European Aviation Safety Agency

DECISION N° 2010/001/R

OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

OF 23 MARCH 2010

Amending the Annex to Decision No. 2003/01/RM of the Executive Director of the Agency of 17 October 2003 on acceptable means of compliance and guidance material 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 ('AMC and GM to Part-21')

'Miscellaneous Part-21',

'Permit to Fly for Continuing Airworthiness Management Organisation and Approved Maintenance Organisations'

and

'Authorised Release Certificate EASA Form 1'

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to the Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC[1] (hereinafter 'The Basic Regulation'), and in particular Articles 18(c), 38(3)(a) and (e) thereof,

Having regard to the Commission 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[2],

Whereas:

(1) The Agency shall, pursuant to Article 18 of the Basic Regulation, issue certification specifications, including airworthiness codes and acceptable means of compliance, as well as guidance material for the application of the Basic Regulation and its implementing rules.

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1 OJ L 79, 19.03.2008, p. 1.

2 OJ L 243, 27.9.2003, p. 6. Regulation as last amended by Regulation (EC) No 1194/2009 of 30 November 2009 (OJ L 321, 8.12.2009, p. 5).

(2) An amendment to the Commission Regulation (EC) No 1702/2003 of 24 September 2003 is introduced by Commission Regulation (EC) No 1194/2009 of 30 November 2009[3]. This amending regulation introduces new and amended rules related to the issuance of permits to fly, the definition of principal place of business and the authorised release certificate and it also contains miscellaneous improvements.

(3) It is necessary to support the above amendment to Commission Regulation (EC) 1702/2003 by amended and new AMCs and GM. The Decision No 2003/1/RM of 17 October 2003 on acceptable means of compliance and guidance material 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 ('AMC and GM to Part-21') shall therefore be amended.

(4) The Agency, pursuant to Article 52(1)(c) of the Basic Regulation and articles 5(3) and 6 of the Rulemaking Procedure[4], has widely consulted interested parties on the matters that are subject of this Decision and has provided thereafter a written response to the comments received[5].

(5) During the adoption process of the Agency Opinion 06-2008, the European Commission did not retain the examples of conditions that would necessitate statements in block 12 'Remarks' of the *'Authorised Release Certificate EASA Form 1'* in the completion instructions of that Form. These examples are therefore introduced in amended Acceptable Means of Compliance in the Annex to this decision.

HAS DECIDED:

Article 1

The Annex 'Acceptable means of compliance and guidance material to be used in the airworthiness certification of products, parts and appliances and the approval of organisations involved in their design or manufacture' to Decision ED/2003/01/RM of the Executive Director of the Agency of 17 October 2003 is hereby amended as provided in Annex 1 to this decision.

Article 2

This decision shall enter into force on 30 March. It shall be published in the Official Publication of the Agency.

Done in Cologne, on 23 March 2010.

P. GOUDOU

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[3] Commission Regulation (EC) No 1194/2009 of 30 November 2009 amending Regulation (EC) No 1702/2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances as well as for certification of design and production organisations (OJ L 321, 8.12.2009, p. 5).

[4] Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB/08/07, 13.6.2007.

[5] See NPA 12/2004 & CRD 12/2004, NPA 2007-06 & CRD 2007-06 and NPA 2007-13 & CRD 2007-13 available at http://www.easa.europa.eu/ws_prod/r/r_archives.php.

Annex 1 to ED Decision 2010/001/R

The Annex 'Acceptable Means of Compliance and Guidance Material to be used in the airworthiness certification of products, parts and appliances and the approval of organisations involved in their design or manufacture' to Decision ED/2003/01/RM of the Executive Director of the Agency of 17 October 2003 is hereby amended as follows:

The text of amendments is arranged to show deleted text or new text as shown below:

1. Text to be deleted is shown with a ~~line through it~~.
2. New text to be inserted is highlighted with grey shading.
3. … Indicates that remaining text is unchanged in front of or following the reflected amendment.

The GM 21A.101 is amended as follows:

GM 21A.101 Establishment of the type-certification basis of Changed Aeronautical Products

4. EXPLANATION OF TERMINOLOGY

The following is a summary of the terminology used throughout this advisory or guidance material. Further explanations of some of these terms can be found in paragraphs 5, 6, 7, and 8.

a. Type-certification basis: the applicable airworthiness codes as established in 21A.17 and 21A.101, as appropriate, special conditions, equivalent level of safety findings; and ~~exemptions~~ deviations applicable to the product to be certificated.

Note: This GM is not intended for determining the applicable aircraft ~~noise, fuel venting and engine emissions~~ environmental protection requirements for changed products.

The AMC 3 to 21A.129(c) is amended as follows:

AMC 3 to 21A.129(c)

AMC No 3 to 21A.129(c)
Obligations of the manufacturer – Condition for safe operation

….

3 Technical records which identify the location and serial numbers of ~~significant~~ components that have traceability requirements for continued airworthiness purposes including those identified in 21A.801 and 21A.805.

….

~~17~~ 16 The installed compass and/or compass systems have been adjusted and compensated and a deviation card displayed in the aircraft.

~~18~~ 17 Software criticality list.

~~19~~ 18 A record of rigging and control surface movement measurements.

~~20~~ 19 Details of installations which will be removed before starting commercial air transport operations (e.g., ferry kits for fuel, radio or navigation).

~~21~~ 20 List of all applicable Service Bulletins and airworthiness directives that have been implemented.

The AMC No 2 to 21A.130(b) is replaced by the following.

AMC No 2 to 21A.130(b)
Statement of Conformity for Products (other than complete aircraft), parts and/or appliances – The Authorised Release Certificate (EASA Form 1)

A. INTRODUCTION

This AMC relates specifically to the use of the EASA Form 1 for manufacturing purposes under Part-21 Subpart F. It can be used as a supplement to the completion instructions in Part-21, Appendix I which covers the use of the EASA Form 1.

1. PURPOSE AND USE

The EASA Form 1 is prepared and signed by the manufacturer. For production under Part-21 Subpart F it is presented for validation by the competent authority.

Under Subpart F the Certificate may only be issued by the competent authority.

A mixture of items released under Subpart G and under Subpart F of Part-21 is not permitted on the same certificate.

2. GENERAL FORMAT

Refer to Part-21 Appendix I.

3. COPIES

Refer to Part-21 Appendix I.

The Part-21 Subpart F originator must retain a copy of the certificate in a form that allows verification of original data.

4. ERROR(S) ON THE CERTIFICATE

If an end user finds an error(s) on a certificate, they must identify it/them in writing to the originator. The originator may prepare and sign a new certificate for validation by the competent authority if they can verify and correct the error(s).

The new certificate must have a new tracking number, signature and date.

The request for a new certificate may be honoured without reverification of the item(s) condition. The new certificate is not a statement of current condition and should refer to the previous certificate in block 12 by the following statement: 'This certificate corrects the error(s) in block(s) [enter block(s) corrected] of the certificate [enter original tracking number] dated [enter original issuance date] and does not cover conformity/condition/release to service.' Both certificates should be retained according to the retention period associated with the first.

5. COMPLETION OF THE CERTIFICATE BY THE ORIGINATOR

Refer to Part-21 Appendix I for completion of the certificate. Specific Part-21 Subpart F instructions that differ from the Part-21 Appendix I are provided below.

Block 1 – Approving Competent Authority/Country

State the name and country of the competent authority under whose jurisdiction this certificate is issued. When the competent authority is the Agency, 'EASA' must be stated.

Block 12 – Remarks

Examples of conditions which would necessitate statements in block 12 are:

- When the certificate is used for prototype purposes, the following statement must be entered at the beginning of block 12:

'NOT ELIGIBLE FOR INSTALLATION ON IN-SERVICE TYPE-CERTIFICATED AIRCRAFT'.

- Re-certification of items from 'prototype' (conformity only to non-approved data) to 'new' (conformity to approved data and in a condition for safe operation) once the applicable design data is approved.

The following statement must be entered in block 12:

RE-CERTIFICATION OF ITEMS FROM 'PROTOTYPE' TO 'NEW':

THIS DOCUMENT CERTIFIES THE APPROVAL OF THE DESIGN DATA [INSERT TC/STC NUMBER, REVISION LEVEL], DATED [INSERT DATE IF NECESSARY FOR IDENTIFICATION OF REVISION STATUS], TO WHICH THIS ITEM (THESE ITEMS) WAS (WERE) MANUFACTURED.

- When a new certificate is issued to correct error(s), the following statement must be entered in block 12:

'THIS CERTIFICATE CORRECTS THE ERROR(S) IN BLOCK(S) [ENTER BLOCK(S) CORRECTED] OF THE CERTIFICATE [ENTER ORIGINAL TRACKING NUMBER] DATED [ENTER ORIGINAL ISSUANCE DATE] AND DOES NOT COVER CONFORMITY/CONDITION/RELEASE TO SERVICE'.

Additionally, for production under Subpart F, this block must include the Statement of Conformity by the manufacturer under 21A.130. For this purpose, the appropriate Block 13a statement must be included in the block 12 and not referenced in a separate document. The statement may be pre-printed, computer generated or stamped, and must be followed by the signature of the manufacturer's authorised person under 21A.130(a), the name and the position/identification of such person and the date of the signature.

Block 13b – Authorised Signature

This space shall be completed with the signature of the competent authority representative validating the block 12 manufacturer Statement of Conformity, under 21A.130(d). To aid recognition, a unique number identifying the representative may be added.

Block 13c – Approval/Authorisation Number

Enter the authorisation number reference. This number or reference is given by the competent authority to the manufacturer working under Part-21 Subpart F.

The AMC No 2 to 21A.133(b) and (c) is amended as follows:

AMC No 2 to 21A.133(b) and (c)
Eligibility – Link between design and production organisations

…
Arrangement Sample Form

ARRANGEMENT i.a.w. 21A.133(b) and (c)	
The undersigned agree on the following commitments:	relevant interface procedures
The design organisation [NAME] takes responsibility to: ☐ assure correct and timely transfer of up-to-date applicable design data (e.g. drawings, material specifications, dimensional data, processes, surface treatments, shipping conditions, quality requirements, etc.) to the production organisation approval holder [NAME],	

☐ provide visible statement(s) of approved design data.	
The production organisation approval holder [NAME] takes responsibility to: ☐ assist the design organisation [Name] in dealing with continuing airworthiness matter and for required actions, ☐ assist the design organisation [Name] in case of products prior to type certification in showing compliance with airworthiness requirements, ☐ develop, where applicable, its own manufacturing data in compliance with the airworthiness data package.	
The design organisation [Name] and the POA holder [Name] take joint responsibility to: ☐ deal adequately with production deviations and non conforming parts in accordance with the applicable procedures of the design organisation and the production organisation approval holder, ☐ achieve adequate configuration control of manufactured parts, to enable the POA holder to make the final determination and identification for conformity ~~or airworthiness release and eligibility status~~.	
The scope of production covered by this arrangement is detailed in ... [DOCUMENT REFERENCE/ ATTACHED LIST]	
[When the design organisation is not the same legal entity as the production organisation approval holder] Transfer of approved design data The TC/STC/ETSO holder [NAME] acknowledges that the approved design data provided, controlled and modified in accordance with the arrangement are recognised as approved by the ~~primary certification~~ Competent A~~a~~uthority and therefore the parts and appliances manufactured in accordance with these data and found in a condition for safe operation may be released certifying ~~airworthiness~~ that the item was manufactured in conformity to approved design data and is in a condition for safe operation.	
[When the design organisation is not the same legal entity as the production organisation approval holder] Direct Delivery Authorisation This acknowledgment includes also [OR does not include] the general agreement for direct delivery to end users in order to guarantee continued airworthiness control of the released parts and appliances.	
for the [NAME of the design organisation/DOA holder] date signature xx.xx.xxxx ([NAME in block letters])	for the [NAME of the POA holder] date signature xx.xx.xxxx ([NAME in block letters])

The GM 21A.145(c)(2) is amended as follows:

GM 21A.145(c)(2)
Approval Requirements – Responsible managers

…

The competent authority requires the nominated managers to be identified and their credentials submitted on an EASA Form ~~Four~~ 4 (see ~~format in EASA administrative procedures~~ acceptable means of compliance and guidance material to Annex 1 to Commission Regulation (EC) No 2042/2003, Appendix X EASA Form 4) to the competent authority in order that they may be seen to be appropriate in terms of relevant knowledge and satisfactory experience related to the nature of the production activities as performed by the Part-21 Section A Subpart G organisation.

…

The GM 21A.151 is amended as follows:
GM 21A.151
Terms of approval – Scope and categories

…
B1 Turbine Engines
B2 Piston ~~Engies~~ Engines
B3 APU's
B4 Propellers
…

The AMC 21A.163(c) is amended as follows:

AMC No 1 to 21A.163(c)
Computer generated signature and electronic exchange of the EASA Form 1

1. Submission to the competent authority
Any POA holder/applicant intending to implement an electronic ~~computer generated~~ signature procedure to issue EASA Form 1 and/or to exchange electronically such data contained on the EASA Form 1, ~~must~~ should document it and submit it to the competent authority as part of the documents attached with its exposition ~~and dealing with the issue of airworthiness~~ ~~certifications~~.
2. Characteristics of the ~~computer generated signature system~~ electronic system generating the EASA Form 1

The electronic system ~~must~~ should:

— guarantee secure access for each certifying staff;
— ~~insure~~ ensure integrity and accuracy of the data certified by the signature of the Form and be able to show evidence of the authenticity of the EASA Form 1 (recording and record keeping) with suitable security, safeguards and backups;
— be active only at the location where the part is being released with an EASA Form 1;
— not permit to sign a blank form;
— ~~not permit modification~~ provide a high degree of assurance that the data has not been modified after signature (if modification is necessary after issuance, i.e. re-certification of a part~~)~~, a new form with a new number and reference to the initial ~~certification~~ issuance should be made);
~~- insure integrity of the data certified by the signature of the Form and be able to show evidence of the authenticity of the EASA Form 1(recording and record keeping)~~
— provide for a 'personal' electronic signature, identifying the signatory. The signature should be generated only in the presence of the signatory.

An electronic signature means data in electronic form which are attached to or logically associated with other electronic data and which serve as a method of authentication and should meet the following criteria:

- it is uniquely linked to the signatory;
- it is capable of identifying the signatory;
- it is created using means that the signatory can maintain under their sole control.

The electronic signature is defined as an electronically generated value based on a cryptographic algorithm and appended to data in a way to enable the verification of the data's source and integrity.

POA holders/applicants are reminded that additional national and/or European requirements may need to be satisfied when operating ~~computer generated signature~~ electronic systems. 'Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures', as last amended may constitute a reference.

The electronic system should be based on a policy and management structure (confidentiality, integrity and availability), such as:

- administrators, signatories;
- scope of authorisation, rights;
- password and secure access, authentication, protections, confidentiality;
- track changes;
- minimum blocks to be completed, completeness of information;
- archives;
- etc.

The electronic system generating the EASA Form 1 may contain additional data such as:

- manufacturer code;
- customer identification code;
- workshop report;
- inspection results;
- etc.

3. Characteristics of the ~~computer generated signature~~ EASA Form 1 generated from the electronic system

~~The computer generated signature must to take the form of a representation of the hand-written signature of the person signing (i.e. scanned signature).In addition to facilitate understanding and acceptance of the EASA Form 1 released with a computer generated signature the following statement should be printed in Block 13 of the Form: 'This document has been issued according to an approved computer generated signature procedure'.~~

To facilitate understanding and acceptance of the EASA Form 1 released with an electronic signature, the following statement should be in Block 13b: 'Electronic Signature on File'.
In addition to this statement, it is accepted to print or display a signature in any form such as a representation of the hand-written signature of the person signing (i.e. scanned signature) or their name.

When printing the electronic form, the EASA Form 1 should meet the general format as specified in Appendix I to Part-21. A watermark-type 'PRINTED FROM ELECTRONIC FILE' should be printed on the document.

When the electronic file contains a hyperlink to data, required to determine the airworthiness of the item(s), the data associated to the hyperlink, when printed, should be in a legible format and be identified as a reference from the EASA Form 1.

Additional information not required by the EASA Form 1 completion instructions may be added to the printed copies of EASA Form 1 as long as the additional data do not prevent

a person from filling out, issuing, printing, or reading any portion of the EASA Form 1. This additional data should be provided only in block 12 unless it is necessary to include it in another block to clarify the content of that block.

4. Electronic exchange of the electronic EASA Form 1

The electronic exchange of the electronic EASA Form 1 should be accomplished on a voluntary basis. Both parties (issuer and receiver) should agree on electronic transfer of the EASA Form 1.

For that purpose, the exchange needs to include:

- all data of the EASA Form 1, including data referenced from the EASA Form 1;
- all data required for authentication of the EASA Form 1.

In addition, the exchange may include:

- data necessary for the electronic format;
- additional data not required by the EASA Form 1 completion instructions, such as manufacturer code, customer identification code.

The system used for the exchange of the electronic EASA Form 1 should provide:

- a high level of digital security; the data should be protected, unaltered or uncorrupted;
- traceability of data back to its source should be possible.

Trading partners wishing to exchange EASA Form 1 electronically should do so in accordance with these means of compliance stated in this document. It is recommended that they use an established, common, industry method such as Air Transport Association (ATA) Spec 2000 Chapter 16.

The applicant(s) is/are reminded that additional national and/or European requirements may need to be satisfied when operating the electronic exchange of the electronic EASA Form 1.

The receiver should be capable of regenerating the EASA Form 1 from the received data without alteration; if not the system should revert back to the paper system.

When the receiver needs to print the electronic form, refer to the subparagraph 3 above.

The following new AMC to 21A.163(c) is introduced:

AMC No 2 to 21A.163(c) – Completion of the EASA Form 1

EASA Form 1 Block 8 'Part Number'

The part number as it appears on the item, is usually defined in the design data; however in the case of a kit of parts, media containing software or any other specific condition of supply may be defined in production data developed from design data. Information about the contents of the kit or media may be given in block 12 or in a separate document cross-referenced from block 12.

EASA Form 1 Block 12 'Remarks'

Examples of conditions which would necessitate statements in block 12 are:

- When the certificate is used for prototype purposes the following statement must be entered at the beginning of block 12:

'NOT ELIGIBLE FOR INSTALLATION ON IN-SERVICE TYPE-CERTIFICATED AIRCRAFT'.

- Re-certification of items from 'prototype' (conformity only to non-approved data) to 'new' (conformity to approved data and in a condition for safe operation) once the applicable design data is approved.

The following statement must be entered in block 12:

RE-CERTIFICATION OF ITEMS FROM 'PROTOTYPE' TO 'NEW':

THIS DOCUMENT CERTIFIES THE APPROVAL OF THE DESIGN DATA [INSERT TC/STC NUMBER, REVISION LEVEL], DATED [INSERT DATE IF NECESSARY FOR IDENTIFICATION OF REVISION STATUS], TO WHICH THIS ITEM (THESE ITEMS) WAS (WERE) MANUFACTURED.

- When a new certificate is issued to correct error(s) the following statement must be entered in block 12:

'THIS CERTIFICATE CORRECTS THE ERROR(S) IN BLOCK(S) [ENTER BLOCK(S) CORRECTED] OF THE CERTIFICATE [ENTER ORIGINAL TRACKING NUMBER] DATED [ENTER ORIGINAL ISSUANCE DATE] AND DOES NOT COVER CONFORMITY/CONDITION/RELEASE TO SERVICE'.

Examples of data to be entered in this block as appropriate:

- For complete engines, a statement of compliance with the applicable emissions requirements current at the date of manufacture of the engine.
- For ETSO articles, state the applicable ETSO number.
- Modification standard.
- Compliance or non-compliance with airworthiness directives or Service Bulletins.
- Details of repair work carried out, or reference to a document where this is stated.
- Shelf life data, manufacture date, cure date, etc.
- Information needed to support shipment with shortages or re-assembly after delivery.
- References to aid traceability, such as batch numbers.

The AMC 21A.163(e) is amended as follows:

…

2.4 Issue of the permit to fly under the POA privilege

The procedure must describe the process to prepare the EASA Form 20b and how compliance with 21A.711(c) and (~~d~~e) is established before signature of the permit to fly.

…

2.6 Interface with the local authority for the flight

The procedure must include provisions describing the communication with the local authority for compliance with the local requirements which are outside the scope of the conditions of 21A.708(b) (see 21A.711(~~d~~e)).

The GM No 3 to 21A.165(c) is amended as follows:

GM No 3 to 21A.165(c)
Obligations of the manufacturer – Condition for safe operation

3. Technical records which identify the location and serial numbers of ~~significant~~ components that have special traceability requirements for continued airworthiness purposes including those identified in 21A.801 and 21A.805.

…

15 Where applicable there should be a certificate for noise and for the aircraft radio station.

~~17~~ 16 The installed compass and/or compass systems have been adjusted and compensated and a deviation card displayed in the aircraft.

~~18~~ 17 Software criticality list.

~~19~~ 18 A record of rigging and control surface movement measurements.

~~20~~ 19 Details of installations which will be removed before starting commercial air transport operations (e.g. ferry kits for fuel, radio or navigation).

~~21~~ 20 Where maintenance work has been performed under the privilege of 21A.163(d) issue a release to service that includes a statement that the aircraft is in a condition for safe operation.

~~22~~ 21 List of all applicable Service Bulletins and airworthiness directives that have been implemented.

…

The GM No 4 to 21A.165(c) is amended as follows:

GM No 4 to 21A.165(c)
Airworthiness Release or Conformity Certificate

The EASA Form 1, when used as a release certificate as addressed in 21A.165(c)(2) and (3), may be issued in two ways:

- As an airworthiness release, only when by virtue of the arrangement described in 21A.133(b) and (c), it can be determined that the part conforms to the approved design data and is in a condition for safe operation.
- As a conformity certificate, only when by virtue of the arrangement described in 21A.133(b) and (c), it can be determined that the part conforms to applicable design data which is not (yet) approved, for a reason that is indicated in block ~~13~~ 12. Parts released with an EASA Form 1 as a conformity certificate are not eligible for installation in a type-certificated aircraft.

The EASA Form 1 should only be used for conformity release purposes when it is possible to indicate the reason that prevents its issue as for airworthiness release purposes.

The Form 18A in AMC 21A.263(c)(6) is amended as follows:

AMC 21A.263(c)(6)
Procedure for the approval of the conditions for issue of a permit to fly

…

FLIGHT CONDITIONS FOR A PERMIT TO FLY – APPROVAL FORM	
1. Applicant **approval nr** *[Name and organisation approval number of organisation providing the flight conditions and associated substantiations]*	**2. Approval form nr** **Issue:** *[number and issue, for traceability purposes]*
3. Aircraft manufacturer/type	**4. Serial number(s)**
5. Purpose *[Purpose in accordance with 21A.701(a)]*	
~~5~~ 6. Aircraft configuration The above aircraft for which a permit to fly is requested is defined in *[add reference to the document(s) identifying the detailed configuration of the aircraft].* *[For change(s) affecting the initial approval form: description of change(s). This form must be re-issued.]*	
~~6~~ 7. Substantiations *[References to the document(s) justifying that the aircraft (as described in ~~5~~6.) can perform the intended flight(s) safely under the defined conditions or restrictions.]* *[For change(s) affecting the initial approval form: reference(s) to additional substantiation(s). This form must be re-issued.]*	
~~7~~ 8. Conditions/Restrictions The above aircraft must be used with the following conditions or restrictions: *[Details of these conditions/restrictions, or reference to relevant document, including specific maintenance instructions and conditions to perform these instructions.]*	
~~8~~ 9. Statement The determination of the flight conditions has been made in accordance with the relevant DOA procedure agreed by the Agency. The aircraft as defined in block 6 above has no features and characteristics making it unsafe for the intended operation under the identified conditions and restrictions.	

[strikethrough what is not applicable] **~~9a~~ 10a. Approved under the authority of DOA EASA.21J.xyz** *[when privilege of 21A.263(c)(6) applies]* **~~9b~~ 10b. Submitted under the authority of DOA EASA.21J. xyz** *[when privilege of 21A.263(c)(6) does not apply]*	
~~10~~ 11. Date of issue	**11 12. Name and signature** *[Authorised signatory]*
~~12~~ 13. EASA approval and date *[when privilege of 21A.263(c)(6) does not apply]*	

EASA Form 18A Issue 2

…

The AMC 21A.263(c)(7) is amended as follows:

AMC 21A.263(c)(7)
Procedure for the issue of a permit to fly

…

2.3 Issue of the permit to fly under the DOA privilege

The procedure must describe the process to prepare the EASA Form 20b and how compliance with 21A.711(b) and (~~d~~e) is established before signature of the permit to fly.

…

2.5 Interface with the local authority for the flight

The procedure must include provisions describing the communication with the local authority for compliance with the local requirements which are outside the scope of the conditions of 21A.708(b) (see 21A.711(~~d~~e)).

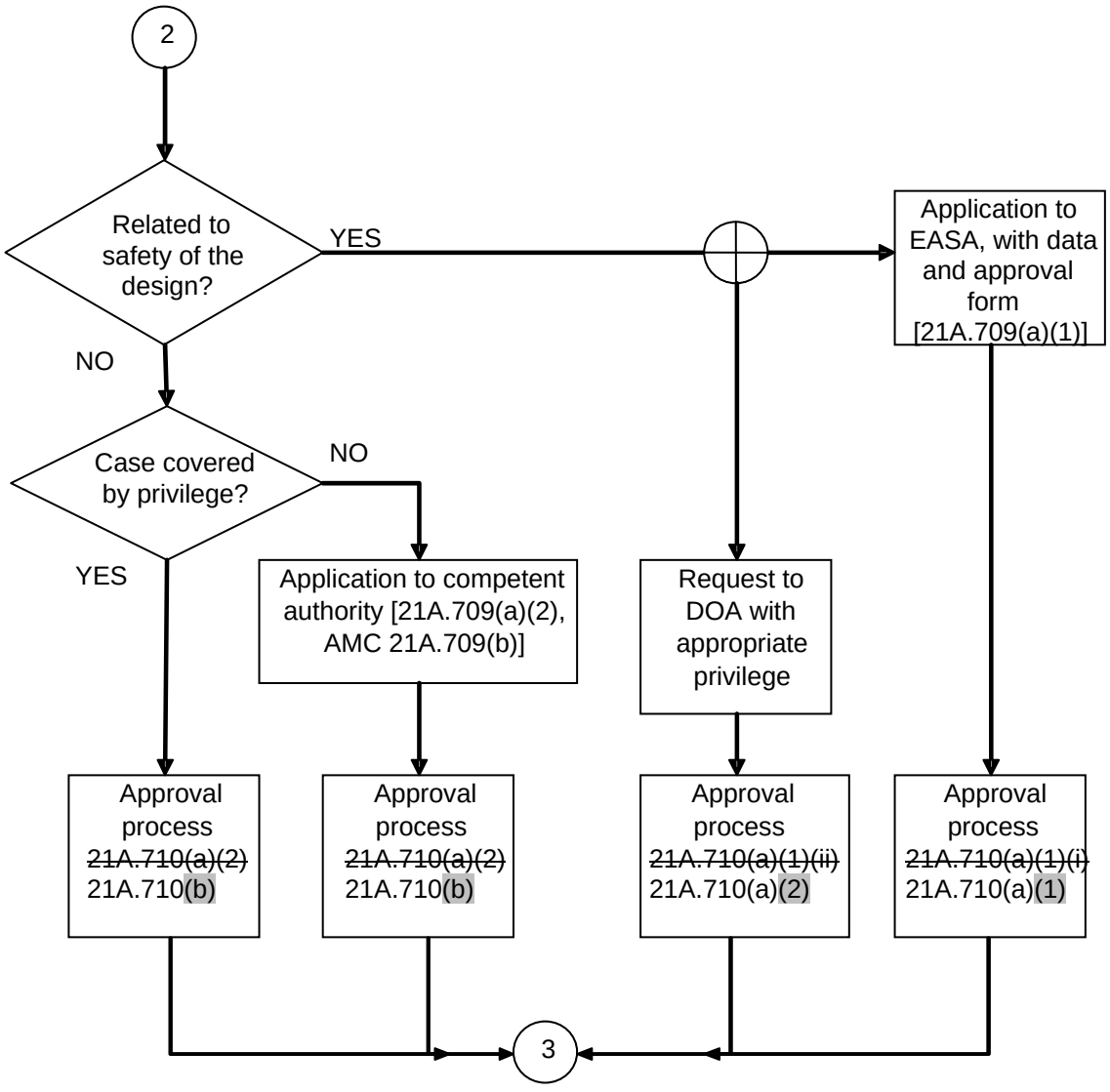
The GM 21A.307 is deleted.

The following references in the GM to Subpart P flow-charts are amended as follows:

GM to Subpart P

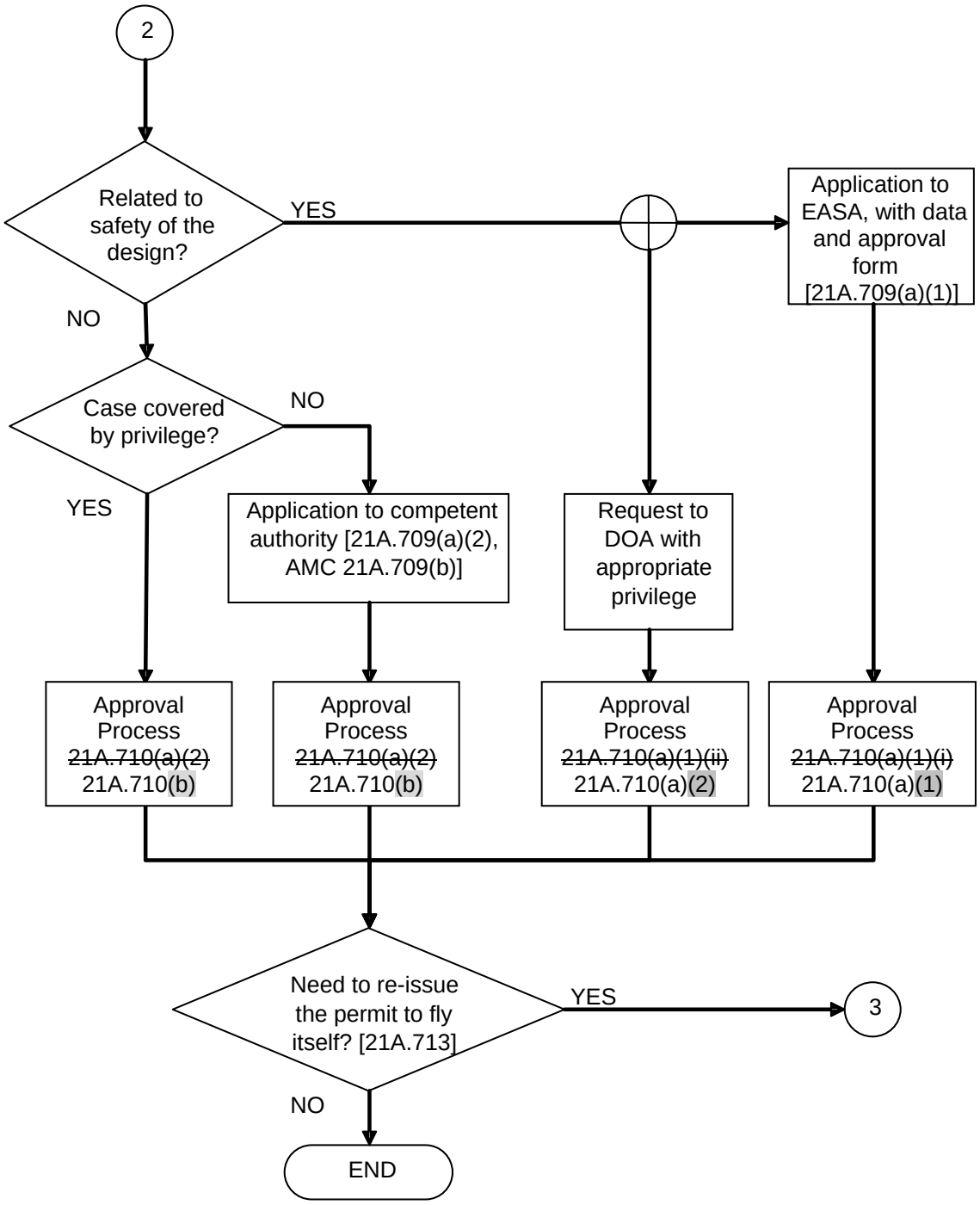
...

Flow-chart 2: approval of flight conditions



...

Flow-chart 4: Changes after first issue of permit to fly



The GM 21A.701(a) is amended as follows:

GM 21A.701(a)
Permit to fly when certificate of airworthiness or restricted certificate of airworthiness is not appropriate

…

(11) Flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage:

— Ferry flights in cases where maintenance is not performed in accordance with approved programmes, where an AD has not been complied with where certain equipment outside the Master Minimum Equipment List (MMEL) is unserviceable or when the aircraft has sustained damage beyond the applicable limits.

…

The Form 18B in AMC 21A.709(b) is amended as follows:

…

FLIGHT CONDITIONS FOR A PERMIT TO FLY – APPROVAL FORM	
1. Applicant *[Name of organisation providing the flight conditions and associated substantiations]*	**2. Approval form nr** **Issue:** *[number and issue, for traceability purposes]*
3. Aircraft manufacturer/type	**4. Serial number(s)**
5. Purpose *[Purpose in accordance with 21A.701(a)]*	
~~5~~ 6. Aircraft configuration The above aircraft for which a permit to fly is requested is defined in *[add reference to the document(s) identifying the configuration of the aircraft].* *[For change(s) affecting the initial approval form: description of change(s). This form must be re-issued.]*	
~~6~~ 7. Substantiations *[References to the document(s) justifying that the aircraft (as described in ~~5~~6.) can perform the intended flight(s) safely under the defined conditions or restrictions.]* *[For change(s) affecting the initial approval form: reference(s) to additional substantiation(s). This form must be re-issued.]*	
~~7~~ 8. Conditions/Restrictions The above aircraft must be used with the following conditions or restrictions: *[Details of these conditions/restrictions, or reference to relevant document, including specific maintenance instructions and conditions to perform these instructions.]*	
~~8~~ 9. Statement The flight conditions have been established and justified in accordance with 21A.708. The aircraft as defined in block 6 above has no features and characteristics	

making it unsafe for the intended operation under the identified conditions and restrictions.	
[when approved under a privilege of an approved organisation] ~~9~~ **10.** Approved under [ORGANISATION APPROVAL NUMBER]	
~~10~~ **11. Date of issue**	~~11~~ **12. Name and signature** *[authorised signatory]*
[when not approved under a privilege of an approved organisation] ~~12~~ **13. Approval and date** *[the appropriate approval: EASA, competent authority]*	

EASA Form 18B Issue 2

…

The numbering of GM 21A.711(d) is amended as follows:

GM 21A.711(~~d~~e)
Additional conditions and restrictions

…

The following new GM 21A.804(a)(1) is introduced in Subpart Q – Identification of products, parts and appliances

GM 21A.804(a)(1)
Identification of parts and appliances

It is not the intent of 21A.804(a)(1) to introduce an obligation for a production organisation (manufacturer) to mark new parts or appliances with information which is not identified by the design approval holder. Therefore, the physical marking of parts and appliances is only required when established by the design approval (TC, STC, ETSO, repair, minor change) holder.

For designs (TC, STC, ETSO, repair, change) approved after the date of entry into force of Commission Regulation (EC) No 1194/2009 amending Regulation 1702/2003, the design approval holder is required to identify to the manufacturer how the marking in accordance with 21A.804(a)(1) should be done. This can be limited to identifying a marking field, possible depth and/or means etc., without prescribing the actual text or symbols to be used.

The GM No 1 to 21B.50 is deleted.

The GM No 2 to 21B.50 is deleted.

The EASA Form 56 to GM No 2 to 21B.220(c) is amended as follows:

PART TWO OF FIVE
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21A.139 Quality System

…

(b) The quality system shall contain:

(1) As applicable within the scope of approval, control procedures for:

…

(ix) +-------+ Airworthiness coordination with the applicant for, or holder of, a design approval.

…

(xvii)+-------+
+-------+ Issue of permit to fly and approval of associated flight conditions.

…

(b) The quality system shall contain (cont'd) -
(2) An independent quality assurance function to monitor compliance with, and adequacy of, the documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons ~~specified~~ referred to in 21A.145(c)(2) and ultimately to the manager ~~specified~~ referred to in 21A.145 (c)(1) to ensure, as necessary, corrective action.

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21A.145 Approval requirements

…

(c) with regard to management and staff:

…

(2) A person or a group of persons have been nominated by the production organisation to ensure that the organisation is in compliance with the requirements of this Part, and are identified, together with the extent of their authority. Such person(s) shall act under the direct authority of the ~~senior~~ accountable manager referred to in subparagraph (1). The knowledge, background and experience of the persons nominated shall be appropriate to discharge their responsibilities.

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…

21A.147 Changes to the approved production organisation

…

(b) The competent authority shall establish the conditions under which a ~~Subpart G approved~~ production organisation approved under this Subpart may operate during such changes unless the competent authority determines that the approval should be suspended.

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…

21A.163 Privileges

Pursuant to the terms of approval issued under 21A.135, the holder of a production organisation approval may:

…

(e) Under procedures agreed with its competent authority for production, for an aircraft it has produced, and when the production organisation itself is controlling under its POA the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight, to issue a permit to fly in accordance with 21A.711(c) including approval of the flight conditions in accordance with 21A.710(b).

+----------+
+----------+

(Page 6 of 6)

…

21A.165 Obligations of the holder (cont'd)

…

(c) (2) Determine that other products, parts or appliances are complete and conform to the approved design data and are in a condition for safe operation before issuing EASA Form 1 to certify ~~airworthiness~~ conformity to approved design data and in a condition for safe operation, and additionally in case of engines, determine according to data provided by the engine type-certificate holder that each completed engine is in compliance with the applicable emissions requirements as defined in 21A.18(b), current at the date of manufacture of the engine, to certify emissions compliance, or

…

(j) Where applicable, under the privilege of 21A.163(e), determine the conditions under which a permit to fly can be issued.

+------------------------------------+
+------------------------------------+

(k) Where applicable, under the privilege of 21A.163(e), establish compliance with 21A.711(b) and (e) before issuing a permit to fly (EASA Form 20b, see Appendix) to an aircraft.

+------------------------------------+
+------------------------------------+

PART THREE OF FIVE

(Page 1 of 2)

Production organisation exposition

…

(2) The title(s) and names of the ~~persons nominated~~ managers accepted by the competent authority in accordance with 21A.145(c)(2).

(3) The duties and responsibilities of the ~~person~~ manager(s) as required by 21A.145(c)(2) including matters on which they may deal directly with the competent authority on behalf of the organisation.

(4) An organisational chart showing associated chains of responsibility of the managers~~/persons~~ as required by 21A.145(c)(1) and (c)(2).

(Page 2 of 2)

…

(9) The procedure for the notification of organisational changes to the competent authority.

The AMC No 2 to 21B.230 is deleted.

The AMC 21B.235(c) is amended as follows:

AMC 21B.235(c)
Continuation of POA

At the end of the 24 months continued surveillance cycle, the POATL responsible for the POA should complete an EASA Form 56 (see GM No 2 to 21B.220(c)) as a summary report for the continued surveillance including the recommendation for continuation of the POA as applicable. The EASA Form 56 should be countersigned by the person responsible within the competent authority for his acceptance. At this stage there is no limitation to the number of level two findings that may be open, provided they are within the time limits of the respective corrective action plans.

The GM 21B.325(a) is amended as follows:

GM 21B.325(a)
Airworthiness Certificates

1 Completion of the certificate of airworthiness by a Member State

Block 5: Insert restrictions developed in accordance with Part-21, including any reference to limitations as indicated in GM 21B.320(b)(6).

2 Completion of the restricted certificate of airworthiness by a Member State

Block 5: Insert restrictions developed in accordance with Part-21, including any reference to limitations as indicated in GM 21B.320(b)(6).

~~**3 Completion of the permit to fly by a Member State**~~

~~Block 4: Insert purpose of flight in accordance with Article 5(4)(e)(ii) first indent of the Basic Regulation.~~

~~Block 5: Insert restrictions in accordance with Article 5(4)(e)(ii) second and third indent of the Basic Regulation.~~