

Update on DOA-related developments

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Part-21 Implementation Workshop

26 October 2023

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Safety Management System (SMS)

SMS: Applicable Regulations and AMC/GM for DOAs

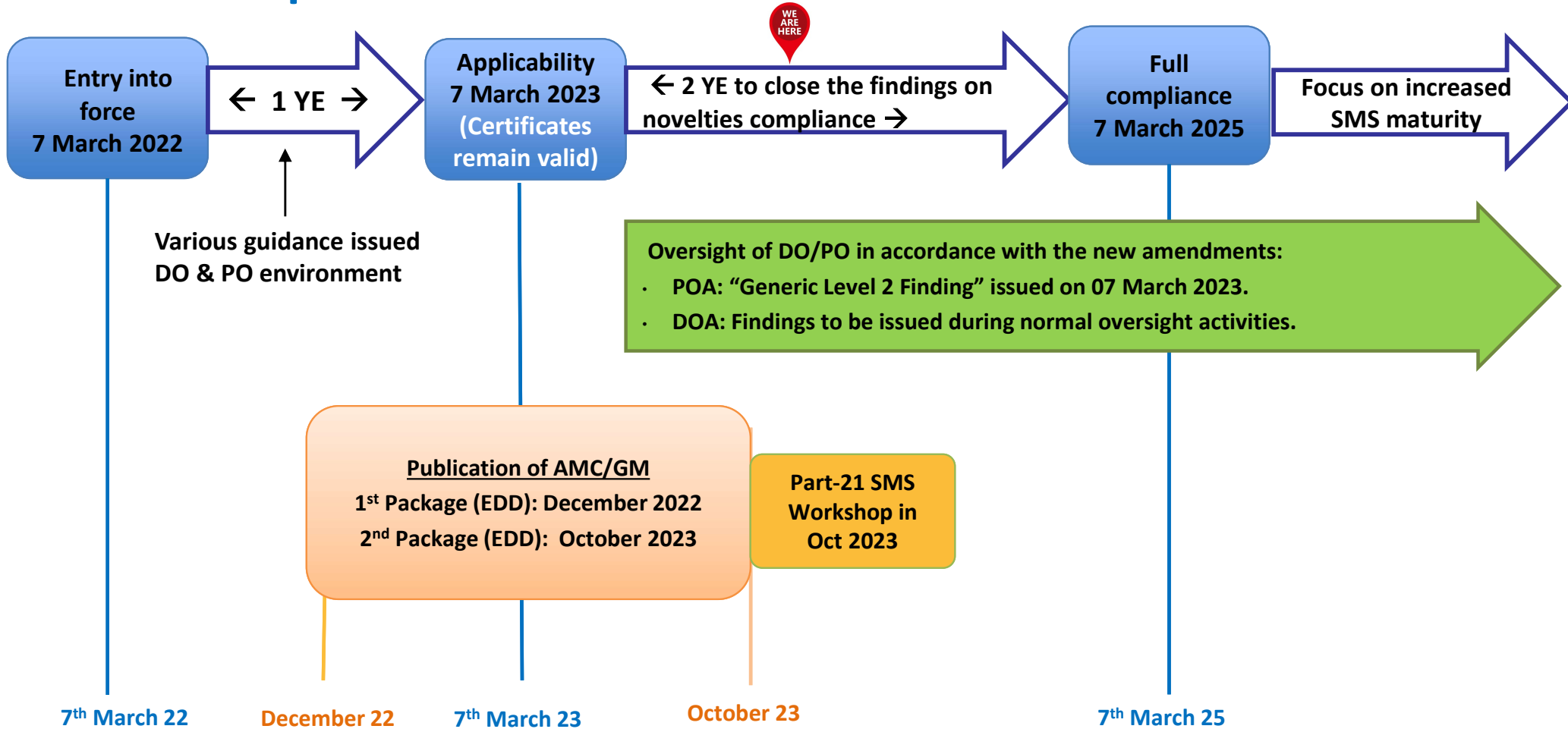
REGULATIONS

- Commission Delegated Regulation 2022/201 (DOA & POA organization requirements and DOA authority requirements for EASA)

ACCEPTABLE MEANS of COMPLIANCE / GUIDANCE MATERIAL

- ED Decision 2022/021/R (first package AMC/GM) published on 19th December 2022
- 2nd ED Decision (second package AMC/GM) published on 20th October 2023

Practical Implementation: Timeline & Milestones



SMS Implementation Policy

- Implementation of SMS may be a significant change to the organisation's Design Management System. To be determined by the organisation based on a gap analysis and to be discussed with DOATL.
- Standard SM-0001 issue B:
 - *It is a Means of Compliance to 21.A.239(c) (safety management element of the design management system).*
 - *If used, its implementation is also subject to EASA oversight.*
- Standard oversight cycle is 2 years.
 - *May be increased to 3 or 4 years under certain conditions, and shortened in cases of reduced performance.*
 - *Decision may be influenced by previous oversight experience (DOA coming from 3-year cycle)*
- Redefined Level 1 and 2 findings. Observations instead of Level 3 findings. Observations not to be used for "small findings" (they should be also Level 2)
- Escalation from Level 2 to Level 1 finding if no action plan agreed or implemented.
 - Rule provides sufficient flexibility to agree on corrective action plans with longer corrective periods without escalating to Level 1.
 - If escalated to Level 1, rule does not differentiate provisions for escalated Level 2 findings and findings initially raised as Level 1.
 - Certain action needs to be taken by EASA if the Level 1 finding is not corrected within the deadline.
 - However, the action will be proportional to the safety risk caused by the finding. Actions may cover suspension, partial limitations, minor restrictions to certain privileges, temporary exclusion of further organizational changes...

Information Security Management System (ISMS)

ISMS: Applicable Regulations and AMC/GM for DOAs

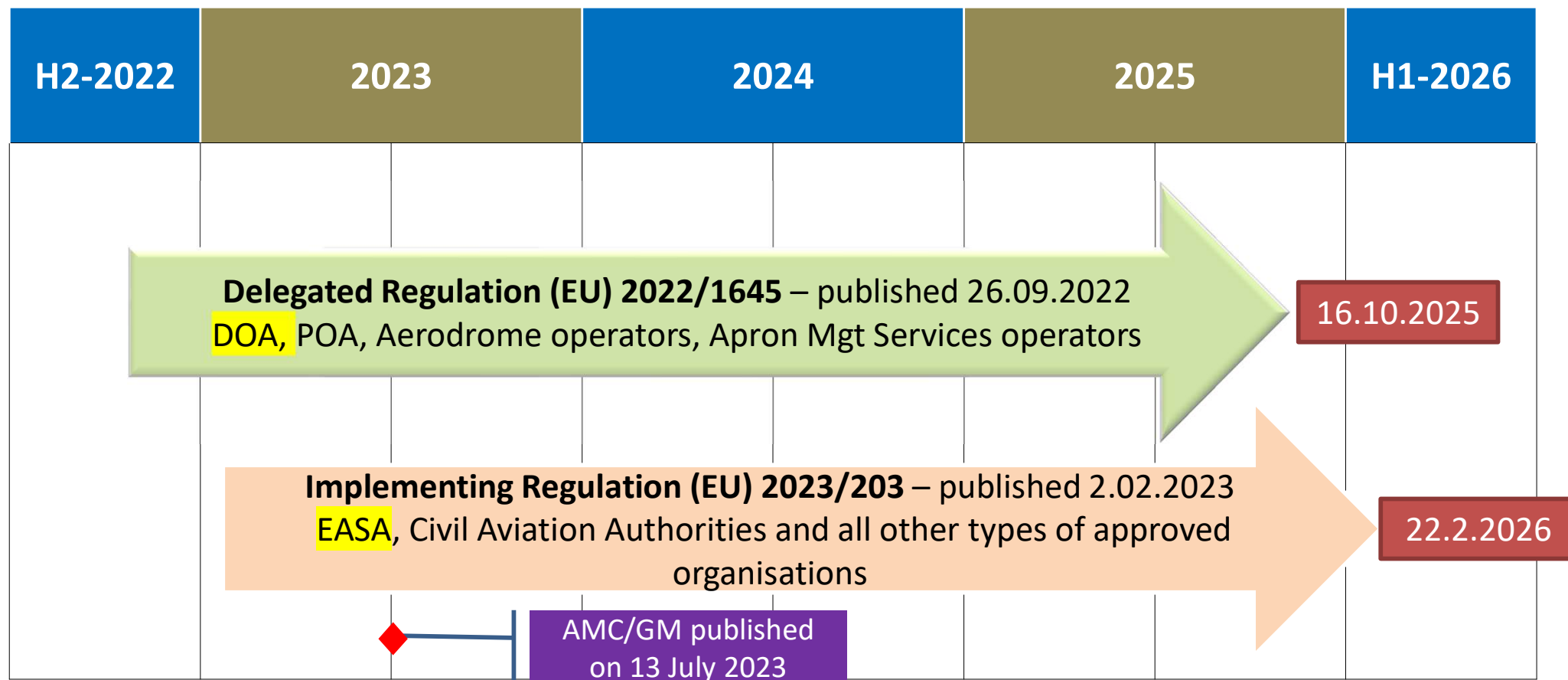
REGULATIONS

- Commission Delegated Regulation 2022/1645 (DOA organization requirements)
- Commission Implementing Regulation 2023/203 (Authority requirements for EASA)

ACCEPTABLE MEANS of COMPLIANCE / GUIDANCE MATERIAL

- **ED Decision 2023/008/R:**
 - AMC&GM to Articles of Regulations 2022/1645 and 2023/203
- **ED Decision 2023/009/R:**
 - AMC&GM to Part-IS.D.OR (ref. Reg 2022/1645)
- **ED Decision 2023/010/R:**
 - AMC&GM for amendments in Part-21 (ref. Reg 2023/203)
 - AMC&GM to Part-IS.AR (ref. Reg 2022/1645)

Part-IS implementation



ISMS key points

- **Applicable to DOAs and POAs on 16th October 2025**
- **Applicable to EASA and NAAs (start of oversight activities) on 22nd February 2026**
- **AMC/GM published on 13th July 2023**
- **Change of mentality:**
 - New domain, not so much experience within the Industry and Authorities
 - Need to identify interfaces with other domains and take into account transferred risks.
 - Coordination needed between safety and security (CAAs vs Cyber Agencies)
 - Certain oversight aspects may be delegated by competent authorities to Cyber Agencies and Qualified Entities

ISMS key implementation initiatives

- **Pilot Projects with a representative number of organisations:**
 - To be started 2023Q4/2024Q1
- **Training programmes for DOATLs.**
- **Workshop planned for second half 2024**

All initiatives are coordinated with SM1.5 (EASA Cybersecurity in Aviation Section)

Certification Memorandum CM-21.A-B-002 Issue 1

(Issued on 16 May 2023)

Eligibility for type certificate application

(ref. 21.A.13)

Objective

Objective:

- Support applicants, **before they submit a TC application to EASA**, in assessing their readiness for meeting the EASA expectations regarding their eligibility and the related demonstration of capability in the context of certification.
- Examples of reasons for lack of readiness:
 - CONOPS not adequately defined
 - Product not sufficiently mature to allow the type investigation
 - The organization not properly set-up for demonstration of capability
- If applicant not ready, EASA pre-application services may be used. Useful if:

Regulatory context

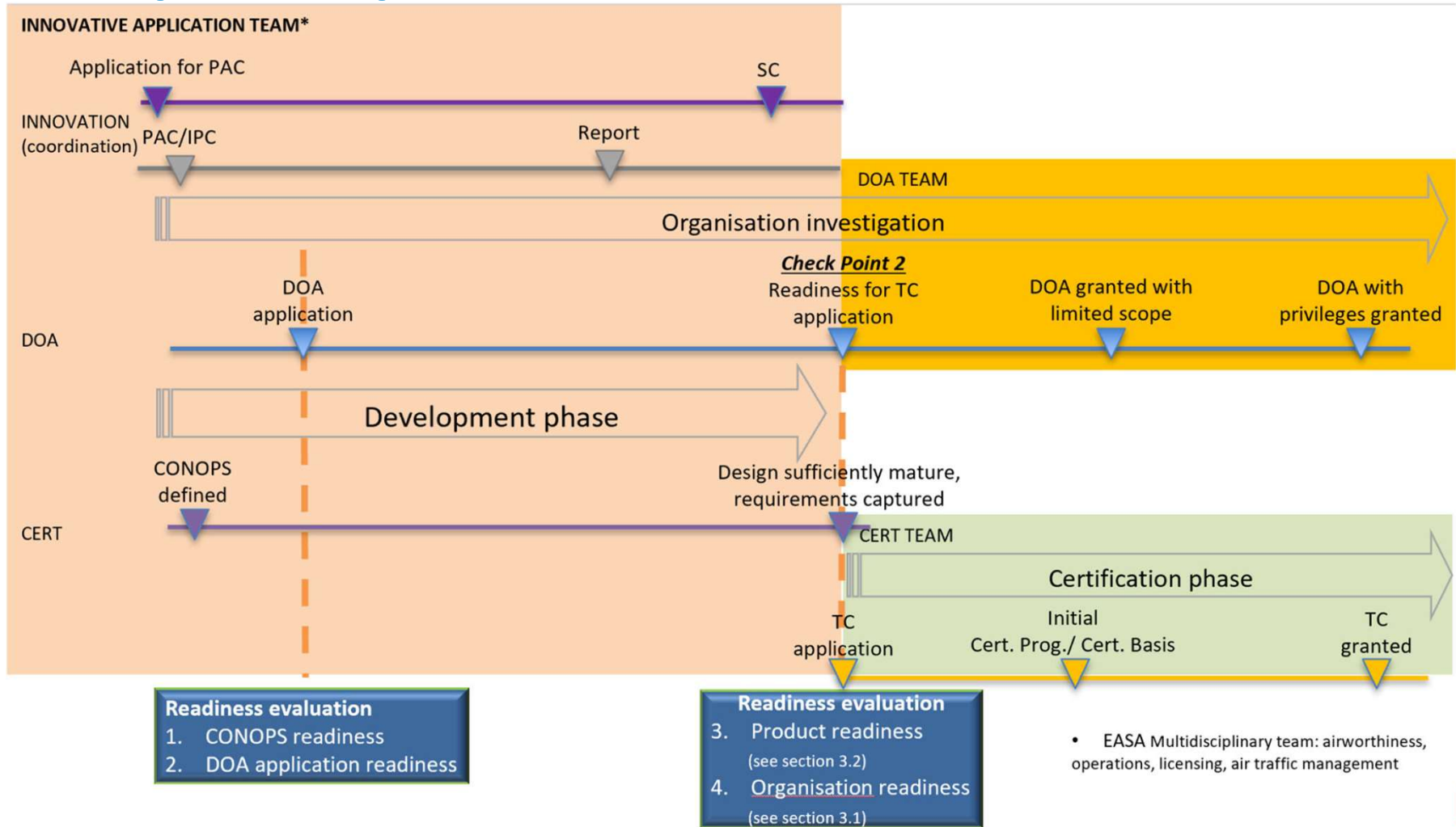
- For a TC application, Part-21 specifies the eligibility criteria for the applicant in point 21.A.13:
‘Any natural or legal person that has demonstrated, or is in the process of demonstrating, its capability in accordance with point 21.A.14 shall be eligible as an applicant for a type-certificate or a restricted type certificate under the conditions laid down in this Subpart.’
- Capability means: DOA or ADOA or Certification programme (depending on product)
- Currently, there is no AMC/GM in 21.A.13 helping a potential applicant to prepare themselves for starting the product certification and determine the right timing for submitting the TC application (reason for this Cert. Memo).

Readiness Checklist

- **Addresses the cases of:**
 - First capability demonstration
 - Repeated capability demonstration (because of new projects)

- **Covers:**
 - Organisational maturity and capability demonstration
 - Product maturity

Example of parallel process



ASD-STAN Technical Reports (TRs)

Status on recognition by EASA

RMT.0031 Part 21 Regular Update

- Rulemaking Task expanded this year to cover more than AMC/GMs revision
- NPA in final internal review – expected to be published for public comments by end 2023
- NPA – 50+ topics
- ASD-STAN TR recognition
 - TR 9250 ‘Test organisations - General requirements for test process and capabilities’, edition P1, dated 31 August 2022
 - TR 9251 ‘Flammability test organisations qualification standard’, edition P1, dated 31st August 2022
 - TR 9255 ‘Acceptance of supplier’s design capabilities and management of design organisation authorisations’, edition P1, dated 31st August 2022
 - **TR 9252 ‘Assessment of design suppliers managing and approving repairs’ – not retained for this NPA**
- Proposal
 - New AMC2 21.A.33: for TR 9250 and TR 9251
 - New AMC1 21.A.239(d)(3): for TR 9255

Efficient use of the Part-21 Certain Major Changes approval privilege

Ongoing Work under new SAB structure

- The new SAB structure includes an Interest Group (AG005) dealing with Certification topics (replaces the previous C.COM)
- Their Work Programme includes an Item dealing with:
“Efficient use of the Part-21 Certain Major Changes approval privilege”
- Objective:
“Propose a way forward for an efficient use of the 21.A.263.c.5/.8 privilege with a focus in a first phase on cabin safety related changes, together with a review of the criteria for major classification of cabin accommodation changes”
- Work being done by a Working Group (AG006.1) with participants from EASA, Swiss Airlines, Airbus SAS, ATR and Dassault.
- This Working Group reports to AG005 and AG006 Interest Groups.

Thank you

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