23.4.4 and 5.23.4.5 of Advisory Circular AC 21-08, (latest revision).

4. Recommendations

An NTO, technical disposition, memorandum, etc., from the manufacturer of an aircraft or aeronautical product provides useful information but does not constitute automatic approval for variation to approved maintenance data or approved technical data.

It remains the operator’s responsibility to ensure that local regulatory approval is obtained before using manufacturer’s advice, recommendations, alterations, repairs, etc., prescribed in an NTO, technical disposition, or memorandum, as applicable.

A CASA delegate or authorised person asked to approve a change to approved maintenance data or approved technical data, may take an NTO into account. However, when evaluating the compliance of data representing a particular maintenance or alteration action or continued in-service condition, the data must include substantiating data to support an approval.

5. Enquiries

Enquiries with regard to the content of this Airworthiness Bulletin should be made via the direct link email address:

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or in writing, to:

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