CHAPTER 2 FOREIGN AIR CARRIERS OPERATING TO THE UNITED STATES
AND FOREIGN OPERATORS OF U.S.-REGISTERED AIRCRAFT ENGAGED IN
COMMON CARRIAGE OUTSIDE THE UNITED STATES

Section 10 Maintenance and Minimum Equipment Lists for U.S.-Registered Aircraft

12-371 GENERAL.

A. Part 129, § 129.14. This regulation provides the maintenance and minimum
equipment requirements for U.S.-registered aircraft operated by a foreign air carrier or any
foreign person engaged in common carriage solely outside the United States. Each foreign
operator of a U.S.-registered aircraft must ensure that the aircraft is maintained in accordance
with a program acceptable to the Administrator. (See Title 14 of the Code of Federal Regulations
(14 CFR) part 129, § 129.14(a) and (b).) Where the State of Operator is not the State of Registry,
the State of Operator ensures that the minimum equipment list (MEL) does not affect the
aircraft’s compliance with the airworthiness requirements applicable in the State of Registry.
See International Civil Aviation Organization (ICAO) Annex 6, Part I, Chapter 3,
paragraph 6.1.3, for Commercial Transport—Airplanes; and Annex 6, Part III., Chapter 4,
paragraph 4.1.3 for International Operations—Helicopters. (Provisions that require an approval.)

B. ICAO Annex 8, Paragraph 4. “Continuing Airworthiness of Aircraft,” states that the
continuing airworthiness of an aircraft shall be determined by the State of Registry in relation to
the appropriate airworthiness requirements in force for that aircraft at the time of inspection. This
applies to both normal inspections and to inspections after the aircraft has been damaged.

12-372 APPROVAL. Section 129.14(b) provides for the approval and use of a MEL by a
foreign operator. Each foreign operator may develop its own MEL based on the Master
Minimum Equipment List (MMEL) approved by the Federal Aviation Administration (FAA) for
the specific aircraft type. In seeking approval of its MEL, the foreign operator must show that the
maintenance procedures in its maintenance program are adequate to support the use of its MEL.
Alternatively, if the foreign operator has leased a U.S.-registered aircraft from a U.S. air carrier,
the foreign operator may decide to maintain and operate the aircraft in accordance with the U.S.
air carrier’s Continuous Airworthiness Maintenance Program (CAMP) and the U.S. air carrier’s
FAA-approved MEL. In either case, the foreign operator must submit for processing and
approval both the MEL and the maintenance program to the having responsibility for the foreign
operator. See Volume 4, Chapter 4 for the MEL approval process.

RESERVED. Paragraphs 12–373 through 12–387.