

REPÚBLICA DE MOÇAMBIQUE



Technical Circular

CT 100-001 - THE STATEMENT OF COMPLIANCE WITH REGULATORY REQUIREMENTS

SUBJECT: THE STATEMENT OF COMPLIANCE WITH REGULATORY REQUIREMENTS

Effectivity Date: 08/07/2014

1. OBJECTIVE

This Technical Circular provides guidance to prospective and existing operators, service providers and other civil aviation organizations on the preparation and submission of a Statement of Compliance with the regulatory requirements during the process of certification and the approval or acceptance of manuals required under the MOZCARs.

2. APPLICABILITY

This CT applies to air operators, maintenance organizations, aerodrome operators, air navigation service providers, aviation training centers and other organizations who are required to hold a certificate or authorisation for the conduct of an operation or the provision of a service and to submit manuals required under the MOZCARs for approval or acceptance by the Authority.

3. REFERENCES

- A. Law 21/2009, 28th September, Aviation Law;
- B. Resolution 19/2011, 30th December, IACM By-Laws;
- C. MOZCAR Parts 91, 121, 127, 135, 139, 141, 145, 171, 172, 174 and 175.

4. CHANGES

This CT cancels AIC 06/12, 15 March

5. BACKGROUND

- A. MOZCAR require that an application for a certificate or authorisation be submitted in a form and manner prescribed by the Authority.
- B. When submitting an application for obtaining a certificate, authorisation, approval or acceptance of a manual or its amendments an applicant must demonstrate that all applicable regulatory requirements have been addressed in order to obtain such certificate, authorisation, approval or acceptance.
- C. This demonstration may be achieved by submitting a statement of compliance referencing or describing the system that the applicant has put in place, including any policies, procedures, programs, facilities or equipment, to ensure such compliance. The Statement of Compliance should describe or reference the method used to comply with the applicable regulatory requirements and technical standards in MOZCARs and MOZCATS.

- D. A Statement of Compliance developed in accordance with this CT is an acceptable means of demonstrating such compliance.

6. DESCRIPTION

- A. The Statement of Compliance serves the following two purposes:
- (1) It ensures the applicant has adequately addressed all regulatory requirements and corresponding technical standards applicable to the proposed operation.
 - (2) It aids the certification team in determining where the regulatory requirements have been addressed in the applicant's manuals, programs, and procedures. In evaluating the applicant's Statement of Compliance the certification team may find it helpful to compare (in a side by side manner) the MOZCARs and MOZCATS, the applicant's manuals, and the Statement of Compliance. The Statement of Compliance document show the applicant intends to comply with each applicable regulation and technical standard.
- B. If the applicant's Statement of Compliance does not serve the preceding purposes, the deficient areas will be communicated to the applicant, and a resolution should be negotiated. The demonstration and inspection phase will not proceed until the Authority's certification team is satisfied, through its review of the Statement of Compliance and formal application package, that all regulatory requirements and corresponding technical standards have been adequately addressed. The applicant's methods of compliance will be evaluated throughout the demonstration and inspection phase
- C. Preparation of the Statement of Compliance benefits the applicant by systematically ensuring that all applicable regulatory aspects are appropriately addressed during the certification process. The Statement of Compliance should be in the form of a complete listing of all applicable MOZCAR and MOZCATS sections pertinent to the operation or activities the applicant is proposing. This list should reference any applicable subpart and each relevant section of the subpart. Next to each subparagraph, the applicant should provide a specific reference to a manual, or other document, or may provide a brief narrative description that describes how the applicant will comply with each regulation. This statement also serves as a master index to the applicant's manual system to expedite the Authority's review and approval of the operation and manual system. The Statement of Compliance is an important source document during the certification and approval process. After the certification process is completed, the Statement of Compliance should be kept current as regulations are amended and or changes are incorporated in the applicant's system.
- D. Initial Statement of Compliance. The initial Statement of Compliance should be in the form of a complete listing of all pertinent sections and subparts of the MOZCARs and corresponding MOZCATS applicable to the proposed operation, service or activity. Where compliance information has been developed, a manual reference or description of method of compliance must be entered next to the applicable regulatory section. The brief description or reference must describe the method of compliance for each regulation and technical standard listed. If the precise method of compliance has not been developed at the time of formal application, an indication of the date that this information will be provided will suffice, if the date provided is reasonable, and acceptable to the Authority. The initial Statement of Compliance may be abbreviated where appropriate. However, the initial Statement of Compliance which does not clearly document an applicant's knowledge of regulatory requirements is unacceptable. Statements such as "will comply" are not sufficient. The initial Statement of Compliance (and later, the final Statement of Compliance) provides the only written evidence of applicant's understanding of the MOZCAR and MOZCATS requirements.

(and later, the final Statement of Compliance) provides the only written evidence of applicant's understanding of the MOZCAR and MOZCATS requirements.

- E. Final Statement of Compliance. Demonstrations must not be conducted until the certification team is satisfied that all regulatory requirements have been adequately addressed through the team's review of the final Statement of Compliance.
- F. The following examples are samples of how relevant sections of MOZCARs and MOZCATS should be presented in a Statement of Compliance.

(1) EXAMPLE 1.

Statement of Compliance - method of compliance **not developed** at time of formal application.

MOZCAR 121.07.37 Aeronautical Data Control System.

This system is currently under development and will be submitted for approval on (date).

(2) EXAMPLE 2

Statement of Compliance - method of compliance **fully developed - preferred presentation**

MOZCAR 121.07.24 Operation in Icing conditions.

Operations Manual Part A (OM A) Ch. 8, Sect. 8.3, Par. 8.3.5, pg. 129;

Maintenance Control Manual (MCM) Ch. 3, Sect. 3.5 Par. 3.5.15, pg. 45.

(3) EXAMPLE 3

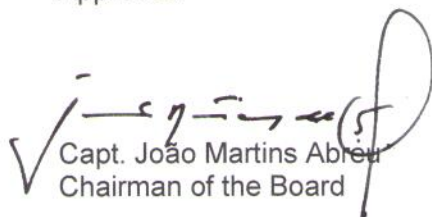
Statement of Compliance - method of compliance **fully developed - acceptable presentation**.

MOZCAR: 121.09.11 Technical logbook – maintenance records section.

The air operator instructs the pilot in command (PIC) on the requirements for and methods of completing the technical log of the aeroplane. The PIC is required to review the technical log before each flight and to ascertain the airworthiness status of the aeroplane by checking each previous log entry. The MCM instructs maintenance personnel on the requirement to record discrepancies discovered during pre-flight checks and other types of checks.

- G. Appendix A provides a sample form for completing and maintaining current the Statement of Compliance.

Approved


Capt. João Martins Abreu
Chairman of the Board

APPENDIX A. SAMPLE FORM FOR A STATEMENT OF COMPLIANCE

XYZ OPERATOR / SERVICE PROVIDER		
MOZCAR PART 121 - Amdt. 1 June 2014		
STATEMENT OF COMPLIANCE		
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MOZCAR Refer.	Contents	Applic. Y / N	Manual reference			Compliance statement	CAA Acceptance	
			Chap. Section, Parag	Page	Date		Date	Y / N
MOZCAR PART 121	AIR TRANSPORT OPERATIONS - LARGE AEROPLANES							
121.01.2	APPLICABILITY This Part applies in respect of any -							
	(a) aeroplane with a MCTOW exceeding 5 700 kilograms, or a maximum approved passenger seating configuration of more than nineteen seats, registered in Mozambique and engaged in commercial air transport operations within Mozambique;	Y	OM Part A 01-1.2 1.2.15	3	26/06/14	XYZ is aware of applicability of MOZCAR 121 to its commercial operations with large aeroplanes. Operations Manual Part A states that XYZ operations are regulated under MOZCAR Part 121.	03/07/14	Y
	(b) aeroplane with a MCTOW exceeding 5 700 kilograms, or a maximum approved passenger seating configuration of more than nineteen seats, registered in Mozambique and engaged in commercial international air transport operations;	N					03/07/14	N
	(c) persons acting as crew members of aeroplane registered in Mozambique that is operated under this Part; and	Y	OM A 01-1.2 1.2.17	3	26/06/14		03/07/14	Y
121.10.4	a) The holder of an AOC shall establish a safety management manual as specified in MOZCATS 1.03.4 as part of the Operations Manual and the Maintenance Control Manual.	Y	XYZ SMM M-345	1-123	26/05/13		03/07/14	Y
MOZCATS 1.03.4	(1)The SMM may be a stand alone manual or integrated in a consolidated section or chapter of an approved manual of the organization (e. g. the operations manual, the maintenance procedures manual);	Y	XYZ SMM M-345	1-123	26/05/13	XYZ has developed a stand alone SMM as referenced.	03/07/14	Y