

Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation

*Article 1*

<sup>F1</sup> 1 This Regulation applies to technical requirements and administrative procedures in the field of civil aviation safety related to the operation and maintenance of air taxi, emergency medical service and single pilot commercial air transport operations by aeroplanes, and persons and organisations involved in such tasks, until such time as detailed rules are introduced pursuant to Article 32(1)(a) of Regulation 2018/1139.]

2 The harmonized technical requirements and administrative procedures referred to in paragraph 1 shall apply to all aircraft operated by operators as defined in Article 2 (a), whether registered in <sup>F2</sup>the United Kingdom] or in a third country <sup>F3</sup>(which in this Regulation means any country or territory other than the United Kingdom)].

<sup>F4</sup>3 .....

<sup>F4</sup>4 .....

**Textual Amendments**

- F1** Art. 1(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **7(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 1(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **7(3)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 1(2) inserted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **7(3)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 1(3)(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **7(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*Article 2*

For the purpose of this Regulation:

- (a) ‘operator’ means a natural person residing in <sup>F5</sup>the United Kingdom] or a legal person established in <sup>F5</sup>the United Kingdom] using one or more aircraft in accordance with the regulations applicable in <sup>F6</sup>the United Kingdom], or a <sup>F7</sup>United Kingdom] air carrier as defined in <sup>F8</sup>Regulation (EC) No 1008/2008 of the Parliament and of the Council on common rules for the operation of air services];
- (b) ‘product’ means a civil aircraft, engine, propeller or appliance;
- (c) ‘appliance’ means any instrument, equipment, mechanism, apparatus or accessory used or intended to be used in operating an aircraft in flight, whether installed in, intended to be installed in, or attached to, a civil aircraft, but not forming part of an airframe, engine or propeller;
- (d) ‘component’ means a material, part or sub-assembly not covered by the definitions in (b) or (c) for use on civil aircraft, engines, propellers or appliances;

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91. (See end of Document for details)*

- (e) ‘certification’ (of a product, service, organization or person) means any form of legal recognition that such a product, service, body or person complies with the applicable requirements. Such certification comprises two acts:
- (i) the act of checking that technically the product, service, organization or person complies with the applicable requirements; this act is referred to as ‘making the technical findings’;
  - (ii) the act of formal recognition of such compliance with the applicable requirements by the issue of a certificate, licence, approval or other document in the manner required by national laws and procedures; this act is referred to as ‘making the legal findings’;
- (f) ‘maintenance’ means all inspections, servicing, modification and repair throughout the life of an aircraft needed to ensure that the aircraft remains in compliance with the type certification and offers a high level of safety in all circumstances; this shall include in particular modifications imposed by the authorities party to the arrangements referred to in (h) in accordance with airworthiness checking concepts;
- (g) <sup>F9</sup> ...
- (h) ‘arrangements’ means arrangements developed under the auspices of the European Civil Aviation Conference (ECAC) for cooperation in the development and implementation of joint requirements in all fields relating to the safety and safe operation of aircraft. These arrangements are specified in Annex I [<sup>F10</sup>];
- (i) [<sup>F11</sup>‘the CAA’ means the Civil Aviation Authority.]

#### Textual Amendments

- F5** Words in Art. 2(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **8(2)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 2(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **8(2)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 2(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **8(2)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 2(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **8(2)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Art. 2(g) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **8(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Substituted by [Regulation \(EC\) No 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation \(EEC\) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation \(Text with EEA relevance\)](#).
- F11** Art. 2(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **8(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*Changes to legislation:* There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91. (See end of Document for details)

### <sup>F10</sup>Article 3

1 <sup>F12</sup>The] technical requirements and administrative procedures applicable in the <sup>F13</sup>United Kingdom] with regard to <sup>F14</sup>air taxi, emergency medical service and single pilot commercial air transport operations] shall be those specified in Annex III.

2 References made to Subpart M of Annex III or any of its provisions shall refer to Part-M of Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks<sup>(1)</sup> or its relevant provisions.]

#### Textual Amendments

- F10** Substituted by Regulation (EC) No 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation (Text with EEA relevance).
- F12** Word in Art. 3(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **9(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 3(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **9(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 3(1) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **9(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F15</sup>Article 4

#### Textual Amendments

- F15** Arts. 4-7 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **10** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F15</sup>Article 5

#### Textual Amendments

- F15** Arts. 4-7 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, **10** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F15</sup>Article 6

*Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91. (See end of Document for details)*

**Textual Amendments**

**F15** Arts. 4-7 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **10** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

<sup>F15</sup>Article 7

**Textual Amendments**

**F15** Arts. 4-7 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **10** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

<sup>F10</sup>Article 8

<sup>F16</sup>1 .....

2 [<sup>F17</sup>The CAA] may grant exemptions from the technical requirements and administrative procedures specified by this Regulation in the case of unforeseen urgent operational circumstances or operational needs of a limited duration.

<sup>F18</sup> ...

When the Commission and other Member States are informed of exemptions granted by a Member State in accordance with the second subparagraph, the Commission shall examine whether the exemptions comply with the safety objectives of this Regulation or any other relevant rule of Community legislation.

If the Commission finds that the exemptions granted do not comply with the safety objectives of this Regulation or any other relevant rule of Community legislation, it shall decide on safeguard measures in accordance with the procedure referred to in Article 12a.

In such a case, the Member State concerned shall revoke the exemption.

<sup>F19</sup>3 .....

4 [<sup>F20</sup>The Secretary of State] may adopt or maintain provisions relating to OPS 1.1105 point 6, OPS 1.1110 points 1.3 and 1.4.1, OPS 1.1115, and OPS 1.1125 point 2.1 of Subpart Q in Annex III <sup>F21</sup> ...]

**Textual Amendments**

**F10** Substituted by [Regulation \(EC\) No 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation \(EEC\) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation \(Text with EEA relevance\)](#).

**F16** Art. 8(1) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **11(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91. (See end of Document for details)

- F17** Words in Art. 8(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **11(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 8(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **11(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Art. 8(3) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **11(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in Art. 8(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **11(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 8(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **11(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

.....

*F22 Article 8a*

.....

**Textual Amendments**

- F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*F22 Article 9*

.....

**Textual Amendments**

- F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*F22 Article 10*

.....

**Textual Amendments**

- F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*F22 Article 11*

.....

**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91. (See end of Document for details)

#### Textual Amendments

**F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*F22 Article 12*

#### Textual Amendments

**F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*F22 Article 12a*

#### Textual Amendments

**F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*F22 Article 13*

#### Textual Amendments

**F22** Arts. 8a-13 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **12** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

*Article 14*

This Regulation shall enter into force on 1 January 1992.

F23 .....

#### Textual Amendments

**F23** Words in [Signature](#) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **13** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

---

**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91. (See end of Document for details)

---

(1) [<sup>F10</sup>OJ L 315, 28.11.2003, p. 1.]

**Textual Amendments**

**F10** Substituted by Regulation (EC) No 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation (Text with EEA relevance).

**Changes to legislation:**

There are currently no known outstanding effects for the Council Regulation (EEC) No 3922/91.