

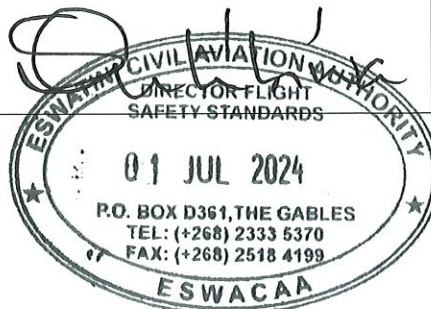
ECA/REG/OPS/AC/GEN004B
 REVISION 01
 ISSUE DATE:30/06/2024
 EFFECTIVE DATE: 1/07/24



ESWATINI CIVIL AVIATION AUTHORITY

ADVISORY CIRCULAR FOR COMPILING STATEMENT OF COMPLIANCE

DOCUMENT TYPE: ADVISORY CIRCULAR	TITLE: ADVISORY CIRCULAR FOR COMPILING STATEMENT OF COMPLIANCE	ISSUE DATE: 30/06/24
	PREPARED BY: FLIGHT OPERATIONS INSPECTOR	REVISION No. 01
DOCUMENT NO. ECA/REG/OPS/AC/004B	SIGNATURE: <i>[Handwritten Signature]</i>	
	REVIEWED BY: MANAGER FLIGHT SAFETY	
STATUS: CONTROLLED DOCUMENT	SIGNATURE: <i>[Handwritten Signature]</i>	
	AUTHORISED BY: DIRECTOR FLIGHT SAFETY STANDARDS	EFFECTIVE DATE: 01/07/24
	SIGNATURE: <i>[Handwritten Signature]</i>	



RECORD OF AMENDMENTS

All amendments to this Advisory Circular shall contain the authorisation of ESWACAA.

Version Number	Date of issue	Section/Page Comments	Entered By
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EFFECTIVE DATE: 01/07/2024

DOCUMENT DISTRIBUTION LIST					
DATE	REVISION NO.	EFFECTIVE DATE	ORGANISATION	DESIGNATION	SIGN.

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1.0 PURPOSE

This Advisory Circular (AC) is issued to provide guidance to Air Operators, Aircraft Maintenance Organizations and Aviation Training Organizations on how to prepare a Statement of Compliance. The Statement of Compliance is a required supplement to all organization manuals that are required by the Regulations. These are the manuals that define the organization administration structure, activities, management team, technical personnel, equipment, tools, facilities, capabilities, technical operations procedures and guidelines.

2.0 INFORMATION AND GUIDANCE

The Statement of Compliance is prepared by the operator and submitted to the Authority indicating how all the relevant applicable Regulations to the proposed operations have been addressed.

The statement normally is in a form of a complete listing of all the pertinent sections and sub-parts of the relevant regulations, e.g. AMO, AOC, Airworthiness Regulations as the case may be.

The initial statement of compliance is submitted together with the formal application for organization and/or manual approval. It aids the certification team in determining where the regulatory requirements have been addressed in the applicant's manual, program, and procedures, it also helps to ensure that they have all been adequately addressed.

3.0 STATEMENT OF COMPLIANCE

Statement of Compliance serves the following two purposes:

It ensures the applicant has adequately addressed all regulatory requirements applicable to the proposed operation;

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 Regulations, the applicant's manuals and the Statement of Compliance.

The Statement of Compliance documents how the applicant intends to comply with each applicable regulation.

4.0 PREPARATION OF THE STATEMENT OF COMPLIANCE

Preparation of the Statement of Compliance benefits the applicant by systematically ensuring that all applicable regulatory aspects are appropriately addressed during the certification process. Regulations that don't apply to the operation must also be included. The Statement of Compliance shall be in the form of a complete listing of all appropriate Regulations sections pertinent to the operation 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 process. After the certification process is completed, the Statement of Compliance should be kept current as changes are incorporated in the applicant's system.

The initial Statement of Compliance shall be in the form of a complete listing of all pertinent sections and subparts relevant to the Civil Aviation Regulations. Where compliance information has been developed, a manual reference or description of method of compliance must be entered next to the applicable regulatory section. If the method of compliance has not been fully developed, the applicant should indicate that the compliance information will be provided in the final Statement of Compliance. The initial Statement of Compliance may be abbreviated where appropriate.

5.0 STATEMENTS NOT ACCEPTABLE

An initial Statement of Compliance, which does not clearly document an applicant's knowledge of regulatory requirements, is unacceptable. Statements such as "will comply," "noted," "understands," or "is aware of" are not acceptable, because they do not explain how the applicant will comply with the regulation.

There is one exception when these statements are appropriate. An applicant could use the statement "will comply," "noted," "understands," or "is aware of" for an applicability rule.

The initial Statement of Compliance (and later, the final Statement of Compliance) provides the only written evidence of the applicant/operator's understanding of the regulatory requirements.

5.0 NARRATIVE STATEMENTS

A narrative statement is a description of the applicant's intended method for complying with a particular regulation.

It is used in most cases when there is no manual reference or source document.

Example:

Example of a Narrative Statement

REGULATION
<p>MCAR 9.2.2.8 Aircraft Technical Log</p> <p>(a) Each AOC holder shall have an aircraft technical log that is carried on the aircraft that contains a journey records section and an aircraft maintenance record section. The journey records section is further described in MCAR 9.3.1.5 and the aircraft maintenance record section is further described in MCAR 9.4.1.9.</p>

STATEMENT OF COMPLIANCE
<p>MCAR 9.2.2.8 Aircraft Technical Log</p> <p>(a) International Air, Ltd. shall have an aircraft technical log that is carried on the aircraft that contains a journey records section and an aircraft maintenance record section.</p>

6.0 REFERENCE STATEMENTS

A reference statement is a reference to a manual or another document that describes the applicant's intended method for complying with a particular regulation.

It may be accompanied by a brief description of the method of compliance.

It is the preferred method for addressing each regulation.

The applicant, by means of a reference statement, will list in the Statement of Compliance the manual, page, and paragraph.

This will show how they comply with the regulations.

Each applicable subsection of the regulation is specifically referenced in the appropriate manuals that describe how the requirement will be met.

Example:

Example of a Reference Statement

REGULATION
<p>MCAR 9.3.1.22 De-Icing and Anti-Icing Programme</p> <p>(a) Each AOC holder planning to operate an aircraft in conditions where frost, ice, or snow may reasonably be expected to adhere to the aircraft shall:</p> <ol style="list-style-type: none">(1) Use only aircraft adequately equipped for such conditions;(2) Ensure flight crew is adequately trained for such conditions; and(3) Have an approved ground de-icing and anti-icing programme.

STATEMENT OF COMPLIANCE
<p>MCAR 9.3.1.22 De-Icing and Anti-Icing Programme</p> <p>(a)</p> <ol style="list-style-type: none">(1) OM page 129 paragraph 243(2) OM page 162 paragraph 12(3) MCM page 112 paragraph 4 OM page 199 paragraph 2

7.0 NOT APPLICABLE REGULATIONS

If a part, subpart, or section of a regulation is not applicable, the applicant must still reference it and state the reason it does not apply. A statement such as “the applicant does not conduct this type of operation” or “does not use this type of equipment,” should be used to describe why the regulation does not apply.

8.0 GENERAL

Information not completed in a timely manner could impede the in-depth review of the applicant’s required manuals and documents.

The final Statement of Compliance must be completed and accepted by the certification team prior to commencing demonstration flights.