



**THE NETHERLANDS  
MILITARY AVIATION REGULATIONS  
Issuance of Regulatory Documents  
NLD-MAR-11**

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**MILITARY AVIATION AUTHORITY  
THE NETHERLANDS (MAA-NLD)**

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## Subpart A – General

### 11.1. Entry into force

This regulation NLD-MAR-11 version 1.0 enters into force starting 03 November 2021.

### 11.2. Applicability

This document describes the regulations regarding:

- a. development and issuance by the Military Aviation Authority The Netherlands (MAA-NLD) of new or amended regulatory documents;
- b. format and structure of regulatory documents issued by the MAA-NLD;
- c. processing of petitions for exemptions from regulations published in the Aviation Act of the Netherlands or any (Special) Military Aviation Regulation ((S)MAR);
- d. control of publication registers applicable to the documents mentioned in this NLD-MAR-11.

### 11.5. Terminology

- a. Regulatory documents – documents issued by the MAA-NLD regulating the military aviation safety within the Dutch Military Aviation System (NLD-MAS). The MAA-NLD uses the following types of regulating documents:
  1. Policy Papers,
  2. (Special) Military Aviation Regulations ((S)MAR),
  3. Directives, and
  4. Advisory Documents.
- b. Regulated community – organisations and persons that have an obligation to act in compliance with any regulatory document.
- c. Petition – written submission of a formal application / formal request.
- d. Exemption – an authorisation issued by the MAA-NLD providing relief from the provisions of the Dutch aviation act or (Special) Military Aviation Regulations.
- e. NPR – notice of proposed regulation.
- f. NPA – notice of proposed amendment.
- g. MARSORB – The Military Aviation Regulation and Safety Oversight Review Board (in Dutch: *sector overleg*) is the highest level of communication between the MAA-NLD and the military aviation sector. The board focuses on strategic military aviation safety objectives, regulations, major certification needs, and identified risk priorities. The aim of the board is to create a common picture of the safety state of military aviation, the necessary improvements and the impact of new regulatory and certification initiatives on the military aviation capabilities. The outcome of the board meetings is an important baseline for the determination of the strategic military aviation safety agenda by the Director MAA-NLD. The board consists of members of the top management level of the Chief of Defence, Royal Netherlands Air Force, Royal Netherlands Army, Royal Netherlands Navy and Defence Materiel Organisation and is chaired by the Director MAA-NLD, supported by the heads of Divisions of the MAA-NLD.

- h. AD – airworthiness directive related to certification regulation.
- i. OD – operational directive related to an operational regulation.
- j. SD – safety directive related to an Air Traffic Management/Air Navigation Services operational regulation.
- k. QD – quality directive addressing a general military aviation subject.

**11.10. Development and issuance of new or amended regulatory documents**

- a. Based on the Dutch Aviation Act, the Ministerial Decree “*Regeling houdende vaststelling kader veiligheid militaire luchtvaart*” and the “*algemeen organisatiebesluit Defensie 2021*” and the “*Subtaakbesluit Defensie Onderdeel SG*”, the MAA-NLD is authorised on its own initiative to issue, amend and revoke regulatory documents, applicable on the NLD-MAS.
- b. When developing regulatory documents the MAA-NLD may make use of already existing publications of third parties, such as other civil and military authorities.

**11.15. Consultation of the regulated community**

- a. The MAA-NLD shall always consult the regulated community before issuing new or amended regulatory documents except in case of directives (see 11.55.c).
- b. The MAA-NLD shall publish a NPR or NPA to initiate the consultation.
- c. A NPR or NPA has the format as provided in Annex 1 and shall have the following content:
  - 1. introduction containing an explanation and background information related to the issuance or amendment;
  - 2. new or amended text of the regulatory document.

**11.20. Submission and handling of proposals**

- a. Any person or organisation of the Netherlands Ministry of Defence is entitled to submit proposals that could lead to the publication by the MAA-NLD of new or amended regulatory documents.
- b. Each proposal shall be made in writing and addressed to the MAA-NLD. The proposal shall contain at least the following information:
  - 1. name of the submitter;
  - 2. reference to the regulatory document applicable to the proposal;
  - 3. clear description of the proposal for a new or amendment to an existing regulatory document;
  - 4. reason(s) for submitting this proposal.
- c. The MAA-NLD sends a confirmation receipt of the proposal to the submitter.
- d. When a proposal is not adopted, the MAA-NLD will inform the submitter accordingly.

- e. This may take the form of an individual written notification or through a general publication for interested parties.
- f. The MAA-NLD has a standard handling time of eight weeks for each submitted proposal.

## Subpart B – Policy Papers

### 11.25. Environmental Analysis

Conclusions drawn from MAA-NLD investigation reports, safety cases trend analyses, as well as national and international developments in policies and regulations in civil and/or military aviation may result in:

- a. a need to clarify MAA-NLD's position towards developments and safety issues;
- b. a need to develop new MAA-NLD regulatory documents;
- c. changes to existing MAA-NLD regulatory documents;
- d. withdrawal/cancellation of a particular existing MAA-NLD regulatory document.

### 11.30. Development and Issuance

- a. When developments as described in 11.25.a result in an major operational and/or financial impact for the NLD-MAS the MAA-NLD will inform the regulated community by issuance of a Policy Paper.
- b. Before following the consultation procedure as described in 11.15 the MAA-NLD shall consult the MARSORB entitled to advice the Director MAA-NLD with regard to content and issuance of Policy Papers.
- c. The Policy Paper includes:
  1. a regulatory impact analysis;
  2. a clear description of affecting developments, including the possible need of new and affected existing regulatory documents;
  3. affected organisations;
  4. an indication of operational and financial consequences and risks for the regulated community;
  5. an indication of the consequences for the MAA-NLD capacity and competence;
  6. timelines for implementation if applicable.
- d. The MAA-NLD shall review a Policy Paper at least every five years.

### 11.35. Format

Policy Papers shall be published in the English language and shall have the following format:

- a. title page indicating the document number and title;
- b. status page indicating the date of the issue, possible amendments and the version number of the issue;
- c. table of contents;
- d. policy paragraphs;
- e. appendices related to specific paragraphs, as applicable.

## Subpart C – (Special) Military Aviation Regulations

### 11.40. Development and issuance Military Aviation Regulations (MARs)

- a. MARs shall be as much as possible in line with the aviation regulations issued by the European Aviation Safety Agency (EASA). Especially in the domain of Airworthiness the MAA-NLD shall use as much as possible the content of the European Military Airworthiness Requirements (EMAR) issued by the European Defence Agency (EDA).
- b. MARs shall be accompanied with Guidance Material (GM) and Acceptable Means of Compliance (AMC) when applicable.
- c. The MAA-NLD shall review a MAR at least every five years.

### 11.45. Development and issuance of Special Military Aviation Regulations (SMARs)

- a. SMAR's are issued to provide the MAA-NLD with the possibility to issue a regulation for a specific subject that affects one or more domains (Operations, Airworthiness and/or Aerodromes & Airspace). It also enables the MAA-NLD to:
  1. issue a regulation for a specified period;
  2. direct a regulation at a specific group;
  3. issue a regulation for a specific purpose;
  4. enable the MAA-NLD to gain experience or knowledge during the trial period of the specific SMAR.
- b. A SMAR is equivalent to a MAR with regards to:
  1. development and issuance, including NPR/NPA process;
  2. application;
  3. implementation;
  4. compliance.
- c. SMARs shall be accompanied with Guidance Material (GM) and Acceptable Means of Compliance (AMC) when applicable.
- d. The MAA-NLD shall review a SMAR at least every two years.



11.50. **Format**

(S)MARs, AMCs and GMs shall be published in the English language with a standard format containing the following:

- a. title page indicating the NLD-(S)MAR-number and title;
- b. status page indicating the date of the issue and the version number of the issue;
- c. table of contents;
- d. regulations paragraphs of the (S)MAR;
- e. final clauses with a signature of the Director MAA-NLD for the Minister of Defence;
- f. appendices related to specific paragraphs, as applicable.

## Subpart D - Directives

### 11.55. Development and issuance

- a. When the Director MAA-NLD has determined that a condition in or with an aircraft has resulted or could have resulted in a serious unsafe and un-airworthy situation and it seems that this condition is likely to exist or develop in other aircraft or operational circumstances, the MAA-NLD will take the necessary measures by using a directive.
- b. When a directive applies to a flight, it is not allowed to deviate from this directive, unless otherwise agreed with the MAA-NLD.
- c. The consultation procedure as described in 11.15 is not applicable for directives.
- d. The MAA-NLD shall use the following NLD-MAR forms for the issuance of directives:
  1. NLD-MAR Form 530 for ADs;
  2. NLD-MAR Form 531 for ODs;
  3. NLD-MAR Form 532 for SDs;
  4. NLD-MAR Form 533 for QDs.
- e. Each directive shall contain as a minimum the following information:
  1. an identification of the unsafe condition;
  2. an identification of the affected system;
  3. the action(s) required;
  4. the compliance time for the required action(s);
  5. the date of entry into force and duration time (if applicable).
- f. The MAA-NLD shall review a directive at least every two years.

### 11.60. Adoption and approval of directives issued by or on behalf of other authorities

- a. The MAA-NLD can decide to adopt and, if necessary, issue as a MAA-NLD directive, any directive issued by another authority.
- b. Such directives can be fully adopted by the MAA-NLD when the particular authority is recognised by the MAA-NLD.
- c. The MAA-NLD is authorised, at its own discretion, to deviate from the content of the original directive. The deviations shall be recorded in the particular file.
- d. The directives adopted by the MAA-NLD in accordance with this regulation are ratified and issued in the same manner as applicable to a directive issued by the MAA-NLD.

### 11.65. Format

Directives shall be published in the English language and shall have the following format:

- a. publication details including document number, date of issue and applicability data;
- b. detailed information relevant to the issue the directive applies to.

## Subpart E – Advisory Documents

### 11.70. Development and issuance

- a. MAA-NLD advisory documents have the following appearances:
  1. Advisory Circulars and Military Aviation Documents; contain information about an isolated subject;
  2. Guidance Material (GM; provides additional information of a (S)MAR, or parts thereof;
  3. Acceptable Means of Compliance (AMC); are non-binding standards to illustrate means to establish compliance with a (S)MAR.
- b. MAA-NLD advisory documents contain information about standards, practices and procedures that the MAA-NLD has found to be acceptable for compliance with the applicable regulation.
- c. Advisory documents are issued by the MAA-NLD when practice has shown a wide felt need for this.
- d. Advisory documents are not binding and shall never be treated as such.
- e. The MAA-NLD shall review an advisory document at least every five years.

### 11.75. Format

- a. Advisory Documents shall be written in the English language and shall have the following format:
  1. title page indicating the document number and title;
  2. status page indicating the date of the issue and possible amendments and the version number of the issue;
  3. table of contents;
  4. advisory paragraphs;
  5. appendices related to specific paragraphs, as applicable.
- b. Lay-out of advisory paragraphs in GM and AMC is similar to the lay-out of the (S)MAR the GM and AMC refer to.
- c. Lay out of advisory paragraphs in Advisory Circulars is format free.

## Subpart F – Exemptions

### 11.80. Petition for exemptions

- a. When a person or organisation has a need to deviate from a requirement documented in the Dutch Aviation Act or a regulatory document, a petition for exemption from the specific regulation shall be submitted to the MAA-NLD and its approval obtained before any deviation from the regulation is allowed.
- b. In case of requests concerning operations, licensing, continued and continuing airworthiness the applicant shall submit the petition to the Director of the MAA-NLD at least 30 working days before the desired exemption date by means of a fully completed and signed NLD-MAR Form 528. If there are clear circumstances preventing the applicant to comply with this requirement a submission within 30 working days before the desired exemption date is allowed; in such a case the applicant shall explain these circumstances in the petition.
- c. In case of requests concerning alternative use of airspace and deviations from Air Traffic Management regulations the applicant shall submit a written petition (form free) through intermediary of AFMU to the Director of the MAA-NLD at least 12 working weeks before the desired exemption date. If there are clear circumstances preventing the applicant to comply with this requirement a submission within 12 working weeks before the desired exemption date is allowed; in such a case the applicant shall explain these circumstances in the petition.
- d. In case of requests concerning incidental civil use of military aerodromes the applicant shall submit the petition to the Director of the MAA-NLD at least five working days before the desired exemption date. If there are clear circumstances preventing the applicant to comply with this requirement a submission within five working days before the desired exemption date is allowed; in such a case the applicant shall explain these circumstances in the petition.
- e. The applicant for a petition has an obligation to provide at least the following information in writing:
  1. the reason for the request and the urgent need for the flight or flights, indicating at least:
    - i. the name of the applicant for the petition;
    - ii. reference to the regulation to which the petition applies;
    - iii. the reason and necessity of deviating from the rule;
    - iv. the risks involved when the exemption is granted;
    - v. which control measures have been taken to mitigate the risks and a sound reason why the residual risk is acceptable versus the necessity of the flight(s);
    - vi. a No Technical Objection (NTO) statement from the Military Type Certificate (MTC) holder if it concerns an exemption from deviations from the military type certificate; see Annex 2 for regulations applicable for a NTO;
    - vii. the risk of failure of the mission for the Dutch MOD if the exemption is not granted.
  2. Documentation, such as the written risk analysis, and information to substantiate point 1. or documentation that contributes to the substantiation and justification of the petition.
  3. The desired duration of the exemption.
- f. Article 11.80.e.1.iv. up to and including 1.vii. are not applicable for requests concerning incidental civil use of military aerodromes.

11.85. **Assessment of the petition**

- a. The MAA-NLD assessment of a petition shall be based on three principles:
  1. Reasonableness: the MAA-NLD assesses whether the regulation cannot reasonably be adhered to without hampering the military mission; the petition shall contain a risk analysis showing that an alternative method of compliance assures an acceptable level of safety;
  2. Special circumstances: there are special circumstances if at least one of the following conditions are met:
    - i. a public social interest is served by conducting the flight(s), where the deployment of the specific aircraft is of significant importance;
    - ii. an historical and national aviation interest is served by conducting the flight(s), whereby the deployment of the specific aircraft is of significant importance;
    - iii. there is an aviation-related event where the deployment of the specific aircraft is of significant importance and where the event has a supra-local public appearance and a perception value for a large audience;
    - iv. this concerns flights to a location where maintenance or a repair can be carried out on the aircraft in question, provided that the aircraft cannot reasonably be maintained or repaired at the location where it is located.
    - v. it concerns flights with an aircraft from one country to another and it is geographically efficient to make use of Dutch airspace.
    - vi. flight operations are necessary for:
      - conducting experiments or exercises in Dutch airspace that serve a military interest and where the aircraft is a necessary instrument to achieve this goal, or
      - assessing whether an aircraft under development or a modification of that aircraft meets the applicable certification requirements as part of the prescribed certification process;
    - vii. any other special circumstance identified by the Director of the MAA-NLD.
  3. Local and temporary nature: the exemption is only issued for one or more flights that are directly related to the special circumstances.
- b. When a petition for exemption is not granted, the MAA-NLD will inform the submitter accordingly by returning a letter of rejection.
- c. The MAA-NLD has a standard handling time of:
  1. 30 working days for each submitted petition concerning operations, licensing, continued and continuing airworthiness;
  2. 12 working weeks for each submitted petition concerning alternative use of airspace and deviations from Air Traffic Management regulations;
  3. five working days for each submitted petition concerning incidental civil use of military aerodromes.

11.90. **Acceptance of (residual) risks**

The acceptance of residual risks must take place at the appropriate safety responsibility level. When issuing the exemption, the MAA-NLD agrees with the assessment of the (residual) risk in relation to the necessity.

11.95. **Special conditions in case of unforeseen urgent operational circumstances**

- a. Only in case of unforeseen operational circumstances which require immediate action it is permitted to deviate from airworthiness and operational requirements laid down in applicable regulations without having obtained a prior exemption from the MAA-NLD.
- b. The mission commander shall carry out an operational risk analysis based on which deviation from the rules is allowed. This commander shall report this as soon as possible, but at least within 72 hrs., to the Director of the MAA-NLD, stating at least:
  1. the article of the Dutch Aviation Act or the regulatory document that has been deviated from;
  2. the operational conditions and necessity of the deviation;
  3. the operational risk analysis performed, including any risk mitigation measures taken;
  4. any additional information that may be relevant.

11.100. **Exemption framework**

The objective is to formulate a legal framework regarding exceptions to the Dutch Aviation Act and exceptions to military aviation regulations. The operational military aviation regulations have a special position here because military flight operations are exempted in the Dutch Aviation Act.

In view of the division of competences laid down in the Dutch Aviation Act between the Minister of Infrastructure & Waterworks and the Minister of Defence, this policy framework is limited to military aviation and aviation for military purposes.

Table 1 contains an overview of articles from the Dutch Aviation Act with a basis for derogation by the Director of the MAA-NLD. For Articles 3.21, 10.1, 10.2, 10.4, 10.8, 10.13 and 10.17, the Dutch Aviation Act stipulates that the Minister of Defence can grant exemption from the stipulated provisions. In addition, Article 10.5 of the Dutch Aviation Act grants an exemption for flight operations with military aircraft and flight operations for military purposes. Finally, in accordance with Article 10.3, the Minister of Defence is permitted to deviate from the use of the nationality and registration mark.

Article	Subject
3.21 paragraph 1	Airworthiness of aircraft
10.1 paragraph 3	Regulations for flight crew
10.2 paragraph 2	Regulations for air traffic service personnel
10.3	Permission to fly aircraft without nationality identifications
10.4 paragraph 2	Regulations for maintenance personnel
10.5	Exemption from military flight operations
10.8	Transport of dangerous goods
10.13 paragraph 1	Civil shared use of military airports
10.17 paragraph 6 j.o. 8.12	Height of objects in relation to the Airport Decree

When granting an exemption, the Director of the Military Aviation Authority must use an assessment framework that guarantees air traffic safety and reasonableness. An exemption requires a decision signed by the Director of the Military Aviation Authority on behalf of the Minister of Defence.

Granting the exemption must not endanger the safety of air traffic participants and, by extension, the safety of the environment.

The principle of reasonableness means that exemption can only be granted if the rules cannot reasonably be applied due to special circumstances. The special circumstances dictate a local and temporary nature of the waiver.

The assessment of whether the rules cannot reasonably be applied is carried out on behalf of the Minister of Defence, by the Director of the Military Aviation Authority. Reasonableness is situational and contextual in nature and therefore cannot always be determined in advance. In this assessment, the special position of the armed forces and the task they perform are of great importance. When assessing reasonableness, generally recognized legal principles, legal convictions prevailing in the Netherlands and social and personal interests must be taken into account. Based on the circumstances of a case, it is examined what reasonableness requires. Jurisprudence can serve as a guideline in this regard.

The applicant for an exemption must demonstrate with the application that there is a well-founded and important reason to deviate from the rules and that he will take appropriate measures to ensure the safety of the aircraft, its occupants and the environment to a sufficient extent. A thorough risk analysis and possible mitigating measures must therefore always be part of an application for exemption.

## Subpart G – Publication control

### 11.105. Control of publication registers

- a. The MAA-NLD keeps records of all published regulatory documents.
- b. For each Policy Paper, (S)MAR or advisory document issued a registered file is made up containing:
  1. register number;
  2. starting points for the development or amendment of the specific (S)MAR;
  3. revision control;
  4. any possible published drafts of the initial or amended issues of the particular (S)MAR in the form of NPR/NPA's;
  5. comment responses received on the NPR/NPA's;
  6. MAA-NLD internal records regarding the processing and decision making related to the incorporated comments;
  7. publication information of the definitive version of the new issued or amended (S)MAR.
- c. For each directive issued a registered file is made up containing:
  1. register number;
  2. starting points for the development or amendment of the specific directive;
  3. publication information regarding the specific directive;
  4. version control of the specific directive.
- d. For each exemption issued a registered file is made up containing:
  1. register number;
  2. starting points and considerations for granting the exemption;
  3. publication information regarding the exemption issued;
  4. duration validity of the exemption issued.



## Subpart H – Definitions and Acronyms

### 11.110. Definitions and Acronyms

- a. With the drafting of regulatory documents specific terms are used. For the unambiguous explanation of terms used in regulatory documents the MAA-NLD has formulated definitions. Besides defined terms also acronyms are used in MAA-NLD publications.
- b. See NLD-MAD-1 for definitions and acronyms used in MAA-NLD regulatory documents.

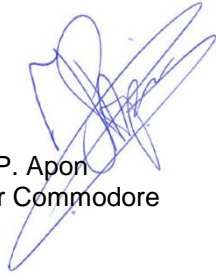
## Final clauses

This regulation is known as NLD-MAR-11 and will be published on the intranet and internet site of the Ministry of Defence.

Den Haag, 03 November 2021

For the Minister of Defence,  
The Director Military Aviation Authority - The Netherlands,

J.P. Apon  
Air Commodore



# Annex 1: Format of a Notice of Proposed Regulation / Amendment (NPR/NPA)

## Page 1: Title page

NPR/NPA number and title:  
Publication date:  
Effective date:  
Authority:  
Contact information:  
Number of pages publication:

## Page 2: Summary

This NPR/NPA consists of:

- 1 Background information
  - 1.1 Reason for issue and publication NPR/NPA
  - 1.2 Possible summary of amendments MAR regulation
  - 1.3 Listing affected regulation paragraphs
    - 1.3.1 Paragraph numbering & title
    - 1.3.2 Subparagraph numbering

## Page 3: Details NPR/NPA publication

- 2 New, amended or deleted text is placed between '[' ]'. This marking is deleted with the issue of the official version
- 3 Explanation / justification text amendments
- 4 Evaluation of comments concerned as far as applicable categorised per paragraph.

## Annex 2: Background information and regulations for a No Technical Objection (NTO)

### Goal

This annex contains background information and regulations to substantiate exemptions needed for flying with military aircraft that do not have a military type certificate yet or are no longer in accordance with the military type certificate (e.g., non-repaired damage, delayed maintenance, tests with modifications). For the substantiation, the owner of the design shall advise on the consequences of the shortcomings on the airworthiness of the military aircraft in a declaration of No Technical Objection (NTO).

This annex sets the requirements for the content of an NTO. An NTO is a document to support a Request for exemption (form 528).

### Background

To be allowed to fly, each aircraft (civil and military) must have a Certificate of Airworthiness (CoA) that is valid for an indefinite period of time. This is described in the Dutch Aviation Act (*Wet luchtvaart* (Wlv)). Article 3.8 Wlv states it is prohibited to operate a flight with an aircraft that is not airworthy, or not provided with a CoA.

To perform a flight with a Dutch military aircraft, a military CoA issued by the Minister of Defence is required.

In the event that the regulations set out in Article 3.8 Wlv cannot be adhered to, Article 3.21 Wlv gives the option of applying for an exemption under Article 3.8 Wlv. Article 3.21 Wlv states that our Minister of Defence can grant an exemption from the rules due to special circumstances under which those rules cannot reasonably be applied and in case the exemption does not jeopardise the safety of air traffic and the environment. An exemption can be granted under condition of necessary restrictions and/or additional regulations.

### Exemption from type certificate requirements

In the event that the operator wants to operate with a military aircraft outside the required configuration or requirements / limits of the type certification, the operator must, by means of a NLD-MAR form 528 Application for exemption, apply for an exemption to be issued by the MAA-NLD. This petition for exemption must be supported by a substantiating NTO to be issued by the military type certificate holder. An NTO is a technical assessment in which the military type certificate holder describes under what circumstances and in which configuration the aircraft can be safely used if the type certification data does not provide this. If the military type certificate holder does not have suitable engineering capacity, the military type certificate holder shall rely on the engineering capacity of a recognised technical airworthiness authority, accredited design organisation or the Original Equipment Manufacturer (OEM).

An NTO is requested for a specific military aircraft with corresponding registration number, and drawn up under the responsibility of the military type certificate holder.

The following points for attention when preparing an NTO are applicable .

**a. References**

1. Provide relevant reference (s) (e.g. service requests, maintenance tasks, historical documents, photos, e-mails, tests and specifications).

**b. Reasons for the NTO application based on the operator's details**

1. Describe the reason with details of locations, time, types, tail numbers, partner numbers etc. that are necessary to explain the circumstances for the MAA-NLD.
2. Describe the technical deviation (e.g., non-execution / postponement of a repair / modification / AD / inspection, flying with damage, deviating configuration, etc.).
3. If the deviation concerns a modification, state the classification made, certification methodology (validation / verification) and status.
4. Assess and record (in consultation with Royal Netherlands Air Force (RNLAF) flight test department or the Operator) whether there are additional requirements or restrictions that may affect the flight(s). (e.g. a defective navigation device).
5. Name other aspects that may affect the technical condition of the aircraft in question such as ADs), repairs carried out or delayed, modifications and inspections.

**c. Identify risk factors**

1. Make a situation sketch, using historical data or analyses if necessary.
2. If necessary, contact the OEM and describe his findings.
3. Describe which aspects have been taken into consideration. For example: strength, EMI / EMC, electrical supply, ergonomics / human factors, fire safety, emergency egress etc.
4. If the situation has already occurred with other aircraft, give the reference to the previous situation and its settlement.

**d. Risk analysis**

1. Make a risk analysis (probability x effect) and classify the risk based on eg. an accepted methodology such as MIL-STD-882.
2. Assess the remaining technical risk and, if necessary, describe the mitigating measures in consultation with the RNLAF flight test department.

**e. Conclusion and recommendation**

1. Declare that, based on the above information, a thorough investigation has been carried out and that the aircraft can be operated safely under the by the MTC holder specified conditions.