

EASA

TERMS OF REFERENCE

TOR Nr: 21.024(b)

Issue: 1

Date: 13 April 2007

Regulatory reference: Annex to the Commission Regulation (EC) No 1702/2003 of 24 September 2003¹ (Part 21)

Reference documents: Documents resulting from “The Future of Design Organisation Approval (FDOA) Workshop” held on 7 November 2006 at Dassault Aviation, Paris, France:

http://www.easa.eu.int/home/events_en.html

1. Subject:

Subpart J, The Future of Design Organisation Approval (DOA) - Recognition of Suppliers, Contractors and Test Houses.

2. Problem / Statement of issue and justification; reason for regulatory evolution (regulatory tasks):

Under the previous JAA system, a “JB” approval could be gained by contractors supplying parts and appliances, or changes thereto, to demonstrate that they had in place the appropriate resources and procedures that met the standards required of the Authorities. Such approvals did not contain any privileges, but could be used by other DOA holders in facilitating acceptance of design data. However, during the transition to Part 21, the JAR-21 Subpart JB concept was not retained, mainly because it was not immediately related to design approval certificates and therefore was considered outside of the scope of the Basic Regulation, Article 5(2)(d) (See Opinion 2/2003 and corresponding CRD). DOA holders are now required to oversee all contractors, including suppliers and test houses, under the overall responsibility of the TCH/DOA. This way of working has, in many cases, led to an increased burden on industry, with multiple audits of contractors and variations in contractors working practices depending on the needs of the individual DOA. This has led to increased cost, resources and delays. Industry has been widely critical of the loss of the “JB” approval.

It is also acknowledged that the current Part-21 does not recognise where design competence resides and forces DOA holders to use bureaucratic processes for approval of suppliers’ data. This does not contribute to the safety of the design and to the effectiveness of environmental testing.

Finally, the current DOA concept of one single entity controlling all design activities in detail is not in line with the industry trend towards consortium of major companies and risk-sharing partners. TCH obligations could better be discharged by the organisation more closely linked to the design, provided interface issues and responsibilities are well defined.

3. Objective:

Review Implementing Rule EC 1702/2003 (Part-21) with the aim of developing detailed rule and guidance material to formally recognise the capabilities of contractors, suppliers and test houses in the design and environmental testing of aircraft. Attribute privileges and obligations on those organisations.

¹Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations, *OJ L 243, 27.9.2003, p.6*. Regulation as last amended by Regulation (EC) No 375/2007 (*OJ L 94, 4.4.2007, p. 3*).

4. Specific tasks and interface issues (Deliverables):

- Develop an EASA Opinion to change Implementing rule EC 1702/2003, to create a new DOA approval available to workshare partners, suppliers, contractors and test houses that formally recognises their expertise in the design and environmental testing of aircraft;
- Develop associated AMC/GM to Part 21;
- Issues to be considered include, but are not limited to:
 - Linking the eligibility for a DOA to the need for compliance demonstration within a determined workshare;
 - How interface issues and responsibilities could be effectively controlled between DOA holders (both in initial design and for continued airworthiness);
 - The eligibility of companies located outside of Europe and how they could be controlled;
 - Allocating DOA privileges to the organisations concerned.

Perform a Regulatory Impact Assessment (RIA) to highlight the potential impact of the proposals.

5. Working Methods (in addition to the applicable EASA procedures):

- Rulemaking Group;
- Meetings shall be held at the EASA's head office in Cologne.

6. Time scale, milestones:

NPA to be published March 2008.

CRD to be finished December 2008.

Opinion/ED Decision to be agreed March 2009.