

Title:	Opinion and Instruction Document Maintenance data and the installation of certain aircraft components during maintenance
Package Number	0124
Headline Purpose:	<p>To clarify the obligations of type-certificate holders so that they produce a standardised set of instructions on how to maintain their product or part to ensure it remains airworthy for the entirety of its life.</p> <p>To remove the need for an Authorised Release Certificate (CAA Form 1) for certain parts used during maintenance.</p> <p>To make consequential amendments to ageing aircraft legislation following the 2021 update to those rules.</p>
Proposed action:	To amend UK Regulation (EU) No 748/2012, including amendment and correction of Annex I (Part 21).

Objective

The CAA is making continued airworthiness rules clearer and easier to follow for type-certificate holders and will do this by rationalising various subparts of Annex 1 (“**Part 21**”) of [UK Regulation \(EU\) No 748/2012](#).

During maintenance spare parts are often used. In the CAA’s opinion, not all of the parts used need to have a CAA Form 1 (or equivalent) production certification as they are not safety critical. Changes are therefore suggested which will allow for a more proportionate application of high production standards that are associated with the use of a Form 1.

Finally, consequential amendments are needed to Part 21. This is due to the changes made to Part 26 during October 2021, to address safety risks related to ageing phenomena in the structures of existing and future fleets of large aeroplanes ([Package Number 0005](#), Mitigating the risk of: uncontained in-flight fire; corrosion and fatigue in aircraft; and runway excursions, refers).

In addition, it is the CAA’s opinion that further amendments to the law are required to adopt latest amendments to Annex 16 (Environmental Protection) of the Chicago Convention 1944 and amend the following points:

- Annex I to UK Regulation (EU) No. 748/2012:
 - 21.A.174(b)(3) (ii) and 21.B.325 (c),
 - 21.A.181, 21.A.211 and 21.A.431B,
 - 21.A.15, 21.A.93 and 21.A.432C.

Background

Instructions for continued airworthiness

UK Regulation (EU) No 748/2012 includes requirements for the development and availability of instructions for continued airworthiness (“ICA”). These ICA should be developed by design approval holders as part of the product or part certification to ensure that the product or part remains airworthy during its intended life. The CAA considers that these rules are applied inconsistently and need rationalising.

The changes requested are expected to improve the harmonisation of ICA among the design approval holders in relation to the identification, approval, formatting and availability of ICAs to the end users.

The production of parts to be used during maintenance

In most cases a part or appliance is only eligible for installation in a type-certified product when it is in a condition for safe operation and a CAA Form 1 (or equivalent) has been issued to certify that said part or appliance was manufactured in conformity with approved design data, unless it is a standard part or it meets certain requirements.

The proposed amendments to UK Regulation (EU) No 748/2012 will relax the requirement that all parts installed on an aircraft have to be issued with a CAA Form 1 (or equivalent) when they are installed during maintenance work *in type-certified products*. Instead, certain parts or appliances that in the CAA's opinion, do not impact safety, could be manufactured outside the Part 21 production environment and would not require a CAA Form 1 to be installed. Similarly, these parts are exempted from the requirement to be maintained in a maintenance organisation approved in accordance with Commission Regulation (EU) No 1321/2014 ([Package No 0125](#)). The CAA expects the results of such an amendment to reduce the regulatory burden on maintenance organisations that use these parts during their maintenance work without affecting safety.

Ageing aircraft structures

The ageing of an aircraft depends on multiple factors, for example the number of flight cycles and the number of flight hours. Service experience has shown that there is a need to continuously update knowledge about the structural integrity of ageing aircraft. The Aviation Safety (Amendment)(No. 3) Regulations 2021 ([Statutory Instruction 2021 No. 1203](#)), laid before parliament in October 2021 ("**the 2021 Regulations**"), introduced new requirements in UK Regulation (EU) No. 2015/640 Annex I (Part 26 - Additional airworthiness specifications for operations) for aircraft in service in order to keep up to date knowledge about ageing factors on the basis of real-time operational experience and with the use of modern tools of analysis and testing. Those requirements should ensure that design approval holders follow procedures, produce data and make instructions and manuals for existing design available to operators for them to implement in a timely manner in order to prevent ageing structure failures.

The proposed amendment seeks to ensure that the requirements brought in through the 2021 Regulations are reflected in continuing structural integrity requirements. Continuing structural integrity programmes will be required to remain valid throughout the operational life of the aeroplane (pursuant to 21.A.65).

Other consequential changes

21.A.174 point (ii) of point (b)(3) and 21.B.325 point (c) of Annex I to UK Regulation (EU) No 748/2012 should be amended to align with the requirements set out in UK Regulation (EU) No 1321/2014.

The term 'continued airworthiness' is not used consistently in UK Regulation (EU) No 748/2012, when referring to the data established by the design approval holder so it is necessary to correct paragraphs 21.A.181, 21.A.211 and 21.A.431B of Annex I, UK Regulation (EU) No 748/2012.

Paragraphs (b) and (d) of 21.A.15 should be amended to remove a grammatical error.

What legal powers are being used to achieve the change?

Articles 17(1) and 127 of Regulation (EU) 2018/1139 as retained (and amended in UK domestic law) under the European Union (Withdrawal) Act 2019 ("[the UK Basic Regulation](#)").

Consequence of not making these legislative changes

Not making these legislative changes will mean the opportunity is lost to improve safety by introducing regulatory change intended to:

- establish clear requirements and responsibilities for all involved in the production of ICAs, their approval and their implementation;

- provide more proportionate and efficient requirements for the production of parts to be used during maintenance, reducing the regulatory burden on maintenance organisations when they use certain parts that have no impact on safety; and
- address safety risks related to ageing in the structures of large aeroplanes. These risks include fatigue of the basic type design, widespread fatigue damage (WFD), corrosion, fatigue of changes and repairs, and continued operation with unsafe levels of fatigue cracking. The change will ensure the continuing structural integrity programme remains valid throughout the operational life of the aeroplane.

Affected Law (and, if Applicable, UK AMC)	
What is the existing legal framework (UK law) which is relevant here?	UK Regulation (EU) No. 748/2012 Article 9, and Annex I (Part 21)
Identify the law that is being changed	Please see accompanying tables of changes
Are any consequential amendments needed to other pieces of law?	The CAA requests amendments to UK Regulation (EU) No 1321/2014 (Annex I (Part-M), Annex II (Part-145) and Annex VI (Part-ML) as regards the maintenance data and the installation of certain aircraft components during maintenance to align with this change.
If the change proposed is to retained EU Implementing Rules made under the UK Basic Regulation is there any UK Acceptable means of compliance (“ AMC ”), Guidance Material (“ GM ”) Certification Specification (“ CS ”) that will be changed/newly adopted as a consequence?	The CAA will be amending AMC and GM to Part 21 as a consequence of this change. Information on these proposed changes will be published on the CAA’s website, and the CAA Decision to adopt revised AMC/GM will be published here: CAA Decisions to adopt measures under Article 76 of the UK Basic Regulation
Is this proposal related to changes the EU have made that are not retained EU law (e.g. EU law that was in force but did not come across under the terms of the Withdrawal Act), or EU law changes since End of Transition	Yes. Commision Delegated Regulation (EU) 2021/699 amended Commission Regulation (EU) No 748/2012 as regards the instructions for continued airworthiness, the production of parts to be used during maintenance and the consideration of ageing aircraft aspects during certification.
Is there an EU Notice of Proposed Amendment considering the same issue?	Notices of Proposed Amendment (NPA 2013-07 , NPA 2017-19 and NPA 2018-01) were issued by EASA prior to the introduction of Commission Delegated Regulation (EU) 2021/699. Throughout the process, the CAA’s opinion was that the proposed changes were in the interests of safety and should be made. There has been no material change in circumstances since the issue of the NPA and no change in the CAA’s opinion.

Does this proposal relate to an international treaty obligation (e.g. an ICAO SARP)?	<p>Yes.</p> <p>The amendments proposed here would ensure full UK compliance with Annex 16 of the Chicago Convention 1944 and to harmonise with Federal Aviation Administration requirements.</p>
Is a consultation required?	<p>These proposals were fully developed by EASA and were consulted upon as part of NPA 2013-07, NPA 2017-19 and NPA 2018-01 prior to the publication of EASA's opinion. Comment Response Documents were prepared by EASA following each NPA as CRD 2013-07 (Issue 2), CRD 2017-19 and CRD 2018-01. These consultations were carried out when UK was part of the EASA system.</p> <p>The amendments now proposed are materially the same as the amendments adopted into EU law. The CAA does not consider that there has been any material change in circumstances since the date of the EASA consultation.</p> <p>As the EASA consultation meets the requirement for consultation under Article 115 of the UK Basic Regulation for the purpose of these proposed amendments, there is no requirement to carry out an additional consultation.</p>
Is an Impact Assessment under the Better Regulation Framework necessary?	A De Minimis Impact Assessment has been undertaken in respect of this proposed amendment.
When is it intended that these provisions should be brought into force?	To give the industry sufficient time to prepare for the changes, the proposal is for these provisions to apply one year after the SI is made.
Has an SI slot been agreed with the Department for Transport?	May 2023
Will there be any criminal offences?	The Department for Transport is considering whether to seek a legislative opportunity to take powers for the Secretary of State to make a breach of requirements of retained EU legislation in the field of civil aviation an offence. If such powers are agreed by Parliament in the future, then consideration will be given to whether any additional criminal offences would be appropriate.
If so, is a Justice Impact Test required?	If the power to impose criminal sanctions is granted, the question of a Justice Impact Test will be considered by the CAA in collaboration with the Department for Transport.
What is the intended extent of the provision?	The UK

Are there any devolved issues?	No
Are any transitional provisions needed?	Transitional provisions will be required. Some parts may only enter into effect from January 2024, others need to be in effect immediately.

Suggested Changes to existing wording of Law

As set out above, the substance of the amendments detailed below have already been the subject of consultation. These proposals are therefore published for information purposes only. It should be noted that the amendments set out in this section constitute the CAA’s initial opinion on possible amendments to the relevant legislation. While it is anticipated that any amendments ultimately enacted will broadly reflect the CAA’s proposals, all amendments to legislation are subject to an iterative legislation drafting process by Government lawyers. The proposals set out below may therefore not be the final wording in the UK law.

The amendments proposed by the CAA to UK Regulation (EU) No 748/2012 are set out in the accompanying table of changes published with this OID.

RMT.0022 and 0124 - Table of proposed amendments to Regulation 748/2012 for the May 2023 SI

Purpose of the amendment:

- **Safety Management System (SMS)** –introduction of Safety Management Systems requirements for design and production organisations under Part 21.
- **Ageing Aircraft Structures (AAS)** – Changes due to introduction of previous Ageing Aircraft provisions in Part 26 in 2021 ([Opinion and Instruction Document – 0005](#))([The Aviation Safety \(Amendment\) \(No. 3\) Regulations 2021](#))
- **Instructions for Continued Airworthiness (ICA)** – Changes to provide a definition of ICA and maintenance data and to establish instructions as part of the type certificate.
- **Eligibility of parts and appliances for installation without a Form 1 (EOPF1)** - Changes to provide clarity for parts and appliances for which their effect on the safety of the operation of aircraft is negligible and a Form 1 is no longer required.
- **Rationalisation** – where similar requirements were spread across various subparts, they are now combined into a new point with some improvements to the text.
- **Correction** – corrections to the regulation, aiming to either clarify or rectify the relevant and cited requirement.

Cross referencing:

DfT lawyers may be assisted in drafting by understanding where equivalent provisions already exist in retained EU aviation safety legislation, or where a proposal is put forward to make an equivalent change to a related Regulation.

Where an equivalent or related provision already exists, it will be identified as follows: [**Reg xx/xxx, Annex xx, para xx**]

Where an equivalent provision is connected to another related Regulation being amended as part of these rulemaking tasks, reference will be made to the table containing that proposed amendment and to the amendment by line number as follows [Table 748/2012 or 1321/2014 [delete as appropriate](as applicable); Amendment No. xx]

EU Regulation provision from which amendment is derived:

- [Commission Delegated Regulation \(EU\) 2022/201](#) of 10 December 2021 amending regulation (EU) No 748/2012 as regards management systems and occurrence-reporting systems to be established by design and production organisations, as well as procedures applied by the Agency, and correcting that Regulation.

- [Commission Implementing Regulation \(EU\) 2022/203](#) of 14 February 2022 amending Regulation (EU) No 748/2012 as regards management systems and occurrence-reporting systems to be established by competent authorities, and correcting Regulation (EU) No 748/2012 as regards the issuance of airworthiness review certificates.
- [Commission Delegated Regulation \(EU\) 2021/699](#) of 21 December 2020 amending and correcting Regulation (EU) No 748/2012 as regards the instructions for continued airworthiness, the production of parts to be used during maintenance and the consideration of ageing aircraft aspects during certification.

UK Regulation to be amended:

- [UK Regulation \(EU\) 748/2012](#) - the UK Initial Airworthiness Regulation (Part 21)

The provisions of the amending Regulation should come into force 21 days after the day the Regulation is made or, otherwise, as identified in the last column in the table provided. Unless otherwise indicated in the last column, each amendment should therefore come into force as indicated above.

For SMS related requirements, due to the volume and extend of the implementation work required, an implementation period up to 1 January 2024 is being proposed, as indicated in the last column of the table. This will allow the organisations to adjust their procedures and processes as well as update their Expositions which will be submitted to the CAA for approval.

At the end of the implementation period, from 1 January 2024, the CAA will commence its oversight process in respect of compliance with the amending Regulation. Any issues of non-compliance will be raised as an SMS related finding by the CAA. Organisations will be required to correct those findings enabling the CAA to close them by no later than 1 January 2026. Where from 1 January 2026 such findings will not have been closed, the approval certificate will be revoked, limited or suspended in whole or in part.

For requirements related to Instructions for Continued Airworthiness (ICA) and Eligibility of parts and appliances for installation without a Form 1 (EOPF1), a transition period aligning with amendments to Regulation No 748/2012 of 1 year will be required. It is therefore proposed an entry into force date of 1 January 2024 for the related provisions defined in the table below. All corrections should come into force at the same time as the next Statutory Instrument amendment.

Highlighting is used to assist in identifying the changes from the existing provision.

Orange shading indicates that a provision is listed in the Air Navigation Order 2016 (ANO) Schedule 13, Part 1, Chapter 2. Note that currently the Secretary of State does not have powers to create new offences for provisions for retained EU legislation. Some of the provisions being amended in the table have offences associated with them in article 265 ANO and Schedule 13 ANO, as shown highlighted in orange in the 2nd column below. The approach previously agreed with DfT has been that if an amendment materially changes the scope of such a provision, it would effectively create a new offence, which as yet we are not allowed to do without new primary legislation. This leaves 2 options: a) do not proceed with the amendment or b) draft the amendment as a new provision that does have the offence associated with it. The CAA’s preferred approach is for b), where this arises. It could be the case that this legislation is in force before the relevant provision is changed, in which case there is no problem, or that the change proposed is so minor so as not to affect the offence. Alternatively, where the amendment does not come into force until a later date, as indicated in the last column, and the power to create such offences, by an amendment to section 61 of the Civil Aviation Act 1982, will be in force by that date, perhaps the amendment may be made with a particular “in force” date.

Some of the amendments in the table are updating references to other Regulations, e.g. to Regulation 2018/1139 (the so-called Basic Regulation), which is still referred to in retained Regulation 748/2012 as Regulation 216/2008 (now revoked by 2018/1139 although note article 139(4) of 2018/1139). There are however other, existing references in 748/2012 which this table does not address. If these amendments update the references as mentioned below, then presumably the other references in 748/2012, not mentioned in this table, should also be updated?

¹ “References to the repealed Regulations referred to in paragraphs 1, 2 and 3 shall be construed as references to this Regulation and, where appropriate, read in accordance with the correlation table in Annex X.” law-2018-1139-30-mar-2021.pdf (caa.co.uk)

The change from continuing to continued airworthiness is important because there is a distinction between the two. To aid understanding a description of the meaning has been included:

- Continued Airworthiness – (related to Type Certificate Holder) actions associated with the upkeep of a Type Design and the associated Approved Data through life.
- Continuing Airworthiness – (related to Operator) actions associated with maintenance ensuring that aircraft remains in a condition for safe operation throughout its operating life.

For legal powers to make the amendments please see the Opinion Document.

Amdnt No.	Provision being amended	Proposed amendment text	Cross reference to	Relevant RMT No. and	Date when amdnt
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			related provisions	purpose of amendment	should come into force
1	Article 8	<p>Add paragraph:</p> <p>‘4. By way of derogation from points 21.B.433(d)(1) and (2) of Annex I (Part 21), a design organisation that holds a valid approval certificate issued in accordance with Annex I (Part 21) shall implement the Safety Management System requirements of Annex I by 1 January 2024.</p> <p>Organisations may correct any findings of non-compliance related to the Safety Management System requirements introduced by amending Regulation by 1 January 2026.</p> <p>Where from 1 January 2026, the organisation has not closed such findings, the approval certificate shall be revoked, limited or suspended in whole or in part.’</p> <p><i>Note: The dates proposed in this amendment assume the SI will be in force by the end of 2022. Should this not be the case, the dates will need to be revised accordingly.</i></p>		022/SMS	1 January 2024
2	Article 9	<p>Paragraph 1 is replaced by the following:</p> <p>‘1. An organisation responsible for the manufacture of products, parts and appliances shall demonstrate its capability in accordance with the provisions of Annex I (Part 21). This demonstration of capability is not required for the parts or appliances that an organisation manufactures which, in accordance with the provisions of Annex I (Part 21), are eligible for installation in a type-certified product without the need to be accompanied by an authorised release certificate (i.e. CAA Form 1).’</p> <p><i>Note: Sentence added to support new eligibility of parts and appliances for installation without a Form 1 (EOPF1).</i></p>		0124/EOPF1	1 January 2024
3	Article 9	<p>Add paragraphs 5 and 6:</p> <p>‘5. By way of derogation from points 21.B.225(d)(1) and (2) of Annex I (Part 21), a production organisation that holds a valid approval certificate issued in accordance</p>		022/SMS	1 January 2024

		<p>with Annex I (Part 21) shall implement the Safety Management System requirements of Annex I by 1 January 2024.</p> <p>Organisations may correct any findings of non-compliance related to the Safety Management System requirements introduced by amending Regulation by 1 January 2026.</p> <p>Where from 1 January 2026, the organisation has not closed such findings, the approval certificate shall be revoked, limited or suspended in whole or in part.</p> <p>6. By way of derogation from points 21.B.125(d)(1) and (2) of Annex I (Part 21), a production organisation without an approval certificate and holds a valid letter of agreement issued in accordance with Annex I (Part 21) shall implement the Safety Management System requirements of Annex I by 1 January 2024.</p> <p>Organisations may correct any findings of non-compliance related to the Safety Management System requirements introduced by amending Regulation by 1 January 2026.</p> <p>Where from 1 January 2026, the organisation has not closed such findings, the approval certificate shall be revoked, limited or suspended in whole or in part.'</p> <p><i>Note: The dates proposed in this amendment assume the SI will be in force by the end of 2022. Should this not be the case, the dates will need to be revised accordingly.</i></p>			
4	Table of Content	<p>The table of content is amended as follows:</p> <p>21.A.3A replace with 'Reporting system'</p> <p>Insert '21.A.5 Record-keeping'</p> <p>Insert '21.A.6 Manuals'</p> <p>Insert '21.A.7 Instructions for continued airworthiness'</p> <p>Insert '21.A.9 Access and investigation'</p> <p>Delete '21.A.55 Record-keeping'</p>		022/SMS	1 January 2024

	<p>Delete '21.A.57 Manuals'</p> <p>Delete '21.A.61 Instructions for continued airworthiness'</p> <p>Insert '21.A.90C Stand-alone changes to the Instructions for Continued Airworthiness'</p> <p>Delete '21.A.105 Record-keeping'</p> <p>Delete '21.A.107 Instructions for Continued Airworthiness'</p> <p>Delete '21.A.119 Manuals'</p> <p>Delete '21.A.120A Instructions for continued airworthiness'</p> <p>Insert '21.A.124A Means of compliance'</p> <p>21.A.125B replace with 'Findings and observations'</p> <p>21.A.129 replace with 'Obligations of the production organisation'</p> <p>Insert '21.A.134A Means of compliance'</p> <p>21.A.139 replace with 'Production management system'</p> <p>21.A.143 replace with 'Production organisation exposition'</p> <p>21.A.145 replace with 'Resources'</p> <p>21.A.147 replace with 'Changes in the production management system'</p> <p>Delete '21.A.157 Investigations'</p> <p>21.A.158 replace with 'Findings and observations'</p> <p>Delete '21.A.180 Inspections'</p> <p>Delete '21.A.210 Inspections'</p> <p>21.A.239 replace with 'Design management system'</p> <p>21.A.243 replace with 'Handbook'</p> <p>21.A.245 replace with 'Resources'</p>			
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	<p>21.A.247 replace with 'Changes in the design management system'</p> <p>Delete '21.A.257 Investigations'</p> <p>21.A.258 replace with 'Findings and observations'</p> <p>Delete '21.A.447 Record-keeping'</p> <p>Delete '21.A.449 Instructions for continued airworthiness'</p> <p>Delete '21.A.613 Record-keeping'</p> <p>Delete '21.A.615 Inspection by the CAA'</p> <p>Delete '21.A.721 Inspections'</p> <p>Delete '21.A.729 Record-keeping'</p> <p>Insert '21.B.20 Immediate reaction to a safety problem'</p> <p>21.B.25 replace with 'Management system'</p> <p>21.B.30 replace with 'Allocation of tasks to qualified entities'</p> <p>21.B.35 replace with 'Changes in the management system'</p> <p>Delete '21.B.40 Resolution of disputes'</p> <p>Insert '21.B.65 Suspension, limitation and revocation'</p> <p>Insert '21.B.115 Means of compliance'</p> <p>21.B.120 replace with 'Initial certification procedure'</p> <p>Delete '21.B.130 Issue of letter of agreement'</p> <p>Delete '21.B.145 Limitation, suspension and revocation of a letter of agreement'</p> <p>Delete '21.B.150 Record-keeping'</p> <p>Insert '21.B.215 Means of compliance'</p>			
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		<p>21.B.220 replace with 'Initial certification procedure'</p> <p>21.B.125 replace with 'Findings and corrective actions; observations'</p> <p>Insert '21.B.221 Oversight principles'</p> <p>Insert '21.B.222 Oversight programme'</p> <p>21.B.225 replace with 'Findings and corrective actions; observations'</p> <p>Delete '21.B.230 Issue of certificate'</p> <p>Delete '21.B.235 Continued Surveillance'</p> <p>21.B.240 replace with 'Changes in production management system'</p> <p>Delete '21.B.245 Suspension and revocation of a production organisation approval'</p> <p>Delete '21.B.260 Record-keeping'</p> <p>Delete '21.B.330 Suspension and revocation of certificates of airworthiness and restricted certificates of airworthiness'</p> <p>Delete '21.B.345 Record-keeping'</p> <p>'21.B.430 replace with 'Initial certification procedure'</p> <p>Insert '21.B.431 Oversight principles'</p> <p>Insert '21.B.432 Oversight programme'</p> <p>Insert '21.B.433 Findings and corrective actions; observations'</p> <p>Insert '21.B.435 Changes in the design management system'</p> <p>Delete '21.B.445 Record-keeping'</p> <p>Delete '21.B.530 Revocation of permits to fly'</p> <p>Delete '21.B.545 Record-keeping'</p>			
5	Table of Content	Insert '21.A.65 Continuing structural integrity for aeroplanes structures'		0124/AAS	Immediately

6	21.A.3A	<p>Replace with:</p> <p>(a)</p> <p>Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons that have applied for or hold a type-certificate, restricted type-certificate, supplemental type-certificate, UK Technical Standard Order (UKTSO) authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Regulation shall:</p> <p>1.</p> <p>establish and maintain a system for collecting, investigating and analysing occurrence reports in order to identify adverse trends or to address deficiencies and to extract occurrences whose reporting is mandatory in accordance with point 3 and those which are reported voluntarily. The reporting system shall include:</p> <p>(i)</p> <p>reports of and information related to failures, malfunctions, defects or other occurrences which cause or might cause adverse effects on the continuing airworthiness of the product, part or appliance covered by the type-certificate, restricted type-certificate, supplemental type-certificate, UKTSO authorisation, major repair design approval or by any other relevant approval deemed to have been issued under this Regulation;</p> <p>(ii)</p> <p>errors, near misses and hazards that do not fall under point (i);</p> <p>2.</p> <p>make available to known operators of the product, part or appliance and, on request, to any authorised person the information about the system established in accordance with point 1, and on how to provide reports of and information related to failures, malfunctions, defects or other occurrences referred to in point 1(i);</p> <p>3.</p>		022/SMS	1 January 2024

	<p>report to the CAA any failure, malfunction, defect or other occurrence of which it is aware and is related to a product, part or appliance covered by the type-certificate, restricted type-certificate, supplemental type- certificate, UKTSO authorisation, major repair design approval or by any other relevant approval deemed to have been issued under this Regulation, and which has resulted or may result in an unsafe condition.</p> <p>(b)</p> <p>Without prejudice to Regulation (EU) No 376/2014, any natural or legal person that holds or has applied for a production organisation approval certificate under Subpart G of this Section, or that produces a product, part or appliance under Subpart F of this Section, shall:</p> <p>1.</p> <p>establish and maintain a system for collecting and assessing occurrence reports, including reports on errors, near misses and hazards, in order to identify adverse trends or to address deficiencies and extract occurrences whose reporting is mandatory in accordance with points 2 and 3 and those which are reported voluntarily;</p> <p>2.</p> <p>report to the responsible design approval holder all the cases where products, parts or appliances have been released by the production organisation and possible deviations from the applicable design data have been subsequently identified, and investigate with the design approval holder to identify those deviations which could lead to an unsafe condition;</p> <p>(c)</p> <p>Without prejudice to Regulation (EU) No 376/2014, any natural or legal person, when reporting in accordance with points (a)(3), (b)(2), (b)(3) and (b)(4), shall appropriately protect the confidentiality of the person who reports and of the person(s) mentioned in the report.</p> <p>(d)</p> <p>Without prejudice to Regulation (EU) No 376/2014, any natural or legal person shall make the reports referred to in points (a)(3) and (b)(3) in a form and manner established by the CAA and dispatch them as soon as practicable and in any case not</p>			
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		<p>later than 72 hours after the natural or legal person has identified that the occurrence may lead to a possible unsafe condition, unless exceptional circumstances prevent this.</p> <p>(e)</p> <p>Without prejudice to Regulation (EU) No 376/2014, if an occurrence reported under point (a)(3) or under point (b)(3) results from a deficiency in the design or a production deficiency, the holder of the type-certificate, restricted type-certificate, supplemental type-certificate, major repair design approval, UKTSO authorisation or any other relevant approval deemed to have been issued under this Regulation, or the production organisation as appropriate, shall investigate the reason for the deficiency and report to the CAA the results of its investigation and any action it intends to take or proposes to be taken to correct that deficiency.</p> <p>(f)</p> <p>If the CAA finds that action is required to correct the deficiency, the holder of the type-certificate, restricted type-certificate, supplemental type-certificate, major repair design approval, UKTSO authorisation or any other relevant approval deemed to have been issued under this Regulation, or the production organisation as appropriate, shall submit the relevant data to the CAA upon its request.'</p> <p><i>Note: Term 'natural or legal person' is an existing term in UK Regulation 748/2012.</i></p> <p><i>Introduction of voluntary reporting.</i></p>			
7	21.A.5	<p>The following point is inserted:</p> <p>'21.A.5</p> <p>Record-keeping</p> <p>All natural or legal persons that hold or have applied for a type-certificate, restricted type-certificate, supplemental type-certificate, UKTSO authorisation, design or repair approval, permit to fly, production organisation approval certificate or letter of agreement under this Regulation shall:</p> <p>'(a)</p> <p>when they design a product, part or appliance or changes or repairs thereto, establish a record-keeping system and maintain the relevant design information/data; that information/data shall be made available to the CAA in order to provide the</p>		022/ Rationalisation	1 January 2024

		<p>information/data that is necessary to ensure the continued airworthiness of the product, part or appliance, the continued validity of the operational suitability data, and compliance with the applicable environmental protection requirements;</p> <p>(b) when they produce a product, part or appliance, record the details of the production process relevant to the conformity of the product, part or appliances with the applicable design data, and the requirements imposed on their partners and suppliers, and make that data available to the CAA in order to provide the information that is necessary to ensure the continuing airworthiness of the product, part or appliance;</p> <p>(c) with regard to permits to fly:</p> <ol style="list-style-type: none"> 1. maintain the documents that are produced to establish and justify the flight conditions, and make them available to the CAA in order to provide the information that is necessary to ensure the continued airworthiness of the aircraft; 2. when they issue a permit to fly under the privilege of approved organisations, maintain the documents associated with it, including inspection records and documents that support the approval of the flight conditions and the issuance of the permit to fly itself, and make them available to the CAA in order to provide the information that is necessary to ensure the continued airworthiness of the aircraft; <p>(d) retain records of the competence and qualifications, referred to in points 21.A.139(c), 21.A.145(b), 21.A.145(c), 21.A.239(c), 21.A.245(a) or 21.A.245(e)(1), of the personnel that are involved in the following functions:</p> <ol style="list-style-type: none"> 1. design or production; 2. independent monitoring of the compliance of the organisation with the relevant requirements; 			
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		<p>3. safety management;</p> <p>(e) retain records of the authorisation of personnel, when they employ personnel that:</p> <p>1. exercise the privileges of the approved organisation pursuant to points 21.A.163 and/or 21.A.263, as appropriate;</p> <p>2. carry out the independent function to monitor the compliance of the organisation with the relevant requirements pursuant to points 21.A.139(e) and/or 21.A.239(e), as appropriate;</p> <p>3. carry out the independent verification function of the demonstration of compliance pursuant to point 21. A.239(d)(2).'</p> <p><i>Note: Replacing all record-keeping requirements spread over in Section A.</i></p>			
8	21.A.6	<p>The following new 21.A.6 is inserted:</p> <p>'21.A.6 Manuals</p> <p>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 CAA.'</p>		0124/ICA	1 January 2024
9	21.A.7	<p>The following new 21.A.7 is inserted:</p> <p>'21.A.7 Instructions for continued airworthiness</p> <p>(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</p>		0124/ICA	1 January 2024

		<p>of the aircraft, when demonstrating compliance with the applicable type-certification basis established and notified by the CAA in accordance with point 21.B.80.</p> <p>(b) At least one set of complete instructions for continued airworthiness shall be provided by the holder of:</p> <ol style="list-style-type: none"> 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 CAA. <p>Thereafter, those design approval holders shall make those instructions available on request to any other person required to comply with those instructions.</p> <p>(c) By way of derogation from point (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.</p> <p>(d) The design approval holder, who is required to provide instructions for continued airworthiness in accordance with point (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 CAA, on request, the adequacy of the process</p>			
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		of making changes to the instructions for continued airworthiness available in accordance with this point.'			
10	21.A.9	<p>The following point is inserted:</p> <p>'21.A.9</p> <p>Access and investigation</p> <p>Any natural or legal person that holds or has applied for a type-certificate, restricted type-certificate, supplemental type-certificate, UKTSO authorisation, design change or repair approval, certificate of airworthiness, noise certificate, permit to fly, design organisation approval, production organisation approval certificate or letter of agreement under this Regulation, shall:</p> <p>(a)</p> <p>grant the CAA access to any facility, product, part and appliance, document, record, data, process, procedure or to any other material in order to review any report, make any inspection, or perform or witness any flight and ground test, as necessary, in order to verify the initial and continued compliance of the organisation with the applicable requirements of Regulation (EU) 2018/1139.;</p> <p>(b)</p> <p>make arrangements to ensure the CAA has access, as provided for in point (a), also in respect of the natural or legal person's partners, suppliers and subcontractors.'</p> <p><i>Note: Replacing all investigation requirements spread over in Section A.</i></p>		022/ Rationalisation	1 January 2024
11	21.A.15(b)	<p>In point (b) after 'the initial application' insert 'by' before the comma.</p> <p><i>Note: Correction of grammatical error and improves clarity.</i></p>		0124/ Correction	Immediately
12	21.A.15(d)	<p>In point (d) after 'the initial application' insert 'by' before the comma.</p> <p><i>Note: Correction of grammatical error and improves clarity.</i></p>		0124/ Correction	Immediately
13	21.A.41	<p>In point 21.A.41 after 'the operating limitations,' insert ', the instructions for continued airworthiness,'.</p>		0124/ICA	1 January 2024
14	21.A.44(a)	<p>Replace '21.A.61 and 21.A.62;' with '21.A.61, 21.A.62 and 21.A.65'.</p>		0124/AAS	Immediately

15	21.A.44(a)	Replace with: '(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, 21.A.9, 21. A.62 and 21.A.65, and, for this purpose, shall continue to meet the qualification requirements for eligibility under point 21.A.13;'		022/SMS	1 January 2024
16	21.A.47	point 21.A.47 is replaced by the following: 'The transfer of a type-certificate or a restricted type-certificate or a UKTSO authorisation for an auxiliary power unit may only be made to a natural or legal person that is able to undertake the obligations laid down in point 21.A.44, and, for this purpose, has demonstrated its capability in accordance with point 21.A.14.' <i>Note: updated with the applicability to ETSO authorisation for APU.</i>		022/SMS	1 January 2024
17	21.A.55	Delete the point		0124/ICA	1 January 2024
18	21.A.57	Delete the point		0124/ICA	1 January 2024
19	21.A.61	Delete the point <i>Note: 21.A.61 is listed in ANO Schedule 13, Part 1, Chapter 2.</i>		0124/ICA	1 January 2024
20	21.A.65	The following new 21.A.65 is inserted: '21.A.65 Continuing structural integrity for aeroplanes structures The holder of the type-certificate or restricted type-certificate for a large aeroplane shall ensure that the continuing structural integrity programme remains valid throughout the operational life of the aeroplane, taking into account service experience and current operations.'	26.300 in UK Reg (EU) No. 2015/64 0, Annex I	0124/AAS	Immediately
21	21.A.90B	In 21.A.90B(a), point 2 replace the word 'continuing' with 'continued'.		0124/ICA	Immediately
22	21.A.90C	The following new 21.A.90C is inserted: '21.A.90C Stand-alone changes to the Instructions for Continued Airworthiness		0124/ICA	1 January 2024

		<p>(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.</p> <p>(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.</p> <p>(c) Points 21.A.91 to 21.A.109 shall not apply to stand-alone changes to the instructions for continued airworthiness that:</p> <ol style="list-style-type: none"> 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. <p>(d) Stand-alone changes to the instructions for continued airworthiness referred to in point (c) shall be approved by the design approval holder under procedures agreed with the CAA.'</p>			
23	21.A.93(b)	<p>In point (b) after 'the initial application' insert 'by' before the comma.</p> <p><i>Note: Correction of grammatical error and improves clarity.</i></p>		0124/Correction	Immediately
24	21.A.93(c)(2)	<p>In the last sentence of the point (c)(2) for 'any other change to' replace with 'a change to any other'.</p> <p><i>Note: Correction of grammatical errors and improves clarity.</i></p>		0124/Correction	Immediately
25	21.A.101(b)	<p>In 21.A.101 at the beginning of point (b) insert the following: 'Except as provided in point (h), '.</p>		0124/AAS	Immediately
26	21.A.101	<p>the following point (h) is added:</p> <p>'(h)</p> <p>For large aeroplanes subject to point 26.300 of Annex I to Commission Regulation (EU) 2015/640 , the applicant shall comply with certification specifications that provide at least an equivalent level of safety to points 26.300 and 26.330 of Annex I to Regulation (EU) 2015/640, except for applicants for supplemental type-certificates who are not required to take into account point 26.303.'</p>	26.300, 26.303 and 26.330 in UK Reg (EU) No. 2015/64	0124/AAS	Immediately

			0, Annex I		
27	21.A.105	Delete the point.		0124/ICA	1 January 2024
28	21.A.107	Delete the point. <i>Note: 21.A.107 is listed in ANO Schedule 13, Part 1, Chapter 2.</i>		0124/ICA	1 January 2024
29	21.A.109(a)	Replace with: '(a) undertake the obligations laid down in points 21.A.4, 21.A.5, 21.A.6, 21.A.7, 21.A.9 and 21.A.108;'		022/SMS and ICA	1 January 2024
30	21.A.118A (a)(1)	Replace with: '1. laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.5, 21.A.6, 21.A.7, 21.A.9 and 21.A.120B;'		022/SMS and ICA	1 January 2024
31	21.A.119	Delete the point.		0124/ICA	1 January 2024
32	21.A.120A	Delete the point. <i>Note: 21.A.120 is listed in ANO Schedule 13, Part 1, Chapter 2.</i>		0124/ICA	1 January 2024
33	21.A.124A	The following point is inserted: '21.A.124A Means of compliance (a) An organisation may use any alternative means of compliance to establish compliance with this Regulation. (b) If an organisation wishes to use an alternative means of compliance, it shall, prior to using it, provide the CAA with a full description. The description shall include any		022/SMS	1 January 2024

		<p>revisions to manuals or procedures that may be relevant, as well as an explanation indicating how compliance with this Regulation is achieved.</p> <p>The organisation may use those alternative means of compliance subject to prior approval from the CAA.'</p>			
34	21.A.125B	<p>Replace with:</p> <p>'Findings and observations</p> <p>(a)</p> <p>After receipt of the notification of findings in accordance with point 21.B.125, the holder of a letter of agreement shall:</p> <ol style="list-style-type: none"> 1. identify the root cause(s) of, and contributing factor(s) to, the non-compliance; 2. define a corrective action plan; 3. demonstrate the implementation of the corrective action to the satisfaction of the CAA. <p>(b)</p> <p>The actions referred to in point (a) shall be performed within the period agreed with that CAA in accordance with point 21.B.125.</p> <p>(c)</p> <p>The observations received in accordance with point 21.B.125(e) shall be given due consideration by the holder of the letter of agreement. The organisation shall record the decisions taken in respect of those observations.'</p> <p><i>Note: Text updated for clarity and classification and requirements for competent authority moved to Section B.</i></p>		022/ Rationalisation	1 January 2024
35	21.A.125C	<p>Replace with:</p> <p>'(a)</p>		022/ Rationalisation	1 January 2024

		<p>The letter of agreement shall be issued for a limited period of time that in any case shall not exceed 1 year. It shall remain valid subject to the organisation's compliance with all the following conditions:</p> <ol style="list-style-type: none"> 1. the production organisation continues to comply with the applicable requirements of this Annex; 2. the production organisation or any of its partners, suppliers or subcontractors acknowledges that the CAA may carry out investigations in accordance with point 21.A.9; 3. the production organisation is able to provide the CAA with evidence showing that it maintains satisfactory control of the manufacture of products, parts and appliances under the letter of agreement; 4. the letter of agreement has not been revoked by the CAA under point 21.B.65, has not been surrendered by the production organisation, and its duration has not expired. <p>(b) Upon surrender, revocation or expiry, the letter of agreement shall be returned to the CAA.'</p> <p><i>Note: References updated, text improved and harmonised with similar requirements in other subparts.</i></p>			
36	21.A.126 (b)(5)	'because of departures' replace with 'because of deviations'.		022/SMS/Correction	1 January 2024
37	21.A.126 (b)(6)	Delete the point.		022/Rationalisation	1 January 2024
38	21.A.129	In the title, for 'Obligations of the manufacturer' substitute 'Obligations of the production organisation'.		022/Correction	1 January 2024

		<i>Note: 21.A.129 is listed in ANO Schedule 13, Part 2, Chapter 2.</i>			
39	21.A.129(e)	Replace with: '(e) comply with Subpart A of this Section.' <i>Note: Reporting requirements moved to point 21.A.3A. 21.A.129 is listed in ANO Schedule 13, Part 2, Chapter 2.</i>		022/ Rationalisation	1 January 2024
40	21.A.129(f)	Delete the point <i>Note: Reporting requirements moved to point 21.A.3A. 21.A.129 is listed in ANO Schedule 13, Part 2, Chapter 2.</i>		022/ Rationalisation	1 January 2024
41	21.A.134A	The following point is inserted: '21.A.134A Means of compliance (a) An organisation may use any alternative means of compliance to establish compliance with this Regulation. (b) If an organisation wishes to use an alternative means of compliance, it shall, prior to using it, provide the CAA with a full description. The description shall include any revisions to manuals or procedures that may be relevant, as well as an explanation indicating how compliance with this Regulation is achieved. The organisation may use those alternative means of compliance subject to prior approval from the CAA.'		022/SMS	1 January 2024
42	21.A.139	Replace with: '21.A.139 Production management system (a)		022/SMS	1 January 2024

	<p>The production organisation shall establish, implement and maintain a production management system that includes a safety management element and a quality management element, with clearly defined accountability and lines of responsibility throughout the organisation.</p> <p>(b)</p> <p>The production management system shall:</p> <ol style="list-style-type: none"> 1. correspond to the size of the organisation, and to the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities; 2. be established, implemented and maintained under the direct accountability of a single manager appointed pursuant to point 21.A.145(c)(1). <p>(c)</p> <p>As part of the safety management element of the production management system, the production organisation shall:</p> <ol style="list-style-type: none"> 1. establish, implement and maintain a safety policy and the corresponding related safety objectives; 2. appoint key safety personnel in accordance with point 21.A.145(c)(2); 3. establish, implement and maintain a safety risk management process to identify safety hazards entailed by its aviation activities, evaluate them and manage associated risks, including taking actions to mitigate the risks and verify their effectiveness; 4. establish, implement and maintain a safety assurance process that includes: <ol style="list-style-type: none"> (i) the measurement and monitoring of the organisation's safety performance; 			
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		<p>(ii) the management of changes in accordance with point 21.A.147;</p> <p>(iii) the principles for the continuous improvement of the safety management element;</p> <p>5. promote safety in the organisation through:</p> <p>(i) training and education;</p> <p>(ii) communication;</p> <p>6. establish an occurrence reporting system in accordance with point 21.A.3A in order to contribute to the continuous improvement of safety.</p> <p>(d) As part of the quality management element of the production management system, the production organisation shall:</p> <p>1. ensure that each product, part or appliance produced by the organisation or by its partners, or supplied from or subcontracted to outside parties, conforms to the applicable design data and is in condition for safe operation, thus enabling the exercise of the privileges set out in point 21.A.163;</p> <p>2. establish, implement and maintain, as appropriate, within the scope of the approval, control procedures for:</p> <p>(i) document issue, approval, or change;</p> <p>(ii) vendor and subcontractor assessment audit and control;</p> <p>(iii) verification that incoming products, parts, materials, and equipment, including items supplied new or used by buyers of products, are as specified in the</p>			
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	<p>applicable design data;</p> <p>(iv) identification and traceability;</p> <p>(v) manufacturing processes;</p> <p>(vi) inspection and testing, including production flight tests;</p> <p>(vii) calibration of tools, jigs, and test equipment;</p> <p>(viii) non-conforming item control;</p> <p>(ix) airworthiness coordination with the applicant for, or holder of, the design approval;</p> <p>(x) records completion and retention;</p> <p>(xi) personnel competence and qualification;</p> <p>(xii) issue of airworthiness release documents;</p> <p>(xiii) handling, storage and packing;</p> <p>(xiv) internal quality audits and resulting corrective actions;</p> <p>(xv) work within the terms of approval performed at any location other than the approved facilities;</p> <p>(xvi) work carried out after completion of production but prior to delivery, to maintain the aircraft in a condition for safe operation;</p> <p>(xvii) issue of permit to fly and approval of associated flight conditions.</p> <p>3.</p> <p>include specific provisions in the control procedures for any critical parts.</p> <p>(e)</p> <p>The production organisation shall establish, as part of the production management system, an independent monitoring function to verify compliance of the organisation with the relevant requirements of this Annex as well as compliance with and adequacy of the production management system. Monitoring shall include feedback to the person or group of persons referred to in point 21.A.145(c)(2) and to the manager</p>			
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		<p>referred to in point 21. A.145(c)(1) to ensure, where necessary, the implementation of corrective action.</p> <p>(f) If the production organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the production management system may be integrated with that required under the additional certificate(s) held.'</p> <p><i>Note: Original points (i) – (xvii) of point (b)(1) now feature as points (i) – (xvii) of a new point (d)(2). The text of points (i) – (xvii) remains unchanged.</i></p> <p><i>The sentence after the last point (xvii) remains unchanged and is now made into a new and separate point (3).</i></p> <p><i>Original point (b)(2) now features as point (e) with additional text.</i></p>			
43	21.A.143	<p>The title is replaced with:</p> <p>'21.A.143 Production organisation exposition'</p>		022/ Correction	1 January 2024
44	21.A.143(a)	<p>The introductory phrase is replaced by the following:</p> <p>'The production organisation shall establish and maintain a production organisation exposition (POE) that provides directly or by cross reference the following information related to the production management system as described in point 21.A.139:'</p>		022/SMS	1 January 2024
45	21.A.143(a)(11)	<p>Replace with:</p> <p>'11. a description of the production management system, the policy, processes and procedures as provided for in point 21.A.139(c);'</p>		022/SMS	1 January 2024
46	21.A.143(a)(12)	<p>Replace with:</p> <p>'12. a list of the outside parties referred to in point 21.A.139(d)(1);'</p>		022/SMS	1 January 2024
47	21.A.143(b)	<p>Replace with:</p> <p>'(b) The initial issue of the POE shall be approved by the CAA.'</p>		022/SMS	1 January 2024
48	21.A.143	<p>the following point (c) is added:</p>		022/SMS	1 January 2024

		'(c) The POE shall be amended as necessary so that it remains an up-to-date description of the organisation. Copies of any amendments shall be supplied to the CAA.'			
49	21.A.145	<p>Replace with:</p> <p>'21.A.145 Resources The production organisation shall demonstrate that:</p> <p>(a) the facilities, working conditions, equipment and tools, processes and associated materials, number and competence of staff, and the general organisation are adequate to discharge its obligations under point 21.A.165;</p> <p>(b) with regard to all the necessary airworthiness and environmental protection data:</p> <p>1. the production organisation holds all data it needs to determine conformity with the applicable design data. Such data may originate from the CAA and from the holder of, or applicant for, the type-certificate, restricted type-certificate or design approval, and may include any exemption granted from the environmental protection requirements;</p> <p>2. the production organisation has established a procedure to ensure that the airworthiness and environmental protection data are correctly incorporated in its production data;</p> <p>3. such data are kept up to date and made available to all personnel that need access to such data to perform their duties;</p> <p>(c) with regard to management and staff:</p> <p>1. an accountable manager has been appointed by the production organisation with the authority to ensure that, within the organisation, all production is performed to the</p>		022/SMS	1 January 2024

		<p>required standards and that the production organisation is continuously in compliance with the requirements of the production management system referred to in point 21.A.139, and the data and procedures identified in the POE referred to in point 21.A.143;</p> <p>2. a person or group of persons has/have been nominated by the accountable manager to ensure that the organisation is in compliance with the requirements of this Annex, and are identified, together with the extent of their authority; such person or group of persons shall be responsible to the accountable manager and have direct access to the accountable manager. The person or group of persons shall have the appropriate knowledge, background and experience to discharge their responsibilities;</p> <p>3. staff at all levels have been given the appropriate authority to be able to discharge their allocated responsibilities and that there is full and effective coordination within the production organisation in respect of airworthiness and environmental protection data matters;</p> <p>(d) with regard to certifying staff authorised by the production organisation to sign the documents issued under point 21.A.163 within the scope of the terms of approval:</p> <p>1. they have the appropriate knowledge, background (including other functions in the organisation) and experience to discharge their allocated responsibilities;</p> <p>2. they are provided with evidence of the scope of their authorisation.’</p> <p><i>Note: Improvements of text and updated reference.</i></p>			
50	21.A.157	<p>Delete the point.</p> <p><i>Note: Requirement moved to point 21.A.9.</i></p>		022/ Rationalisation	1 January 2024
51	21.A.158	<p>Replace with: '21.A.158</p>		022/	1 January 2024

		<p>Findings and observations</p> <p>(a) After receipt of the notification of findings in accordance with point 21.B.225, the holder of the production organisation approval certificate shall:</p> <ol style="list-style-type: none"> 1. identify the root cause(s) of, and contributing factor(s) to, the non-compliance; 2. define a corrective action plan; 3. demonstrate the implementation of the corrective action to the satisfaction of the CAA. <p>(b) The actions referred to in point (a) shall be performed within the period agreed with that CAA in accordance with point 21.B.225.</p> <p>(c) The observations received in accordance with 21.B.225(e) shall be given due consideration by the holder of the production organisation approval certificate. The organisation shall record the decisions taken in respect of those observations.</p> <p><i>Note: Text updated for clarity and classification and requirements for competent authority moved to Section B.</i></p>		Rationalisation	
52	21.A.159	<p>Replace with:</p> <p>'(a) A production organisation approval certificate shall be issued for an unlimited period of time. It shall remain valid subject to the production organisation's compliance with all the following conditions:</p> <ol style="list-style-type: none"> 1. the production organisation continues to comply with the applicable requirements of Regulation (EU) 2018/1139; 2. 		022/SMS and Rationalisation	1 January 2024

		<p>the CAA is permitted by the production organisation or by any of its partners, suppliers or subcontractors to perform the investigations in accordance with point 21.A.9;</p> <p>3. the production organisation is able to provide the CAA with evidence showing that it maintains satisfactory control of the manufacture of products, parts and appliances under the approval;</p> <p>4. the production organisation approval certificate has not been revoked by the CAA under point 21.B.65, or surrendered by the production organisation.</p> <p>(b) Upon surrender or revocation, the production organisation approval certificate shall be returned to the CAA.’</p> <p><i>Note: References updated, text improved and harmonised with similar requirements in other subparts.</i></p>			
53	21.A.165(d) – (h)	<p>points (d) to (h) are replaced by the following:</p> <p>‘(d) provide assistance to the holder of the type-certificate or other design approval in dealing with any continuing airworthiness actions that are related to the products, parts or appliances that have been produced;</p> <p>(e) where, under its terms of approval, the holder of a production organisation approval intends to issue a certificate of release to service, determine, prior to issuing the certificate, that each completed aircraft has been subjected to necessary maintenance and is in condition for safe operation;</p> <p>(f) where applicable, under the privilege set out in point 21.A.163(e), determine the conditions under which a permit to fly can be issued;</p> <p>(g)</p>		022/ Rationalisation	1 January 2024

		<p>where applicable, under the privilege set out in point 21.A.163(e), establish compliance with points 21. A.711(c) and (e) before issuing an aircraft with a permit to fly;</p> <p>(h)</p> <p>comply with Subpart A of this Section.’</p> <p><i>Note: point (g) is now point (d);</i></p> <p><i>Point (i) is now point (e);</i></p> <p><i>Point (j) is now point (f);</i></p> <p><i>Point (k) is now point (g);</i></p> <p><i>Reporting requirements in point (h) have been moved to point 21.A.3A.</i></p>			
54	21.A.165(i), (j), (k)	<p>Delete the points.</p> <p><i>Note: Reporting requirements moved to point 21.A.3A.</i></p>		022/ Rationalisation	1 January 2024
55	21.A.174 (b)(3)(ii)	<p>21.A.174, point (ii) of point (b)(3) is changed by the highlighted text:</p> <p>‘(ii) a third country:</p> <ul style="list-style-type: none"> — a statement by the competent authority of the State where the aircraft is, or was, registered, reflecting the airworthiness status of the aircraft on its register at the time of transfer; — a weight and balance report with a loading schedule; — the flight manual when such a manual is required by the airworthiness code for the aircraft; — historical records to establish the production, modification and maintenance standard of the aircraft, including all limitations associated with a restricted certificate of airworthiness issued in accordance with point 21.B.327; — a recommendation for the issuance of a certificate of airworthiness or restricted certificate of airworthiness and for an airworthiness review certificate pursuant to an airworthiness review in accordance with Annex I (Part-M) to Regulation (EU) No 1321/2014 or an airworthiness review certificate in accordance with Annex Vb (Part-ML) to Regulation (EU) No 1321/2014. 		0124/ Correction	Immediately

		<p>— the date on which the first certificate of airworthiness was issued and, if the standards of Volume III of Annex 16 to the Chicago Convention apply, the CO2 metric value data.;</p> <p><i>Note: Changes made to align with the requirements set out in Regulation (EU) No 1321/2014.</i></p>			
56	21.A.180	<p>Delete the point.</p> <p><i>Note: Requirement moved to point 21.A.9.</i></p>		022/ Rationalisation	1 January 2024
57	21.A.181(a)	<p>The introductory phrase is replaced by the following:</p> <p>‘(a)</p> <p>An airworthiness certificate shall be issued for an unlimited period of time. It shall remain valid subject to compliance with all the following conditions:’</p> <p><i>Note: Change made to clarify the conditions of the compliance.</i></p>		022/SMS	1 January 2024
58	21.A.181 (a)(1)	<p>Replace with:</p> <p>‘1.</p> <p>the aircraft continues to comply with the applicable type design and continued airworthiness requirements; and’</p>		022/ICA	Immediately
59	21.A.181 (a)(4)	<p>Replace with:</p> <p>‘4.</p> <p>the certificate has not been revoked by the CAA under point 21.B.65, or surrendered by the certificate holder.’</p>		022/SMS	1 January 2024
60	21.A.210	<p>Delete the point.</p> <p><i>Note: Requirement moved to point 21.A.9.</i></p>		022/ Rationalisation	1 January 2024
61	21.A.211(a)	<p>The introductory phrase is replaced by the following:</p> <p>‘(a)</p>		022/SMS	1 January 2024

		A noise certificate shall be issued for an unlimited period of time. It shall remain valid subject to compliance with all the following conditions: '			
62	21.A.211 (a)(1)	Replace with: '1. the aircraft continues to comply with the applicable type design and continued airworthiness requirements; and '		0124/ICA	Immediately
63	21.A.211 (a)(1)	Replace with: '1. the aircraft continues to comply with the applicable type design and continued airworthiness requirements; and' <i>Note: Text harmonised with the opening paragraph of the point.</i>		022/SMS	1 January 2024
64	21.A.211 (a)(4)	Replace with: '(4) the certificate has not been revoked by the CAA under point 21.B.65 , or surrendered by the certificate holder. '		022/SMS	1 January 2024
65	21.A.239(a) – (c)	Replace points (a), (b) and (c) with: '21.A.239 Design management system (a) The design organisation shall establish, implement and maintain a design management system that includes a safety management element and a design assurance element with clearly defined accountability and lines of responsibility throughout the organisation. (b) The design management system shall: 1.		022/SMS	1 January 2024

	<p>correspond to the size of the organisation and to the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities;</p> <p>2. be established, implemented and maintained under the accountability of a single manager appointed pursuant to point 21.A.245(a).</p> <p>(c) As part of the safety management element of the design management system, the design organisation shall:</p> <p>1. establish, implement and maintain a safety policy and the corresponding related safety objectives;</p> <p>2. appoint key safety personnel in accordance with point 21.A.245(b);</p> <p>3. establish, implement and maintain a safety risk management process that includes the identification of aviation safety hazards entailed by its activities, their evaluation and the management of the associated risks, including taking actions to mitigate the risks and verify their effectiveness;</p> <p>4. establish, implement and maintain a safety assurance process that includes:</p> <p>(i) the measurement and monitoring of the organisation's safety performance;</p> <p>(ii) the management of changes in accordance with points 21.A.243(c) and 21.A.247;</p> <p>(iii) the principles for the continuous improvement of the safety management element;</p> <p>5.</p>			
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		<p>promote safety in the organisation through:</p> <p>(i) training and education;</p> <p>(ii) communication;</p> <p>6. establish an occurrence reporting system in accordance with point 21.A.3A in order to contribute to continuous improvement of safety.'</p>			
66	21.A.239	<p>The following point is inserted:</p> <p>'(d) As part of the design assurance element of the design management system, the design organisation shall:</p> <p>1. establish, implement and maintain a system for the control and supervision of the design, and of design changes and repairs, of products, parts and appliances covered by the terms of approval; that system shall:</p> <p>(i) include an airworthiness function responsible for ensuring that the design of products, parts and appliances, or the design changes and repairs, comply with the applicable type-certification basis, the applicable operational suitability data certification basis and the environmental protection requirements;</p> <p>(ii) ensure that the design organisation properly discharges its responsibilities in accordance with this Annex and with the terms of approval issued under point 21.A.251;</p> <p>2. establish, implement and maintain an independent verification function on the basis of which the design organisation demonstrates compliance with the applicable airworthiness, operational suitability data and environmental protection requirements;</p>		022/SMS	1 January 2024

		<p>3. specify the manner in which the design management system accounts for the acceptability of the parts or appliances that are designed or the tasks that are performed by its partners or subcontractors according to the methods which are the subject of written procedures.’</p> <p>(e) The design organisation shall establish, as part of the design management system, an independent monitoring function to verify compliance of the organisation with the relevant requirements of this Annex as well as the compliance with and adequacy of the design management system. Monitoring shall include feedback to the person or the group of persons referred to in point 21.A.245(b) and to the manager referred to in point 21. A.245(a) to ensure, where necessary, the implementation of corrective action.</p> <p>(f) If the design organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the design management system may be integrated with that required under the additional certificate(s).’</p>			
67	21.A.243	Replace the title with: ‘Handbook’.		022/SMS	1 January 2024
68	21.A.243(a)	The first sentence of the introductory paragraph (a) is replaced with the following: ‘(a) As part of the design management system, the design organisation shall create and furnish to the CAA a handbook that describes, directly or by cross reference, the organisation, its relevant policies, processes and procedures, the type of design work, and the categories of products, parts and appliances for which the design organisation holds a design organisation approval, as identified in the terms of approval issued in accordance with point 21.A.251 and, where relevant, the interfaces with and the control of its partners or subcontractors.’		022/SMS	1 January 2024
69	21.A.243(b)	For ‘is able to give’ substitute ‘demonstrate’. For ‘21.A.239(b)’ substitute ‘21.A.239(d)(2)’		022/SMS	1 January 2024

70	21.A.243(d)	<p>Replace with:</p> <p>'The design organisation shall establish and maintain a statement of the qualifications and experience of the management staff and of other persons in the organisation that are responsible for making decisions that affect airworthiness, operational suitability data and environmental protection matters. It shall submit that statement to the CAA.'</p>		022/SMS	1 January 2024
71	21.A.245(a) – (d)	<p>Replace with the following:</p> <p>21.A.245</p> <p>Resources</p> <p>(a)</p> <p>The organisation shall appoint a head of the design organisation with the authority to ensure that, within the organisation, all design activities are performed to the required standards and that the design organisation is continuously in compliance with the requirements of the design management system referred to in point 21. A.239 and the procedures specified in the handbook referred to in point 21.A.243.</p> <p>(b)</p> <p>The head of the design organisation shall nominate and specify the extent of authority of:</p> <ol style="list-style-type: none"> 1. a chief of the airworthiness function; 2. a chief of the independent monitoring function; 3. depending on the size of the organisation and the nature and complexity of its activities, any other person or group of persons that are required to ensure that the organisation complies with the requirements of this Annex. <p>(c)</p> <p>By way of derogation from point 21.A.245(b)(1), the airworthiness function referred to in point 21.A.239(d)(1)(i) may be performed under the direct supervision of the head of the design organisation in either of the following cases:</p>		022/SMS	1 January 2024

		<p>1. where the scope of activities of/of work of the design organisation, as identified in the terms of approval issued under point 21.A.251, is limited to minor changes and/or minor repairs;</p> <p>2. for a limited period of time when the design organisation does not have a nominated chief of the airworthiness function and the exercise of that function under the direct supervision of the head of the design organisation is commensurate with the scope and level of the organisation's activities.</p> <p>(d) The person or group of persons nominated pursuant to point (b) shall:</p> <p>1. be answerable to the head of the design organisation and have direct access to them;</p> <p>2. have the appropriate knowledge, background and experience to discharge their responsibilities.</p>			
72	21.A.245 (e)(1)	<p>Insert the following:</p> <p>(e) The design organisation shall ensure that:</p> <p>1. the staff in all technical departments are of sufficient numbers and experience and have been given the appropriate authority to be able to discharge their allocated responsibilities and the facilities, equipment and accommodation that are adequate to enable the staff to fulfil the airworthiness, operational suitability data and environmental protection requirements as regards the product;</p> <p>2.</p>		022/SMS	1 January 2024

		<p>there is full and efficient coordination between the departments and within the departments in respect of airworthiness, operational suitability data and environmental protection matters.’;</p> <p><i>Note: new point (e) was created, existing paragraphs (a) and (b) of point 21.A.245 now feature as 21.A.245 (e)(1) and (2).</i></p>			
73	21.A.247	<p>Change the title to ‘Changes in the design management system’</p> <p>The first sentence in in the paragraph is replaced by the following: ‘After the issue of a design organisation approval, each change to the design management system that is significant to the demonstration of compliance or to the airworthiness, operational suitability and environmental protection of the product, part or appliance shall be approved by the CAA before being implemented.’</p> <p><i>Note: The second sentence in point 21.A247 remains as is.</i></p>		022/SMS	1 January 2024
74	21.A.257	<p>Delete the point.</p> <p><i>Note: Requirement moved to point 21.A.9.</i></p>		022/ Rationalisation	1 January 2024
75	21.A.258	<p>Replace with: ‘21.A.258 Findings and observations ’(a) After the receipt of the notification of findings in accordance with point 21.B.433, the holder of the design organisation approval shall:</p> <ol style="list-style-type: none"> 1. identify the root cause(s) of, and contributing factor(s) to, the non-compliance; 2. establish a corrective action plan; 3. demonstrate the implementation of the corrective action to the satisfaction of the CAA. 		022/ Rationalisation	1 January 2024

		<p>(b) The actions referred to in point (a) shall be performed within the period agreed by the CAA in accordance with point 21.B.433.</p> <p>(c) The observations received in accordance with point 21.B.433(e) shall be given due consideration by the holder of the design organisation approval. The organisation shall record the decisions taken in respect of those observations.'</p> <p><i>Note: Text updated for clarity and classification and requirements for competent authority moved to Section B.</i></p>			
76	21.A.259(a)	<p>Replace with:</p> <p>'(a) A design organisation approval shall be issued for an unlimited period of time. It shall remain valid subject to the design organisation's compliance with all the following conditions:</p> <ol style="list-style-type: none"> 1. the design organisation continues to comply with Regulation (EU) 2018/1139 taking into account the provisions of point 21.B.433 of this Annex related to the handling of findings; 2. the holder of the design organisation approval or any of its partners or subcontractors acknowledge that the CAA may carry out investigations in accordance with point 21.A.9; 3. the design organisation is able to provide the CAA with evidence showing that the design management system of the organisation maintains satisfactory control and supervision of the design of products, repairs and changes thereto under the approval; 4. the certificate has not been revoked by the CAA under point 21.B.65, or surrendered by the design organisation.' 		022/SMS and Rationalisation	1 January 2024

		<i>Note: References updated, text improved and harmonised with similar requirements in other subparts.</i>		
77	21.A.263(c)	The introductory phrase of point (c) is replaced by the following: '(c) The holder of a design organisation approval shall be entitled, within the scope of its terms of approval issued under point 21.A.251 and under the relevant procedures of the design management system.' <i>Note: points (1)-(9) of point (c) remain unchanged.</i>	022/SMS	1 January 2024
78	21.A.265(c)	Replace with: '(c) determine that the design of the products, or of the changes or repairs thereto, complies with the applicable type-certification basis, operational suitability data certification basis, and the environmental protection requirements, and have no unsafe features;'	022/SMS	1 January 2024
79	21.A.265(h)	For 'EASA.21.J' substitute 'CAA.21.J'	022/ Correction	Immediately
80	21.A.265(i)	the following point (i) is inserted: '(i) comply with Subpart A of this Section.';	022/SMS	1 January 2024
81	21.A.307	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 (CAA Form 1), certifying that the item was manufactured in conformity with approved design data. (b) By way of derogation from point (a) and provided that the conditions in point (c) are met, the following parts or appliances do not require an CAA Form 1 in order to be eligible for installation in a type-certified product:	0124/EOPF1	1 January 2024

		<p>(1) a standard part;</p> <p>(2) in the case of ELA1 or ELA2, a part or appliance that is:</p> <ul style="list-style-type: none"> (i) not life limited, nor part of the primary structure, nor part of the flight controls; (ii) identified for installation in the specific aircraft; (iii) to be installed in an aircraft whose owner has verified compliance with the applicable conditions in (i) and (ii), and has accepted responsibility for this compliance; <p>(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;</p> <p>(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 which is identified as such in the certification specifications for standard changes and standard repairs issued in accordance with point (a)(2) of point 21. A.90B and point (a)(2) of point 21.A.431B. 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;</p> <p>(5) a part or appliance that is exempted from an airworthiness approval in accordance with Regulation (EU) No 965/2012; and</p> <p>(6) a part or appliance that is an item of a higher assembly identified in points (b)(1) to (b)(5).</p> <p>(c) Parts and appliances listed in point (b) are eligible for installation in a type-certified product without being accompanied by an CAA Form 1, provided that the installer</p>			
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		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 issuance date.'			
82	21.A.431B (a)(2)	In point (a)(2) for 'continuing' substitute with 'continued'.		0124/ Correction	Immediately
83	21.A.432C	In point (b) after 'the initial application' insert 'by' before the comma. <i>Note: Correction of grammatical error and improves clarity.</i>		0124/ Correction	Immediately
84	21.A.433 (a)(3)	In point (3) delete 'and' at the end of the sentence.		0124/AAS	Immediately
85	21.A.433 (b)(5)	The following point (5) is added: '5. when, for a repair to an aeroplane subject to point 26.302 of Annex I to Regulation (EU) 2015/640, it has been demonstrated that the structural integrity of the repair and affected structure is at least equivalent to the level of structural integrity established for the baseline structure by point 26.302 of Annex I to Regulation (EU) 2015/640.'	26.302 in UK Reg (EU) No. 2015/64 0, Annex I	0124/AAS	Immediately
86	21.A.447	Delete the point.		0124/ICA	1 January 2024
87	21.A.449	Delete the point. <i>Note: 21.A.449 is listed in ANO Schedule 13, Part 1, Chapter 2.</i>		0124/ICA	1 January 2024
88	21.A.451(a) (1)(i)	Replace with: '(i) laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.5, 21.A.6, 21.A.7, 21.A.9, 21.A.439, 21.A.441 and 21. A.443;'		022/SMS and ICA	1 January 2024
89	21.A.451 (b)(1)	Replace with: '1. undertake the obligations laid down in points 21.A.4, 21.A.5 and 21.A.7;'		0124/ICA	1 January 2024

90	21.A.604(a)	The first sentence of point (a) is replaced as follows: 'by way of derogation from points 21.A.9, 21.A.603, 21.A.610 and 21.A.621, the following points shall apply: points 21.A.15, 21.A.20, 21.A.21, 21.A.31, 21.A.33, 21.A.44, 21.A.47, 21.B.75 and 21.B.80.'		022/SMS	1 January 2024
91	21.A.609(b)	Replace with: '(b) prepare and maintain, for each model of each article for which an UKTSO authorisation has been issued, an updated set of complete technical data and records in accordance with point 21.A.5;'		0124/ICA	1 January 2024
92	21.A.609(f)	Replace with: '(f) comply with points 21.A.3A, 21.A.3B, 21.A.4 and 21.A.9;'		022/ Rationalisation	1 January 2024
93	21.A.613	Delete the point.		0124/ICA	1 January 2024
94	21.A.615	Delete the point.		022/ Rationalisation	1 January 2024
95	21.A.619	Replace the point by the following: '(a) An UKTSO authorisation shall be issued for an unlimited period of time. It shall remain valid subject to compliance with all the following conditions: 1. the conditions set when the UKTSO authorisation was granted continue to be observed by the applicant; 2. the obligations specified in point 21.A.609 continue to be discharged by the UKTSO authorisation holder; 3.		022/SMS and rationalisation	1 January 2024

		<p>the holder of the UKTSO authorisation or any of its partners, suppliers or subcontractors acknowledge that the CAA may carry out investigations in accordance with point 21.A.9;</p> <p>4. it has been proved that the UKTSO article does not give rise to unacceptable hazards in service;</p> <p>5. the UKTSO authorisation has not been revoked by the CAA under point 21.B.65, or surrendered by its holder.</p> <p>(b) Upon surrender or revocation, the UKTSO authorisation shall be returned to the CAA.’</p> <p><i>Note: References updated, text improved and harmonised with similar requirements in other subparts.</i></p>			
96	21.A.711(d)	<p>In point (d) after ‘granted in accordance with’ insert ‘point M.A.711 of Annex I (Part-M) of Regulation (EU) No 1321/2014 or’.</p> <p><i>Note: Changes made to align with the requirements set out in Regulation (EU) No 1321/2014.</i></p>		0124/ Correction	Immediately
97	21.A.721	<p>Delete the point.</p> <p><i>Note: Requirement moved to point 21.A.9.</i></p>		022/ Rationalisation	1 January 2024
98	21.A.723(a)	<p>Replace with:</p> <p>‘(a) A permit to fly shall be issued for a maximum period of 12 months and shall remain valid subject to compliance with all the following conditions:</p> <p>1. the organisation continues to comply with the conditions and restrictions associated with the permit to fly as set out in point 21.A.711(e);</p> <p>2.</p>		022/SMS and rationalisation	1 January 2024

		<p>the holder or any of its partners, suppliers or subcontractors acknowledge that the CAA may carry out investigations in accordance with point 21.A.9;</p> <p>3. the permit to fly has not been revoked by the CAA under point 21.B.65, or surrendered by its holder;</p> <p>4. the aircraft remains on the same register.'</p> <p><i>Note: References updated, text improved and harmonised with similar requirements in other subparts.</i></p>			
99	21.A.729	<p>Delete the point.</p> <p><i>Note: Requirement moved to point 21.A.5.</i></p>		022/ Rationalisation	1 January 2024
100	21.A.804(a)	<p>In point (a) the introductory sentence is replaced by the following: '(a) Each part or appliance which is eligible for installation in a type-certified product shall be marked permanently and legibly with:'</p>		0124/EOPF1	1 January 2024
101	21.A.804(a)(3)	<p>In point (a)(3) after 'except for UKTSO articles' insert the following 'and for parts and appliances covered under point (b) of point 21.A.307.'</p>		0124/EOPF1	1 January 2024
102	21.A.804(b)	<p>In point (b) after 'marked on the part' insert 'or appliance.'</p>		0124/EOPF1	1 January 2024
Section B Generic Requirements					
103	21.B.5(a)	<p>point 21.B.5(a) is replaced by the following: Section B of this Annex establishes the conditions for conducting the certification oversight and enforcement tasks as well as the administrative and management system requirements to be complied with by the CAA when exercising its tasks and responsibilities referred to in this Annex.;</p>		022/SMS	1 January 2024
104	21.B.5(b)	<p>In point 21.B.5(b) replace 'Regulation (EC) No 216/2008' with 'Regulation (EU) 2018/1139'.</p>			

105	21.B.20	<p>The following point is added:</p> <p>'21.B.20 Immediate reaction to a safety problem</p> <p>(a) Without prejudice to Regulation (EU) No 376/2014, the CAA shall implement a system to appropriately collect, analyse and disseminate safety information.</p> <p>(b) Upon receiving the information referred to in points (a), CAA shall take adequate measures to address the safety problem.</p> <p>(c) The CAA shall immediately notify measures taken under point (b) to all persons or organisations which need to comply with them under Regulation (EU) 2018/1139.'</p>		022/SMS	1 January 2024
106	21.B.25	<p>Replace with:</p> <p>'21.B.25 Management system</p> <p>(a) The CAA shall establish and maintain a management system, including as a minimum:</p> <ol style="list-style-type: none"> 1. documented policies and procedures to describe its organisation, the means and methods for establishing compliance with Regulation (EU) 2018/1139. The procedures shall be kept up to date, and serve as the basic working documents within that CAA for all its related tasks; 2. a sufficient number of personnel to perform its tasks and discharge its responsibilities. A system shall be in place to plan the availability of personnel in order to ensure the proper completion of all tasks; 3. personnel that are qualified to perform their allocated tasks and that have the necessary knowledge and experience, and receive initial and recurrent training to ensure continuing competency; 		022/SMS	1 January 2024

		<p>4. adequate facilities and office accommodation for personnel to perform their allocated tasks;</p> <p>5. a function to monitor the compliance of the management system with the relevant requirements, and the adequacy of the procedures, including the establishment of an internal audit process and a safety risk management process. Compliance monitoring shall include a feedback system of audit findings to the senior management of the CAA to ensure the implementation of corrective actions as necessary;</p> <p>6. a person or group of persons having a responsibility to the senior management of the CAA for the compliance monitoring function.</p> <p>(b) The CAA shall, for each field of activity, including the management system, appoint one or more persons with the overall responsibility for the management of the relevant task(s).</p>			
107	21.B.30	<p>Replace with:</p> <p>21.B.30</p> <p>Allocation of tasks to qualified entities</p> <p>(a) The CAA may allocate tasks related to the initial certification or to the continuing oversight of products and parts, as well as of natural or legal persons subject to Regulation (EU) 2018/1139 to qualified entities. When allocating tasks, the CAA shall ensure that it has:</p> <p>1. put a system in place to initially and continuously assess whether the qualified entity complies with Annex VI to Regulation (EU) 2018/1139. That system and the results of the assessments shall be documented;</p> <p>2. established a written agreement with the qualified entity, approved by both parties at the appropriate management level, which stipulates:</p>		022/SMS	1 January 2024

		<p>(i) the tasks to be performed;</p> <p>(ii) the declarations, reports and records to be provided;</p> <p>(iii) the technical conditions to be met when performing such tasks;</p> <p>(iv) the related liability coverage;</p> <p>(v) the protection given to the information acquired when carrying out such tasks.</p> <p>(b) The CAA shall ensure that the internal audit process and safety risk management process established pursuant to point 21.B.25(a)(5) cover all the certification and continuing oversight tasks performed by the qualified entity on its behalf.'</p>			
108	21.B.35	<p>Replace with:</p> <p>'21.B.35</p> <p>Changes in the management system</p> <p>(a) The CAA shall have a system in place to identify the changes that affect its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139. That system shall enable the CAA to take action necessary to ensure that its management system remains adequate and effective.</p> <p>(b) The CAA shall update in a timely manner its management system to reflect any changes to Regulation (EU) 2018/1139 so as to ensure its effective implementation.</p>		022/SMS	1 January 2024
109	21.B.40	Delete the point.		022/ Correction	1 January 2024

110	21.B.55	<p>Replace with:</p> <p>(a) The CAA shall establish a record-keeping system that allows the adequate storage, accessibility and reliable traceability of:</p> <ol style="list-style-type: none"> 1. the management system’s documented policies and procedures; 2. the training, qualifications and authorisation of its personnel; 3. the allocation of tasks, covering the elements required by point 21.B.30, as well as the details of tasks allocated; 4. certification processes and continuing oversight of certified organisations, including: <ol style="list-style-type: none"> (i) the application for a certificate, approval, authorisation and letter of agreement; (ii) the CAA’s continuing oversight programme, including all the assessments, audits and inspection records; (iii) the certificates, approvals, authorisations and letters of agreement issued, including any changes to them; (iv) a copy of the oversight programme, listing the dates when audits are due and when audits were carried out; (v) copies of all formal correspondence; (vi) 		022/SMS	1 January 2024
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		<p>recommendations for the issue or continuation of a certificate, an approval authorisation or a letter of agreement, detail of findings and actions taken by the organisations to close those findings, including the date of closure, enforcement actions and observations;</p> <p>(vii) any relevant assessment, audit and inspection report issued by a foreign competent authority;</p> <p>(viii) copies of all the organisation expositions, handbooks or manuals, and of any amendments to them;</p> <p>(ix) copies of any other documents approved by the CAA;</p> <p>5. Statements of Conformity (CAA Form 52, see Appendix VIII) and Authorised Release Certificates (CAA Form 1, see Appendix I) that it has validated for organisations that produce products, parts or appliances without a production organisation approval certificate according to Subpart F of Section A of this Annex.</p> <p>(b) The CAA shall include in the record-keeping:</p> <ol style="list-style-type: none"> 1. documents supporting the use of alternative means of compliance 2. safety information in accordance with point 21.B.20(a) and follow-up measures; 3. the use of safeguard and flexibility provisions in accordance with Articles 70, 71(1) and 76(4) of Regulation (EU) 2018/1139. <p>(c) The CAA shall maintain a list of all the certificates, approvals, authorisations and letters of agreement it has issued.</p>			
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		<p>(d) All the records referred to in points (a), (b) and (c) shall be kept for a minimum period of 5 years, subject to applicable data protection law. <i>Note: Text aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
111	21.B.65	<p>New point: '21.B.65 Suspension, limitation and revocation The CAA shall:</p> <p>(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement when it considers that there are reasonable grounds that such action is necessary to prevent a credible threat to aircraft safety;</p> <p>(b) suspend, revoke or limit a certificate, approval, permit to fly, authorisation or letter of agreement if such action is required pursuant to points 21.B.125, 21.B.225 or 21.B.433;</p> <p>(c) suspend or revoke a certificate of airworthiness or a noise certificate upon evidence that some of the conditions specified in points 21.A.181(a) or 21.A.211(a) are not met;</p> <p>(d) suspend or limit in whole or in part a certificate, approval, permit to fly, authorisation or letter of agreement if unforeseeable circumstances outside the control of the CAA prevent its inspectors from discharging their oversight responsibilities over the oversight planning cycle.';</p> <p><i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>		022/SMS	1 January 2024
112	21.B.115	<p>New point: '21.B.115</p>		022/SMS	1 January 2024

		<p>Means of compliance</p> <p>(a) The CAA shall develop acceptable means of compliance ('AMC') that may be used to establish compliance with Regulation (EU) 2018/1139.</p> <p>(b) Alternative means of compliance may be used by an organisation to establish compliance with this Regulation when approved by the CAA.</p> <p><i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
113	21.B.120	<p>Point 21.B.120 is replaced by the following:</p> <p>'21.B.120</p> <p>Initial certification procedure</p> <p>(a) Upon receiving an application for the issue of a letter of agreement for the purpose of demonstrating conformity of the individual products, parts and appliances, the CAA shall verify the applicant's compliance with the applicable requirements.</p> <p>(b) The CAA shall record all the findings issued, closure actions as well as recommendations for the issue of the letter of agreement.</p> <p>(c) The CAA shall confirm to the applicant in writing all the findings raised during the verification. For initial certification, all findings must be corrected to the satisfaction of the CAA before the letter of agreement can be issued.</p> <p>(d) When satisfied that the applicant complies with the applicable requirements, the CAA shall issue the letter of agreement (CAA Form 65, see Appendix XI).</p> <p>(e) The letter of agreement shall contain the scope of the agreement, a termination date and, where applicable, the appropriate limitations.</p>		022/SMS	1 January 2024

		(f) The duration of the letter of agreement shall not exceed 1 year.'; <i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i>			
114	21.B.125	Point 21.B.125 is replaced by the following: '21.B.125 Findings and corrective actions; observations (a) The CAA shall have a system in place to analyse findings for their safety significance. (b) A level 1 finding shall be issued by the CAA when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139, with the organisation's procedures and manuals, or with the terms of the letter of agreement which lowers safety or seriously endangers flight safety. Level 1 findings shall also include: 1. any failure to grant the CAA access to the organisation's facilities referred to in point 21.A.9 during normal operating hours and after two written requests; 2. obtaining the letter of agreement or maintaining its validity by falsification of the submitted documentary evidence; and 3. any evidence of malpractice or fraudulent use of the letter of agreement. (c) A level 2 finding shall be issued by the CAA when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139, with the organisation's procedures and manuals, or with the terms of the letter of agreement, which is not classified as a level 1 finding.		022/SMS	1 January 2024

		<p>(d) When a finding is detected during oversight or by any other means, the CAA shall, without prejudice to any additional action required by Regulation (EU) 2018/1139, communicate in writing the finding to the organisation and request corrective action to address the non-compliance(s) identified.</p> <p>1. If there are any level 1 findings, the CAA shall take immediate and appropriate action to prohibit or limit the activities of the organisation involved and, if appropriate, it shall take action to revoke the letter of agreement or to limit or suspend it in whole or in part, depending on the extent of the level 1 finding, until successful corrective action has been taken by the organisation.</p> <p>2. If there are any level 2 findings, the CAA shall:</p> <p>(i) grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, and that in any case shall initially not be more than 3 months. The period shall commence from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified. At the end of that period, and subject to the nature of the finding, the CAA may extend the 3-month period provided that a corrective action plan has been agreed with the CAA;</p> <p>(ii) assess the corrective action plan and implementation plan proposed by the organisation, and if the assessment concludes that they are sufficient to address the non-compliance, accept them;</p> <p>(iii) if the organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the CAA, the finding shall be raised to level 1 and action shall be taken as laid down in point (f)(1)(i).</p>			
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		<p>(e) The CAA may issue observations for any of the following cases not requiring level 1 or level 2 findings:</p> <ol style="list-style-type: none"> 1. for any item whose performance has been assessed to be ineffective; 2. when it has been identified that an item has the potential to cause a non-compliance under points (b) or (c); 3. when suggestions or improvements are of interest for the overall safety performance of the organisation. <p>The observations issued under this point shall be communicated in writing to the organisation and recorded by the CAA.’</p> <p><i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
115	21.B.130	<p>Delete the point.</p> <p><i>Note: Included in 21.B.120, to be consistent with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>		022/SMS	1 January 2024
116	21.B.145	Delete the point.		022/SMS	1 January 2024
117	21.B.150	Delete the point.		022/SMS	1 January 2024
118	21.B.215	<p>The following point 21.B.215 is added:</p> <p>21.B.215 Means of compliance</p> <p>(a)</p>		022/SMS	1 January 2024

		<p>The CAA shall develop acceptable means of compliance ('AMC') that may be used to establish compliance with Regulation (EU) 2018/1139.</p> <p>(b) Alternative means of compliance may be used by an organisation to establish compliance with this Regulation when approved by the CAA.'</p> <p><i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
119	21.B.220	<p>The following point 21.B.220 is added:</p> <p>'21.B.220</p> <p>Initial certification procedure</p> <p>(a) Upon receiving an application for the initial issue of a production organisation approval certificate, the CAA shall verify the applicant's compliance with the applicable requirements.</p> <p>(b) A meeting with the accountable manager of the applicant shall be convened at least once during the investigation for initial certification to ensure that this person understands his or her role and accountability.</p> <p>(c) The CAA shall record all the findings issued, closure actions as well as the recommendations for the issue of the production organisation approval certificate.</p> <p>(d) The CAA shall confirm to the applicant in writing all the findings raised during the verification. For initial certification, all findings must be corrected to the satisfaction of the CAA before the certificate can be issued.</p> <p>(e) When satisfied that the applicant complies with the applicable requirements, the CAA shall issue the production organisation approval certificate (CAA Form 55, see Appendix X).</p>		022/SMS	1 January 2024

		<p>(f) The certificate reference number shall be included on the CAA Form 55 in a manner specified by the CAA.</p> <p>(g) The certificate shall be issued for an unlimited duration. The privileges and the scope of the activities that the organisation is approved to conduct, including any limitations as applicable, shall be specified in the terms of approval attached to the certificate.’ <i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
120	21.B.221	<p>The following point is inserted: ‘21.B.221 Oversight principles</p> <p>(a) The CAA shall verify:</p> <ol style="list-style-type: none"> 1. compliance with the requirements that are applicable to organisations, prior to issuing the production organisation approval certificate; 2. continued compliance with the applicable requirements of the organisations it has certified; 3. the implementation of appropriate safety measures mandated by the CAA according to points 21.B.20(c). <p>(b) This verification shall:</p> <ol style="list-style-type: none"> 1. be supported by documentation specifically intended to provide personnel responsible for oversight with guidance to perform their functions; 		022/SMS	1 January 2024

		<p>2. provide the organisations concerned with the results of oversight activities;</p> <p>3. be based on assessments, audits, inspections and, if needed, unannounced inspections;</p> <p>4. provide the CAA with the evidence needed in case further action is required, including the measures provided for in point 21.B.225.</p> <p>(c) The CAA shall establish the scope of the oversight defined in points (a) and (b) taking into account the results of past oversight activities and the safety priorities.</p> <p>(d) The CAA shall collect and process any information deemed necessary for performing oversight activities.</p> <p><i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
121	21.B.222	<p>The following point is inserted:</p> <p>'21.B.222</p> <p>Oversight programme</p> <p>(a) The CAA shall establish and maintain an oversight programme covering the oversight activities required by point 21.B.221(a).</p> <p>(b) The oversight programme shall take into account the specific nature of the organisation, the complexity of its activities, the results of past certification and/or oversight activities, and it shall be based on the assessment of the associated risks. It shall include, within each oversight planning cycle:</p> <p>1. assessments, audits and inspections, including, as appropriate:</p>		022/SMS	1 January 2024

		<p>(i) management system assessments and process audits;</p> <p>(ii) product audits of a relevant sample of the products, parts and appliances that are within the scope of the organisation;</p> <p>(iii) sampling of the work performed; and</p> <p>(iv) unannounced inspections;</p> <p>2. meetings convened between the accountable manager and the CAA to ensure that both parties remain informed of all significant issues.</p> <p>(c) The oversight planning cycle shall not exceed 24 months.</p> <p>(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the CAA has established that during the previous 24 months:</p> <p>1. the organisation has demonstrated that it can effectively identify aviation safety hazards and manage the associated risks;</p> <p>2. the organisation has continuously demonstrated compliance with points 21.A.147 and 21.A.148 and it has full control over all changes to the production management system;</p> <p>3. no level 1 findings have been issued;</p> <p>4. all corrective actions have been implemented within the time period that was accepted or extended by the CAA as defined in point 21.B.225.</p>			
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		<p>Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (1) to (4) above, the organisation has established, and the CAA has approved, an effective continuous system for reporting to the CAA on the safety performance and regulatory compliance of the organisation itself.</p> <p>(e) The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.</p> <p>(f) The oversight programme shall include records of the dates when assessments, audits, inspections and meetings are due, and when assessments, audits, inspections and meetings have been effectively carried out.</p> <p>(g) At the completion of each oversight planning cycle, the CAA shall issue a recommendation report on the continuation of the approval, reflecting the results of the oversight.'</p> <p><i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
122	21.B.225	<p>Replace with:</p> <p>'21.B.225</p> <p>Findings and corrective actions; observations</p> <p>(a) The CAA shall have a system in place to analyse findings for their safety significance.</p> <p>(b) A level 1 finding shall be issued by the CAA when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139, with the organisation's procedures and manuals, or with the certificate including the terms of approval which lowers safety or seriously endangers flight safety.</p>		022/SMS and correction	1 January 2024

		<p>The level 1 findings shall also include:</p> <ol style="list-style-type: none"> 1. any failure to grant the CAA access to the organisation’s facilities referred to in point 21.A.9 during normal operating hours and after two written requests; 2. obtaining the production organisation approval certificate or maintaining its validity by falsification of the submitted documentary evidence; 3. any evidence of malpractice or fraudulent use of the production organisation approval certificate; and 4. failure to appoint an accountable manager pursuant to point 21.A.245(a)/ <p>(c) A level 2 finding shall be issued by the CAA when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139, with the organisation’s procedures and manuals, or with the certificate including the terms of approval, which is not classified as a level 1 finding.</p> <p>(d) When a finding is detected during oversight or by any other means, the CAA shall, without prejudice to any additional action required by Regulation (EU) 2018/1139, communicate in writing the finding to the organisation and request corrective action to address the non-compliance(s) identified.</p> <ol style="list-style-type: none"> 1. If there are any level 1 findings, the CAA shall take immediate and appropriate action to prohibit or limit the activities of the organisation involved and, if appropriate, it shall take action to revoke the production organisation approval certificate or to limit or suspend it in whole or in part, depending upon the extent of the level 1 finding, until successful corrective action has been taken by the organisation. 2. 			
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	<p>If there are any level 2 findings, the CAA shall:</p> <p>(i) grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, and that in any case shall initially not be more than 3 months. The period shall commence from the date of the written communication of the finding to the organisation requesting corrective action to address the non-compliance identified. At the end of this period, and subject to the nature of the finding, the CAA may extend the 3-month period provided that a corrective action plan has been agreed by the CAA;</p> <p>(ii) assess the corrective action and implementation plan proposed by the organisation, and if the assessment concludes that they are sufficient to address the non-compliance, accept them;</p> <p>(iii) if the organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the CAA, the finding shall be raised to level 1 and action shall be taken as laid down in point (d)(1).</p> <p>(e) The CAA may issue observations for any of the following cases not requiring level 1 or level 2 findings:</p> <ol style="list-style-type: none"> 1. for any item whose performance has been assessed to be ineffective; or 2. when it has been identified that an item has the potential to cause a non-compliance under points (b) or (c); or 3. when suggestions or improvements are of interest for the overall safety performance of the organisation. 			
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		The observations issued under this point shall be communicated in writing to the organisation and recorded by the CAA. <i>Note: Updated to include classification and requirements for competent authority previously contained in Section A.</i>			
123	21.B.230	Delete the point.		022/SMS	1 January 2024
124	21.B.235	Delete the point.		022/SMS	1 January 2024
125	21.B.240	<p>Replace with:</p> <p>21.B.240</p> <p>Changes in production management system</p> <p>(a) Upon receiving an application for a significant change to the production management system, the CAA shall verify the organisation’s compliance with the applicable requirements of this Annex before issuing the approval.</p> <p>(b) The CAA shall establish the conditions under which the organisation may operate during the evaluation of a change unless the CAA determines that the production organisation approval certificate needs to be suspended.</p> <p>(c) When it is satisfied that the organisation complies with the applicable requirements, the CAA shall approve the change.</p> <p>(d) Without prejudice to any additional enforcement measures, if the organisation implements a significant change to the production management system without having received the approval of the CAA pursuant to point (c), the CAA shall consider the need to suspend, limit or revoke the organisation’s certificate.</p> <p>(e) For non-significant changes to the production management system, the CAA shall include the review of such changes in its continuing oversight in accordance with the</p>		022/SMS	1 January 2024

		principles set forth in point 21.B.221. If any non-compliance is found, the CAA shall notify the organisation, request further changes and act in accordance with point 21.B.225.’ <i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i>			
126	21.B.245	Delete the point.		022/SMS	1 January 2024
127	21.B.260	Delete the point.		022/SMS	1 January 2024
128	21.B.325(c)	Replace with: (c) For new aircraft, and used aircraft originating from a third country , in addition to the appropriate airworthiness certificate referred to in point (a) or (b), the CAA shall issue: 1. for aircraft subject to Annex I (Part-M) to Regulation (EU) No 1321/2014, an initial airworthiness review certificate (CAA Form 15a, Appendix II); 2. for new aircraft subject to Annex Vb (Part-ML) to Regulation (EU) No 1321/2014, an initial airworthiness review certificate (CAA Form 15c, Appendix II); 3. for used aircraft originating from a third country and subject to Annex Vb (Part-ML) to Regulation (EU) No 1321/2014, an initial airworthiness review certificate (CAA Form 15c, Appendix II), when the CAA has performed the airworthiness review.’ <i>Note: Changes made to align with the requirements set out in Regulation (EU) No 1321/2014 and to address the case of new aircraft.</i>		022/ Correction	1 January 2024
129	21.B.330	Delete the point.		022/SMS	1 January 2024
130	21.B.345	Delete the point.		022/SMS	1 January 2024

131	Section B Subpart J	<p>Delete 'Administrative procedures established by the CAA shall apply.'</p> <p>Replace by the following: '21.B.430 Initial certification procedure</p> <p>(a) Upon receiving an application for the initial issue of a design organisation approval, the CAA shall verify the applicant's compliance with the applicable requirements,</p> <p>(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that this person understands their role and accountability.</p> <p>(c) The CAA shall record all the findings issued, closure actions as well as recommendations for the issue of the design organisation approval.</p> <p>(d) The CAA shall confirm to the applicant in writing all the findings raised during the verification. For initial certification, all findings must be corrected to the satisfaction of the CAA before the design organisation approval can be issued.</p> <p>(e) When satisfied that the applicant complies with the applicable requirements, the CAA shall issue the design organisation approval.</p> <p>(f) The certificate reference number shall be included in the design organisation approval in a manner specified by the CAA.</p> <p>(g) The certificate shall be issued for an unlimited period of time. The privileges and the scope of the activities that the design organisation is approved to perform, including</p>		022/SMS	1 January 2024
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	<p>any limitations as applicable, shall be specified in the terms of approval attached to the design organisation approval.</p> <p>21.B.431 Oversight principles The CAA shall verify whether certified organisations continue to comply with the applicable requirements</p> <p>(a) The verification shall:</p> <ol style="list-style-type: none"> 1. be supported by documentation specifically intended to provide personnel responsible for oversight with guidance to perform their functions; 2. provide the organisations concerned with the results of oversight activities; 3. be based on assessments, audits, inspections and, if needed, unannounced inspections; 4. provide the CAA with the evidence needed in case further action is required, including the measures provided for in point 21.B.433. <p>(b) The CAA shall establish the scope of the oversight set out in point (a) taking into account the results of past oversight activities and the safety priorities.</p> <p>(c) The CAA shall collect and process any information deemed necessary for performing oversight activities.</p> <p>21.B.432 Oversight programme</p>			
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		<p>(a) The CAA shall establish and maintain an oversight programme covering the oversight activities required to comply with point 21.B.431(a).</p> <p>(b) The oversight programme shall take into account the specific nature of the organisation, the complexity of its activities, the results of past certification or oversight activities, or both, and it shall be based on the assessment of the associated risks. It shall include, within each oversight planning cycle:</p> <p>1. assessments, audits and inspections, including, where appropriate:</p> <p>(i) management system assessments and process audits;</p> <p>(ii) product audits of a relevant sample of the design and certification of the products, parts and appliances that are within the scope of work of the organisation;</p> <p>(iii) sampling of the work performed;</p> <p>(iv) unannounced inspections;</p> <p>2. meetings convened between the head of the design organisation and the CAA to ensure that both parties remain informed of all significant issues.</p> <p>(c) The oversight planning cycle shall not exceed 24 months.</p> <p>(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the CAA has established that during the previous 24 months:</p> <p>1.</p>			
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		<p>the organisation has demonstrated that it can effectively identify aviation safety hazards and manage the associated risks;</p> <p>2. the organisation has continuously demonstrated compliance with point 21.A.247 and has full control over all changes to the design management system;</p> <p>3. no level 1 findings have been issued;</p> <p>4. all corrective actions have been implemented within the time period that was accepted or extended by the CAA as provided for in point 21.B.433(d).</p> <p>Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions laid down in points (d)(1) to (d)(4), the organisation has established, and the CAA has approved, an effective continuous system for reporting to the CAA on the safety performance and regulatory compliance of the organisation itself.</p> <p>(e) The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.</p> <p>(f) The oversight programme shall include records of the dates when assessments, audits, inspections and meetings are due, and when assessments, audits, inspections and meetings have been effectively carried out.</p> <p>(g) At the completion of each oversight planning cycle, the CAA shall issue a recommendation report on the continuation of the approval, reflecting the results of the oversight.</p> <p>21.B.433</p>			
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		<p>Findings and corrective actions; observations</p> <p>(a) The CAA shall have a system in place to analyse findings for their safety significance.</p> <p>(b) A level 1 finding shall be issued by the CAA when a non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139, with the organisation's procedures and manuals, or with the design organisation's certificate including the terms of approval, which may lead to uncontrolled non-compliances and to a potential unsafe condition. The level 1 findings shall also include:</p> <ol style="list-style-type: none"> 1. any failure to grant the CAA access to the organisation's facilities referred to in point 21.A.9 during normal operating hours and after two written requests; 2. obtaining the design organisation approval or maintaining its validity by falsification of the submitted documentary evidence; 3. any evidence of malpractice or fraudulent use of the design organisation approval; 4. failure to appoint a head of the design organisation pursuant to point 21.A.245(a). <p>(c) A level 2 finding shall be issued by the CAA when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139, with the organisation's procedures and manuals, or with the certificate including the terms of approval, which is not classified as a level 1 finding.</p> <p>(d) When a finding is detected during oversight or by any other means, the CAA shall, without prejudice to any additional action required by Regulation (EU) 2018/1139,</p>			
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		<p>communicate in writing the finding to the organisation and request corrective action to address the non- compliance(s) identified.</p> <p>1. If there are any level 1 findings, the CAA shall:</p> <p>(i) grant the organisation a corrective action implementation period that is appropriate to the nature of the finding and that in any case shall not be more than 21 working days. That period shall commence from the date of the written communication of the finding to the organisation requesting corrective action to address the non-compliance(s) identified;</p> <p>(ii) assess the corrective action plan and implementation plan proposed by the organisation, and if it concludes that they are sufficient to address the non-compliance(s), accept them;</p> <p>(iii) if the organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted by the CAA, take immediate and appropriate action to prohibit or limit the activities of the organisation involved and, if appropriate, take action to revoke the design organisation approval or to limit or suspend it in whole or in part, depending upon the extent of the level 1 finding, until successful corrective action has been taken by the organisation.</p> <p>2. If there are any level 2 findings, the CAA shall:</p> <p>(i) grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, and that in any case shall initially not be more than 3 months. That period shall commence from the date of the written communication of the finding requesting corrective action. At the end of this period, and subject to the nature of the finding, the CAA may extend the 3-month period provided that a corrective action plan has been agreed by the CAA;</p>			
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		<p>(ii) assess the corrective action and the implementation plan proposed by the organisation, and if it concludes that they are sufficient to address the non-compliance(s), accept them;</p> <p>(iii) if the organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the CAA, the finding shall be raised to level 1 and action shall be taken as laid down in point (d)(1).</p> <p>(e) The CAA may issue observations for any of the following cases not requiring level 1 or level 2 findings:</p> <ol style="list-style-type: none"> 1. for any item whose performance has been assessed to be ineffective; 2. when it has been identified that an item has the potential to cause a non-compliance under points (b) or (c); 3. when suggestions or improvements are of interest for the overall safety performance of the organisation. <p>The observations issued under this point shall be communicated in writing to the organisation and recorded by the CAA.</p> <p>21.B.435 Changes in the design management system</p> <p>(a) Upon receiving an application for a significant change to the design management system, the CAA shall verify the organisation’s compliance with the applicable requirements of Regulation (EU) 2018/1139 before issuing the approval.</p>			
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		<p>(b) The CAA shall establish the conditions under which the organisation may operate during the change unless the CAA determines that the design organisation approval needs to be suspended.</p> <p>(c) When it is satisfied that the organisation complies with the applicable requirements of Regulation (EU) 2018/1139, the CAA shall approve the change.</p> <p>(d) Without prejudice to any additional enforcement measures, if the organisation implements a significant change to the design management system without having received the approval of the CAA pursuant to point (c), the CAA shall consider the need to suspend, limit or revoke the organisation’s certificate.</p> <p>(e) For non-significant changes to the design management system, the CAA shall include the review of such changes in its continuing oversight in accordance with the principles set forth in point 21.B.431. If any non-compliance is found, the CAA shall notify the organisation, request further changes and act in accordance with point 21.B.433.’ <i>Note: New point aligned with Regulation (EU) No. 1321/2014, Annex Vc (Part-CAMO), Section B.</i></p>			
132	21.B.445	Delete the point.		022/SMS	1 January 2024
133	21.B.530	Delete the point.		022/SMS	1 January 2024
134	21.B.545	Delete the point.		022/SMS	1 January 2024
135	Appendix II	<p>In Appendix II, CAA Form 15c – Airworthiness review certificate is changed by the highlighted text:</p> <p>‘Airworthiness Review Certificate – CAA Form 15c</p> <p>NOTE: persons and organisations performing the airworthiness review in combination with the 100-h/annual inspection may use the reverse side of this form in order to issue the CRS referred to in point ML.A.801 corresponding to the 100-h/annual inspection.</p>		0124/ Correction	Immediately

		<p style="text-align: center;">AIRWORTHINESS REVIEW CERTIFICATE (ARC) (for aircraft complying with Part-ML)</p> <p style="text-align: center;">ARC reference:</p> <p>Pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council: [NAME OF THE COMPETENT AUTHORITY] (**) hereby certifies that:</p> <p><input type="checkbox"/>.....it has performed an airworthiness review in accordance with Regulation (EU) No 1321/2014 on the following aircraft: [or]</p> <p><input type="checkbox"/>.....the following new aircraft: Aircraft manufacturer:.....Manufacturer's designation:..... Aircraft registration:.....Aircraft serial number:..... (and that this aircraft) is considered airworthy at the time of the review. Date of issue:Date of expiry: Airframe flight hours (FH) at date of review (*): Signed:Authorisation No (if applicable):</p> <p>[OR] [NAME OF APPROVED ORGANISATION, ADDRESS and APPROVAL REFERENCE] (**) [or] [FULL NAME OF THE CERTIFYING STAFF AND PART-66 LICENCE NUMBER (OR NATIONAL EQUIVALENT)] (**)</p> <p>hereby certifies that it has performed an airworthiness review in accordance with Regulation (EU) No 1321/2014 on the following aircraft:</p>			
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	<p>Aircraft manufacturer:.....Manufacturer's designation:.....</p> <p>Aircraft registration:.....Aircraft serial number:.....</p> <p>and that this aircraft is considered airworthy at the time of the review.</p> <p>Date of issue:Date of expiry:</p> <p>Airframe flight hours (FH) at date of review (*):</p> <p>Signed:Authorisation No (if applicable):</p> <p>=====</p> <p>1st extension: The aircraft complies with the conditions of ML.A.901(c) of Annex Vb (Part-ML)</p> <p>Date of issue:Date of expiry:</p> <p>Airframe flight hours (FH) at date of issue (*):</p> <p>Signed:Authorisation No:</p> <p>Company name:Approval reference:</p> <p>=====</p> <p>2nd extension: The aircraft complies with the conditions of ML.A.901(c) of Annex Vb (Part-ML)</p> <p>Date of issue:Date of expiry:</p>			
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		<p>Airframe flight hours (FH) at date of issue (*):</p> <p>.....</p> <p>Signed:Authorisation No:</p> <p>Company name:Approval reference:</p> <p>(*) Except for balloons and airships</p> <p>(**) The issuer of the Form can tailor it to his need by deleting the name, the certifying statement, the reference to the subject aircraft and the issuance details that are not relevant for his use.</p> <p>CAA Form 15c, Issue 2'</p> <p><i>Note: Changes made to align with the requirements set out in Regulation (EU) No 1321/2014.</i></p>			
136	Appendix VIII	<p>In the box 8. of the UK Form 52 for 'Manufacturer's' substitute 'Production Organisation'.</p> <p>1.1 For 'manufacturer' substitute 'production organisation'</p> <p>1.2 After 'organisation approval' insert 'certificate' After 'certificate of airworthiness' insert 'and, if requested, a noise certificate'</p> <p>3.1 For 'should' substitute 'must'</p> <p>3.2 after 'not be issued' insert 'by the'</p> <p>Block 3 For 'should' substitute 'must'</p> <p>Block 8 for 'manufacturer' substitute 'production organisation'</p>		022/ Corrections	1 January 2024

		<p>Block 9 for 'manufacturer' substitute 'production organisation' for 'should' substitute 'must'</p> <p>Block 11 and Block 16 for 'should' substitute 'must'</p> <p>Block 17 for 'should' substitute 'must'</p> <p>For '21.A.139(b)(1)(vi)' substitute '21.A.139(d)(1)(vi)'</p> <p>Block 18 for 'should' substitute 'must'</p> <p>Block 19 for 'should' substitute 'must'</p> <p>For 'certificate' substitute 'Statement'</p> <p>Block 20 and Block 21 for 'should' substitute 'must'</p> <p><i>Note: the word 'should' is replaced by 'must' for clarity to emphasise that those sections are mandatory. SMEs experienced some organisations challenging this point in the past.</i></p>			
137	Appendix X	<p>CAA Form 55</p> <p>For 'Regulation (EC) No 216/2008 of the European Parliament and of the Council' substitute 'Regulation (EU) 2018/1139'</p> <p>For 'to Commission Regulation [(EC) No 1702/2003]' substitute 'Regulation (EU) No 748/2012'</p> <p>For 'Regulation [(EC) No 1702/2003]' substitute 'Regulation (EU) No 748/2012'</p> <p>CONDITIONS:</p> <p>3.</p> <p>For 'Regulation [(EC) No 1702/2003]' substitute 'Regulation (EU) No 748/2012'</p>		022/ Corrections	Immediately

		<p>For 'UNITED KINGDOM.21G.XXXX' substitute 'UK.21G.XXXX'</p> <p>For 'the product an EASA Form 1' substitute 'the product an CAA Form 1'</p> <p><i>Note: Regulation [(EC) No 1702/2003 was repealed by Regulation (EC) No. 748/2012.</i></p>			
138	Appendix XI	<p>CAA Form 65</p> <p>For 'Reference: UNITED KINGDOM.21F.XXXX' substitute 'Reference: UK.21.F.XXXX'</p> <p>Throughout the form for 'Regulation [(EC) No 1702/2003]' substitute "Regulation (EU) No 748/2012'.</p> <p><i>Note: Regulation [(EC) No 1702/2003 was repealed by Regulation (EC) No. 748/2012.</i></p>		022/ Corrections	Immediately