

European Aviation Safety Agency

DECISION N° 2005/03/C

OF THE EXECUTIVE DIRECTOR OF THE AGENCY

of 4 April 2005

**Suspension of Design Organisation Approval (DOA) EASA.21J.029
to Advanced Technologies Group Ltd (ATG Ltd)**

Having regard to Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, hereinafter referred to as the "Basic Regulation", in particular to Articles, 13(c), 15(2)(c), and 35 to 41, thereof;

Having regard to 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, part and appliances, as well as for the certification of design and production organisations, hereinafter referred to as the "Commission Regulation", in particular Part 21, Subpart J, paragraphs 21A.239(a)(3), 21A.258(a)(2), 21A.258(c)(2), and 21A.258(d) thereof;

Having regard to Decision 3- 2004 of the Management Board of 3 February 2004, concerning the general principles related to certification procedures to be applied by the Agency for issuing certificates for organisations ("organisations certification procedure"), hereinafter referred to as the "MB Decision", in particular Articles 8 and 9 thereof;

Whereas:

The Civil Aviation Authority of United Kingdom (hereinafter CAA UK), in the framework of the surveillance of the DOA EASA.21J.029, raised the Issue Report UK.21J2074-/4Q04/06, on the 10 November 2004, regarding non-compliance of the design organisation ATG Ltd with Part 21A.239(a) of Commission Regulation in that the level of internal monitoring of the effectiveness of the Design Assurance System was not considered to be adequate;

- (1) The non-compliance with Part 21A.239(a) of Commission Regulation was classified as a level 2 finding, pursuant to Part 21.A.258(a).2 of the Commission Regulation, with a closure date of 1 March 2005;
- (2) Corrective action to the finding was proposed by the design organisation ATG Ltd on 25 February 2005, but whilst the proposed corrective action was considered appropriate by UK CAA, it was not possible to verify compliance due to the current inactivity of ATG Ltd;
- (3) The CAA UK, considering the adequacy of the proposed corrective action and a realistic timescale for the return to normal design activity, has extended the period of closure to 1 July 2005, in accordance with Part 21A.258(c)(2) of Commission Regulation;
- (4) Moreover, the CAA UK has recommended that the design organisation approval should be suspended, until 1 July 2005 when such finding should be closed.

Consequently, taking into consideration that:

- There is evidence that the design assurance system cannot maintain satisfactory control and supervision of the design of products under the approval, and consequently ATG Ltd is showing non-compliance with 21A.239(a)(3);
- The period of the closure of the finding was extended until 1 July 2005;
- In spite of the current inactivity of the design organisation, it is necessary to minimise any risk that the privileges under the design organisation approval are exercised.

The Agency hereby suspends, until 1 July 2005, the above mentioned design organisation approval in accordance with Articles 13(c) and 15(2)(c) of Basic Regulation, Part 21A.258(d) of Commission Regulation, and Article 8.2 of the MB Decision.

ATG Ltd has the right to appeal against this decision, according to Articles 35 to 41 of the Basic Regulation.

This decision shall enter into force upon its notification to ATG Ltd and shall be published in the Official Publication of the Agency.

Done in Cologne in two copies

P. GOUDOU