



## CANADIAN AVIATION REGULATION ADVISORY COUNCIL (CARAC) NOTICE OF PROPOSED AMENDMENT (NPA) MMEL POLICY AND PROCEDURES MANUAL

### EXECUTIVE SUMMARY

As outlined in section 3.12 of TP 9155 - [Master Minimum Equipment List Policy and Procedures Manual](#) (hereinafter TP 9155), operators may self-extend repair intervals of Category A minimum equipment list (MEL) items. Transport Canada would like to remove this provision from TP 9155. We believe that by removing this provision it will provide an improvement to aviation safety and will also remove inconsistencies within TP 9155.

Removing the self-extension provision for Category A items would require air operators to repair or replace Category A inoperative equipment in accordance with the original specified periods prescribed in the Master Minimum Equipment List (MMEL) for the aircraft type.

### BACKGROUND

Most Canadian Airlines, Commuter and Private Operators have approved minimum equipment lists (MELs) as authorized by the *Canadian Aviation Regulations*, that allow them to operate for specified limited periods with inoperative aircraft equipment. Operators MELs are developed in accordance with the TC's [Master Minimum Equipment List Policy and Procedures Manual - TP 9155](#).

Category A MEL items, because of their importance, have restricted periods specified before a repair becomes mandatory or the aircraft is grounded. Safety is maintained by applying other mitigations or restrictions to the flight while these items are inoperative.

When the MMEL/MELs were created back in the 90's, Category A extensions could only be granted by means of an operator's request and a TC exemption issued pursuant to the *Aeronautics Act*, Section 5.9(2). However, over time this morphed into a simple self-extension procedure for operators.

Transport Canada believes that air operators should not be permitted to self-extend Category A items and wishes to amend TP9155 accordingly. Therefore, Category A inoperative equipment must be repaired or replaced in accordance with the original specified period prescribed in the Master Minimum Equipment List for the aircraft type.

Removing the authority for operators to self-extend Category A items would harmonize Canada with the Federal Aviation Authority (FAA) and other foreign civil aviation authorities.

Furthermore, it will address an inconsistency currently found in TP9155 under section 3.1.2.2 and Appendix B:

*Section 3.1.2.2 - Approval* states the following:

*Each operator seeking this alleviation shall revise their MEL to include the following statements: " (Air Operator) \_\_\_\_\_ **may self-extend the repair interval for Category A, B, C, and D items contained within the MEL, but shall notify the Transport Canada Principal Maintenance Inspector (PMI) or Principal Operations Inspector (POI) responsible for the air operator within one working day when this action is taken and the reason it was required.***



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*Appendix B, Schedule 1 - Note includes the following statement:*

***Extensions for Category A items must be pre-approved*** by the Transport Canada POI and authorized by the RMCBA or the Chief, Airline Inspection (AARXD) prior to the dispatch of the aircraft.

**STATEMENT OF THE PROBLEM AND POLICY CONSIDERATIONS**

Category A MEL items, because of their importance, have restricted periods specified before a repair becomes mandatory or the aircraft is grounded. Safety is maintained by applying other mitigations or restrictions to the flight while these items are inoperative. Transport Canada wishes to amend TP9155 in order to remove the ability for operators to self-extend Category A items. Therefore, Category A inoperative equipment must be repaired or replaced in accordance with the original specified period prescribed in the Master Minimum Equipment List for the aircraft type.

In TP9155 - *Master Minimum Equipment List Policy and Procedures Manual*, a contradiction exists where one section says ***“may self-extend the repair interval for Category A”*** and the other section indicates ***“Extensions for Category A items must be pre-approved”***. Transport Canada aims to fix this internal inconsistency in the Manual.

Issues:

- Most Canadian Airline, Commuter and Private Operators have approved minimum equipment lists (MELs) as authorized by the *Canadian Aviation Regulations*, that allow them to operate for specified limited periods with inoperative aircraft equipment.
- Category A MEL items, because of their importance, have restricted periods specified before repair becomes mandatory or the aircraft is grounded. Safety is maintained by applying other mitigations or restrictions to the flight while these items are inoperative, which can be found in the *MMEL Guidance Book* published by TC.
- Presently, operators may self-extend these periods. Transport Canada believes that should not be the case, and wishes to rescind that approval, so that Category A inoperative equipment must be repaired or replaced in accordance with the original specified period prescribed in the Master Minimum Equipment List for the aircraft type.

Considerations:

- Most foreign authorities, including the FAA, do not permit self extension of Category A MEL items.
- The period for continued operation specified for Category A inoperative items is established by the aviation authority certifying and approving the MMEL, in conjunction with the manufacturer’s engineers. The period specified is the maximum considered allowable by these groups.
- Self-extension excludes the in-depth qualitative and quantitative analyses necessary to ensure the safety of continued operations beyond the originally-specified period.
- As a regulator, Transport Canada is obligated to treat regulated parties fairly and equally.



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<b>ANALYSIS SUMMARY</b>
<p>Occurrences, Risk Assessment and/or Focus Groups</p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>
<p>Domestic and International Provisions</p> <ul style="list-style-type: none"> <li>• Section 605.07 of the <i>Canadian Aviation Regulations</i> allows the Minister to establish a MMEL for each type of aircraft, in accordance with the MMEL/MEL Policy and Procedures Manual.</li> <li>• Paragraphs 704.07(2)(d) and 705.07(2)(e) of the <i>Canadian Aviation Regulations</i> require that an applicant for an air operator certificate have a MMEL approved by the Minister.</li> <li>• ICAO Annex 6, Part I, Attachment F, 3.3(b) suggests State approval of MMEL.</li> <li>• FAA does not allow for Category A self-extension. See also: <a href="#">Publications - Master Minimum Equipment List (MMEL) By Manufacturer</a> .</li> </ul>
<p>Applicable standards:</p> <p>TP 9155 - <i>Master Minimum Equipment List Policy and Procedures Manual</i>, Section 3.1.2.2 - <i>Approval</i> states the following:</p> <p style="padding-left: 40px;"><i>Each operator seeking this alleviation shall revise their MEL to include the following statements: " (Air Operator) _____ <b>may self-extend the repair interval for Category A, B, C, and D items contained within the MEL, but shall notify the Transport Canada Principal Maintenance Inspector (PMI) or Principal Operations Inspector (POI) responsible for the operator within one working day when this action is taken and the reason it was required.</b></i></p> <p style="padding-left: 40px;"><i>Appendix B, Schedule 1 - Note includes the following statement:</i> <b>Extensions for Category A items must be pre-approved</b> by the Transport Canada POI and authorized by the RMCBA or the Chief, Airline Inspection (AARXD) prior to the dispatch of the aircraft.</p>
<p>Triage Statement</p> <p>As there will be no changes to the regulations, a triage for regulatory changes is not required.</p>
<b>RECOMMENDED SOLUTION</b>
<ul style="list-style-type: none"> <li>• Transport Canada recommends that the authority for operators to self-extend MEL Category A items be removed.</li> </ul>
<b>OBJECTIVES</b>
<ul style="list-style-type: none"> <li>• The objectives of the proposed change are to strengthen Canada’s civil aviation safety regime, to provide clear guidance on the issue of MMELs, and to treat all regulated air operators fairly.</li> </ul>



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**PROPOSED CHANGES**

- 1) Within the Transport Canada publication TP9155 - *Master Minimum Equipment List Policy and Procedures Manual*, Section 3.1.2.2 (a) - Approval, we would like to remove Category "A" in order to remove the ability for operators to self-extend Category A items.  
Proposed change to text:
  - (a) Each operator seeking this alleviation shall revise their MEL to include the following statements: "  
(Air Operator) may self-extend the repair interval for Category A, B, C, and D items contained within the MEL, but shall notify the Transport Canada Principal Maintenance Inspector (PMI) or Principal Operations Inspector (POI) responsible for the operator within one working day when this action is taken and the reason it was required.
  
- 2) Within the Transport Canada publication TP9155 - *Master Minimum Equipment List Policy and Procedures Manual*, Appendix B, Schedule 1, we would like to remove the ability for operators to extend Category A items.  
Proposed change to text:

Extensions for Category A items must be pre-approved by the Transport Canada PAI and POI and authorized by the RMCBA or the Chief, Airline Inspection (AARXD) prior to the dispatch of the aircraft.

**\*UNTIL MARCH 30, 2016, COMMENTS ON THIS NOTICE MAY BE ADDRESSED, IN WRITING, TO [CARRAC@tc.gc.ca](mailto:CARRAC@tc.gc.ca):**

\*Comments received after the above mentioned deadline will not be considered in subsequent updates to this document and associated standards.