

Draft Annex
to draft Commission Delegated Regulation (EU) .../...
amending Commission Regulation (EU) No 748/2012 of 3 August 2012 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

ANNEX

Amendments to Annex I (Part 21) to Commission Regulation (EU) No 748/2012

1. 'Section A' of the 'Contents' is replaced by the following:

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2. The following points 21.A.5 to 21.A.7 are inserted:

'21.A.5 Record-keeping

All relevant design information, drawings and test reports, including inspection records for the product or article tested for the purpose of certification, shall be held by the holder of a type-certificate, restricted type-certificate, supplemental type-certificate, design change or repair design approval or of an ETSO authorisation at the disposal of the Agency and shall be retained in order to provide the information necessary to ensure the continued airworthiness, continued validity of the operational suitability data and continued compliance with the applicable environmental protection requirements of the product or the article.

21.A.6 Manuals

The holder of a type-certificate, restricted type-certificate, or supplemental type-certificate shall produce, maintain and update master copies of all manuals or variations in the manuals required by the applicable type-certification basis, the applicable operational suitability data certification basis and the environmental protection requirements for the product or article, and provide copies, on request, to the Agency.

21.A.7 Instructions for continued airworthiness

- (a) The holder of a type-certificate, restricted type-certificate, supplemental type-certificate, design change or repair design approval shall develop or reference the instructions which are necessary for ensuring that the airworthiness standard related to the aircraft type and any associated part is maintained throughout the operational life of the aircraft, when demonstrating compliance with the applicable type-certification basis in accordance with point 21.B.80.

- (b) At least one set of complete instructions for continued airworthiness shall be provided by the holder of:
1. a type-certificate or restricted type-certificate to each known owner of one or more products upon its delivery or upon the issuance of the first certificate of airworthiness or restricted certificate of airworthiness for the affected aircraft, whichever occurs later,
 2. a supplemental type-certificate or design change approval to all known operators of the product affected by the change upon the release to service of the modified product,
 3. a repair design approval to all known operators of the product affected by the repair upon the release to service of the product in which the repair design is embodied. The repaired product, part or appliance may be released into service before the related instructions for continued airworthiness have been completed, but this shall be for a limited service period, and in agreement with the Agency.

Thereafter, those design approval holders shall make those instructions available on request to any other person required to comply with those instructions.

- (c) By way of derogation from paragraph (b), the type-certificate holder or restricted type-certificate holder may delay the availability of a part of the instructions for continued airworthiness, dealing with long lead accomplishment instructions of a scheduled nature, until after the product or modified product has entered into service, but shall make those instructions available before the use of this data is required for the product or modified product.
- (d) The design approval holder, who is required to provide instructions for continued airworthiness in accordance with paragraph (b), shall also make available changes to those instructions to all known operators of the product affected by the change and, on request, to any other person required to comply with those changes. That design approval holder shall demonstrate to the Agency, on request, the adequacy of the process of making changes to the instructions for continued airworthiness available in accordance with this paragraph.'

3. Point 21.A.41 is replaced by the following:

'21.A.41 Type-certificate

The type-certificate and restricted type-certificate shall include the type design, the operating limitations, the instructions for continued airworthiness, the type-certificate data sheet for airworthiness and emissions, the applicable type-certification basis, and environmental protection requirements with which the Agency records compliance, and any other conditions or limitations prescribed for the product in the applicable certification specifications and environmental protection requirements. The aircraft type-certificate and restricted type-certificate shall include in addition the applicable operational suitability data certification basis, the operational suitability data and the

type-certificate data sheet for noise. The aircraft type-certificate and restricted type-certificate data sheet shall include the record of CO₂ emissions compliance and the engine type-certificate data sheet shall include the record of exhaust emissions compliance.’

4. In point 21.A.44, point (a) is replaced by the following:
 - ‘(a) undertake the obligations laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.5, 21.A.6, 21.A.7 and 21.A.62; and, for this purpose, shall continue to meet the qualification requirements for eligibility under point 21.A.14; and’
5. Points 21.A.55, 21.A.57 and 21.A.61 are deleted.
6. In point 21.A.90B, point 2 is replaced by the following:
 - ‘2. that follow design data included in the certification specifications issued by the Agency, containing acceptable methods, techniques and practices for carrying out and identifying standard changes, including the associated instructions for continued airworthiness; and’
7. The following point 21.A.90C is inserted:
 - ‘**21.A.90C Stand-alone changes to the Instructions for Continued Airworthiness**
 - (a) Stand-alone changes to the instructions for continued airworthiness are changes that are not directly prepared as a result of a change to the type design or repair design.
 - (b) Stand-alone changes to the instructions for continued airworthiness can only be made by the holder of the design approval for which those instructions have been established.
 - (c) Points 21.A.91 to 21.A.109 shall not apply to stand-alone changes to the instructions for continued airworthiness that:
 1. do not affect the airworthiness limitations section of the instructions for continued airworthiness, and
 2. do not require the design approval holder to perform any additional demonstration of compliance with the certification basis.
 - (d) Stand-alone changes to the instructions for continued airworthiness referred to in paragraph (c) shall be approved by the design approval holder under procedures agreed with the Agency.’
8. Points 21.A.105 and 21.A.107 are deleted.
9. In point 21.A.109, point (a) is replaced by the following:
 - ‘(a) undertake the obligations laid down in points 21.A.4, 21.A.5, 21.A.7 and 21.A.108; and’
10. In point 21.A.118A, point (a)(1) is replaced by the following:

‘1. laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.5, 21.A.6, 21.A.7, and 21.A.120B;’

11. Points 21.A.119 and 21.A.120A are deleted.

12. Point 21.A.307 is replaced by the following:

‘21.A.307 The eligibility of parts and appliances for installation

(a) A part or appliance is eligible for installation in a type-certified product when it is in a condition for safe operation, marked in accordance with Subpart Q and accompanied by an authorised release certificate (EASA Form 1), certifying that the item was manufactured in conformity with approved design data.

(b) By way of derogation from paragraph (a), the following parts or appliances do not need to be accompanied by an EASA Form 1 in order to be eligible for installation in a type-certified product, provided that the conditions in paragraph (c) are met:

(1) a standard part;

(2) in the case of ELA1 or ELA2 aircraft, a part or appliance that is:

(i) not life limited, nor part of the primary structure, nor part of the flight controls;

(ii) identified for installation in the specific aircraft; and

(iii) to be installed in an aircraft for which the owner has verified compliance with the applicable conditions in (i) and (ii), and has accepted responsibility for this compliance;

(3) a part or appliance for which the consequences of a non-conformity with its approved design data has a negligible safety effect on the product and which is identified as such by the holder of the design approval in the instructions for continued airworthiness. In order to determine the safety effects of a non-conforming part or appliance, the design approval holder may establish in the instructions for continued airworthiness specific verification activities to be conducted by the installer of the part or appliance on the product;

(4) in the case of the embodiment of a standard change in accordance with point 21.A.90B or a standard repair in accordance with point 21.A.431B, a part or appliance, for which the consequences of a non-conformity with its design data have a negligible safety effect on the product, and the part or appliance is identified as such in the Certification Specifications for Standard Changes and Standard Repairs. In order to determine the safety effects of a non-conforming part or appliance, specific verification activities to be conducted by the person that installs the part or appliance on the product may be established in the Certification Specifications referred to above;

(5) a part or appliance that is exempted from an airworthiness approval in accordance with Commission Regulation (EU) No 965/2012; and

- (6) a part or appliance that is an item of a higher assembly identified in paragraphs (b)(1) to (b)(5).
 - (c) Parts and appliances listed in paragraph (b) are eligible for installation in a type-certified product without being accompanied by an EASA Form 1, provided that the installer holds a document issued by the person or organisation that manufactured the part or appliance, which declares the name of the part or appliance, the part number, and the conformity of the part or appliance with its design data, and which contains the date of issue.
- 13.** Points 21.A.447 and 21.A.449 are deleted.
- 14.** Point 21.A.451 is amended as follows:
- (a) paragraph (a)(1)(i) is replaced by the following:
 - ‘(i) laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.5, 21.A.7, 21.A.439, 21.A.441, and 21.A.443;’;
 - (b) paragraph (b)(1) is replaced by the following:
 - ‘1. undertake the obligations laid down in points 21.A.4, 21.A.5 and 21.A.7; and’
- 15.** In point 21.A.609, point (b) is replaced by the following:
- ‘(b) prepare and maintain, for each model of each article for which an ETSO authorisation has been issued, a current file of complete technical data and records in accordance with point 21.A.5;’
- 16.** Point 21.A.613 is deleted.
- 17.** Point 21.A.804 is replaced by the following:
- ‘21.A.804 Identification of parts and appliances**
- (a) Each part or appliance which is eligible for installation in a type-certified product shall be marked permanently and legibly with:
 - 1. a name, trademark, or symbol identifying the manufacturer in a manner identified by the applicable design data;
 - 2. the part number, as defined in the applicable design data; and
 - 3. the letters EPA for parts or appliances produced in accordance with approved design data not belonging to the type-certificate holder of the related product, except for ETSO articles and for parts and appliances covered under paragraph (b) of point 21.A.307.
 - (b) By way of derogation from paragraph (a), if EASA agrees that a part or appliance is too small or that it is otherwise impractical to mark a part or appliance with any of the information required by paragraph (a), the authorised release document accompanying the part or appliance or its container shall include the information that could not be marked on the part or appliance.’