



# **NETHERLANDS SPECIAL MILITARY AVIATION REGULATIONS**

## **NLD-SMAR 4**

**THE ACCEPTANCE OF  
FOREIGN GOODS, SERVICES AND DATA  
IN THE NETHERLANDS MILITARY AVIATION SYSTEM  
DELIVERED BY  
ACCREDITED OR RECOGNISED ORGANISATIONS**

<b>Version Number</b>	<b>2.0</b>
<b>Version Date</b>	<b>10 March 2023</b>

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

# APPROVAL

This Special Military Aviation Regulation is known as NLD-SMAR 4.

This Special Military Aviation Regulation shall enter into force from the day after the date of issue on the MAA-NLD internet/intranet.

This version of Special Military Aviation Regulation will be binding in its entirety and directly applicable to all (Military) Aviation Organisations who are involved in any way with or are acting within the Netherlands Military Aviation System (NLD-MAS) and need to be compliant no later than 1 February 2024.

The Hague, 10 March 2023

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

J.P. Apon  
Air Commodore



## STATUS PAGE

Version number	Version date	Change Content	Affected pages
1.0	17-12-2018	Replaces PP-MAA-NLD-00-001 ' <i>Beleidsdocument betreffende het erkennen van andere luchtvaartautoriteiten en accrediteren van organisaties niet behorend tot de Nederlandse Defensie organisatie.</i> '	All
2.0	10-3-2023	Full revision of content, lay-out and specification of procedures.	All

# INTRODUCTORY NOTES

**Background.** The Netherlands Military Aviation System (NLD-MAS) is a so-called “Total Aviation System”. The System’s Regulatory Structure encompasses the three aviation domains: “Airworthiness, Operations and Aerodromes/ATC”. The individual regulations within this Regulatory Structure are issued, oversights and enforced by the Military Aviation Authority of the Netherlands (MAA-NLD). The regulations have the status of minimum requirements for organisations, persons and products and are required in order to obtain military approvals, licences and certificates. The enforceability of these regulations, however, is restricted to the organisations, persons and products within the NLD-MAS.

All military aircraft, in use within the NLD-MAS, originate from organisations belonging to foreign military- or civil aviation systems. Some however, do not belong to any aviation system and have no authority oversight.

In aviation, artefacts are any written or electronic documents that represents applied goods, services or data. The artefact defines the (approved) status of the goods, services and data for the applicable foreign aviation system. As a consequence, goods, services and data, delivered under foreign approval artefacts to organisations within the NLD-MAS, have no approved status for these organisations. They shall first pass an NLD-MAS approval or acceptance process.

Due to the fact that foreign goods, services and data are applicable and necessary in order for the military aviation organisations within the NLD-MAS, to perform their approved scope of work and as these goods, services and data passed a foreign approval or acceptance process, a NLD-MAS process has been defined in order to enable the use of the goods, services and data of foreign origin without the need to repeat all certification or approval processes against the applicable NLD-MARs.

This NLD-SMAR 4 details the process required in order to accept and import foreign goods, services and data. Completion of this process ensures a NLD-MAS legal status. The NLD-SMAR 4 process is based upon an acceptance or approval process of the foreign artefacts and uses the terminology of “Recognition” and “Accreditation”.

## **Format.**

The NLD-SMAR 4 is set up in accordance with the NLD-MARs. It is separated into a section A, section B and appendices:

- Section A, “Technical Requirements”, applicable for military organisations within the NLD-MAS; and
- Section B, “Procedures for the MAA-NLD”.
- Appendices, containing the MAA-NLD Forms applicable to the accreditation and recognition process.

As with the other NLD-MARs the NLD-SMAR 4 has, in a separate volume, Guidance Material (GM) and Acceptable Means of Compliance (AMC). The GM and AMCs are published in a separate volume. In addition, under the title of “GM”, some policy material is also provided.

In the event that AMC or GM is available for a certain requirement, this is indicated at the bottom of the requirement text between [ ]

# TABLE OF CONTENTS

APPROVAL .....	2
STATUS PAGE .....	3
INTRODUCTORY NOTES.....	4
TABLE OF CONTENTS.....	5
<i>SMAR4.1 General</i> .....	6
<b>SECTION A TECHNICAL REQUIREMENTS .....</b>	<b>7</b>
<i>SMAR4.A.1 Foreign organisation and foreign artefact</i> .....	7
<i>SMAR4.A.5 Applicability</i> .....	7
<i>SMAR4.A.10 Scope</i> .....	7
<i>SMAR4.A.12 Acceptance of goods, services or data from foreign organisations</i> .....	7
<i>SMAR4.A.15 Eligibility</i> .....	8
<i>SMAR4.A.20 Application</i> .....	8
<i>SMAR4.A.25 Terms of Accreditation</i> .....	8
<i>SMAR4.A.27 Implementing Arrangement with a Recognised Authority</i> .....	9
<i>SMAR4.A.30 Notified Changes</i> .....	9
<i>SMAR4.A.35 Organisation Exposition</i> .....	9
<i>SMAR4.A.40 Investigations</i> .....	9
<i>SMAR4.A.45 Findings</i> .....	9
<i>SMAR4.A.50 Duration and Continued Validity</i> .....	10
<i>SMAR4.A.55 Privileges</i> .....	10
<i>SMAR4.A.60 Obligations</i> .....	10
<i>SMAR4.A.65 Contract Requirements</i> .....	11
<i>SMAR4.A.70 Validation or Acceptance Process for Foreign Artefacts</i> .....	12
<b>SECTION B PROCEDURES FOR THE MAA-NLD AND ITS QUALIFIED ENTITIES .....</b>	<b>14</b>
<i>SMAR4.B.10 Scope</i> .....	14
<b>SMAR4.BG GENERAL REQUIREMENTS .....</b>	<b>14</b>
<i>SMAR4.BG.20 Application</i> .....	14
<i>SMAR4.BG.25 Classification of Foreign Organisations</i> .....	14
<i>SMAR4.BG.27 Applicable recognition and/or accreditation investigation</i> .....	15
<i>SMAR4.BG.75 Record Keeping and Retention</i> .....	17
<i>SMAR4.BG.80 Notification and publication</i> .....	18
<b>SMAR4.BR RECOGNITION OF FOREIGN AUTHORITIES .....</b>	<b>18</b>
<i>SMAR4.BR.15 Military Aviation Authority of The Netherlands</i> .....	18
<i>SMAR4.BR.30 Recognition</i> .....	19
<i>SMAR4.BR.45 Issue of Recognition</i> .....	19
<i>SMAR4.BR.55 Duration of Recognition</i> .....	19
<i>SMAR4.BR.60 Changes</i> .....	20
<b>SMAR4.BA ACCREDITATION OF FOREIGN ORGANISATIONS .....</b>	<b>20</b>
<i>SMAR4.BA.15 Military Aviation Authority of The Netherlands and its Qualified Entities</i> .....	20
<i>SMAR4.BA.35 Initial Accreditation</i> .....	21
<i>SMAR4.BA.40 Initial Accreditation via Recognition of the Foreign Aviation System</i> .....	21
<i>SMAR4.BA.45 Issue of Accreditation</i> .....	22
<i>SMAR4.BA.50 Contracted execution of NLD-MAS privileges and issue of licences</i> .....	23
<i>SMAR4.BA.55 Continuing Oversight</i> .....	23
<i>SMAR4.BA.60 Changes</i> .....	23
<i>SMAR4.BA.65 Revocation, Suspension and Limitation of Scope of the Accreditation</i> .....	23
<i>SMAR4.BA.70 Findings</i> .....	24
<i>SMAR4.BA.85 Recording of issues and decisions</i> .....	24

## **SMAR4.1 General**

MAA-NLD aviation definitions are specified in the NLD-MAD-1 document.

For the purpose of this NLD-SMAR 4, the following specific interpretations or clarifications are applicable:

'Verification'. The checking for compliance with the applicable requirements as set in the applicable NLD-MAR (fact checking).

'Validation'. The determination of the level of credit (value) of foreign approval artefacts for the NLD-MAS without the need for repeating all foreign certification or approval processes that it represents for the received good, data or service, under the pre-requisite that these approval artefacts originates from accredited or recognised organisations.

### Supplier, Contractor and Subcontractor.

- A supplier delivers goods;
- A contractor executes contracted-out activities for the contracting organisation under its own (foreign) quality system;
- A subcontractor executes contracted-out activities for the contracting organisation under the contracting organisation's quality system.

# SECTION A TECHNICAL REQUIREMENTS

## SMAR4.A.1 Foreign organisation and foreign artefact

For the purpose of this "Netherlands Special Military Regulation 4 (NLD-SMAR 4)", the term "foreign" shall be interpreted as "outside the borders of the NLD-MAS", whereby:

- (a) any organisation not belonging to the NLD-MAS shall be designated a "foreign" organisation, regardless of its geographical place of business;
- (b) any artefact originating from a foreign organisation shall be designated a "foreign" artefact.

## SMAR4.A.5 Applicability

Section A is applicable to all organisations within the NLD-MAS that are either approved or in the process of gaining an approval against a NLD-MAR and are intending to obtain, goods, services or data from foreign organisations.

Throughout the NLD-SMAR 4, these organisations will be designated as "approved military organisation within the NLD-MAS".

This applicability is inherent applicable to the purchasing organisations which might not have an NLD-MAR approval but purchase goods, services or data for the receiving NLD-MAR organisations.

[GM SMAR4.A.5]

## SMAR4.A.10 Scope

Section A establishes the requirements and administrative procedures to be met by an approved military organisation within the NLD-MAS intending to obtain goods, services or data from foreign organisations without the need to repeat any, previously performed foreign approval or certification activities.

## SMAR4.A.12 Acceptance of goods, services or data from foreign organisations

For acceptance of goods, services or data, delivered by a foreign supplier-, contractor or authority:

- (a) The approved military organisation within the NLD-MAS shall, as principal and standard procedure, verify the value of all received goods, services or data by checking the compliance of these received goods, services or data against the applicable NLD-MARs;
- (b) By way of derogation from paragraph (a), the approved military organisation within the NLD-MAS may, in accordance with [SMAR4.A.70](#), validate the "approval artefacts" or accept the "process artefacts" belonging to the received goods, services or data under the condition that the applicable goods, services or data are delivered by accredited organisations or recognised authorities.

[AMC SMAR4.A12(b), GM SMAR4.A.12 no. 1, GM SMAR4.A.12 no. 2, GM SMAR4.A.12 no. 3]

### **SMAR4.A.15 Eligibility**

To achieve the [SMAR4.A.12\(b\)](#) condition, an approved military organisation within the NLD Military Aviation System (NLD-MAS) that aims to use the [SMAR4.A.55](#) privileges, is eligible as an applicant for:

- an accreditation for its (prospective) contracted supplier or contractor; or
- the recognition of a foreign authority.

### **SMAR4.A.20 Application**

- (a) Each application for an accreditation or recognition shall be made to the MAA-NLD, by completing and submitting the following Form(s) to the MAA-NLD:
1. MAA-NLD Form 300 in case of a direct accreditation investigation into the supplier or contractor organisation; or
  2. MAA-NLD Form 305 for a recognition of an overseeing foreign authority that issues artefacts applicable for the military aircraft types in use in the NLD-MAS; or
  3. MAA-NLD Form 305 for an indirect accreditation into the supplier or contractor via a recognition investigation of the overseeing foreign authority and its regulatory framework where this authority oversees the goods, services or data to be accredited.
- (b) Each application for the accreditation of an organisation under paragraph (a)1 above, shall be accompanied by the organisation's written procedures, a compliance checklist and a self-evaluation, demonstrating compliance with the applicable NLD-MAR and specific contract requirements as per [SMAR4.A.65](#).
- (c) By derogation to paragraph (b), applications for organisations, that have a foreign approval from a recognised authority, whereby the recognised authority performs oversight over the NLD contracted scope of work, shall only require written procedures in accordance with its foreign approval, supplemented by an MAA-NLD Supplement, containing the compliance against the specific NLD requirements.
- (d) After receipt of the MAA-NLD's notification of acceptance in accordance with [SMAR4.BG.20\(d\)](#), the applicant shall inform the foreign organisation regarding the accreditation route via the MAA-NLD itself or via a Qualified Entity (QE) and shall provide contact details thereto.

[AMC SMAR4.A.20, GM SMAR4.A.20 (a) 3, AMC no 1 and no 2 to SMAR4.A.20(b), GM SMAR4.A.20(c)]

### **SMAR4.A.25 Terms of Accreditation**

- (a) An accreditation is granted under the "Terms of Accreditation", which accompanies the Certificate of Accreditation. The terms consist of the details, provided in [SMAR4.BA.45 \(b\)](#).
- (b) An approved military organisation within the NLD-MAS shall only execute the privileges as detailed in [SMAR4.A.55](#), within the approved Terms of Accreditation of the accredited organisation.

Note: After the positive outcome of an accreditation, the foreign organisation is considered as "controlled environment" for the accredited scope.



### **SMAR4.A.27 Implementing Arrangement with a Recognised Authority**

- (a) Recognition is granted under the Certificate of Recognition including an Implementing Arrangement. The Implementing Arrangement consists of the recognition scope oversight as per [SMAR4.BR.45 \(c\)](#).
- (b) An approved military organisation within the NLD-MAS shall only execute the privileges as detailed in [SMAR4.A.55](#), with respect to validation of foreign authority artefacts, within the approved Implementing Arrangements of the recognised authority.

### **SMAR4.A.30 Notified Changes**

The approved military organisation within the NLD-MAS shall, after receipt of a notification of a change as per [SMAR4.A.65.\(d\)](#) or [SMAR4.BR.60 \(c\)](#):

- (a) not execute the [SMAR4.A.55](#) privileges for the changed terms, prior to an MAA-NLD approval of this changed terms;
- (b) update its Organisation Exposition after approval of the changes by the MAA-NLD.

### **SMAR4.A.35 Organisation Exposition**

The approved military organisation within the NLD-MAS shall in its Organisation Exposition (OE) or in another paper or electronic document, referred to in this exposition, list the following:

- its accredited suppliers and contractors, including the accredited scope and, where applicable, the contracted [SMAR.A.55 \(b\)](#) privileges;
- the recognised authorities including the recognised artefacts.

[GM SMAR4.A.35]

### **SMAR4.A.40 Investigations**

The approved military organisation within the NLD-MAS shall make contractual arrangements that permit the MAA-NLD to carry out any accreditation investigations, that it deems necessary, at its suppliers and contractors, to determine compliance and continued compliance with the applicable NLD-MAR requirements.

### **SMAR4.A.45 Findings**

- (a) The accredited organisations shall comply with an applicable NLD-MAR. Should objective evidence found during investigations show non-compliance of the supplier or contractor with the requirements of the applicable NLD-MAR the finding shall be classified as follows:
  - 1. A level one finding is any non-compliance with the applicable NLD-MAR requirement which could affect safety;
  - 2. A level two finding is any non-compliance with the applicable NLD-MAR which is not classified as level one.
- (b) After receipt of the notification of findings,
  - 1. In the event of a level one finding, the supplier or contractor shall demonstrate corrective action to the satisfaction of the MAA-NLD within a period as specified in the applicable NLD-MAR;

2. In the event of level two findings, the corrective action period granted by the MAA-NLD (or its Qualified Entity (QE)) shall be appropriate to the nature of the finding but in any case initially shall not be more than three months. In certain circumstances and subject to the nature of the finding the MAA-NLD (or its QE) may extend the three month period subject to a satisfactory corrective action plan agreed by the MAA-NLD (or its QE).
- (c) In the event of level one or level two findings, the accreditation may be subject to a partial or full suspension or revocation. In scenario, the approved military organisation within the NLD-MAS shall not execute the [SMAR4.A.55](#) privileges on the suspended or revoked supplier or contractor.

#### **SMAR4.A.50 Duration and Continued Validity**

- (a) An accreditation shall be issued for the duration of the contract between the approved military organisation within the NLD-MAS and its supplier or contractor. Optional extension periods are included in this duration. An accreditation shall be suspended after termination of the contract. The approved military organisation within the NLD-MAS, will notify the MAA-NLD of the suspension.
- (b) Within the contract duration, the accreditation shall remain valid unless the supplier fails to comply with the conditions as stated in the Certificate of Accreditation. The approved military organisation within the NLD-MAS, will notify the MAA-NLD when the supplier or contractor has not provided services as specified in the scope of accreditation for a period of six months.
- (c) Upon surrender or revocation the certificate shall be returned to the MAA-NLD.

#### **SMAR4.A.55 Privileges**

The approved military organisation within the NLD-MAS:

- (a) may, in accordance with [SMAR4.A.70](#), accept from its accredited suppliers and contractors, goods, services and data, within the scope of the accreditation by means of a validation- or an acceptance process, whichever process is applicable;
- (b) may, after a permit thereto by the MAA-NLD in accordance with [SMAR4.BA.50](#), contract the execution of NLD-MAS privileges to the accredited supplier or contractor under the (contract) requirement [SMAR4.A.65 \(c\)](#);
- (c) may, in accordance with [SMAR.A.70](#) accept, from recognised authorities, artefacts within the scope of the recognition by means of a validation or acceptance process whichever process is applicable.

[GM SMAR4.A.55(b)]

#### **SMAR4.A.60 Obligations**

The approved military organisation within the NLD-MAS shall:

- (a) Arrange and maintain with its supplier and contractor a contract which includes requirements in accordance with [SMAR4.A.65](#);
- (b) Provide the supplier or contractor with the latest version of the applicable:
  1. NLD-MAR(s) and updates thereof; and

2. approved data and other artefacts and updates thereof,  
which shall be used throughout the course of the contract;
- (c) Provide the supplier or contractor with instructions or written information regarding:
1. The roles and responsibilities within the NLD-MAS; and where applicable
  2. The use of the NLD-MAR artefacts which shall be used throughout the course of the contract;
- (d) Report to the MAA-NLD any observed repetitive non-conformities against the regulations and mandatory data, requested in paragraph (a) and (b);
- (e) Maintain its Organisation Exposition with respect to the list of accredited organisations, including the corresponding scope, limitations and the contracted execution of NLD-MAS privileges.

[AMC SMAR4.A.60 (c)]

### **SMAR4.A.65 Contract Requirements**

The approved military organisation within the NLD-MAS, shall, in the event that it is intending to use the [SMAR4.A.55](#) privileges with its supplier or contractor, include specific contract requirements thereto, stating that:

- (a) the supplier or contractor shall be(come), and remain, accredited against the applicable NLD-MAR and its updates for the scope and duration of the contract;  
or
- (b) By derogation to paragraph (a), in the event that the accreditation is (to be) based upon the fact that the supplier or contractor has an applicable approval in a recognised system, whereby the recognised authority oversees the contracted scope, that:
1. the foreign approval certificate shall cover the contracted scope; and
  2. the supplier or contractor shall remain approved against the foreign regulation by the recognised authority for the contracted scope and duration of the contract;
- (c) In the event that personnel of the contractor or supplier are intended to be authorised to execute contracted privileges under [SMAR4.A.55 \(b\)](#), the personnel shall comply with NLD-MAR requirements to execute the privileges or shall hold an applicable recognised foreign license(s) thereto, for the duration of the contract;
- (d) the supplier or contractor shall use the applicable NLD approved data and other applicable NLD-MAS artefacts when executing the contracted scope. These documents shall be listed in the contract;
- (e) the supplier or contractor shall notify the MAA-NLD in the event of a change to its Terms of Accreditation, as stated at its Certificate of Accreditation per [SMAR4.BA.45 \(b\)](#). This notification shall be copied to the contracting approved military organisation within the NLD-MAS;
- (f) the supplier or contractor shall update its written procedures, resulting from any change to regulations affecting the accreditation or affecting the work which is done under the accreditation, in a timely manner to ensure effective implementation and shall inform the approved military organisation within the NLD-MAS and the MAA-NLD accordingly;

- (g) the supplier or contractor shall maintain a programme of continued surveillance, internal quality control and quality assurance at the contracted scope of work. The programme shall include improvements against observed non-conformities to the written procedures or against the applicable NLD-MARs and mandatory data as provided per [SMAR4.A.60 \(b\)](#);
- (h) the supplier or contractor shall grant the MAA-NLD, or, where applicable, its QE or recognised authority, access to the organisation's facilities for audits and other activities with respect to the contracted scope.

[GM SMAR4.A.65 (a), GM SMAR4.A.65 (b), GM SMAR4.A.65 (d)]

### **SMAR4.A.70 Validation or Acceptance Process for Foreign Artefacts**

- (a) The approved military organisation within the NLD-MAS, intending to accept goods, services and data from its accredited suppliers, contractors or recognised authorities, by executing the [SMAR4.A.55 \(a\)](#) or [\(c\)](#) privilege, shall execute a validation- or acceptance process, whichever is applicable for the type of artefact received:
  - 1. a validation process for an approval artefact, representing the outcome of an approval, licencing or certification process; or
  - 2. an acceptance process for an process artefact, representing the outcome of an intermediate process step.
- (b) The validation process shall encompass the following checks. The artefact should:
  - 1. be issued within the scope of the accreditation and/or recognition; and
  - 2. be applicable to the NLD-MAS; and
  - 3. cover and be compliant with all applicable NLD-MAR requirements for the applicable subject; and
  - 4. not be in conflict with the current NLD national laws and NLD military directives and regulations.
- (c) Upon validation of an approval artefact, the approved military organisation within the NLD-MAS, shall take over full responsibility for the content of this approved data stated on the artefact. In order to demonstrate that the content is approved data for the NLD-MAS, a cover sheet, (or any other means accepted by the MAA-NLD) stating the approved status, shall be attached to the foreign approval artefact.
- (d) The acceptance process shall encompass the following checks. The artefact should:
  - 1. be issued within the scope of the accreditation and/or recognition); and
  - 2. be in compliance with the contract requirements for the goods, services or data represented by the process artefact.
- (e) After acceptance of a process artefact, the approved military organisation within the NLD-MAS, shall take over full responsibility for the content thereof and continues the NLD-MAR process with the accepted document. In order to demonstrate acceptance, a cover sheet (or any other means accepted by the MAA-NLD), stating the acceptance, shall be attached to the foreign process artefact.
- (f) In the event that an NLD-MAR requirement is not or partially covered by supplied goods, services of data (para (b) 3), the approved military organisation within the NLD-MAS, shall carry out additional activities necessary to achieve full NLD-MAR requirements coverage.

- (g) In case the artefact does not cover or meet all applicable national laws, directives and regulations (para (b) 4), the approved military organisation within the NLD-MAS, shall agree on a solution in cooperation with the MAA-NLD.
- (h) The approved military organisation within the NLD-MAS or the organisation to be accredited, shall discuss with the MAA-NLD any uncertainty or proposed alternative(s). The discussion and its outcome shall be recorded, using MAA-NLD Form 306, "MAR Review Item (MRI)".

[GM SMAR4.A.70 (b)1, GSMAR4.A.70 (b)2, GSMAR4.A.70 (b)3 GSMAR4.A.70 (b)4, GSMAR4.A.70 (c)1, GSMAR4.A.70 (c)2, GSMAR4.A.70 (h)]

# SECTION B PROCEDURES FOR THE MAA-NLD AND ITS QUALIFIED ENTITIES

## SMAR4.B.10 Scope

- (a) This section B establishes the administrative procedures that the MAA-NLD and its Qualified Entities shall follow when exercising their tasks and responsibilities with regards to the issuance, continuation, change, suspension or revocation of:
- A Recognition of a Foreign Authority; or
  - An Accreditation of a Foreign Organisation,
- in accordance with the requirements of this NLD-SMAR 4.
- (b) This section B is divided into three sub sections:
- Sub section SMAR4.BG for general Requirements;
  - Sub section SMAR4.BR for the Recognition of a Foreign Authority;
  - Sub section SMAR4.BA for the Accreditation of a Foreign Organisation.

## SMAR4.BG GENERAL REQUIREMENTS

### SMAR4.BG.20 Application

The MAA-NLD shall, upon receipt of an application under [SMAR4.A.20](#):

- (a) Reject the application for:
1. administrative reasons (incorrect or incomplete applications); or
  2. other reasons, at the discretion of the MAA-NLD;
- or
- (b) Determine the classification in accordance with [SMAR4.BG.25](#) and the appropriate recognition and/or accreditation route, via [SMAR4.BG.27](#); and
- (c) Determine, in the event of an accreditation, whether to use a QE for the execution of the appropriate accreditation activities; and
- (d) Notify the applicant of the MAA-NLD acceptance or rejection with the details of paragraph (b) and (c).

### SMAR4.BG.25 Classification of Foreign Organisations

- (a) The MAA-NLD shall for the purpose of determining which investigation activities shall be applied in accordance with [SMAR4.BG.27](#), classify foreign organisations.
- (b) The MAA-NLD distinguishes three types of foreign organisations:
1. Aviation Authorities: these organisations regulate and oversee a foreign aviation system against a set of foreign regulations; These organisations provide certificates, approvals, licenses and directives
  2. Aerospace organisations. These organisations execute a specific aerospace function in a foreign aviation system and may be used, once accredited, as supplier or contractor by approved military organisations within the NLD-MAS;
  3. "Leading-Authorities". These organisations do not regulate an aviation system but rather act either as an expert authority, issuing guidelines, instructions or

even directives in their area of expertise but also acts as an aviation organisation, delivering goods, services and data.

- (c) The aerospace organisations are classified against the following criteria:
1. Belonging to the aviation system of a recognised authority (yes/no);
  2. Oversighted by a recognised authority for the contracted scope of work (yes/no)
  3. Not belonging to an aviation system (as a consequence thereof: 'not approved').
- (d) The criteria of paragraph (b) and (c) result in the following classification table:

<b>Classification of Foreign Organisations</b>		
<b>Class</b>	<b>Type of organisation</b>	<b>Characteristics</b>
1A	Aviation <sup>1</sup> Authorities	See para (b) <sup>1</sup> above
1B	Leading Authorities	See para (b) above
2A	Approved <sup>2</sup> aerospace organisation	<ul style="list-style-type: none"> <li>• within recognised system<sup>3</sup></li> <li>• oversight<sup>4</sup> of contracted scope</li> </ul>
2B	Approved <sup>2</sup> aerospace organisation	<ul style="list-style-type: none"> <li>• within recognised system<sup>3</sup></li> <li>• no oversight<sup>4</sup> of contracted scope</li> </ul>
3A	Approved <sup>2</sup> aerospace organisation	<ul style="list-style-type: none"> <li>• within a non-recognised system<sup>3</sup></li> <li>• oversight<sup>4</sup> of contracted scope</li> </ul>
3B	Approved <sup>2</sup> aerospace organisation	<ul style="list-style-type: none"> <li>• within a non-recognised system<sup>3</sup></li> <li>• no oversight<sup>4</sup> of contracted scope</li> </ul>
4A	Aerospace organisations	<ul style="list-style-type: none"> <li>• not belonging to a system<sup>3</sup></li> <li>• no oversight<sup>4</sup>, but OEM.</li> </ul>
4B	Aerospace organisations	<ul style="list-style-type: none"> <li>• not belonging to a system<sup>3</sup></li> <li>• no oversight<sup>4</sup>.</li> </ul>

<sup>1</sup> aviation means any kind of authority in the aviation domain: airworthiness, operational, technical...etc.

<sup>2</sup> approved means an applicable approval, issued by a foreign authority

<sup>3</sup> system means: aviation system, regulated and with oversight by an aviation authority

<sup>4</sup> oversight means oversight by the aviation authority of the system

[GMSMAR4.BG.25 (b) 3, GMSMAR4.BG.25 (d)]

## **SMAR4.BG.27 Applicable recognition and/or accreditation investigation**

The classes identified in [SMAR4.BG.25](#) and corresponding characteristics shall determine the type of investigation and it's depth.

The activities to be carried out corresponding the classification of organisation is detailed in the table below.

(table: see next page)

Class	MAA-NLD recognition or accreditation activities
1A	Recognition process in accordance with subsection SMAR4.BR.
1B	<ol style="list-style-type: none"> <li>1. Authority recognition process (1A) in accordance with subsection SMAR4.BR for the oversight activities and the artefacts to be <i>recognised</i>; and</li> <li>2. Class 2A Accreditation process for the activities and artefacts to be <i>accredited</i>.</li> </ol>
2A	<p>No full accreditation investigation of the organisation;</p> <ol style="list-style-type: none"> <li>1. Meeting with the organisation, for agreement on the supplemented written procedures detailing the specific NLD-MAR requirements and/or contract requirements as per <a href="#">SMAR4.A.65</a></li> </ol>
2B	<p><u>MAA-NLD:</u> Consider to agree with the recognised authority on oversight at the NLD contract scope, laid down in an Implementing Arrangement. If successful, the organisation shall become a class 2A organisation; or</p> <p><u>MAA-NLD or its QE:</u></p> <ol style="list-style-type: none"> <li>1. Check that the organisation's compliance matrix and its written procedures, cover the applicable NLD-MAR requirements and/or contract requirements as per <a href="#">SMAR4.A.65</a>;</li> <li>2. Check the functioning of the Quality Management System (QMS); and</li> <li>3. Investigate whether the organisation performs the contracted scope activities against the written procedures under para 1.</li> </ol>
3A	<p><u>MAA-NLD:</u></p> <ol style="list-style-type: none"> <li>1. Consider and investigate the possibility of a recognition of the authority. If successful, the organisation shall become a class 2A organisation; or</li> </ol> <p><u>MAA-NLD or its QE:</u></p> <ol style="list-style-type: none"> <li>1. Check that the organisation's compliance matrix and its written procedures, cover the applicable NLD-MAR and/or contract requirements as per <a href="#">SMAR4.A.65</a>;</li> <li>2. Check the functioning of the Quality Management System (QMS); and</li> <li>3. Investigate whether the organisation performs the contracted scope activities against the written procedures under para 1.</li> </ol>
3B	<p><u>MAA-NLD:</u></p> <ol style="list-style-type: none"> <li>1. Consider and investigate the possibility of a recognition of the authority, including an Implementing Arrangement for oversight for the contracted scope. If successful, the organisation shall become a class 2A organisation; or</li> </ol> <p><u>MAA-NLD or its QE:</u></p> <ol style="list-style-type: none"> <li>1. Check that the organisation's compliance matrix and its written procedures, cover the applicable NLD-MAR and/or contract requirements as per <a href="#">SMAR4.A.65</a>;</li> <li>2. Check the functioning of the Quality Management System (QMS); and</li> <li>3. Investigate whether the organisation performs the contract-scope activities against the written procedures under para 1.</li> </ol>



Class	<b>MAA-NLD recognition or accreditation activities</b>
<b>4A</b>	<p><u>MAA-NLD:</u> Full investigation of the organisation for the contracted scope against all applicable requirements of the relevant NLD-MAR.</p> <p>Special attention for the QMS and newly drafted written procedures (as non-approved organisation, this will not be readily available prior to the contracted scope).</p> <p>Consider international cooperation with “partner-authorities” for investigation of large OEMs.</p>
<b>4B</b>	<p><u>MAA-NLD or its QE:</u> Full investigation of the organisation for the contracted scope against all applicable requirements of the relevant NLD-MAR.</p> <p>Special attention for the QMS and newly drafted written procedures (as non-approved organisation, this will not be readily available prior to the contracted scope).</p> <p>If accreditation can't be achieved then the NLD-MAS approved organisation may consider the use of this organisation as a subcontractor, working under the quality system of the NLD-MAS organisation.</p>

[AMCSMAR4.BG.27]

### **SMAR4.BG.75 Record Keeping and Retention**

- (a) The MAA-NLD shall establish a system of record-keeping with minimum retention criteria that allows adequate traceability of the process to issue, continue, change, suspend or revoke each individual accreditation and recognition.
- (b) The records shall include as a minimum, where applicable:
1. The application, including the continuation thereof; and
  2. The initial and continued investigation results (audit programme and reports); and
  3. A copy of the Certificate of Accreditation or Recognition, including any changes thereto; and
  4. The Terms of Accreditation (accreditations) or Implementing Arrangements (recognitions) , including any changes thereof; and
  5. Copies of all formal correspondence; and
  6. Details of any exemption and enforcement action(s); and
  7. Details of delegated MAA-NLD tasks (recognition) or MAA-NLD privileges (accreditation); and
  8. Any other audit report forms from a recognised authority (if applicable); and
  9. The organisation's written manuals and procedures which were the basis for the accreditation or recognition, including any updates thereof; and
  10. Any suspension, revocation, surrender or mutual agreed termination including the reason thereto.

- (c) The retention period for the above records shall be at least 4 years after termination of the contract between the accredited organisation and the approved military aviation organisation within the NLD-MAS.
- (d) The records shall be stored in a manner that ensures protection from damage, alteration and theft. The records shall remain readable and accessible for the duration of the retention period.

#### **SMAR4.BG.80 Notification and publication**

- (a) The MAA-NLD shall notify the NLD-MAR applicant organisation about the outcome of the accreditation and/or recognition investigation.
- (b) The MAA-NLD shall publish the following on its publication portals:
  - recognised authorities with their Certificates of Recognition, Scope of Recognition and, where applicable, the implementing Arrangements; and
  - accredited organisations with their Certificates of Accreditation and Terms of Accreditation.

<b>SMAR4.BR</b>	<b>RECOGNITION OF FOREIGN AUTHORITIES</b>
-----------------	---

#### **SMAR4.BR.15 Military Aviation Authority of The Netherlands**

- (a) General

The MAA-NLD is the designated authority for this NLD-SMAR 4 and governs the issuance, continuation, change, suspension or revocation of a recognition of a foreign authority.
- (b) Resources

The MAA-NLD shall have staff for the accreditation and recognition activities of sufficient numbers and experience.
- (c) Qualification and training

All MAA-NLD staff, involved in NLD-SMAR 4 recognitions, shall:

  1. have a sound working knowledge and insight into the applicable NLD-MARs, applicable and taking into account the recognition activities, their background, including the intended meaning and the applicable equivalent EMARs and EASA Parts;
  2. have sound working knowledge of the MAA-NLD recognition process in accordance with the MAA-NLD Organisation Manual;
  3. act as or work under supervision of qualified and experienced aerospace lead auditor(s) when carrying out the investigations;
- (d) Procedures;
  1. The MAA-NLD shall establish procedures detailing how compliance with this sub-section BR is accomplished;
  2. The procedures shall be reviewed and amended to ensure continued compliance.

### **SMAR4.BR.30 Recognition**

- (a) The MAA-NLD shall perform the recognition process for an aviation authority or leading authority in accordance with the EMAD-R.
- (b) The MAA-NLD shall strive for a mutual recognition with an agreed and written Implementing Arrangement.
- (c) By derogation to paragraph (a), civil authorities, at the discretion of the MAA-NLD, may be recognised unilateral without any investigation. A Recognition Certificate and Implementing Arrangement is not applicable.

[AMCSMAR4.BR.30 (c)]

### **SMAR4.BR.45 Issue of Recognition**

- (a) Upon a positive investigation in accordance with [SMAR4.BR.30](#), the MAA-NLD shall formalise the recognition by sending a Certificate of Recognition (MAA-NLD Form 307) to the recognised Aviation Authority, including the signed Implementing Arrangement (MAA-NLD Form 308) .
- (b) The Certificate of Recognition shall provide the following information:
  - 1. The recognised authority's reference number;
  - 2. The conditions of the recognition;
  - 3. The duration and validity of the recognition;
  - 4. A reference to the Implementing Arrangement;
- (c) The Implementing Arrangement shall provide, for each applicable aircraft type, the following information, where applicable:
  - 1. The area and means of cooperation, including periodic meetings;
  - 2. The delegated oversight tasks (organisations, scope and frequency);
  - 3. The delegated enforcement tasks;
  - 4. The recognised foreign approvals, certificates and licences.
- (d) By derogation to paragraph (a), the MAA-NLD shall not, for the authorities listed in paragraph [SMAR4.BR.30 \(c\)](#) issue a Certificate but instead shall publish on its website, in accordance with ([SMAR4.BG.80](#)), the recognised scope of approval, foreign approvals, certificates and licenses.

[GMSMAR4.BR.45 (c)]

### **SMAR4.BR.55 Duration of Recognition**

A Certificate of Recognition remains valid as long as the conditions of the Implementing Arrangements are met. The MAA-NLD shall review the need for continuation, the scope and, where applicable, the Implementing Arrangement of the recognition every 4 years. In order to ensure a timely renewal, the review shall start not later than 3,5 years after the issue of the previous recognition.

## **SMAR4.BR.60 Changes**

- (a) The MAA-NLD shall evaluate the impact on the recognition status of any reported or observed change:
  - in the recognised authorities regulatory structure;
  - in the Implementing Arrangement.
- (b) The MAA-NLD may, as result of a decision following paragraph (a), prescribe specific conditions under which an accredited organisation, may operate during such changes unless it determines that the accreditation should be suspended due to the nature or the extent of the changes.
- (c) The MAA-NLD shall inform the accredited and contracting approved military organisation within the NLD-MAS about its decision of paragraph (b).

## **SMAR4.BA ACCREDITATION OF FOREIGN ORGANISATIONS**

### **SMAR4.BA.15 Military Aviation Authority of The Netherlands and its Qualified Entities**

- (a) General

The MAA-NLD is the designated authority for this NLD-SMAR 4 and governs the issuance, continuation, change, suspension or revocation of an accreditation of foreign supplier- or contractor organisations.

The MAA-NLD may nominate Qualified Entities (QE) to execute and report accreditation investigations into foreign supplier- or contractor organisations.
- (b) Resources

The MAA-NLD and its QE's shall have staff of sufficient number and experience for the accreditation activities.
- (c) Qualification and training

All MAA-NLD and its QE(s) staff, involved in NLD-SMAR 4 accreditations, shall:

  1. have sound working knowledge of the applicable NLD-MARs , their background, including the intended meaning and the applicable equivalent EMARs and EASA Parts;
  2. be qualified and experienced aerospace auditors, when executing accreditation audits.
- (d) Procedures
  1. The MAA-NLD and its QE(s) shall establish procedures detailing how compliance with this sub-section BA is accomplished;
  2. The procedures shall be reviewed and amended to ensure continued compliance to the NLD-SMAR 4.

### **SMAR4.BA.35 Initial Accreditation**

- (a) The MAA-NLD (or its QE) shall execute the appropriate investigations as detailed in [SMAR4.BG.27](#) for each applicable class of organisation.
- (b) With respect to acceptance of personnel:
  - 1. The MAA-NLD (or its QE) shall investigate personnel of the foreign organisation, intended to execute contracted privileges in accordance with [SMAR4.A.55 \(b\)](#) against the requirements of the applicable NLD-MAR;
  - 2. In the event that the MAA-NLD QE executes the investigations, the QE shall report its conclusions to the MAA-NLD for acceptance and the issuance of the permission;
  - 3. The MAA-NLD shall permit, formally in writing, in accordance with [SMAR4.BA.50 \(b\)](#), foreign personnel intended to execute contracted NLD-MAS privileges under the accreditation.
- (c) The MAA-NLD (or its QE) shall confirm in writing to the foreign organisation all non-compliances, observed during the investigations of paragraph (a) and (b).
- (d) The MAA-NLD (or its QE) shall record all non-compliances, closure actions and recommendations.
- (e) The MAA-NLD shall grant an initial accreditation after all non-compliances are satisfactorily corrected by the foreign organisation and accepted by the MAA-NLD.

### **SMAR4.BA.40 Initial Accreditation via Recognition of the Foreign Aviation System**

- (a) The MAA-NLD (or its QE) shall notify the foreign organisation that it has recognised its oversighting authority, including the recognised scope, and where applicable, the Implementing Arrangement.
- (b) Prior to the granting of an accreditation, the MAA-NLD shall agree on the supplemented (if applicable) written procedures detailing the specific NLD-MAR requirements and/or contract requirements with the foreign organisation.
- (c) With respect to acceptance of personnel:
  - 1. The MAA-NLD shall validate personnel of the foreign organisation, intended to execute contracted privileges in accordance with [SMAR4.A.55 \(b\)](#) with the demonstration of the recognised applicable foreign licenses;
  - 2. The MAA-NLD shall accept, formally in writing, in accordance with [SMAR4.BA.50 \(b\)](#), foreign personnel intended to execute contracted NLD-MAS privileges under the accreditation.
- (d) The MAA-NLD shall grant an initial accreditation after agreement is achieved about paragraph (a) and (b).

## **SMAR4.BA.45 Issue of Accreditation**

- (a) After compliance has been concluded as per [SMAR4.BA.35](#) or [SMAR4.BA.40](#) the MAA-NLD shall issue a Certificate of Accreditation (MAA-NLD Form 304). The MAA-NLD shall forward a copy of the certificate to the applicable approved military organisation within the NLD-MAS.  
The Certificate of Accreditation and its annexes shall provide the following information:
1. The organisation's reference number;
  2. The organisations address of the principle place of business for the contracted activities;
  3. The conditions;
  4. The duration and validity of the accreditation;
  5. Terms of the Accreditation (MAA-NLD Form 304, Annex A);
  6. Where applicable, a list of organisation's personnel, permitted (or licensed) to execute contracted NLD-MAS privileges (MAA-NLD Form 304, Annex B);
  7. Where applicable, the templates of the MAA-NLD Forms which the organisation shall use for the accredited activities. (MAA-NLD Form 304, Annex C).
- (b) The Terms of Accreditation (MAA-NLD Form 304, Annex A) shall provide the following information:
1. The Scope of Accreditation
    - The specification of accredited activities, in accordance with the applicable NLD-MAR;
    - Limitations (to) and/or exclusions, where applicable;
    - Foreign artefacts which may be accepted by the approved military organisations within the NLD-MAS by means of validation, where applicable;
  2. The permitted execution of contracted NLD-MAS privileges, where applicable;
  3. References to foreign approvals for the same scope, where applicable;
  4. The organisation's obligations, to:
    - maintain the accepted written procedures in accordance with organisation's Quality System;
    - ensure that the written procedures are used as basic working documents within the organisation for the contracted activities;
    - report any significant changes to:
      - the Terms of Accreditation;
      - the management personnel (MAA-NLD Forms 4);
      - the permitted (or licensed) personnel, executing contracted NLD-MAS privileges;
      - its location;
      - ownership;
    - provide unlimited access to its facilities to the MAA-NLD or its recognised authority or QE for oversight activities related to the contracted activities.

#### **SMAR4.BA.50 Contracted execution of NLD-MAS privileges and issue of licences**

- (a) The MAA-NLD may permit the approved military organisation to contract the execution of NLD-MAS privileges to the accredited organisation after the (prospective) accredited organisation has demonstrated compliance with the NLD-MAR requirements for its personnel that will execute the particular NLD-MAR privilege.
- (b) In the event that the execution of NLD-MAS privileges are to be contracted and compliance of personnel has been shown, the MAA-NLD shall:
  - 1. Provide a written *permit* to the organisation, stating the names of the permitted personnel and their corresponding privileged tasks;
  - 2. In addition to the permit and at discretion of the MAA-NLD, issue an NLD-MAR licence for exceptional circumstances.

[GMSMAR4.BA.50 (a), GM no. 1 to SMAR4.BA.50 (b) 2GM no. 2 to SMAR4.BA.50 (b) 2]

#### **SMAR4.BA.55 Continuing Oversight**

- (a) The continuation of an accreditation shall be monitored against the requirements which were applied during the applicable 'initial accreditation process' under [SMAR4.BA.35](#) or [SMAR4.BA.40](#) and against the continued compliance to the stated conditions and obligations, as per the Certificate of Accreditation issued.
- (b) Each accredited organisation shall be reviewed for compliance with the applicable NLD-MAR at periods not exceeding 36 months.
- (c) At the discretion of the MAA-NLD, the review shall consist of a full or limited investigation, depending on the risk of the delivered goods, services or data and on the observed performance in the period since the previous investigation.

#### **SMAR4.BA.60 Changes**

- (a) The MAA-NLD shall receive the [SMAR4.A.65 \(e\)](#) notifications of any proposed change effecting the accreditation conditions, as listed in [SMAR4.BA.45 \(b\)](#). The MAA-NLD (or its QE) shall evaluate the impact of any notified change on the initial accreditation;
- (b) The MAA-NLD may prescribe specific conditions under which the accredited organisation shall operate during such changes unless it determines that the accreditation should be suspended due to the nature or the extent of the changes.
- (c) The MAA-NLD shall inform the contracting approved military organisation within the NLD-MAS regarding its decision of paragraph (b).

#### **SMAR4.BA.65 Revocation, Suspension and Limitation of Scope of the Accreditation**

The MAA-NLD shall:

- (a) suspend an accreditation on reasonable grounds in the case of a potential safety threat; or
- (b) suspend, revoke or limit an accreditation pursuant to [SMAR4.BA.70](#).

### **SMAR4.BA.70 Findings**

- (a) The MAA-NLD (or its QE) shall notify the supplier or contractor in writing, of findings observed during investigations. The notification shall contain (as per [SMAR4.A.45](#)):
1. the classification of the finding; and
  2. the due date for closure.
- (b) The QE shall notify the MAA-NLD and the applicable approved military organisation within the NLD-MAS, in case of:
- a level 1 finding; and in the event of
  - not complying with the agreed due date for level 2 findings; and if applicable
  - it has granted an extension for the closure of a level 2 finding.
- (c) The MAA-NLD shall suspend, limit or revoke the accreditation in case of continued failure to comply within the timescale granted by the MAA-NLD or its QE.
- (d) The MAA-NLD shall notify a suspension, limitation or revocation to the applicable approved military organisation within the NLD-MAS.

### **SMAR4.BA.85 Recording of issues and decisions**

All discussions and decisions with respect to:

- NLD-MAR compliance; or
- Other issues with respect to the validation requirements

shall be recorded with a MAA-NLD Form 306, "MAR Review Item (MRI)".

[GMSMAR4.BA.85]