

**European Aviation Safety Agency**  
**The Executive Director**

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**DECISION N<sup>o</sup>. 2004/01/RM**  
**OF THE EXECUTIVE DIRECTOR OF THE AGENCY**

**of 9 January 2004**

**on the acceptance of design changes and repairs  
to products designed in the United States of America**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 1592/2002 of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, thereafter the “Basic Regulation”, in particular Articles 4, 9(2), and 15(1)(a) 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<sup>1</sup>, thereafter the “Commission Regulation”, in particular 21.A103 and 21A.437,

Whereas:

- (1) Several Member States have concluded bilateral agreements with the United States of America covering the reciprocal acceptance of certification findings, in particular the approval of changes and repairs to products designed in the United States of America.
- (2) The Basic Regulation requires the Agency to issue certificates and to approve changes and repairs thereto, to products subject to that Regulation in accordance with its Article 4 and recognises the possibility for the Agency to rely on foreign States of design regulatory systems to make its decisions.

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<sup>1</sup> OJL 243, 27.9.2003, p. 6. Due to be re-published.

- (3) The Commission Regulation requires the Agency to issue approvals for changes and repair designs for products for which a certificate has been issued or defined in accordance with the provisions of Article 2 thereof.
- (4) When exercising its certification tasks, the Agency is bound by existing agreements between Member States and the United States of America,

HAS DECIDED:

*Article 1*  
**Changes**

Major Level 2 and minor changes to the design of products for which the United States of America are State of design and for which a certificate has been issued or defined in accordance with the provisions of Article 2 of the Commission Regulation, are automatically accepted by the Agency when approved by the Federal Aviation Administration (FAA) in accordance with the procedures of an agreement in force between a Member State and the United States of America.

*Article 2*  
**Repairs**

For products for which the United States of America are State of design and for which a certificate has been issued or defined in accordance with the provisions of Article 2 of the Commission Regulation, the Agency automatically accepts, when they are approved by the FAA in accordance with the procedures of an agreement in force between a Member State and the United States of America:

- (a) Repairs designed by the type-certificate holder; and
- (b) Minor repairs designed by others than the type-certificate holders.

*Article 3*  
**Entry into force**

This Decision shall enter into force on 9 January 2004. It shall be published in the *Official Publication of the Agency*, in particular through its website ([www.easa.eu.int](http://www.easa.eu.int)).

Done at Brussels, 9 January 2004

Patrick GOUDOU  
Executive Director