

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX I

PART 21

Certification of aircraft and related products, parts and appliances, and of design and production organisations

SECTION A

TECHNICAL REQUIREMENTS

SUBPART GENERAL PROVISIONS

A —

21.A.1 Scope

This Section establishes general provisions governing the rights and obligations of the applicant for, and holder of, any certificate issued or to be issued in accordance with this Section.

21.A.2 Undertaking by another person than the applicant for, or holder of, a certificate

The actions and obligations required to be undertaken by the holder of, or applicant for, a certificate for a product, part or appliance under this Section may be undertaken on its behalf by any other natural or legal person, provided the holder of, or applicant for, that certificate can show that it has made an agreement with the other person such as to ensure that the holder's obligations are and will be properly discharged.

21.A.3A Failures, malfunctions and defects

(a) System for Collection, Investigation and Analysis of Data

The holder of a type-certificate, restricted type-certificate, supplemental type-certificate, [F¹United Kingdom] Technical Standard Order ([F²UKTSO]) authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Regulation shall have a system for collecting, investigating and analysing 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, [F²UKTSO] authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Regulation. Information about this system shall be made available to all known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations.

Textual Amendments

- F1** Words in Annex 1 point 21.A.3A(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in Annex 1 point 21.A.3A(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(b) Reporting to the [F³CAA]

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1. The holder of a type-certificate, restricted type-certificate, supplemental type-certificate, [F⁴UKTSO] authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Regulation shall report to the [F⁵CAA] any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type-certificate, restricted type-certificate, supplemental type-certificate, [F⁶UKTSO] authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Regulation, and which has resulted in or may result in an unsafe condition.
2. These reports shall be made in a form and manner established by the [F⁷CAA], as soon as practicable and in any case dispatched not later than 72 hours after the identification of the possible unsafe condition, unless exceptional circumstances prevent this.

Textual Amendments

- F4** Word in Annex 1 point 21.A.3A(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(b)(ii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in Annex 1 point 21.A.3A(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(b)(ii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Annex 1 point 21.A.3A(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(b)(ii)(cc)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Word in Annex 1 point 21.A.3A(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(b)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

- F3** Word in Annex 1 point 21.A.3A(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(c) Investigation of Reported Occurrences

1. When an occurrence reported under point (b), or under points 21.A.129(f)(2) or 21.A.165(f)(2) results from a deficiency in the design, or a manufacturing deficiency, the holder of the type-certificate, restricted type-certificate, supplemental type-certificate, major repair design approval, [F⁸UKTSO] authorisation, or any other relevant approval deemed to have been issued under this Regulation, or the manufacturer as appropriate, shall investigate the reason for the deficiency and report to the [F⁹CAA] the results of its investigation and any action it is taking or proposes to take to correct that deficiency.
2. If the [F¹⁰CAA] finds that an action is required to correct the deficiency, the holder of the type-certificate, restricted type-certificate, supplemental type-certificate, major repair design approval, [F¹¹UKTSO] authorisation, or any other relevant approval deemed to have been issued under this Regulation, or the manufacturer as appropriate, shall submit the relevant data to the [F¹²CAA].

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Textual Amendments

- F8** Word in Annex 1 point 21.A.3A(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(c)(i)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Word in Annex 1 point 21.A.3A(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(c)(i)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Word in Annex 1 point 21.A.3A(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(c)(ii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Word in Annex 1 point 21.A.3A(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(c)(ii)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Word in Annex 1 point 21.A.3A(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(2)(c)(ii)(cc)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.3B Airworthiness directives

- (a) An airworthiness directive means a document issued or adopted by the ^[F13]CAA] which mandates actions to be performed on an aircraft to restore an acceptable level of safety, when evidence shows that the safety level of this aircraft may otherwise be compromised.

Textual Amendments

- F13** Word in Annex 1 point 21.A.3B(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The ^[F14]CAA] shall issue an airworthiness directive when:
1. an unsafe condition has been determined by the ^[F14]CAA] to exist in an aircraft, as a result of a deficiency in the aircraft, or an engine, propeller, part or appliance installed on this aircraft; and
 2. that condition is likely to exist or develop in other aircraft.

Textual Amendments

- F14** Word in Annex 1 point 21.A.3B(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) When an airworthiness directive has to be issued by the ^[F15]CAA] to correct the unsafe condition referred to in point (b), or to require the performance of an inspection, the holder of the type-certificate, restricted type-certificate, supplemental type-certificate, major repair design approval, ^[F16]UKTSO] authorisation or any other relevant approval deemed to have been issued under this Regulation, shall:

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1. propose the appropriate corrective action or required inspections, or both, and submit details of these proposals to the ^[F17]CAA] for approval;
2. following the approval by the ^[F17]CAA] of the proposals referred to under point (1), make available to all known operators or owners of the product, part or appliance and, on request, to any person required to comply with the airworthiness directive, appropriate descriptive data and accomplishment instructions.

Textual Amendments

F17 Word in Annex 1 point 21.A.3B(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(3)(c)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F15 Word in Annex 1 point 21.A.3B(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(3)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F16 Word in Annex 1 point 21.A.3B(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(3)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (d) An airworthiness directive shall contain at least the following information:
1. an identification of the unsafe condition;
 2. an identification of the affected aircraft;
 3. the action(s) required;
 4. the compliance time for the required action(s);
 5. the date of entry into force.

^[F18]21.A.4 Coordination between design and production

Each holder of a type-certificate, restricted type-certificate, supplemental type-certificate, ^[F19]UKTSO] authorisation, approval of a change to type-certificate or approval of a repair design, shall collaborate with the production organisation as necessary to ensure:

Textual Amendments

F19 Word in Annex 1 point 21.A.4 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **195(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (a) the satisfactory coordination of design and production required by 21A.122, 21A.130(b)(3) and (4), 21A.133 and 21A.165(c)(2) and (3) as appropriate, and
- (b) the proper support of the continued airworthiness of the product, part or appliance.]

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F18 Substituted by Commission Regulation (EU) No 69/2014 of 27 January 2014 amending Regulation (EU) No 748/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (Text with EEA relevance).

SUBPARTYPE-CERTIFICATES AND RESTRICTED TYPE-CERTIFICATES

B —

21.A.11 Scope

This Subpart establishes the procedure for issuing type-certificates for products and restricted type-certificates for aircraft, and establishes the rights and obligations of the applicants for, and holders of, those certificates.

21.A.13 Eligibility

Any natural or legal person that has demonstrated, or is in the process of demonstrating, its capability in accordance with point 21.A.14 shall be eligible as an applicant for a type-certificate or a restricted type-certificate under the conditions laid down in this Subpart.

21.A.14 Demonstration of capability

[^{F20}(a) An applicant for a type-certificate or restricted type-certificate shall demonstrate its capability by holding a design organisation approval, issued by the [^{F21}CAA] in accordance with Subpart J.]

Textual Amendments

F21 Word in Annex 1 point 21.A.14 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), regs. 1, 196(2) (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F20 Substituted by Commission Delegated Regulation (EU) 2019/897 of 12 March 2019 amending Regulation (EU) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection (Text with EEA relevance).

- (b) By way of derogation from point (a), as an alternative procedure to demonstrate its capability, an applicant may seek the agreement of the [^{F21}CAA] for the use of procedures setting out the specific design practices, resources and sequence of activities necessary to comply with this Annex I (Part 21), when the product is one of the following:
1. an ELA2 aircraft;
 2. an engine or propeller installed in ELA2 aircraft;
 3. a piston engine;
 4. a fixed or adjustable pitch propeller.

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- [^{F20}(c) By way of derogation from point (a), an applicant may demonstrate its capability by obtaining the [^{F21}CAA]'s acceptance of its certification programme established in accordance with point 21.A.15(b), where the product to be certified is:
1. an ELA1 aircraft; or
 2. an engine or propeller installed in ELA1 aircraft.]

21.A.15 Application

- (a) An application for a type-certificate or restricted type-certificate shall be made in a form and manner established by the [^{F22}CAA].

Textual Amendments

F22 Word in Annex 1 point 21.A.15 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 196\(2\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#); [2020 c. 1, Sch. 5 para. 1\(1\)](#))

- [^{F20}(b) An application for a type-certificate or restricted type-certificate shall include, as a minimum, preliminary descriptive data of the product, the intended use of the product and the kind of operations for which certification is requested. In addition, it shall include, or be supplemented after the initial application, [^{F23}by] a certification programme for the demonstration of compliance in accordance with point 21.A.20, consisting of:
1. a detailed description of the type design, including all the configurations to be certified;
 2. the proposed operating characteristics and limitations;
 3. the intended use of the product and the kind of operations for which certification is requested;
 4. a proposal for the initial type-certification basis, operational suitability data certification basis and environmental protection requirements, prepared in accordance with the requirements and options specified in points 21.B.80, 21.B.82 and 21.B.85;
 5. a proposal for a breakdown of the certification programme into meaningful groups of compliance demonstration activities and data, including a proposal for the means of compliance and related compliance documents;
 6. a proposal for the assessment of the meaningful groups of compliance demonstration activities and data, addressing the likelihood of an unidentified non-compliance with the type-certification basis, operational suitability data certification basis or environmental protection requirements and the potential impact of that non-compliance on product safety or environmental protection. The proposed assessment shall take into account at least the elements set out in subpoints (1) to (4) of point 21.B.100(a). Based on this assessment, the application shall include a proposal for the [^{F24}CAA's] involvement in the verification of the compliance demonstration activities and data; and
 7. a project schedule including major milestones.

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Textual Amendments

F24 Word in Annex 1 point 21.A.15(b)(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(3)**

Textual Amendments

F23 Word in Annex 1 point 21.A.15(b) inserted (21.6.2023) by virtue of [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(3)(a)(i)**

- (c) After its initial submission to the [F22CAA], the certification programme shall be updated by the applicant when there are changes to the certification project affecting any of the points 1 to 7 of point (b).
- (d) An application for a type-certificate or restricted type-certificate for an aircraft shall include, or be supplemented after the initial application, [F25by] an application supplement for approval of the operational suitability data.]

Textual Amendments

F25 Word in Annex 1 point 21.A.15(d) inserted (21.6.2023) by virtue of [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(3)(a)(ii)**

- [F26(e) An application for a type-certificate or restricted type-certificate for a large aeroplane or a large rotorcraft shall be valid for five years and an application for any other type-certificate or restricted type-certificate shall be valid for three years, unless the applicant demonstrates at the time of application that its product requires a longer time period to demonstrate and declare compliance and the [F22CAA] agrees to that longer time period.

Textual Amendments

F26 Inserted by [Commission Delegated Regulation \(EU\) 2019/897 of 12 March 2019 amending Regulation \(EU\) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection \(Text with EEA relevance\)](#).

- (f) In the case where a type-certificate or restricted type-certificate has not been issued, or it is evident that it will not be issued, within the time limit provided for in point (e), the applicant may:
1. submit a new application and comply with the type-certification basis, operational suitability data certification basis and environmental protection requirements, as established and notified by the [F22CAA] in accordance with points 21.B.80, 21.B.82 and 21.B.85 for the date of the new application; or
 2. apply for an extension of the time period provided for in point (e) and propose a new date for the issuance of the type-certificate or restricted type-certificate. In that case, the applicant shall comply with the type-certification basis, operational suitability data certification basis and environmental protection requirements, as established and notified by the [F22CAA] in accordance with points 21.B.80, 21.B.82 and 21.B.85 for a

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date to be selected by the applicant. However, that date shall not precede the new date proposed by the applicant for the issuance of the type-certificate or restricted type-certificate by more than five years for an application for a type-certificate or restricted type-certificate for a large aeroplane or a large rotorcraft, and by more than three years for an application for any other type-certificate or restricted type certificate.]

F27 21.A.16 Certification specifications

.....

Textual Amendments
F27 Deleted by [Commission Delegated Regulation \(EU\) 2019/897 of 12 March 2019 amending Regulation \(EU\) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection \(Text with EEA relevance\).](#)

F27 21.A.16B Special conditions

.....

F27 21.A.17 Type-certification basis

(a) The type-certification basis to be notified for the issuance of a type-certificate or a restricted type-certificate shall consist of:

.....

(b)

(c) In the case where a type-certificate has not been issued, or it is clear that a type-certificate will not be issued, within the time limit established under point (b), the applicant may:

.....

(d)

F27 21.A.18 Operational suitability data certification basis

.....

F27 21.A.18B Designation of applicable environmental protection requirements and certification specifications

(a) The applicable noise requirements for the issue of a type certificate for an aircraft are prescribed according to the provisions of Chapter 1 of Annex 16, Volume I, Part II to the Chicago Convention and:

.....

(b) The applicable emission requirements for the issue of a type-certificate for an aircraft and engine are prescribed in Annex 16 to the Chicago Convention:

.....

(c)

21.A.19 Changes requiring a new type-certificate

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Any natural or legal person proposing to change a product shall apply for a new type-certificate if the [F28CAA] finds that the change in design, power, thrust, or mass is so extensive that a substantially complete investigation of compliance with the applicable type-certification basis is required.

Textual Amendments

F28 Word in Annex 1 point 21.A.19 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

[F2021.A.20] **Demonstration of compliance with the type certification basis, operational suitability data certification basis and environmental protection requirements**

- (a) Following the acceptance of the certification programme by the [F29CAA], the applicant shall demonstrate compliance with the type certification basis, operational suitability data certification basis and environmental protection requirements, as established and notified to the applicant by the [F29CAA] in accordance with points 21.B.80, 21.B.82, 21.B.85, and shall provide the [F29CAA] with the means by which such compliance has been demonstrated.
- (b) The applicant shall report to the [F29CAA] any difficulty or event encountered during the process of demonstration of compliance that may have an appreciable effect on the risk assessment under point 21.A.15(b)(6) or on the certification programme, or may otherwise necessitate a change to the level of involvement of the [F29CAA] previously notified to the applicant in accordance with point 21.B.100(c).
- (c) The applicant shall record justifications of compliance within the compliance documents as referred to in the certification programme.
- (d) After completion of all demonstrations of compliance in accordance with the certification programme, including any inspections and tests in accordance with point 21.A.33, and after all flight tests in accordance with point 21.A.35, the applicant shall declare that:
1. it has demonstrated compliance with the type-certification basis, operational suitability data certification basis and environmental protection requirements, as established and notified by the [F29CAA], following the certification programme as accepted by the [F29CAA]; and
 2. no feature or characteristic has been identified that may make the product unsafe for the uses for which certification is requested.
- (e) The applicant shall submit to the [F29CAA] the declaration of compliance provided for in point (d). Where the applicant holds an appropriate design organisation approval, the declaration of compliance shall be made in accordance with Subpart J and submitted to the [F29CAA].

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Textual Amendments

F29 Word in Annex 1 point 21.A.20 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.21 Requirements for the issuance of a type certificate or restricted type certificate

- (a) In order to be issued a product type certificate or, when the aircraft does not meet the essential requirements of Annex II to Regulation (EU) 2018/1139 an aircraft restricted type certificate, the applicant shall:
1. demonstrate its capability in accordance with point 21.A.14;
 2. comply with point 21.A.20;
 3. demonstrate that the engine and propeller, if installed in the aircraft:
 - (A) have a type-certificate issued or determined in accordance with this Regulation; or
 - (B) have been demonstrated to be in compliance with the aircraft type-certification basis established and the environmental protection requirements designated and notified by the [F30CAA] as necessary to ensure the safe flight of the aircraft.
- (b) By derogation from point (a)(2), at the applicant's request included in the declaration referred to in point 21.A.20(d), the applicant is entitled to have the aircraft type-certificate or restricted type-certificate issued before the applicant has demonstrated compliance with the operational suitability data certification basis, provided that the applicant demonstrates such compliance before the date at which those data are to be actually used.]

Textual Amendments

F30 Word in Annex 1 point 21.A.21 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F27}21.A.23 Issue of a restricted type-certificate

21.A.31 Type design

- (a) The type design shall consist of:
1. the drawings and specifications, and a listing of those drawings and specifications, necessary to define the configuration and the design features of the product shown to comply with the applicable type-certification basis and environmental protection requirements;
 2. information on materials and processes and on methods of manufacture and assembly of the product necessary to ensure the conformity of the product;

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3. [F18]an approved airworthiness limitations section of the instructions for continued airworthiness as defined by the applicable certification specifications; and]
 4. [F20]any other data allowing by comparison the determination of the airworthiness and, if relevant, the environmental characteristics of later products of the same type.]
- (b) Each type design shall be adequately identified.

[F20]21.A.30 Inspections and tests

- (a) (Reserved)
- (b) Before each test is undertaken during the demonstration of compliance required by point 21.A.20, the applicant shall have verified:
 1. for the test specimen, that:
 - (i) the materials and processes adequately conform to the specifications for the proposed type design;
 - (ii) the parts of the products adequately conform to the drawings in the proposed type design; and
 - (iii) the manufacturing processes, construction and assembly adequately conform to those specified in the proposed type design; and
 2. for the test and measuring equipment to be used for the test, that those are adequate for the test and appropriately calibrated.
- (c) On the basis of the verifications carried out in accordance with point (b), the applicant shall issue a statement of conformity listing any potential non-conformity, together with a justification that this will not affect the test results, and shall allow the [F31CAA] to make an inspection it considers necessary to check the validity of that statement.
- (d) The applicant shall allow the [F31CAA] to:
 1. review any data and information related to the demonstration of compliance; and
 2. witness or carry out any test or inspection conducted for the purpose of the demonstration of compliance.
- (e) For all the tests and inspections witnessed or carried out by the [F31CAA] in accordance with point (d)(2):
 1. the applicant shall submit to the [F31CAA] a statement of conformity provided for in point (c); and
 2. no change that affects the validity of the statement of conformity shall be made to the test specimen, or the test and measuring equipment, between the time the statement of conformity provided for in point (c) was issued and the time the test specimen is presented to the [F31CAA] for test.]

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F31 Word in Annex 1 point 21.A.33 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.35 Flight Tests

- (a) Flight testing for the purpose of obtaining a type-certificate shall be conducted in accordance with conditions for such flight testing specified by the [F32CAA].

Textual Amendments

F32 Word in Annex 1 point 21.A.35 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The applicant shall make all flight tests that the [F32CAA] finds necessary:
1. to determine compliance with the applicable type-certification basis and environmental protection requirements; and
 2. to determine whether there is reasonable assurance that the aircraft, its parts and appliances are reliable and function properly for aircraft to be certificated under this Annex I (Part 21), except for,
 - (i) sailplanes and powered sailplanes;
 - (ii) balloons and airships defined in ELA1 or ELA2;
 - (iii) aeroplanes of 2 722 kg or less maximum take-off mass (MTOM).
- (c) (Reserved)
- (d) (Reserved)
- (e) (Reserved)
- (f) The flight tests prescribed in point (b)(2) shall include:
1. for aircraft incorporating turbine engines of a type not previously used in a type-certificated aircraft, at least 300 hours of operation with a full complement of engines that conform to a type-certificate; and
 2. for all other aircraft, at least 150 hours of operation.

[F20]21.A.4 Type-certificate

The type-certificate and restricted type-certificate shall include the type design, the operating limitations, the type-certificate data sheet for airworthiness and emissions, the applicable type-certification basis and environmental protection requirements with which the [F33CAA] records compliance, and any other conditions or limitations prescribed for the product in the applicable certification specifications and environmental protection requirements. The aircraft type-certificate and restricted type-certificate shall include in addition the applicable operational suitability data certification basis, the operational suitability data and the type-certificate data sheet for noise. The aircraft type-certificate and restricted type-certificate data sheet shall

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

include the record of CO₂ emissions compliance and the engine type-certificate data sheet shall include the record of exhaust emissions compliance.]

Textual Amendments

F33 Word in Annex 1 point 21.A.41 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.44 Obligations of the holder

Each holder of a type-certificate or restricted type-certificate shall:

- (a) [^{F34}undertake the obligations laid down in points 21.A.3A to 21.A.8, 21.A.62 and 21.A.65 and, for this purpose, must continue to meet the qualification requirements for eligibility under point 21.A.13;]
- (b) specify the marking in accordance with Subpart Q.

Textual Amendments

F34 Annex 1 point 21.A.44(a) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(3)(c)**

21.A.47 Transferability

Transfer of a type-certificate or restricted type-certificate may only be made to a natural or legal person that is able to undertake the obligations under point 21.A.44, and, for this purpose, has demonstrated its ability to qualify under the criteria of point 21.A.14.

21.A.51 Duration and continued validity

- (a) A type-certificate and restricted type-certificate shall be issued for an unlimited duration. They shall remain valid subject to:
 1. the holder remaining in compliance with this Annex 1 (Part 21); and
 2. the certificate not being surrendered or revoked under the applicable administrative procedures established by the [^{F35}CAA].

Textual Amendments

F35 Word in Annex 1 point 21.A.51 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Upon surrender or revocation, the type-certificate and restricted type-certificate shall be returned to the [^{F35}CAA].

[^{F18}21.A.53] Record-keeping

All relevant design information, drawings and test reports, including inspection records for the product tested, shall be held by the type-certificate or restricted type-certificate holder at the disposal of the [^{F36}CAA] and shall be retained in order to provide the information necessary

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

to ensure the continued airworthiness, continued validity of the operational suitability data and compliance with applicable environmental protection requirements of the product.]

Textual Amendments

F36 Word in Annex 1 point 21.A.55 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F18}21.A.57 Manuals

The holder of a type-certificate or restricted type-certificate shall produce, maintain and update master copies of all manuals required by the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements for the product, and provide copies, on request, to the ^{F37}CAA.]

Textual Amendments

F37 Word in Annex 1 point 21.A.57 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.61 Instructions for continued airworthiness

- (a) The holder of the type-certificate or restricted type-certificate shall furnish at least one set of complete instructions for continued airworthiness, comprising descriptive data and accomplishment instructions prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine or propeller upon its delivery or upon issue of the first certificate of airworthiness for the affected aircraft, whichever occurs later and thereafter make those instructions available on request to any other person required to comply with any of the terms of those instructions. The availability of some manual or portion of the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.
- (b) In addition, changes to the instructions for continued airworthiness shall be made available to all known operators of the product and shall be made available on request to any person required to comply with any of those instructions. A programme showing how changes to the instructions for continued airworthiness are distributed shall be submitted to the ^{F38}CAA].

Textual Amendments

F38 Word in Annex 1 point 21.A.61 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F39}21.A.62 Availability of operational suitability data

The holder of the type-certificate or restricted type-certificate shall make available:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) at least one set of complete operational suitability data prepared in accordance with the applicable operational suitability certification basis, to all known [^{F40}United Kingdom operators] of the aircraft, before the operational suitability data must be used by a training organisation or [^{F41}a United Kingdom operator]; and
- (b) any change to the operational suitability data to all known [^{F42}United Kingdom operators] of the aircraft; and
- (c) on request, the relevant data referred to in points (a) and (b) above, to:
1. [^{F43}the CAA; and]
 2. any person required to comply with one or more elements of this set of operational suitability data.]

Textual Amendments

- F40** Words in Annex 1 point 21.A.62(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F41** Words in Annex 1 point 21.A.62(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F42** Words in Annex 1 point 21.A.62(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F43** Annex 1 point 21.A.62(c)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **196(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, **Sch. 5 para. 1(1)**

Textual Amendments

- F39** Inserted by [Commission Regulation \(EU\) No 69/2014 of 27 January 2014 amending Regulation \(EU\) No 748/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations \(Text with EEA relevance\)](#).

[^{F44}21.A.65] Continuing structural integrity for aeroplane structures

The holder of a type-certificate or restricted type-certificate for a large aeroplane must ensure that the continuing structural integrity programme remains valid throughout the operational life of the aeroplane, taking into account service experiences and current operations.]

Textual Amendments

- F44** Annex 1 point 21.A.65 inserted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(3)(f)**

(SUBPART C — NOT APPLICABLE)

SUBPART CHANGES TO TYPE-CERTIFICATES AND RESTRICTED TYPE-CERTIFICATES

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F18}21.A.90A] Scope

This Subpart establishes the procedure for the approval of changes to type-certificates, and establishes the rights and obligations of the applicants for, and holders of, those approvals. This Subpart also defines standard changes that are not subject to an approval process under this Subpart. In this Subpart, references to type-certificates include type-certificate and restricted type-certificate.]

21.A.90B Standard changes

[^{F18}(a) Standard changes are changes to a type-certificate:

1. in relation to:
 - (i) aeroplanes of 5 700 kg Maximum Take-Off Mass (MTOM) or less;
 - (ii) rotorcraft of 3 175 kg MTOM or less;
 - (iii) sailplanes, powered sailplanes, balloons and airships, as defined in ELA1 or ELA2,
2. that follow design data included in certification specifications issued by the [^{F45}CAA], containing acceptable methods, techniques and practices for carrying out and identifying standard changes, including the associated instructions for [^{F46}continued] airworthiness; and
3. that are not in conflict with TC holders data.]

Textual Amendments

F45 Word in Annex 1 point 21.A.90B substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F46 Word in Annex 1 point 21.A.90B(a) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(4)(a)**

- (b) Points 21.A.91 to 21.A.109 are not applicable to standard changes.

[^{F20}21.A.90C] Classification of changes to a type-certificate

Changes to a type-certificate are classified as minor and major. A ‘ minor change ’ has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, operational suitability data, or other characteristics affecting the airworthiness of the product or its environmental characteristics. Without prejudice to point 21.A.19, all other changes are ‘ major changes ’ under this Subpart. Major and minor changes shall be approved in accordance with points 21.A.95 or 21.A.97, as appropriate, and shall be adequately identified.]

[^{F18}21.A.90D] Eligibility

- (a) Only the type-certificate holder may apply for approval of a major change to a type-certificate under this Subpart; all other applicants for a major change to a type-certificate shall apply under Subpart E.
- (b) Any natural or legal person may apply for approval of a minor change to a type-certificate under this Subpart.]

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F20}21.A.9] Application

- (a) An application for approval of a change to a type-certificate shall be made in a form and manner established by the [^{F47}CAA].
- (b) An application shall include, or be supplemented after the initial application, [^{F48}by] a certification programme for the demonstration of compliance in accordance with point 21.A.20, consisting of:
1. a description of the change identifying:
 - (i) the configuration(s) of the product in the type certificate upon which the change is to be made;
 - (ii) all areas of the product in the type-certificate, including the approved manuals, that are changed or affected by the change; and
 - (iii) when the change affects the operational suitability data, any necessary changes to the operational suitability data;
 2. an identification of any reinvestigations necessary to demonstrate compliance of the change and areas affected by the change with the type-certification basis, operational suitability data certification basis and environmental protection requirements; and
 3. for a major change to a type-certificate:
 - (i) a proposal for the initial type-certification basis, operational suitability data certification basis and environmental protection requirements, prepared in accordance with the requirements and options specified in point 21.A.101;
 - (ii) a proposal for a breakdown of the certification programme into meaningful groups of compliance demonstration activities and data, including a proposal for the means of compliance and related compliance documents;
 - (iii) a proposal for the assessment of the meaningful groups of compliance demonstration activities and data, addressing the likelihood of an unidentified non-compliance with the type-certification basis, operational suitability data certification basis or environmental protection requirements and the potential impact of that non-compliance on product safety or environmental protection. The proposed assessment shall take into account at least the elements set out in subpoints (1)–(4) of point 21.B.100(a). Based on this assessment, the application shall include a proposal for the [^{F47}CAA]'s involvement in the verification of the compliance demonstration activities and data; and
 - (iv) a project schedule including major milestones.
- (c) An application for a change to a type-certificate of a large aeroplane or a large rotorcraft shall be valid for five years and an application for a change to any other type-certificate shall be valid for three years. In the case where the change has not been approved, or it is evident that it will not be approved, within the time limit provided for in this point, the applicant may:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. submit a new application for a change to the type-certificate and comply with the type-certification basis, operational suitability data certification basis and environmental protection requirements, as established by the [F47CAA] in accordance with point 21.A.101 and notified in accordance with point 21.B.105 for the date of the new application; or
2. [F49] apply for an extension of the time period provided for in the first sentence of point (c) for the original application and propose a new date for the issuance of the approval. In that case, the applicant shall comply with the type-certification basis, operational suitability data certification basis and environmental protection requirements, as established by the [F47CAA] in accordance with point 21.A.101 and notified in accordance with point 21.B.105, for a date to be selected by the applicant. However, that date shall not precede the new date proposed by the applicant for the issuance of the approval by more than five years for an application for a change to type-certificate or restricted type-certificate for a large aeroplane or a large rotorcraft, and by more than three years for an application for [F50] a change to any other] to type-certificate or restricted type certificate.]]

Textual Amendments

- F47** Word in Annex 1 point 21.A.93 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F48** Word in Annex 1 point 21.A.93(b) inserted (21.6.2023) by virtue of [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(4)(c)(i)**
- F49** Substituted by [Commission Delegated Regulation \(EU\) 2020/570](#) of 28 January 2020 amending and correcting Regulation (EU) No 748/2012 as regards the alignment of rules for continuing airworthiness of aircraft and aeronautical products, parts and appliances with Regulation (EU) No 1321/2014 (Text with EEA relevance).
- F50** Words in Annex 1 point 21.A.93(c) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(4)(c)(ii)**

[F20] 21.A.93 Requirements for approval of a minor change

- (a) Minor changes to a type-certificate shall be classified and approved by:
 1. the [F51CAA]; or
 2. an approved design organisation within the scope of its privileges provided for in points (1) and (2) of point 21.A.263(c), as recorded in the terms of approval.
- (b) A minor change to a type-certificate shall only be approved:
 1. when it has been demonstrated that the change and areas affected by the change comply with the type-certification basis and the environmental protection requirements incorporated by reference in the type-certificate;
 2. in the case of a change affecting the operational suitability data, when it has been demonstrated that the necessary changes to the operational suitability data comply with the operational suitability data certification basis incorporated by reference in the type-certificate;

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3. when compliance with the type-certification basis that applies in accordance with point (1) has been declared and the justifications of compliance have been recorded in the compliance documents; and
 4. when no feature or characteristic has been identified that may make the product unsafe for the uses for which certification is requested.
- (c) By derogation from point (1) in point (b), certification specifications which became applicable after those incorporated by reference in the type-certificate can be used for approval of a minor change, provided they do not affect the demonstration of compliance.
- (d) By derogation from point (a), at the applicant's request included in the declaration referred to in point 21.A.20(d), a minor change to an aircraft type-certificate may be approved before compliance with the operational suitability data certification basis has been demonstrated, provided that the applicant demonstrates such compliance before the date at which those data are actually used.
- (e) The applicant shall submit to the [F51CAA] the substantiation data for the change and a statement that compliance has been demonstrated in accordance with point (b).
- (f) An approval of a minor change to a type-certificate shall be limited to the specific configuration(s) in the type-certificate to which the change relates.

Textual Amendments

F51 Word in Annex 1 point 21.A.95 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.97 Requirements for approval of a major change

- (a) Major changes to a type-certificate shall be classified and approved by:
1. the [F52CAA]; or
 2. an approved design organisation within the scope of its privileges provided for in points (1) and (8) of point 21.A.263(c), as recorded in the terms of approval.
- (b) A major change to a type-certificate shall only be approved:
1. when it has been demonstrated that the change and areas affected by the change comply with the type-certification basis and environmental protection requirements, as established by the [F52CAA] in accordance with point 21.A.101;
 2. in the case of a change affecting the operational suitability data, when it has been demonstrated that the necessary changes to the operational suitability data meet the operational suitability data certification basis, as established by the [F52CAA] in accordance with point 21.A.101; and
 3. when compliance with points (1) and (2) has been demonstrated in accordance with point 21.A.20, as applicable to the change.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) By derogation from points (2) and (3) of point (b), at the applicant's request included in the declaration referred to in point 21.A.20(d), a major change to an aircraft type-certificate may be approved before compliance with the operational suitability data certification basis has been demonstrated, provided that the applicant demonstrates such compliance before the date at which those data are actually used.
- (d) An approval of a major change to a type-certificate shall be limited to the specific configuration(s) in the type-certificate to which the change relates.

Textual Amendments

F52 Word in Annex 1 point 21.A.97 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(2)** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

21.A.101 Type-certification basis, operational suitability data certification basis and environmental protection requirements for a major change to a type-certificate

- (a) A major change to a type-certificate and areas affected by the change shall comply with either the certification specifications applicable to the changed product on the date of the application for the change or certification specifications which became applicable after that date in accordance with point (f) below. The validity of the application shall be determined in accordance with point 21.A.93(c). In addition, the changed product shall comply with the environmental protection requirements designated by the [F53CAA] in accordance with point 21.B.85.
- (b) By derogation from point (a), an earlier amendment to a certification specification referred to in point (a) and to any other certification specification which is directly related may be used in any of the following situations, unless the earlier amendment became applicable before the date at which the corresponding certification specifications incorporated by reference in the type-certificate became applicable:
 1. a change that the [F53CAA] finds not to be significant. In determining whether a specific change is significant, the [F53CAA] shall consider the change in the context of all previous relevant design changes and all related revisions to the applicable certification specifications incorporated by reference in the type-certificate for the product. Changes meeting one of the following criteria shall automatically be considered significant:
 - (i) the general configuration or the principles of construction are not retained;
 - (ii) the assumptions used for certification of the product to be changed do not remain valid;
 2. each area, system, part or appliance that the [F53CAA] finds not affected by the change;
 3. each area, system, part or appliance that is affected by the change for which the [F53CAA] finds that compliance with the certification specifications referred to in point (a) does not contribute materially to the level of safety of the changed product or is impractical.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (ba) ^{F54}The derogation in point (b) does not apply to large aeroplanes subject to point 26.300 of Annex I to Commission Regulation (EU) 2015/640(1). For those large aeroplanes, the applicant must 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.]
- (c) By derogation from point (a), in the case of a change to an aircraft other than a rotorcraft of 2 722 kg (6 000 lb) or less maximum weight, or to a non-turbine rotorcraft of 1 361 kg (3 000 lb) or less maximum weight, the change and areas affected by the change shall comply with the type-certification basis incorporated by reference in the type-certificate. However, if the ^{F53}CAA finds that the change is significant in an area, the ^{F53}CAA may require that the change and areas affected by the change comply with an amendment to a certification specification of the type-certification basis incorporated by reference in the type-certificate and with any other certification specification which is directly related, unless the ^{F53}CAA also finds that compliance with that amendment does not contribute materially to the level of safety of the changed product or is impractical.
- (d) If the ^{F53}CAA finds that the certification specifications applicable on the date of the application for the change do not provide adequate standards with respect to the proposed change, the change and areas affected by the change shall also comply with any special conditions, and amendments to those special conditions, prescribed by the ^{F53}CAA in accordance with point 21.B.75, to provide a level of safety equivalent to that established by the certification specifications applicable on the date of the application for the change.
- (e) By derogation from points (a), (b) and (c), the change and areas affected by the change may comply with an alternative to a certification specification designated by the ^{F53}CAA if proposed by the applicant, provided that the ^{F53}CAA finds that the alternative provides a level of safety which is:
1. in the case of a type-certificate:
 - (i) equivalent to that of the certification specifications designated by the ^{F53}CAA under (a), (b) or (c) above; or
 - (ii) compliant with the essential requirements of Annex II to Regulation (EU) 2018/1139;
 2. in the case of a restricted type-certificate, adequate with regard to the intended use.
- (f) If an applicant chooses to comply with a certification specification set out in an amendment that becomes applicable after submitting the application for a change to a type-certificate, the change and areas affected by the change shall also comply with any other certification specification which is directly related.
- (g) When the application for a change to a type-certificate for an aircraft includes, or is supplemented after the initial application to include, changes to the operational suitability data, the operational suitability data certification basis shall be established in accordance with points (a)-(f).]

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F53** Word in Annex 1 point 21.A.101 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F54** Annex 1 point 21.A.101(ba) inserted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(4)(d)**

^{F27}**21.A.106** Issue of approval

^{F18}**21.A.105** Record-keeping

For each change, all relevant design information, drawings and test reports, including inspection records for the changed product tested, shall be held by the applicant at the disposal of the ^{F55}CAA] and shall be retained in order to provide the information necessary to ensure the continued airworthiness, continued validity of the operational suitability data and compliance with applicable environmental protection requirements of the changed product.]

Textual Amendments

- F55** Word in Annex 1 point 21.A.105 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.107 Instructions for continued airworthiness

- ^{F18}(a) The holder of a minor change approval to a type-certificate shall furnish at least one set of the associated variations, if any, to the instructions for continued airworthiness of the product on which the minor change is to be installed, prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine, or propeller incorporating the minor change, upon its delivery, or upon issuance of the first certificate of airworthiness for the affected aircraft, whichever occurs later, and thereafter make those variations in instructions available, on request, to any other person required to comply with any of the terms of those instructions.]
- (b) In addition, changes to those variations of the instructions for continued airworthiness shall be made available to all known operators of a product incorporating the minor change and shall be made available, on request, to any person required to comply with any of those instructions.

^{F39}**21.A.108** Availability of operational suitability data

In the case of a change affecting the operational suitability data, the holder of the minor change approval shall make available:

- (a) at least one set of changes to the operational suitability data prepared in accordance with the applicable operational suitability certification basis, to all known ^{F56}United Kingdom operators] of the changed aircraft, before the operational suitability data must be used by a training organisation or ^{F57}a United Kingdom operator]; and

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) any further change to the affected operational suitability data, to all known [^{F58}United Kingdom operators] of the changed aircraft; and
- (c) on request, the relevant parts of the changes in points (a) and (b) above, to:
1. [^{F59}the CAA; and]
 2. any person required to comply with one or more elements of this set of operational suitability data.]

Textual Amendments

- F56** Words in Annex 1 point 21.A.108(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F57** Words in Annex 1 point 21.A.108(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F58** Words in Annex 1 point 21.A.108(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F59** Annex 1 point 21.A.108(c)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, **Sch. 5 para. 1(1)**

[^{F18}21.A.109] obligations and [^{F60}UKPA] marking

The holder of a minor change approval to a type-certificate shall:

- (a) undertake the obligations laid down in points 21.A.4, 21.A.105, 21.A.107 and 21.A.108; and
- (b) specify the marking, including [^{F61}UKPA (United Kingdom Part Approval)] letters, in accordance with point 21.A.804(a).]

Textual Amendments

- F61** Words in Annex 1 point 21.A.109(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

- F60** Word in Annex 1 point 21.A.109 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **197(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SUBPART SUPPLEMENTAL TYPE-CERTIFICATES

E —

[^{F20}21.A.110] Scope

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

This Subpart establishes the procedure for the approval of major changes to the type-certificate under supplemental type-certificate procedures, and establishes the rights and obligations of the applicants for, and holders of, those certificates. In this Subpart, the references to type-certificates include type-certificates and restricted type-certificates.

21.A.112 Eligibility

Any natural or legal person that has demonstrated, or is in the process of demonstrating, its capability in accordance with point 21.A.112B may apply for a supplemental type-certificate in accordance with the conditions laid down in this Subpart.]

21.A.112B Demonstration of capability

[^{F20}(a) An applicant for a supplemental type-certificate shall demonstrate its capability by holding a design organisation approval, issued by the [^{F62}CAA] in accordance with Subpart J.]

Textual Amendments

F62 Word in Annex 1 point 21.A.112B substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 198\(2\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

(b) By way of derogation from point (a), as an alternative procedure to demonstrate its capability, an applicant may seek [^{F62}CAA] agreement for the use of procedures setting out the specific design practices, resources and sequence of activities necessary to comply with this Subpart.

[^{F20}(c) By way of derogation from point (a), in the case of products referred to in point 21.A.14(c), an applicant may demonstrate its capability by obtaining the [^{F62}CAA]'s acceptance of its certification programme established in accordance with point 21.A.93(b).]

21.A.113 Application for a supplemental type-certificate

(a) An application for a supplemental type-certificate shall be made in a form and manner established by the [^{F63}CAA].

Textual Amendments

F63 Word in Annex 1 point 21.A.113 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\), regs. 1, 198\(2\)](#) (with Sch. 3) (as amended by [S.I. 2019/1098, regs. 1\(3\), 12](#)); 2020 c. 1, Sch. 5 para. 1(1)

[^{F20}(b) When applying for a supplemental type-certificate, the applicant shall:

- (i) include in the application the information required by point 21.A.93(b);
- (ii) specify whether the certification data has been or will be prepared completely by the applicant or on the basis of an arrangement with the owner of the type-certification data.]

[^{F26}(c) Point 21.A.93(c) applies to the requirements for the time limits of the application effectivity as well as the requirements related to the need to update the type-

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

certification basis, operational suitability data certification basis and environmental protection requirements, when the change has not been approved or it is evident that it will not be approved within the time limit established.]

^{F27}21.A.1 ~~1~~ Showing of compliance

^{F20}21.A.1 ~~1~~ Requirements for approval of major changes in the form of a supplemental type-certificate

- (a) Supplemental type certificates shall be issued by:
1. the [^{F64}CAA]; or
 2. an approved design organisation within the scope of its privileges provided for in points (1) and (9) of point 21.A.263(c), as recorded in the terms of approval.
- (b) A supplemental type-certificate shall only be issued when:
1. the applicant has demonstrated its capability in accordance with point 21.A.112B;
 2. it has been demonstrated that the change to a type-certificate and areas affected by the change comply with the type-certification basis and the environmental protection requirements, as established by the [^{F64}CAA] in accordance with point 21.A.101;
 3. in the case of a supplemental type-certificate affecting the operational suitability data, it has been demonstrated that the necessary changes to the operational suitability data meet the operational suitability data certification basis, as established by the [^{F64}CAA] in accordance with point 21.A.101;
 4. compliance with points (2) and (3) has been demonstrated in accordance with point 21.A.20, as applicable to the change; and
 5. in case the applicant has specified that it provided certification data on the basis of an arrangement with the owner of the type-certification data in accordance with point 21.A.113(b):
 - (i) the type-certificate holder has indicated that it has no technical objection to the information submitted under point 21.A.93; and
 - (ii) the type-certificate holder has agreed to collaborate with the supplemental type-certificate holder to ensure discharge of all obligations for continued airworthiness of the changed product through compliance with points 21.A.44 and 21.A.118A.
- (c) By derogation from points (3) and (4) of point (b), at the applicant's request included in the declaration referred to in point 21.A.20(d), the applicant is entitled to have a supplemental type-certificate for an aircraft issued before the applicant has demonstrated compliance with the operational suitability data certification basis, provided that the applicant demonstrates such compliance before the date at which those data are to be actually used.
- (d) A supplemental type-certificate shall be limited to the specific configuration(s) in the type-certificate to which the related major change relates.]

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F64 Word in Annex 1 point 21.A.115 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.116 Transferability

A supplemental type-certificate shall only be transferred to a natural or legal person that is able to undertake the obligations of point 21.A.118A and for this purpose has demonstrated its ability to qualify under the criteria of point 21.A.112B except for ELA1 aircraft for which the natural or legal person has sought the ^{F65}CAA] agreement for the use of procedures setting out its activities to undertake these obligations.

Textual Amendments

F65 Word in Annex 1 point 21.A.116 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.117 Changes to that part of a product covered by a supplemental type-certificate

- (a) Minor changes to that part of a product covered by a supplemental type-certificate shall be classified and approved in accordance with Subpart D.
- (b) Each major change to that part of a product covered by a supplemental type-certificate shall be approved as a separate supplemental type-certificate in accordance with this Subpart.
- (c) By way of derogation from point (b), a major change to that part of a product covered by a supplemental type-certificate submitted by the supplemental type-certificate holder itself may be approved as a change to the existing supplemental type-certificate.

21.A.118 Obligations and ^{F66}UKPA] marking

Each holder of a supplemental type-certificate shall:

- (a) ^{F18}undertake the obligations:
 1. laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.105, 21.A.119, 21.A.120A and 21.A.120B;
 2. implicit in the collaboration with the type-certificate holder under point 21.A.115(d)(2);

and for this purpose continue to meet the criteria of point 21.A.112B;]
- (b) specify the marking, including ^{F67}UKPA] letters, in accordance with point 21.A.804(a).

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F67 Word in Annex 1 point 21.A.118A substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F66 Word in Annex 1 point 21.A.118A heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.118 **Duration and continued validity**

- (a) A supplemental type-certificate shall be issued for an unlimited duration. It shall remain valid subject to:
1. the holder remaining in compliance with this Annex I (Part 21); and
 2. the certificate not being surrendered or revoked under the applicable administrative procedures established by the ^[F68]CAA].

Textual Amendments

F68 Word in Annex 1 point 21.A.118B substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Upon surrender or revocation, the supplemental type-certificate shall be returned to the ^[F68]CAA].

^[F18]21.A.119 **Manuals**

The holder of a supplemental type-certificate shall produce, maintain, and update master copies of variations in the manuals required by the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements for the product, necessary to cover the changes introduced under the supplemental type-certificate, and furnish copies of those manuals to the ^[F69]CAA] on request.]

Textual Amendments

F69 Word in Annex 1 point 21.A.119 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^[F18]21.A.120 **Instructions for continued airworthiness]**

- (a) The holder of the supplemental type-certificate for an aircraft, engine, or propeller, shall furnish at least one set of the associated variations to the instructions for continued airworthiness, prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine, or propeller incorporating

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

the features of the supplemental type-certificate, upon its delivery, or upon issuance of the first certificate of airworthiness for the affected aircraft, whichever occurs later, and thereafter make those variations in instructions available, on request, to any other person required to comply with any of the terms of those instructions. Availability of some manual or portion of the variations to the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.

- (b) In addition, changes to those variations of the instructions for continued airworthiness shall be made available to all known operators of a product incorporating the supplemental type-certificate and shall be made available, on request, to any person required to comply with any of those instructions. A programme showing how changes to the variations to the instructions for continued airworthiness are distributed shall be submitted to the ^{F70}CAA].

Textual Amendments

F70 Word in Annex 1 point 21.A.120A substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F39}21.A.120B **Availability of operational suitability data**

In the case of a change affecting the operational suitability data, the holder of the supplemental type-certificate shall make available:

- (a) at least one set of changes to the operational suitability data prepared in accordance with the applicable operational suitability certification basis, to all known ^{F71}United Kingdom operators] of the changed aircraft, before the operational suitability data must be used by a training organisation or ^{F72}a United Kingdom operator]; and
- (b) any further change to the affected operational suitability data, to all known ^{F73}United Kingdom operators] of the changed aircraft; and
- (c) on request, the relevant parts of the changes in points (a) and (b) above, to:
1. ^{F74}the CAA; and]
 2. any person required to comply with one or more elements of this set of operational suitability data.]

Textual Amendments

F71 Words in Annex 1 point 21.A.120B(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(5)(a)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F72 Words in Annex 1 point 21.A.120B(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(5)(a)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F73 Words in Annex 1 point 21.A.120B(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(5)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F74 Annex 1 point 21.A.120B(c)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **198(5)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SUBPART PRODUCTION WITHOUT PRODUCTION ORGANISATION APPROVAL

F —

21.A.121 Scope

- (a) This Subpart establishes the procedure for demonstrating the conformity with the applicable design data of a product, part and appliance that is intended to be manufactured without a production organisation approval under Subpart G.
- (b) This Subpart establishes the rules governing the obligations of the manufacturer of a product, part, or appliance being manufactured under this Subpart.

21.A.122 Eligibility

Any natural or legal person may apply to show conformity of individual products, parts or appliances under this Subpart, if:

- (a) it holds or has applied for an approval covering the design of that product, part or appliance; or
- (b) it has ensured satisfactory coordination between production and design, through an appropriate arrangement with the applicant for, or holder of, an approval of such a design.

21.A.124 Application

- (a) Each application for an agreement to the showing of conformity of individual products, parts and appliances under this Subpart shall be made in a form and manner established by the ^{F75}CAA].

Textual Amendments

F75 Word in Annex 1 point 21.A.124 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Such application shall contain:
 1. evidence which demonstrates, where applicable, that:
 - (i) the issuance of a production organisation approval under Subpart G would be inappropriate; or
 - (ii) the certification or approval of a product, part or appliance under this Subpart is needed pending the issuance of a production organisation approval under Subpart G;
 2. an outline of the information required in point 21.A.125A(b).

21.A.125 Issue of a letter of agreement

The applicant shall be entitled to have a letter of agreement issued by the ^{F76}CAA] agreeing to the showing of conformity of individual products, parts and appliances under this Subpart, after:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F76 Word in Annex 1 point 21.A.125A substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(2)** (with [Sch. 3](#)) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, [Sch. 5 para. 1\(1\)](#))

- (a) having established a production inspection system that ensures that each product, part or appliance conforms to the applicable design data and is in condition for safe operation;
- (b) having provided a manual that contains:
 - 1. a description of the production inspection system required under point (a);
 - 2. a description of the means for making the determination of the production inspection system;
 - 3. a description of the tests required in points 21.A.127 and 21.A.128, and the names of persons authorised for the purpose of point 21.A.130(a);
- (c) demonstrating that it is able to provide assistance in accordance with points 21.A.3A and 21.A.129(d).

21.A.125 Bindings

- (a) When objective evidence is found showing non-compliance of the holder of a letter of agreement with the applicable requirements of this Annex I (Part 21), the finding shall be classified as follows:
 - 1. a level one finding is any non-compliance with this Annex I (Part 21) which could lead to uncontrolled non-compliances with applicable design data and which could affect the safety of the aircraft;
 - 2. a level two finding is any non-compliance with this Annex I (Part 21) which is not classified as level one.
- (b) A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to a non-compliance under point (a).
- (c) After receipt of notification of findings according to point 21.B.125:
 - 1. in case of a level one finding, the holder of the letter of agreement shall demonstrate corrective action to the satisfaction of the [F77CAA] within a period of no more than 21 working days after written confirmation of the finding;
 - 2. in case of level two findings, the corrective action period granted by the [F77CAA] shall be appropriate to the nature of the finding but in any case initially shall not be more than three months. In certain circumstances and subject to the nature of the finding, the [F77CAA] may extend the three months period subject to the provision of a satisfactory corrective action plan agreed by the [F77CAA];
 - 3. a level three finding shall not require immediate action by the holder of the letter of agreement.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F77 Word in Annex 1 point 21.A.125B substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (d) In case of level one or level two findings, the letter of agreement may be subject to a partial or full limitation, suspension and revocation under point 21.B.145. The holder of the letter of agreement shall provide confirmation of receipt of the notice of limitation, suspension or revocation of the letter of agreement in a timely manner.

21.A.125 Duration and continued validity

- (a) The letter of agreement shall be issued for a limited duration not exceeding one year. It shall remain valid unless:
1. the holder of the letter of agreement fails to demonstrate compliance with the applicable requirements of this Subpart; or
 2. there is evidence that the manufacturer cannot maintain satisfactory control of the manufacture of products, parts, or appliances under the agreement; or
 3. the manufacturer no longer meets the requirements of point 21.A.122; or
 4. the letter of agreement has been surrendered, revoked under point 21.B.145, or has expired.
- (b) Upon surrender, revocation or expiry, the letter of agreement shall be returned to the [F78 CAA].

Textual Amendments

F78 Word in Annex 1 point 21.A.125C substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.126 Production inspection system

- (a) The production inspection system required under point 21.A.125A(a) shall provide a means for determining that:
1. incoming materials, and bought or subcontracted parts, used in the finished product are as specified in the applicable design data;
 2. incoming materials, and bought or subcontracted parts, are properly identified;
 3. processes, manufacturing techniques and methods of assembly affecting the quality and safety of the finished product are accomplished in accordance with specifications accepted by the [F79 CAA];
 4. design changes, including material substitutions, have been approved under Subpart D or E and controlled before being incorporated in the finished product.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F79 Word in Annex 1 point 21.A.126 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **199(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The production inspection system required by point 21.A.125A(a), shall also be such as to ensure that:
1. parts in process are inspected for conformity with the applicable design data at points in production where accurate determinations can be made;
 2. materials subject to damage and deterioration are suitably stored and adequately protected;
 3. current design drawings are readily available to manufacturing and inspection personnel, and used when necessary;
 4. rejected materials and parts are segregated and identified in a manner that precludes installation in the finished product;
 5. materials and parts that are withheld because of departures from design data or specifications, and that are to be considered for installation in the finished product, are subjected to an approved engineering and manufacturing review procedure. Those materials and parts determined by this procedure to be serviceable shall be properly identified and reinspected if rework or repair is necessary. Materials and parts rejected by this procedure shall be marked and disposed of to ensure that they are not incorporated in the final product;
 6. records produced under the production inspection system are maintained, identified with the completed product or part where practicable, and retained by the manufacturer in order to provide the information necessary to ensure the continued airworthiness of the product.

21.A.127 Tests: aircraft

- (a) Each manufacturer of an aircraft manufactured under this Subpart shall establish an approved production ground and flight test procedure and check-off forms, and in accordance with those forms, test each aircraft produced, as a means of establishing relevant aspects of compliance with point 21.A.125A(a).
- (b) Each production test procedure shall include at least the following:
1. a check on handling qualities;
 2. a check on flight performance (using normal aircraft instrumentation);
 3. a check on the proper functioning of all aircraft equipment and systems;
 4. a determination that all instruments are properly marked, and that all placards and required flight manuals are installed after flight test;
 5. a check of the operational characteristics of the aircraft on the ground;
 6. a check on any other items peculiar to the aircraft being tested.

21.A.128 Tests: engines and propellers

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Each manufacturer of engines, or propellers manufactured under this Subpart shall subject each engine, or variable pitch propeller, to an acceptable functional test as specified in the type-certificate holder's documentation, to determine if it operates properly throughout the range of operation for which it is type-certificated, as a means of establishing relevant aspects of compliance with point 21.A.125A(a).

21.A.129 Obligations of the manufacturer

Each manufacturer of a product, part or appliance being manufactured under this Subpart shall:

- (a) make each product, part or appliance available for inspection by the ^{F80}CAA;
- (b) maintain at the place of manufacture the technical data and drawings necessary to determine whether the product conforms to the applicable design data;
- (c) maintain the production inspection system that ensures that each product conforms to the applicable design data and is in condition for safe operation;
- (d) provide assistance to the holder of the type-certificate, restricted type-certificate or design approval in dealing with any continuing airworthiness actions that are related to the products, parts or appliances that have been produced;
- (e) establish and maintain an internal occurrence reporting system in the interest of safety, to enable the collection and assessment of occurrence reports in order to identify adverse trends or to address deficiencies, and to extract reportable occurrences. This system shall include evaluation of relevant information relating to occurrences and the promulgation of related information;
- (f)
 1. report to the holder of the type-certificate, restricted type-certificate or design approval, all cases where products, parts or appliances have been released by the manufacturer and subsequently identified to have deviations from the applicable design data, and investigate with the holder of the type-certificate, restricted type-certificate or design approval to identify those deviations which could lead to an unsafe condition;
 2. report to the ^{F81}CAA the deviations which could lead to an unsafe condition identified according to point (1). Such reports shall be made in a form and manner ^{F82}established by the CAA under point 21.A.3A(b)(2) ^{F83}...;
 3. where the manufacturer acts as supplier to another production organisation, report also to that other organisation all cases where it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data.

Textual Amendments

- F80** Word in Annex 1 point 21.A.129(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F81** Word in Annex 1 point 21.A.129(f)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F82** Words in Annex 1 point 21.A.129(f)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F83 Words in Annex 1 point 21.A.129(f)(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(b)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.130 Statement of conformity

- (a) Each manufacturer of a product, part or appliance manufactured under this Subpart shall raise a statement of conformity, an ^{F84}CAA Form 52 (see Appendix VIII), for complete aircraft, or ^{F84}CAA Form 1 (see Appendix I), for other products, parts or appliances. This statement shall be signed by an authorised person who holds a responsible position in the manufacturing organisation.

Textual Amendments

F84 Word in Annex 1 point 21.A.130(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(c)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- ^{F20}(b) A statement of conformity shall include all of the below:
1. for each product, part or appliance, a statement that the product, part or appliance conforms to the approved design data and is in condition for safe operation;
 2. for each aircraft, a statement that the aircraft has been ground- and flight-checked in accordance with point 21.A.127(a);
 3. for each engine, or variable pitch propeller, a statement that the engine or variable pitch propeller has been subjected by the manufacturer to a final functional test in accordance with point 21.A.128;
 4. additionally, in the case of environmental requirements:
 - (i) a statement that the completed engine is in compliance with the applicable engine exhaust emissions requirements on the date of manufacture of the engine, and;
 - (ii) a statement that the completed aeroplane is in compliance with the applicable CO₂ emissions requirements on the date its first certificate of airworthiness is issued.]
- (c) Each manufacturer of such a product, part or appliance shall:
1. upon the initial transfer by it of the ownership of such a product, part or appliance; or
 2. upon application for the original issue of an aircraft certificate of airworthiness; or
 3. upon application for the original issue of an airworthiness release document for an engine, a propeller, a part or appliance,

present a current statement of conformity, for validation by the ^{F85}CAA].

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F85 Word in Annex 1 point 21.A.130(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (d) The [^{F86}CAA] shall validate by counter-signature the statement of conformity if it finds after inspection that the product, part or appliance conforms to the applicable design data and is in condition for safe operation.

Textual Amendments

F86 Word in Annex 1 point 21.A.130(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **199(3)(c)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SUBPART PRODUCTION ORGANISATION APPROVAL

G —

21.A.131 Scope

This Subpart establishes:

- (a) the procedure for the issuance of a production organisation approval for a production organisation showing conformity of products, parts and appliances with the applicable design data;
- (b) the rules governing the rights and obligations of the applicant for, and holders of, such approvals.

21.A.133 Eligibility

Any natural or legal person ('organisation') shall be eligible as an applicant for an approval under this Subpart. The applicant shall:

- (a) justify that, for a defined scope of work, an approval under this Subpart is appropriate for the purpose of showing conformity with a specific design; and
- (b) hold or have applied for an approval of that specific design; or
- (c) have ensured, through an appropriate arrangement with the applicant for, or holder of, an approval of that specific design, satisfactory coordination between production and design.

21.A.134 Application

Each application for a production organisation approval shall be made to the [^{F87}CAA] in a form and manner established by that authority, and shall include an outline of the information required by point 21.A.143 and the terms of approval requested to be issued under point 21.A.151.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F87 Word in Annex 1 point 21.A.134 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.135 Issue of production organisation approval

An organisation shall be entitled to have a production organisation approval issued by the [^{F88}CAA] when it has demonstrated compliance with the applicable requirements under this Subpart.

Textual Amendments

F88 Word in Annex 1 point 21.A.135 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.139 Quality System

- (a) The production organisation shall demonstrate that it has established and is able to maintain a quality system. The quality system shall be documented. This quality system shall be such as to enable the organisation to 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, and thus exercise the privileges set forth in point 21.A.163.
- (b) The quality system shall contain:
1. as applicable within the scope of approval, control procedures for:
 - (i) document issue, approval, or change;
 - (ii) vendor and subcontractor assessment audit and control;
 - (iii) verification that incoming products, parts, materials, and equipment, including items supplied new or used by buyers of products, are as specified in the applicable design data;
 - (iv) identification and traceability;
 - (v) manufacturing processes;
 - (vi) inspection and testing, including production flight tests;
 - (vii) calibration of tools, jigs, and test equipment;
 - (viii) non-conforming item control;
 - (ix) airworthiness coordination with the applicant for, or holder of, the design approval;
 - (x) records completion and retention;
 - (xi) personnel competence and qualification;

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (xii) issue of airworthiness release documents;
- (xiii) handling, storage and packing;
- (xiv) internal quality audits and resulting corrective actions;
- (xv) work within the terms of approval performed at any location other than the approved facilities;
- (xvi) work carried out after completion of production but prior to delivery, to maintain the aircraft in a condition for safe operation;
- (xvii) issue of permit to fly and approval of associated flight conditions.

The control procedures need to include specific provisions for any critical parts.

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

21.A.143 Exposition

- (a) The organisation shall submit to the [F89CAA] a production organisation exposition providing the following information:
 1. a statement signed by the accountable manager confirming that the production organisation exposition and any associated manuals which define the approved organisation's compliance with this Subpart will be complied with at all times;
 2. the title(s) and names of managers accepted by the [F89CAA] in accordance with point 21.A.145(c)(2);
 3. the duties and responsibilities of the manager(s) as required by point 21.A.145(c)(2) including matters on which they may deal directly with the [F89CAA] on behalf of the organisation;
 4. an organisational chart showing associated chains of responsibility of the managers as required by point 21.A.145(c)(1) and (2);
 5. a list of certifying staff as referred to in point 21.A.145(d);
 6. a general description of man-power resources;
 7. a general description of the facilities located at each address specified in the production organisation's certificate of approval;
 8. a general description of the production organisation's scope of work relevant to the terms of approval;
 9. the procedure for the notification of organisational changes to the [F89CAA];
 10. the amendment procedure for the production organisation exposition;
 11. a description of the quality system and the procedures as required by point 21.A.139(b) (1);

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

12. a list of those outside parties referred to in point 21.A.139(a)^[F90];
13. ^[F91]if flight tests are to be conducted, a flight test operations manual defining the organisation's policies and procedures in relation to flight test. The flight test operations manual shall include:
- (i) a description of the organisation's processes for flight test, including the flight test organisation involvement into the permit to fly issuance process;
 - (ii) crewing policy, including composition, competency, currency and flight time limitations, in accordance with Appendix XII to this Annex I (Part 21), where applicable;
 - (iii) procedures for the carriage of persons other than crew members and for flight test training, when applicable;
 - (iv) a policy for risk and safety management and associated methodologies;
 - (v) procedures to identify the instruments and equipment to be carried;
 - (vi) a list of documents that need to be produced for flight test.]

Textual Amendments

- F90** Substituted by [Commission Regulation \(EU\) 2015/1039 of 30 June 2015 amending Regulation \(EU\) No 748/2012 as regards flight testing \(Text with EEA relevance\)](#).
- F91** Inserted by [Commission Regulation \(EU\) 2015/1039 of 30 June 2015 amending Regulation \(EU\) No 748/2012 as regards flight testing \(Text with EEA relevance\)](#).

Textual Amendments

- F89** Word in Annex 1 point 21.A.143 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The production organisation exposition shall be amended as necessary to remain an up-to-date description of the organisation, and copies of any amendments shall be supplied to the ^[F89]CAA].

21.A.145 Approval requirements

The production organisation shall demonstrate, on the basis of the information submitted in accordance with point 21.A.143 that:

- (a) with regard to general approval requirements, facilities, working conditions, equipment and tools, processes and associated materials, number and competence of staff, and general organisation are adequate to discharge obligations under point 21.A.165;
- (b) ^[F20]with regard to all necessary airworthiness and environmental data:
 1. the production organisation is in receipt of such data from the ^[F92]CAA], and from the holder of, or applicant for, the type-certificate, restricted type-certificate or design approval, including any exemption granted against the

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- CO₂ production cut-off requirements, to determine conformity with the applicable design data;
2. the production organisation has established a procedure to ensure that airworthiness and environmental data are correctly incorporated in its production data and,
 3. such data are kept up to date and made available to all personnel who need access to such data to perform their duties;
- (c) with regard to management and staff:
1. a manager has been nominated by the production organisation, and is accountable to the [F93CAA]. His or her responsibilities within the organisation shall consist of ensuring that all production is performed to the required standards and that the production organisation is continuously in compliance with the data and procedures identified in the exposition referred to in point 21.A.143;
 2. a person or group of persons have been nominated by the production organisation to ensure that the organisation is in compliance with the requirements of this Annex (Part 21), and are identified, together with the extent of their authority. Such person(s) shall act under the direct authority of the accountable manager referred to in point (1). The person(s) nominated shall be able to show the appropriate knowledge, background and experience to discharge their responsibilities;
 3. staff at all levels have been given 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 data matters;]
- (d) with regard to certifying staff, authorised by the production organisation to sign the documents issued under point 21.A.163 under the scope or terms of approval:
1. the knowledge, background (including other functions in the organisation), and experience of the certifying staff are appropriate to discharge their allocated responsibilities;
 2. the production organisation maintains a record of all certifying staff which shall include details of the scope of their authorisation;
 3. certifying staff are provided with evidence of the scope of their authorisation.

Textual Amendments

F92 Word in Annex 1 point 21.A.145(b)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(3)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F93 Word in Annex 1 point 21.A.145(c)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(3)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.147 Changes to the approved production organisation

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- [^{F20}(a) After the issue of a production organisation approval, each change to the approved production organisation that is significant to the showing of conformity or to the airworthiness and environmental characteristics of the product, part or appliance, particularly changes to the quality system, shall be approved by the [^{F94}CAA]. An application for approval shall be submitted in writing to the [^{F94}CAA] and the organisation shall demonstrate to the [^{F94}CAA], before implementing the change, that it complies with this Subpart.]

Textual Amendments

F94 Word in Annex 1 point 21.A.147 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The [^{F94}CAA] shall establish the conditions under which a production organisation approved under this Subpart may operate during such changes unless the [^{F94}CAA] determines that the approval should be suspended.

21.A.148 Changes of location

A change of the location of the manufacturing facilities of the approved production organisation shall be deemed of significance and therefore shall comply with point 21.A.147.

21.A.149 Transferability

Except as a result of a change in ownership, which is deemed significant for the purposes of point 21.A.147, a production organisation approval is not transferable.

21.A.151 Terms of approval

The terms of approval shall identify the scope of work, the products or the categories of parts and appliances, or both, for which the holder is entitled to exercise the privileges under point 21.A.163.

Those terms shall be issued as part of a production organisation approval.

21.A.153 Changes to the terms of approval

Each change to the terms of approval shall be approved by the [^{F95}CAA]. An application for a change to the terms of approval shall be made in a form and manner established by the [^{F95}CAA]. The applicant shall comply with the applicable requirements of this Subpart.

Textual Amendments

F95 Word in Annex 1 point 21.A.153 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.157 Investigations

A production organisation shall make arrangements that allow the [^{F96}CAA] to make any investigations, including investigations of partners and subcontractors, necessary to determine compliance and continued compliance with the applicable requirements of this Subpart.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F96 Word in Annex 1 point 21.A.157 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.158 Findings

- (a) When objective evidence is found showing non-compliance of the holder of a production organisation approval with the applicable requirements of this Annex I (Part 21), the finding shall be classified as follows:
1. a level one finding is any non-compliance with this Annex I (Part 21) which could lead to uncontrolled non-compliances with applicable design data and which could affect the safety of the aircraft;
 2. a level two finding is any non-compliance with this Annex I (Part 21) which is not classified as level one.
- (b) A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to a non-compliance under point (a).
- (c) After receipt of notification of findings according to point 21.B.225,
1. in case of a level one finding, the holder of the production organisation approval shall demonstrate corrective action to the satisfaction of the [F97CAA] within a period of no more than 21 working days after written confirmation of the finding;
 2. in case of level two findings, the corrective action period granted by the [F97CAA] shall be appropriate to the nature of the finding but in any case initially shall not be more than three months. In certain circumstances and subject to the nature of the finding the [F97CAA] may extend the three months period subject to the provision of a satisfactory corrective action plan agreed by the [F97CAA];
 3. a level three finding shall not require immediate action by the holder of the production organisation approval.

Textual Amendments

F97 Word in Annex 1 point 21.A.158 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (d) In case of level one or level two findings, the production organisation approval may be subject to a partial or full limitation, suspension or revocation under point 21.B.245. The holder of the production organisation approval shall provide confirmation of receipt of the notice of limitation, suspension or revocation of the production organisation approval in a timely manner.

21.A.159 Duration and continued validity

- (a) A production organisation approval shall be issued for an unlimited duration. It shall remain valid unless:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. the production organisation fails to demonstrate compliance with the applicable requirements of this Subpart; or
2. the [F98CAA] is prevented by the holder or any of its partners or subcontractors to perform the investigations in accordance with point 21.A.157; or
3. there is evidence that the production organisation cannot maintain satisfactory control of the manufacture of products, parts or appliances under the approval; or
4. the production organisation no longer meets the requirements of point 21.A.133; or
5. the certificate has been surrendered or revoked under point 21.B.245.

Textual Amendments

F98 Word in Annex 1 point 21.A.159 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Upon surrender or revocation, the certificate shall be returned to the [F98CAA].

21.A.163 Privileges

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

- (a) perform production activities under this Annex I (Part 21);
- (b) in the case of complete aircraft and upon presentation of a statement of conformity ([F99CAA] Form 52) under point 21.A.174, obtain an aircraft certificate of airworthiness and a noise certificate without further showing;
- (c) in the case of other products, parts or appliances, issue authorised release certificates ([F100CAA] Form 1) without further showing;
- (d) maintain a new aircraft that it has produced and issue a certificate of release to service ([F101CAA] Form 53) in respect of that maintenance;
- (e) under procedures agreed with [F102the CAA] for production, for an aircraft it has produced and when the production organisation itself is controlling under its POA the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight, to issue a permit to fly in accordance with point 21.A.711(c) including approval of the flight conditions in accordance with point 21.A.710(b).

Textual Amendments

F99 Word in Annex 1 point 21.A.163(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F100 Word in Annex 1 point 21.A.163(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F101 Word in Annex 1 point 21.A.163(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F102 Words in Annex 1 point 21.A.163(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(5)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.165 Obligations of the holder

The holder of a production organisation approval shall:

- (a) ensure that the production organisation exposition furnished in accordance with point 21.A.143 and the documents to which it refers, are used as basic working documents within the organisation;
- (b) maintain the production organisation in conformity with the data and procedures approved for the production organisation approval;
- (c)
 1. determine that each completed aircraft conforms to the type design and is in condition for safe operation prior to submitting statements of conformity to the [F103CAA]; or
 2. [F104determine that other products, parts or appliances are complete and conform to the approved design data and are in a condition for safe operation before issuing an [F105CAA] Form 1 to certify conformity to approved design data and condition for safe operation;
 3. [F49additionally, in the case of environmental requirements determine that:
 - (i) the completed engine is in compliance with the applicable engine exhaust emissions requirements on the date of manufacture of the engine: and
 - (ii) the completed aeroplane is in compliance with the applicable CO₂ emissions requirements on the date its first certificate of airworthiness is issued.]
 4. determine that other products, parts or appliances conform to the applicable data before issuing an [F105CAA] Form 1 as a conformity certificate;]
- (d) record all details of work carried out;
- (e) establish and maintain an internal occurrence reporting system in the interest of safety, to enable the collection and assessment of occurrence reports in order to identify adverse trends or to address deficiencies, and to extract reportable occurrences. This system shall include evaluation of relevant information relating to occurrences and the promulgation of related information;
- (f)
 1. report to the holder of the type-certificate or design approval, all cases where products, parts or appliances have been released by the production organisation and subsequently identified to have possible deviations from the applicable design data, and investigate with the holder of the type-certificate or design approval in order to identify those deviations which could lead to an unsafe condition;
 2. report to the [F106CAA] the deviations which could lead to an unsafe condition identified according to point (1). Such reports shall be made in a form and manner [F107established by the CAA] under point 21.A.3A(b)(2) [F108...];

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3. where the holder of the production organisation approval is acting as a supplier to another production organisation, report also to that other organisation all cases where it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data;
- (g) provide assistance to the holder of the type-certificate or design approval in dealing with any continuing airworthiness actions that are related to the products parts or appliances that have been produced;
- (h) establish an archiving system incorporating requirements imposed on its partners, suppliers and subcontractors, ensuring conservation of the data used to justify conformity of the products, parts or appliances. Such data shall be held at the disposal of the [F109CAA] and be retained in order to provide the information necessary to ensure the continuing airworthiness of the products, parts or appliances;
- (i) where, under its terms of approval, the holder issues a certificate of release to service, determine that each completed aircraft has been subjected to necessary maintenance and is in condition for safe operation, prior to issuing the certificate;
- (j) where applicable, under the privilege of point 21.A.163(e), determine the conditions under which a permit to fly can be issued;
- (k) where applicable, under the privilege of point 21.A.163(e), establish compliance with points 21.A.711(c) and (e) before issuing a permit to fly to an aircraft.

Textual Amendments

- F103** Word in Annex 1 point 21.A.165(c)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(6)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F104** Substituted by [Commission Regulation \(EU\) No 7/2013 of 8 January 2013 amending Regulation \(EU\) No 748/2012 laying down Implementing Rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations \(Text with EEA relevance\)](#).
- F105** Word in Annex 1 point 21.A.165(c)(2)(4) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(6)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F106** Word in Annex 1 point 21.A.165(f)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(6)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F107** Words in Annex 1 point 21.A.165(f)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(6)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F108** Words in Annex 1 point 21.A.165(f)(2) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(6)(b)(iii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F109** Word in Annex 1 point 21.A.165(h) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **200(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

21.A.171 Scope

This Subpart establishes the procedure for issuing airworthiness certificates.

21.A.172 Eligibility

Any natural or legal person under whose name an aircraft is registered or will be registered in [^{F110}the United Kingdom], or its representative, shall be eligible as an applicant for an airworthiness certificate for that aircraft under this Subpart.

Textual Amendments

F110 Words in Annex 1 point 21.A.172 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.173 Classification

Airworthiness certificates shall be classified as follows:

- (a) certificates of airworthiness shall be issued to aircraft which conform to a type-certificate that has been issued in accordance with this Annex I (Part 21);
- (b) restricted certificates of airworthiness shall be issued to aircraft:
 1. which conform to a restricted type-certificate that has been issued in accordance with this Annex I (Part 21); or
 2. which have been shown to the [^{F111}CAA] to comply with specific airworthiness specifications ensuring adequate safety.

Textual Amendments

F111 Word in Annex 1 point 21.A.173(b)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(3)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.174 Application

- (a) Pursuant to point 21.A.172, an application for an airworthiness certificate shall be made in a form and manner established by the [^{F112}CAA].

Textual Amendments

F112 Word in Annex 1 point 21.A.174(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(4)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- [^{F20}(b) Each application for a certificate of airworthiness or restricted certificate of airworthiness shall include:

1. the class of airworthiness certificate applied for;
2. with regard to new aircraft:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) a statement of conformity:
 - issued under point 21.A.163(b); or
 - issued under point 21.A.130 and validated by the [F113CAA]; or
 - for an imported aircraft, a statement signed by the exporting authority that the aircraft conforms to a design approved by the [F114CAA];
 - (ii) a weight and balance report with a loading schedule and;
 - (iii) the flight manual, when required by the applicable certification specifications for the particular aircraft.
3. [F49] with regard to used aircraft originating from:
- (i) [F115the United Kingdom], an airworthiness review certificate issued in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014 ⁽¹⁾;
 - (ii) a third country:
 - 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) [F116, or an airworthiness review certificate in accordance with] or Annex Vb (Part-ML) to Regulation (EU) No 1321/2014 [F117,

—the date on which the first certificate of airworthiness was issued and, if the standards of Volume 3 of Annex 16 to the Chicago Convention apply, the CO2 metric value data].]]

Textual Amendments

F113 Word in Annex 1 point 21.A.174(b)(2)(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **201(4)(b)(i)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F114 Word in Annex 1 point 21.A.174(b)(2)(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **201(4)(b)(i)(bb)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F115 Words in Annex 1 point 21.A.174(b)(3)(i) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **201(4)(b)(ii)(aa)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F116 Words in Annex 1 point 21.A.174(b) inserted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(8)(a)(i)**

F117 Words in Annex 1 point 21.A.174(b) inserted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(8)(a)(ii)**

- (c) Unless otherwise agreed, the statements referred to in points (b)(2)(i) and (b)(3)(ii) shall be issued no more than 60 days before presentation of the aircraft to the [^{F118}CAA].

Textual Amendments

F118 Word in Annex 1 point 21.A.174(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(4)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.175 Language

The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications shall be presented in [^{F119}English].

Textual Amendments

F119 Word in Annex 1 point 21.A.175 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(5)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.177 Amendment or modification

An airworthiness certificate may be amended or modified only by the [^{F120}CAA].

Textual Amendments

F120 Word in Annex 1 point 21.A.177 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.179 Transferability and re-issuance ^{F121}...

- (^{F122}a) Where ownership of an aircraft has changed, it remains on the United Kingdom register, and it has either a certificate of airworthiness or a restricted certificate of airworthiness conforming to a restricted type-certificate only, that certificate or restricted certificate (as the case may be) must be transferred together with the aircraft.]

Textual Amendments

F122 Annex 1 point 21.A.179(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(7)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (^{F123}b) Where ownership of an aircraft has changed, it remains on the United Kingdom register, and the aircraft has a restricted certificate of airworthiness not conforming

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

to a restricted type-certificate, that restricted certificate must be transferred together with the aircraft.]

Textual Amendments

F123 Annex 1 point 21.A.179(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(7)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F121 Words in Annex 1 point 21.A.179 heading omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(7)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.180 Inspections

The holder of the airworthiness certificate shall provide access to the aircraft for which that airworthiness certificate has been issued upon request by the ^{F124}CAA].

Textual Amendments

F124 Word in Annex 1 point 21.A.180 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(8)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.181 Duration and continued validity

- (a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid subject to:
1. ^{F125}the aircraft continuing to comply with the applicable type design and continued airworthiness requirements; and]
 2. the aircraft remaining on the same register; and
 3. the type-certificate or restricted type-certificate under which it is issued not being previously invalidated under point 21.A.51;
 4. ^{F126}the certificate is not being revoked by the CAA under point 21.B.65 or surrendered by the certificate holder.]

Textual Amendments

F125 Annex 1 point 21.A.181(a)(1) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(8)(c)(i)**

F126 Annex 1 point 21.A.181(a)(4) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(8)(e)(i)**

- (b) Upon surrender or revocation, the certificate shall be returned to the ^{F127}CAA].

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F127 Word in Annex 1 point 21.A.181(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **201(9)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.182 Aircraft identification

Each applicant for an airworthiness certificate under this Subpart shall demonstrate that its aircraft is identified in accordance with Subpart Q.

SUBPARNOISE CERTIFICATES

I —

21.A.201 Scope

This Subpart establishes the procedure for issuing noise certificates.

21.A.203 Eligibility

Any natural or legal person under whose name an aircraft is registered or will be registered in [^{F128}the United Kingdom], or its representative, shall be eligible as an applicant for a noise certificate for that aircraft under this Subpart.

Textual Amendments

F128 Words in Annex 1 point 21.A.203 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.204 Application

- (a) Pursuant to point 21.A.203, an application for a noise certificate shall be made in a form and manner established by the [^{F129}CAA].

Textual Amendments

F129 Word in Annex 1 point 21.A.204(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(3)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Each application shall include:

1. with regard to new aircraft:

- (i) a statement of conformity:
- issued under point 21.A.163(b), or
 - issued under point 21.A.130 and validated by the competent authority, or
 - for an imported aircraft, a statement, signed by the exporting authority that the aircraft conforms to a design approved by the [^{F130}CAA]; and

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (ii) the noise information determined in accordance with the applicable noise requirements;
- 2. with regard to used aircraft:
 - (i) the noise information determined in accordance with the applicable noise requirements; and
 - (ii) historical records to establish the production, modification, and maintenance standard of the aircraft.

Textual Amendments

F130 Word in Annex 1 point 21.A.204(b)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) Unless otherwise agreed, the statements referred to in point (b)(1) shall be issued no more than 60 days before presentation of the aircraft to the [^{F131}CAA].

Textual Amendments

F131 Word in Annex 1 point 21.A.204(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.207 Amendment or modification

A noise certificate may be amended or modified only by the [^{F132}CAA].

Textual Amendments

F132 Word in Annex 1 point 21.A.207 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.209 Transferability and re-issuance ^{F133}...

Where ownership of an aircraft has [^{F134}changed and it remains on the United Kingdom register, the noise certificate must be transferred together with the aircraft.]

Textual Amendments

F134 Words in Annex 1 point 21.A.209 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (a) ^{F135} ...
- (b) ^{F135} ...

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F135 Annex 1 point 21.A.209(a)(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(5)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F133 Words in Annex 1 point 21.A.209 heading omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.210 Inspections

The holder of the noise certificate shall provide access to the aircraft for which that noise certificate has been issued upon request by the [^{F136}CAA].

Textual Amendments

F136 Word in Annex 1 point 21.A.210 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.211 Duration and continued validity

- (a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:
1. compliance with the applicable type-design, environmental protection and continuing airworthiness requirements; and
 2. the aircraft remaining on the same register; and
 3. the type-certificate or restricted type-certificate under which it is issued not being previously invalidated under point 21.A.51;
 4. the certificate not being surrendered or revoked under point 21.B.430.
- (b) Upon surrender or revocation, the certificate shall be returned to the [^{F137}CAA].

Textual Amendments

F137 Word in Annex 1 point 21.A.211(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **202(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SUBPART DESIGN ORGANISATION APPROVAL

J—

[^{F20}21.A.201] Scope

This Subpart establishes the procedure for the approval of design organisations and rules governing the rights and obligations of applicants for, and holders of, such approvals. In

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

this Subpart, the references to type-certificates include type-certificates and restricted type-certificates.]

21.A.233 Eligibility

Any natural or legal person ('organisation') shall be eligible as an applicant for an approval under this Subpart

- (a) in accordance with points 21.A.14, 21.A.112B, 21.A.432B or 21.A.602B; or
- (b) for approval of minor changes or minor repair design, when requested for the purpose of obtaining privileges under point 21.A.263.

21.A.234 Application

Each application for a design organisation approval shall be made in a form and manner established by the [F138CAA] and shall include an outline of the information required by point 21.A.243, and the terms of approval requested to be issued under point 21.A.251.

Textual Amendments

F138 Word in Annex 1 point 21.A.234 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.235 Issue of design organisation approval

An organisation shall be entitled to have a design organisation approval issued by the [F139CAA] when it has demonstrated compliance with the applicable requirements under this Subpart.

Textual Amendments

F139 Word in Annex 1 point 21.A.235 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.239 Design assurance system

- (a) The design organisation shall demonstrate that it has established and is able to maintain a design assurance system for the control and supervision of the design, and of design changes, of products, parts and appliances covered by the application. This design assurance system shall be such as to enable the organisation:
 1. [F18]to ensure that the design of the products, parts and appliances or the design change thereof, comply with the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements; and]
 2. to ensure that its responsibilities are properly discharged in accordance with:
 - (i) the appropriate provisions of this Annex I (Part 21); and
 - (ii) the terms of approval issued under point 21.A.251;
 3. to independently monitor the compliance with, and adequacy of, the documented procedures of the system. This monitoring shall include a feed-back system to a person or a group of persons having the responsibility to ensure corrective actions.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) The design assurance system shall include an independent checking function of the showings of compliance on the basis of which the organisation submits compliance statements and associated documentation to the [F140CAA].

Textual Amendments

F140 Word in Annex 1 point 21.A.239 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) The design organisation shall specify the manner in which the design assurance system accounts for the acceptability of the parts or appliances designed or the tasks performed by partners or subcontractors according to methods which are the subject of written procedures.

21.A.243 Data

- [F90(a) The design organisation shall furnish a handbook to the [F141CAA] describing, directly or by cross-reference, the organisation, the relevant procedures and the products or changes to products to be designed. If flight tests are to be conducted, a flight test operations manual defining the organisation's policies and procedures in relation to flight test shall be furnished. The flight test operations manual shall include:
- (i) a description of the organisation's processes for flight test, including the flight test organisation involvement into the permit to fly issuance process;
 - (ii) crewing policy, including composition, competency, currency and flight time limitations, in accordance with Appendix XII to this Annex I (Part 21), where applicable;
 - (iii) procedures for the carriage of persons other than crew members and for flight test training, when applicable;
 - (iv) a policy for risk and safety management and associated methodologies;
 - (v) procedures to identify the instruments and equipment to be carried;
 - (vi) a list of documents that need to be produced for flight test.]

Textual Amendments

F141 Word in Annex 1 point 21.A.243 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Where any parts or appliances or any changes to the products are designed by partner organisations or subcontractors, the handbook shall include a statement of how the design organisation is able to give, for all parts and appliances, the assurance of compliance required by point 21.A.239(b), and shall contain, directly or by cross-reference, descriptions and information on the design activities and organisation of those partners or subcontractors, as necessary to establish this statement.
- (c) The handbook shall be amended as necessary to remain an up-to-date description of the organisation, and copies of amendments shall be supplied to the [F141CAA].

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) The design organisation shall furnish a statement of the qualifications and experience of the management staff and other persons responsible for making decisions affecting airworthiness and environmental protection in the organisation.

[^{F18}21.A.243] Approval requirements

The design organisation shall demonstrate, on the basis of the information submitted in accordance with point 21.A.243 that, in addition to complying with point 21.A.239:

- (a) the staff in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities and these, together with the accommodation, facilities and equipment are adequate to enable the staff to achieve the airworthiness, operational suitability and environmental protection objectives for the product;
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness, operational suitability and environmental protection matters.]

[^{F18}21.A.244] Changes in design assurance system

After the issue of a design organisation approval, each change to the design assurance system that is significant to the showing of compliance or to the airworthiness, operational suitability and environmental protection of the product, shall be approved by the [^{F142}CAA]. An application for approval shall be submitted in writing to the [^{F142}CAA] and the design organisation shall demonstrate to the [^{F142}CAA], on the basis of submission of proposed changes to the handbook, and before implementation of the change, that it will continue to comply with this Subpart after implementation.]

Textual Amendments

F142 Word in Annex 1 point 21.A.247 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.249 Transferability

Except as a result of a change in ownership, which is deemed significant for the purposes of point 21.A.247, a design organisation approval is not transferable.

[^{F20}21.A.251] Terms of approval

The terms of approval shall identify the types of design work, the categories of products, parts and appliances for which the design organisation holds a design organisation approval, and the functions and duties that the organisation is approved to perform with regard to the airworthiness, operational suitability and environmental characteristics of the products. For design organisation approvals covering type-certification or [^{F143}UKTSO] authorisation for auxiliary power units (APUs), the terms of approval shall contain in addition the list of products or APUs. Those terms shall be issued as part of a design organisation approval.]

Textual Amendments

F143 Word in Annex 1 point 21.A.251 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(4)(a)**

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

21.A.253 Changes to the terms of approval

Each change to the terms of approval shall be approved by the [F144CAA]. An application for a change to the terms of approval shall be made in a form and manner established by the [F144CAA]. The design organisation shall comply with the applicable requirements of this Subpart.

Textual Amendments

F144 Word in Annex 1 point 21.A.253 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.257 Investigations

- (a) The design organisation shall make arrangements that allow the [F145CAA] to make any investigations, including investigations of partners and subcontractors, necessary to determine compliance and continued compliance with the applicable requirements of this Subpart.

Textual Amendments

F145 Word in Annex 1 point 21.A.257 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The design organisation shall allow the [F145CAA] to review any report and make any inspection and perform or witness any flight and ground test necessary to check the validity of the compliance statements submitted by the applicant under point 21.A.239(b).

21.A.258 Findings

[F20(a)] When, during the investigations referred to in points 21.A.257 and 21.B.100, objective evidence is found demonstrating non-compliance of the holder of a design organisation approval with the applicable requirements of this Annex, the finding shall be classified as follows:

1. a 'level 1' finding is any non-compliance with the requirements of this Annex that may lead to uncontrolled non-compliances with applicable requirements and affect the safety of the aircraft;
2. a 'level 2' finding is any non-compliance with the requirements of this Annex that is not classified as a 'level 1' finding.]

(b) A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to a non-compliance under point (a).

[F20(c)] After receipt of notification of findings under the applicable administrative procedures established by the [F146CAA]:

1. in the case of a 'level 1' finding, the holder of a design organisation approval shall demonstrate to the satisfaction of the [F146CAA] that it has taken adequate corrective

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- action within a period of no more than 21 working days after written confirmation of the finding;
2. in the case of a ‘level 2’ findings, the holder of a design organisation approval shall demonstrate to the satisfaction of the [F146CAA] that it has taken adequate corrective action within a time period set by the [F146CAA] which is appropriate to the nature of the finding and is initially no longer than three months. The [F146CAA] may extend that initial time period where it considers that the nature of the finding allows such extension and where the applicant has submitted a corrective action plan which the [F146CAA] finds satisfactory; and
 3. a ‘level 3’ finding shall not require immediate action by the holder of a design organisation approval.

Textual Amendments

F146 Word in Annex 1 point 21.A.258 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **203(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (d) In cases of ‘level 1’ or ‘level 2’ findings, the design organisation approval may be subject to a partial or full suspension or revocation under the applicable administrative procedures established by the [F146CAA]. In that case, the holder of a design organisation approval shall provide confirmation of receipt of the notice of suspension or revocation of the design organisation approval in a timely manner.]

21.A.259 Duration and continued validity

- (a) A design organisation approval shall be issued for an unlimited duration. It shall remain valid unless:
 1. the design organisation fails to demonstrate compliance with the applicable requirements of this Subpart; or
 2. the [F147CAA] is prevented by the holder or any of its partners or subcontractors to perform the investigations in accordance with point 21.A.257; or
 3. there is evidence that the design assurance system cannot maintain satisfactory control and supervision of the design of products or changes thereof under the approval; or
 4. the certificate has been surrendered or revoked under the applicable administrative procedures established by the [F147CAA].

Textual Amendments

F147 Word in Annex 1 point 21.A.259 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **203(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Upon surrender or revocation, the certificate shall be returned to the [F147CAA].

[F20] 21.A.260 Privileges

- (a) (Reserved)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) (Reserved)
- (c) A holder of a design organisation approval shall be entitled, within the scope of its terms of approval, as established by the [F148CAA], and under the relevant procedures of the design assurance system:
1. to classify changes to a type-certificate or to a supplemental type-certificate and repair designs as ‘ major ’ or ‘ minor ’ ;
 2. to approve minor changes to a type-certificate or to a supplemental type-certificate and minor repair designs;
 3. (Reserved);
 4. (Reserved);
 5. to approve certain major repair designs under Subpart M to products or auxiliary power units (APUs);
 6. to approve for certain aircraft the flight conditions under which a permit to fly can be issued in accordance with point 21.A.710(a)(2), except for permits to fly to be issued for the purpose of point 21.A.701(a)(15);
 7. to issue a permit to fly in accordance with point 21.A.711(b) for an aircraft it has designed or modified, or for which it has approved, in accordance with point 21.A.263(c)(6), the flight conditions under which the permit to fly can be issued, and where the holder of a design organisation approval itself:
 - (i) controls the configuration of the aircraft, and
 - (ii) attests conformity with the design conditions approved for the flight;
 8. to approve certain major changes to a type-certificate under Subpart D; and
 9. to issue certain supplemental type-certificates under Subpart E and approve certain major changes to those certificates.]

Textual Amendments

F148 Word in Annex 1 point 21.A.263(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(5)(b)** (with Sch. 3) (as substituted by S.I. 2020/1116, regs. 1(3), **7(b)(ii)**); 2020 c. 1, Sch. 5 para. 1(1)

[F20] ~~21.A.265~~ Obligations of the holder

The holder of a design organisation approval shall, within the scope of its terms of approval, as established by the [F149CAA]:

Textual Amendments

F149 Word in Annex 1 point 21.A.265 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **203(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12 and S.I. 2020/1116, regs. 1(3), **7(e)**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) maintain the handbook required under point 21.A.243 in conformity with the design assurance system;
- (b) ensure that this handbook or the relevant procedures included by cross-reference are used as a basic working document within the organisation;
- (c) determine that the design of products, or changes or repairs thereto comply with the applicable specifications and requirements and have no unsafe features;
- (d) provide the [F149CAA] with statements and associated documentation confirming compliance with point (c), except for approval processes carried out in accordance with point 21.A.263(c);
- (e) provide to the [F149CAA] data and information related to the actions required under point 21.A.3B;
- (f) determine, in accordance with point 21.A.263(c)(6), the flight conditions under which a permit to fly can be issued;
- (g) establish, in accordance with point 21.A.263(c)(7), compliance with points (b) and (e) of point 21.A.711 before issuing a permit to fly to an aircraft;
- (h) designate data and information issued under the authority of the approved design organisation within the scope of its terms of approval as established by the [F149CAA] with the following statement: ‘The technical content of this document is approved under the authority of the DOA ref. [F150CAA.21J].[XXXX]’.

Textual Amendments

F150 Word in Annex 1 point 21.A.265(h) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(9)(j)(ii)**

SUBPARTS AND APPLIANCES

K —

21.A.301 Scope

This Subpart establishes the procedure relating to the approval of parts and appliances.

21.A.303 Compliance with applicable requirements

The showing of compliance of parts and appliances to be installed in a type-certificated product shall be made:

- (a) in conjunction with the type-certification procedures of Subpart B, D or E for the product in which it is to be installed; or
- (b) where applicable, under the [F151UKTSO] authorisation procedures of Subpart O; or
- (c) in the case of standard parts, in accordance with officially recognised Standards.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F151 Words in Annex 1 point 21.A.303(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **204(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.305 Approval of parts and appliances

In all cases where the approval of a part or appliance is explicitly required by ^{F152}... law or [^{F153}CAA] measures, the part or appliance shall comply with the applicable [^{F154}UKTSO] or with the specifications recognised as equivalent by the [^{F155}CAA] in the particular case.

Textual Amendments

F152 Word in Annex 1 point 21.A.305 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **204(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F153 Word in Annex 1 point 21.A.305 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **204(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F154 Word in Annex 1 point 21.A.305 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **204(3)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F155 Word in Annex 1 point 21.A.305 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **204(3)(d)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.307 Release of parts and appliances for installation

A part or appliance shall be eligible for installation in a type-certificated product when it is in a condition for safe operation, and it is:

- (a) accompanied by an authorised release certificate ([^{F156}CAA] Form 1), certifying that the item was manufactured in conformity to approved design data and is marked in accordance with Subpart Q; or
- (b) a standard part; or
- (c) in the case of ELA1 or ELA2 aircraft, a part or appliance that is:
 1. not life-limited, nor part of the primary structure, nor part of the flight controls;
 2. manufactured in conformity to applicable design;
 3. marked in accordance with Subpart Q;
 4. identified for installation in the specific aircraft;
 5. to be installed in an aircraft for which the owner has verified compliance with the conditions 1 through 4 and has accepted responsibility for this compliance.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F156 Word in Annex 1 point 21.A.305 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **204(4)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(SUBPART L — NOT APPLICABLE)

SUBPARREPAIRS

M —

21.A.431 Scope

- [^{F20}(a) This Subpart establishes the procedure for the approval of a repair design of a product, part or appliance and establishes the rights and obligations of the applicants for, and holders of, those approvals.]
- (b) This Subpart defines standard repairs that are not subject to an approval process under this Subpart.
- [^{F20}(c) A ‘ repair ’ means the elimination of damage and/or restoration to an airworthy condition following the initial release to service by the manufacturer of any product, part or appliance.
- (d) The elimination of damage by replacement of parts or appliances without the necessity for design activity shall be considered as a maintenance task and shall therefore require no approval under this Annex.]
- (e) A repair to an [^{F157}UKTSO] article other than an Auxiliary Power Unit (APU) shall be treated as a change to the [^{F157}UKTSO] design and shall be processed in accordance with point 21.A.611.

Textual Amendments

F157 Word in Annex 1 point 21.A.431A(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- [^{F26}(f) In this Subpart, the references to type-certificates include type-certificates and restricted type-certificates.]

21.A.431B standard repairs

- (a) Standard repairs are repairs:
- (1) in relation to:
- (i) aeroplanes of 5 700 kg Maximum Take-Off Mass (MTOM) or less;
 - (ii) rotorcraft of 3 175 kg MTOM or less;
 - (iii) sailplanes and powered sailplanes, balloons and airships as defined in ELA1 or ELA2.
- (2) that follow design data included in certification specifications issued by the [^{F158}CAA], containing acceptable methods, techniques and practices for carrying out and

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

identifying standard repairs, including the associated instructions for ^{F159}continued] airworthiness; and

- (3) that are not in conflict with TC holders data.

Textual Amendments

F158 Word in Annex 1 point 21.A.431B(a)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F159 Word in Annex 1 point 21.A.431B(a) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(11)(a)**

- (b) Points 21.A.432A to 21.A.451 are not applicable to standard repairs.

21.A.432 Eligibility

- (a) Any natural or legal person that has demonstrated, or is in the process of demonstrating, its capability under point 21.A.432B shall be eligible as an applicant for a major repair design approval under the conditions laid down in this Subpart.
- (b) Any natural or legal person shall be eligible to apply for approval of a minor repair design.

21.A.432 Demonstration of capability

- ^{F20}(a) An applicant for approval of a major repair design shall demonstrate its capability by holding a design organisation approval, issued by the ^{F160}CAA] in accordance with Subpart J.]

Textual Amendments

F160 Word in Annex 1 point 21.A.432B substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(4)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) By way of derogation from point (a), as an alternative procedure to demonstrate its capability, an applicant may seek ^{F160}CAA] agreement for the use of procedures setting out the specific design practices, resources and sequence of activities necessary to comply with this Subpart.
- ^{F20}(c) By way of derogation from point (a), in the case of products referred to in point 21.A.14(c), an applicant may demonstrate its capability by obtaining the ^{F161}CAA's] acceptance of its certification programme established in accordance with point 21.A.432C(b).]

Textual Amendments

F161 Word in Annex 1 point 21.A.432B(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(5)(a)**

^{F26}21.A.432 Application for a repair design approval

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) An application for a repair design approval shall be made in a form and manner established by the ^{F162}CAA].
- (b) An application for a major repair design approval shall include, or be supplemented after the initial application, ^{F163}by] a certification programme containing:
1. a description of the damage and repair design identifying the configuration of the type design upon which the repair is made;
 2. an identification of all areas of the type design and the approved manuals that are changed or affected by the repair design;
 3. an identification of any reinvestigations necessary to demonstrate compliance of the repair design and areas affected by the repair design with the type-certification basis incorporated by reference in, as applicable, either the type-certificate, the supplemental type-certificate or the APU ETSO authorisation;
 4. any proposed amendments to the type-certification basis incorporated by reference in, as applicable, either the type-certificate, the supplemental type-certificate or the APU ETSO authorisation;
 5. a proposal for a breakdown of the certification programme into meaningful groups of compliance demonstration activities and data, including the means and process proposed to be followed to demonstrate compliance with point 21.A.433(a)(1) and references to related compliance documents;
 6. a proposal for the assessment of the meaningful groups of compliance demonstration activities and data, addressing the likelihood of an unidentified non-compliance with the type-certification basis and the potential impact of that non-compliance on product safety. The proposed assessment shall take into account at least the elements set out in subpoints (1)-(4) of point 21.B.100(a). Based on this assessment, the application shall include a proposal for the ^{F164}CAA's] involvement in the verification of the compliance demonstration activities and data; and
 7. the specification whether the certification data is prepared completely by the applicant or on the basis of an arrangement with the owner of the type-certification data.]

Textual Amendments

F162 Word in Annex 1 point 21.A.432C(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(5)(b)(i)**

F163 Word in Annex 1 point 21.A.432C(b) inserted (21.6.2023) by virtue of [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(11)(b)**

F164 Word in Annex 1 point 21.A.432C(b)(6) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(5)(b)(ii)**

^{F20}21.A.433 Requirements for approval of a repair design

- (a) A repair design shall only be approved:
1. when it has been demonstrated, following the certification programme referred to in point 21.A.432C(b), that the repair design complies with the

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- type-certification basis incorporated by reference in, as applicable, either the type-certificate, the supplemental type-certificate or the APU [F165UKTSO] authorisation, as well as with any amendments established and notified by the [F166CAA] in accordance with point 21.B.450;
2. when compliance with the type-certification basis that applies in accordance with point (a)(1) has been declared and the justifications of compliance have been recorded in the compliance documents;
 3. when no feature or characteristic has been identified that may make the product unsafe for the uses for which certification is requested; ^{F167} ...
 4. where the applicant has specified that it provided certification data on the basis of an arrangement with the owner of the type-certification data in accordance with point 21.A.432C(b)(7):
 - (i) when the holder has indicated that it has no technical objection to the information submitted under point (a)(2); and
 - (ii) when the holder has agreed to collaborate with the repair design approval holder to ensure discharge of all obligations for continued airworthiness of the changed product through compliance with point 21.A.451 [F168]; and
 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 that Regulation].
- (b) The applicant shall submit to the [F169CAA] the declaration referred to in point (a)(2) and, on request by the [F169CAA], all necessary substantiation data.

Textual Amendments

- F165** Word in Annex 1 point 21.A.433(a)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(5)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12 and S.I. 2020/1116, regs. 1(3), **8(a)(i)**); 2020 c. 1, Sch. 5 para. 1(1)
- F166** Word in Annex 1 point 21.A.433(a)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(5)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F167** Word in Annex 1 point 21.A.433(a) omitted (21.6.2023) by virtue of [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(11)(c)(i)**
- F168** Annex 1 point 21.A.433(a)(5) and word inserted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(11)(c)(ii)**
- F169** Word in Annex 1 point 21.A.433(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(5)(b)(iii)**

21.A.435 Classification and approval of repair designs

- (a) A repair design shall be classified as either ‘ major ’ or ‘ minor ’ in accordance with the criteria set out in point 21.A.91 for a change to the type-certificate.
- (b) A repair design shall be classified and approved by:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. the ^{F170}CAA]; or
2. an approved design organisation within the scope of its privileges provided for in points (1), (2) and (5) of point 21.A.263(c), as recorded in the terms of approval.]

Textual Amendments

F170 Word in Annex 1 point 21.A.435 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **205(6)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12 and S.I. 2020/1116, regs. 1(3), **8(c)**); 2020 c. 1, Sch. 5 para. 1(1)

^{F27}**21.A.435** Issue of a repair design approval

21.A.439 Production of repair parts

Parts and appliances to be used for the repair shall be manufactured in accordance with production data based upon all the necessary design data as provided by the repair design approval holder:

- (a) under Subpart F; or
- (b) by an organisation appropriately approved in accordance with Subpart G; or
- (c) by an appropriately approved maintenance organisation.

21.A.441 Repair embodiment

- ^{F49}(a) The embodiment of a repair shall be made in accordance with Annex I (Part-M), Annex II (Part-145), Annex Vb (Part-ML) or Annex Vd (Part-CAO) of Regulation (EU) No 1321/2014, or by a production organisation approved in accordance with Subpart G of this Annex, in accordance with the privilege provided for in point 21.A.163(d).]
- (b) The design organisation shall transmit to the organisation performing the repair all the necessary installation instructions.

21.A.443 Limitations

A repair design may be approved subject to limitations, in which case the repair design approval shall include all necessary instructions and limitations. These instructions and limitations shall be transmitted by the repair design approval holder to the operator in accordance with a procedure agreed with the ^{F171}CAA].

Textual Amendments

F171 Word in Annex 1 point 21.A.443 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/645), regs. 1, **205(8)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.445 Unrepaired damage

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) When a damaged product, part or appliance, is left unrepaired, and is not covered by previously approved data, the evaluation of the damage for its airworthiness consequences may only be made:
1. by the [F172CAA]; or
 2. by an appropriately approved design organisation under a procedure agreed with the [F172CAA].

Textual Amendments

F172 Word in Annex 1 point 21.A.445(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(9)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Any necessary limitations shall be processed in accordance with the procedures of point 21.A.443.

- (b) Where the organisation evaluating the damage under point (a) is neither the [F173CAA] nor the type-certificate, supplemental type-certificate or APU [F174UKTSO] authorisation holder, this organisation shall justify that the information on which the evaluation is based is adequate either from its organisation's own resources or through an arrangement with the type-certificate, supplemental type-certificate or APU [F174UKTSO] authorisation holder, or manufacturer, as applicable.

Textual Amendments

F173 Word in Annex 1 point 21.A.445(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(9)(b)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F174 Word in Annex 1 point 21.A.445(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(9)(b)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.447 Record-keeping

For each repair, all relevant design information, drawings, test reports, instructions and limitations possibly issued in accordance with point 21.A.443, justification for classification and evidence of the design approval, shall:

- (a) be held by the repair design approval holder at the disposal of the [F175CAA]; and
- (b) be retained by the repair design approval holder in order to provide the information necessary to ensure the continued airworthiness of the repaired products, parts or appliances.

Textual Amendments

F175 Word in Annex 1 point 21.A.447(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(10)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

21.A.449 Instructions for continued airworthiness

- (a) The holder of the repair design approval shall furnish at least one complete set of those changes to the instructions for continued airworthiness which result from the design of the repair, comprising descriptive data and accomplishment instructions prepared in accordance with the applicable requirements, to each operator of aircraft incorporating the repair. The repaired product, part or appliance may be released into service before the changes to those instructions have been completed, but this shall be for a limited service period, and in agreement with the ^[F176]CAA]. Those changes to the instructions shall be made available on request to any other person required to comply with any of the terms of those changes to the instructions. The availability of some manual or portion of the changes to the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.

Textual Amendments

F176 Word in Annex 1 point 21.A.449(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(11)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) If updates to those changes to the instructions for continued airworthiness are issued by the holder of the repair design approval after the repair has been first approved, these updates shall be furnished to each operator and shall be made available on request to any other person required to comply with any of the terms of those changes to the instructions. A programme showing how updates to the changes to the instructions for continued airworthiness are distributed shall be submitted to the ^[F177]CAA].

Textual Amendments

F177 Word in Annex 1 point 21.A.449(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(11)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.451 Obligations and ^[F178]UKPA marking

- (a) Each holder of a major repair design approval shall:
1. undertake the obligations:
 - (i) laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.439, 21.A.441, 21.A.443, 21.A.447 and 21.A.449;
 - (ii) implicit in the collaboration with the type-certificate, supplemental type-certificate and with the APU ^[F179]UKTSO] authorisation holder under point 21.A.433 (b), as appropriate.
 2. specify the marking, including ^[F180]UKPA] letters, in accordance with point 21.A.804(a).

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F179 Word in Annex 1 point 21.A.451(a)(1)(ii) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(12)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F180 Word in Annex 1 point 21.A.451(a)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(12)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Except for type-certificate holders or APU authorisation holders for which point 21.A.44 applies, the holder of a minor repair design approval shall:
1. undertake the obligations laid down in points 21.A.4, 21.A.447 and 21.A.449; and
 2. specify the marking, including [^{F181}UKPA] letters, in accordance with point 21.A.804(a).

Textual Amendments

F181 Word in Annex 1 point 21.A.451(b)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(12)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F178 Word in Annex 1 point 21.A.451 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **205(12)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

(SUBPART N — NOT APPLICABLE)

SUBPART [^{F182}UNITED KINGDOM] TECHNICAL STANDARD ORDER
O — AUTHORISATIONS

21.A.601 Scope

This Subpart establishes the procedure for issuing [^{F183}UKTSO] authorisations and the rules governing the rights and obligations of applicants for, or holders of, such authorisations.

Textual Amendments

F183 Word in Annex 1 point 21.A.601 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.602 Eligibility

Any natural or legal person that produces or is preparing to produce an [^{F184}UKTSO] article, and that has demonstrated, or is in the process of demonstrating, its capability under point 21.A.602B shall be eligible as an applicant for an [^{F184}UKTSO] authorisation.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F184 Word in Annex 1 point 21.A.602A substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(3)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.602 Demonstration of capability

Any applicant for an [^{F185}UKTSO] authorisation shall demonstrate its capability as follows:

Textual Amendments

F185 Word in Annex 1 point 21.A.602B substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (a) for production, by holding a production organisation approval, issued in accordance with Subpart G, or through compliance with Subpart F procedures; and
- (b) for design:
 1. for an Auxiliary Power Unit, by holding a design organisation approval, issued by the [^{F186}CAA] in accordance with Subpart J;
 2. for all other articles, by using procedures setting out the specific design practices, resources and sequence of activities necessary to comply with this Annex I (Part 21).

Textual Amendments

F186 Word in Annex 1 point 21.A.602B(b)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.603 Application

- (a) An application for an [^{F187}UKTSO] authorisation shall be made in a form and manner established by the [^{F188}CAA] and shall include an outline of the information required by point 21.A.605.

Textual Amendments

F187 Word in Annex 1 point 21.A.603(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(5)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F188 Word in Annex 1 point 21.A.603(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(5)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) When a series of minor changes in accordance with point 21.A.611 is anticipated, the applicant shall set forth in its application the basic model number of the article and the

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

associated part numbers with open brackets after it to denote that suffix change letters or numbers (or combinations of them) will be added from time to time.

[^{F20}21.A.604]^{F189}UKTSO] authorisation for an auxiliary power unit (APU)

With regard to an [^{F189}UKTSO] authorisation for an APU:

- (a) by way of derogation from points 21.A.603, 21.A.610 and 21.A.615, 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.B.75 and 21.B.80. However, an [^{F189}UKTSO] authorisation shall be issued in accordance with point 21.A.606 instead of a type-certificate;
- (b) [^{F49}by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU [^{F189}UKTSO] authorisation holder and design changes from other applicants classified as a minor change, and the requirements of Subpart E shall apply to the approval of design changes by other applicants classified as a major change. Where the requirements of Subpart E apply, a separate [^{F189}UKTSO] authorisation shall be issued instead of a supplemental type certificate; and]
- (c) the requirements of Subpart M shall apply to the approval of repair designs.

Textual Amendments

F189 Word in Annex 1 point 21.A.604 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(6)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.605 Data requirements

- (a) The applicant shall submit to the [^{F190}CAA] the following documents:
 1. a certification programme for the [^{F191}UKTSO] authorisation, setting out the means to demonstrate compliance with point 21.A.606(b);
 2. a statement of compliance certifying that the applicant has met the requirements of this Subpart;
 3. a declaration of design and performance (DDP), stating that the applicant has demonstrated that the article complies with the applicable [^{F191}UKTSO] in accordance with the certification programme;
 4. a copy of the technical data required in the applicable [^{F191}UKTSO];
 5. the exposition, or a reference to the exposition, referred to in point 21.A.143 for the purpose of obtaining an appropriate production organisation approval under Subpart G or the manual, or a reference to the manual, referred to in point 21.A.125A(b) for the purpose of manufacturing under Subpart F without production organisation approval;
 6. for an APU, the handbook, or a reference to the handbook, referred to in point 21.A.243 for the purpose of obtaining an appropriate design organisation approval under Subpart J;

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

7. for all other articles, the procedures, or a reference to the procedures, referred to in point 21.A.602B(b)(2);
- (b) The applicant shall report to the [F192CAA] any difficulty or event encountered during the approval process that may significantly impact the [F193UKTSO] authorisation.

Textual Amendments

- F190** Word in Annex 1 point 21.A.605(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(6)(a)(i)**
- F191** Word in Annex 1 point 21.A.605(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(6)(a)(ii)**
- F192** Word in Annex 1 point 21.A.605(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(6)(b)(i)**
- F193** Word in Annex 1 point 21.A.605(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(6)(b)(ii)**

21.A.606 Requirements for the issuance of an [F194UKTSO] authorisation

In order to be issued an [F194UKTSO] authorisation, the applicant shall:

- (a) demonstrate its capability in accordance with point 21.A.602B;
- (b) demonstrate that the article complies with the technical conditions of the applicable [F194UKTSO] or with deviations therefrom approved in accordance with point 21.A.610, if any;
- (c) comply with the requirements of this Subpart; and
- (d) declare that no feature or characteristic has been identified that may make the article unsafe for the uses for which certification is requested.]

Textual Amendments

- F194** Word in Annex 1 point 21.A.606 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **61(6)(c)**

21.A.607 [F195UKTSO] authorisation privileges

The holder of an [F195UKTSO] authorisation is entitled to produce and to mark the article with the appropriate [F195UKTSO] marking.

Textual Amendments

- F195** Word in Annex 1 point 21.A.607 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(9)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.608 Declaration of Design and Performance (DDP)

- (a) The DDP shall contain at least the following information:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. information corresponding to point 21.A.31(a) and (b), identifying the article and its design and testing standard;
2. the rated performance of the article, where appropriate, either directly or by reference to other supplementary documents;
3. a statement of compliance certifying that the article has met the appropriate [F196UKTSO];
4. reference to relevant test reports;
5. reference to the appropriate Maintenance, Overhaul and Repair Manuals;
6. the levels of compliance, where various levels of compliance are allowed by the [F196UKTSO];
7. list of deviations accepted in accordance with point 21.A.610.

Textual Amendments

F196 Word in Annex 1 point 21.A.608 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(9)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The DDP shall be endorsed with the date and signature of the holder of the [F196UKTSO] authorisation, or its authorised representative.

21.A.609 Obligations of holders of [F197UKTSO] authorisations

The holder of an [F197UKTSO] authorisation under this Subpart shall:

- (a) manufacture each article in accordance with Subpart G or Subpart F that ensures that each completed article conforms to its design data and is safe for installation;
- (b) prepare and maintain, for each model of each article for which an [F197UKTSO] authorisation has been issued, a current file of complete technical data and records in accordance with point 21.A.613;
- (c) prepare, maintain and update master copies of all manuals required by the applicable airworthiness specifications for the article;
- (d) make available to users of the article and to the [F198CAA] on request those maintenance, overhaul and repair manuals necessary for the usage and maintenance of the article, and changes to those manuals;
- (e) mark each article in accordance with point 21.A.807;
- (f) comply with points 21.A.3A, 21.A.3B and 21.A.4;
- (g) continue to meet the qualification requirements of point 21.A.602B.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F198 Word in Annex 1 point 21.A.609(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(10)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F197 Word in Annex 1 point 21.A.609 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(10)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12 and S.I. 2020/1116, regs. 1(3), **9(b)**); 2020 c. 1, Sch. 5 para. 1(1)

21.A.610 Approval for deviation

- (a) Each manufacturer who requests approval to deviate from any performance standard of an [^{F199}UKTSO] shall demonstrate that the standards from which a deviation is requested are compensated for by factors or design features providing an equivalent level of safety.

Textual Amendments

F199 Word in Annex 1 point 21.A.610(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(11)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) The request for approval to deviate, together with all pertinent data, shall be submitted to the [^{F200}CAA].

Textual Amendments

F200 Word in Annex 1 point 21.A.610(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(11)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.611 Design changes

- (a) The holder of the [^{F201}UKTSO] authorisation may make minor design changes (any change other than a major change) without further authorisation by the [^{F202}CAA]. In this case, the changed article keeps the original model number (part number changes or amendments shall be used to identify minor changes) and the holder shall forward to the [^{F202}CAA] any revised data that are necessary for compliance with point 21.A.603(b).

Textual Amendments

F201 Word in Annex 1 point 21.A.611(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(12)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F202 Word in Annex 1 point 21.A.611(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(12)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Any design change by the holder of the [F203UKTSO] authorisation that is extensive enough to require a substantially complete investigation to determine compliance with an [F203UKTSO] is a major change. Before making such a change, the holder shall assign a new type or model designation to the article and apply for a new authorisation under point 21.A.603.

Textual Amendments

F203 Word in Annex 1 point 21.A.611(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(12)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) No design change by any natural or legal person other than the holder of the [F204UKTSO] authorisation who submitted the statement of compliance for the article is eligible for approval under this Subpart O unless the person seeking the approval applies under point 21.A.603 for a separate [F204UKTSO] authorisation.

Textual Amendments

F204 Word in Annex 1 point 21.A.611(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(12)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.613 Record-keeping

Further to the record-keeping requirements appropriate to or associated with the quality system, all relevant design information, drawings and test reports, including inspection records for the article tested, shall be held at the disposal of the [F205CAA] and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the article and of the type-certificated product in which it is fitted.

Textual Amendments

F205 Word in Annex 1 point 21.A.613 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(13)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.615 Inspection by the [F206CAA]

Upon a request of the [F207CAA], each applicant for, or holder of an [F208UKTSO] authorisation for an article shall allow the [F209CAA] to:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F207** Word in Annex 1 point 21.A.615 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(14)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F208** Word in Annex 1 point 21.A.615 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(14)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)
- F209** Word in Annex 1 point 21.A.615 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(14)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (a) witness any tests;
- (b) inspect the technical data files on that article.

Textual Amendments

- F206** Word in Annex 1 point 21.A.615 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(14)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.619 Duration and continued validity

- (a) An ^{F210}UKTSO] authorisation shall be issued for an unlimited duration. It shall remain valid unless:
 1. the conditions required when ^{F210}UKTSO] authorisation was granted are no longer being observed; or
 2. the obligations of the holder specified in point 21.A.609 are no longer being discharged; or
 3. the article has proved to give rise to unacceptable hazards in service; or
 4. the authorisation has been surrendered or revoked under the applicable administrative procedures established by the ^{F211}CAA].

Textual Amendments

- F211** Word in Annex 1 point 21.A.619 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(15)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

- F210** Word in Annex 1 point 21.A.619 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(15)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Upon surrender or revocation, the certificate shall be returned to the ^{F211}CAA].

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

21.A.621 Transferability

Except for a change in ownership of the holder, which shall be regarded as a change of significance, and shall therefore comply with points 21.A.147 and 21.A.247 as applicable, an [F²¹²UKTSO] authorisation issued under this Annex I (Part 21) is not transferable.

Textual Amendments

F212 Word in Annex 1 point 21.A.621 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(16)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Textual Amendments

F182 Words in Annex 1 s. A Subpart O heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **206(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, **Sch. 5 para. 1(1)**

SUBPART PERMIT TO FLY

P —

21.A.701 Scope

- (a) Permits to fly shall be issued in accordance with this Subpart to aircraft that do not meet, or have not been shown to meet, applicable airworthiness requirements but are capable of safe flight under defined conditions and for the following purposes:
1. development;
 2. showing compliance with regulations or certification specifications;
 3. design organisations or production organisations crew training;
 4. production flight testing of new production aircraft;
 5. flying aircraft under production between production facilities;
 6. flying the aircraft for customer acceptance;
 7. delivering or exporting the aircraft;
 8. flying the aircraft for Authority acceptance;
 9. market survey, including customer's crew training;
 10. exhibition and air show;
 11. flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage;
 12. flying an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available;
 13. record breaking, air racing or similar competition;

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

14. flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found;
 15. for non-commercial flying activity on individual non-complex aircraft or types for which a certificate of airworthiness or restricted certificate of airworthiness is not appropriate^[F20];
 16. ^[F26]flying an aircraft for troubleshooting purposes or to check the functioning of one or more systems, parts or appliances after maintenance.]
- (b) This Subpart establishes the procedure for issuing permits to fly and approving associated flight conditions, and establishes the rights and obligations of the applicants for, and holders of, those permits and approvals of flight conditions.

21.A.703 Eligibility

- (a) Any natural or legal person shall be eligible as an applicant for a permit to fly except for a permit to fly requested for the purpose of point 21.A.701(a)(15) where the applicant shall be the owner.
- (b) Any natural or legal person shall be eligible for application for the approval of the flight conditions.

21.A.705 Competent authority

F213
...

Textual Amendments

F213 Annex 1 point 21.A.705 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(2)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.707 Application for permit to fly

- (a) Pursuant to point 21.A.703 and when the applicant has not been granted the privilege to issue a permit to fly, an application for a permit to fly shall be made to the ^[F214]CAA in a form and manner established by ^[F215]the CAA].

Textual Amendments

F214 Word in Annex 1 point 21.A.707(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(3)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F215 Words in Annex 1 point 21.A.707(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Each application for a permit to fly shall include:
 1. the purpose(s) of the flight(s), in accordance with point 21.A.701;
 2. the ways in which the aircraft does not comply with the applicable airworthiness requirements;

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3. the flight conditions approved in accordance with point 21.A.710.
- (c) Where the flight conditions are not approved at the time of application for a permit to fly, an application for approval of the flight conditions shall be made in accordance with point 21.A.709.

21.A.708 Flight conditions

Flight conditions include:

- (a) the configuration(s) for which the permit to fly is requested;
- (b) any condition or restriction necessary for safe operation of the aircraft, including:
1. the conditions or restrictions put on itineraries or airspace, or both, required for the flight(s);
 2. [F90] any conditions or restrictions put on the flight crew to fly the aircraft, in addition to those defined in Appendix XII to this Annex I (Part 21);]
 3. the restrictions regarding carriage of persons other than flight crew;
 4. the operating limitations, specific procedures or technical conditions to be met;
 5. the specific flight test programme (if applicable);
 6. the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed;
- (c) the substantiation that the aircraft is capable of safe flight under the conditions or restrictions of point (b);
- (d) the method used for the control of the aircraft configuration, in order to remain within the established conditions.

21.A.709 Application for approval of flight conditions

- (a) Pursuant to point 21.A.707(c) and when the applicant has not been granted the privilege to approve the flight conditions, an application for approval of the flight conditions shall be made:
1. when approval of the flight conditions is related to the safety of the design, to the [F216CAA] in a form and manner established by the [F216CAA]; or
 2. when approval of the flight conditions is not related to the safety of the design, to the [F217CAA] in a form and manner established by that authority.

Textual Amendments

F216 Word in Annex 1 point 21.A.709(a)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F217 Word in Annex 1 point 21.A.709(a)(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(4)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Each application for approval of the flight conditions shall include:

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1. the proposed flight conditions;
2. the documentation supporting these conditions; and
3. a declaration that the aircraft is capable of safe flight under the conditions or restrictions of point 21.A.708(b).

21.A.710 Approval of flight conditions

- (a) When approval of the flight conditions is related to the safety of the design, the flight conditions shall be approved by:
 1. the [F218CAA]; or
 2. an appropriately approved design organisation, under the privilege of point 21.A.263(c)(6).

Textual Amendments

F218 Word in Annex 1 point 21.A.710(a)(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(5)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) When approval of the flight conditions is not related to the safety of the design, the flight conditions shall be approved by the [F219CAA], or the appropriately approved organisation that will also issue the permit to fly.

Textual Amendments

F219 Word in Annex 1 point 21.A.710(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(5)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) Before approving the flight conditions, the [F220CAA] or the approved organisation must be satisfied that the aircraft is capable of safe flight under the specified conditions and restrictions. The [F221CAA] may make or require the applicant to make any necessary inspections or tests for that purpose.

Textual Amendments

F220 Word in Annex 1 point 21.A.710(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(5)(c)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F221 Word in Annex 1 point 21.A.710(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(5)(c)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.711 Issue of a permit to fly

- (a) A permit to fly ([F222CAA] Form 20a, see Appendix III) may be issued by the [F223CAA] under the conditions specified in point 21.B.525.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F222 Word in Annex 1 point 21.A.711(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(a)(i)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F223 Word in Annex 1 point 21.A.711(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(a)(ii)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) An appropriately approved design organisation may issue a permit to fly ([^{F224}CAA] Form 20b, see Appendix IV) under the privilege granted under point 21.A.263(c) (7), when the flight conditions referred to in point 21.A.708 have been approved in accordance with point 21.A.710.

Textual Amendments

F224 Word in Annex 1 point 21.A.711(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) An appropriately approved production organisation may issue a permit to fly ([^{F225}CAA] Form 20b, see Appendix IV) under the privilege granted under point 21.A.163(e), when the flight conditions referred to in point 21.A.708 have been approved in accordance with point 21.A.710.

Textual Amendments

F225 Word in Annex 1 point 21.A.711(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- [^{F49}(d) An approved organisation may issue a permit to fly ([^{F226}CAA] Form 20b, see Appendix IV) under the privilege granted in accordance with [^{F227}point M.A.711 of Annex I (Part-M) of Regulation (EU) No 1321/2014,] point CAMO.A.125 of Annex Vc (Part-CAMO) of Regulation (EU) No 1321/2014 or point CAO.A.095 of Annex Vd (Part-CAO) of Regulation (EU) No 1321/2014, when the flight conditions referred to in point 21.A.708 of this Annex have been approved in accordance with point 21.A.710 of this Annex.]

Textual Amendments

F226 Word in Annex 1 point 21.A.711(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F227 Words in Annex 1 point 21.A.711(d) inserted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **6(13)(a)**

- (e) The permit to fly shall specify the purpose(s) and any conditions and restrictions which have been approved in accordance with point 21.A.710.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (f) For permits issued under points (b), (c) or (d), a copy of the permit to fly and associated flight conditions shall be submitted to the [^{F228}CAA] at the earliest opportunity but not later than 3 days.

Textual Amendments

F228 Word in Annex 1 point 21.A.711(f) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (g) Upon evidence that any of the conditions specified in point 21.A.723(a) are not met for a permit to fly that an organisation has issued pursuant to points (b), (c) or (d), that organisation shall immediately revoke that permit to fly and inform without delay the [^{F229}CAA].

Textual Amendments

F229 Word in Annex 1 point 21.A.711(g) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(6)(c)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.713 Changes

- (a) Any change that invalidates the flight conditions or associated substantiation established for the permit to fly shall be approved in accordance with point 21.A.710. When relevant an application shall be made in accordance with point 21.A.709.
- (b) A change affecting the content of the permit to fly requires the issuance of a new permit to fly in accordance with point 21.A.711.

21.A.715 Language

The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications shall be presented in [^{F230}English].

Textual Amendments

F230 Word in Annex 1 point 21.A.715 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(7)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.719 Transferability

- (a) A permit to fly is not transferable.
- (b) Notwithstanding point (a) for a permit to fly issued for the purpose of point 21.A.701(a)(15), where ownership of an aircraft has changed, the permit to fly shall be transferred together with the aircraft ^{F231}....

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F231 Words in Annex 1 point 21.A.719(b) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(8)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.721 Inspections

The holder of, or the applicant for, a permit to fly shall provide access to the aircraft concerned at the request of the [^{F232}CAA].

Textual Amendments

F232 Word in Annex 1 point 21.A.721 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(9)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.723 Duration and continued validity

- (a) A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:
1. compliance with the conditions and restrictions of point 21.A.711(e) associated with the permit to fly;
 2. the permit to fly not being surrendered or revoked;
 3. the aircraft remaining on the same register.
- (b) Notwithstanding point (a), a permit to fly issued for the purpose of point 21.A.701(a) (15) may be issued for unlimited duration.
- (c) Upon surrender or revocation, the permit to fly shall be returned to the [^{F233}CAA].

Textual Amendments

F233 Word in Annex 1 point 21.A.723(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(9)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.725 Renewal of permit to fly

Renewal of the permit to fly shall be processed as a change in accordance with point 21.A.713.

21.A.727 Obligations of the holder of a permit to fly

The holder of a permit to fly shall ensure that all the conditions and restrictions associated with the permit to fly are satisfied and maintained.

21.A.729 Record-keeping

- (a) All documents produced to establish and justify the flight conditions shall be held by the holder of the approval of the flight conditions at the disposal of the [^{F234}CAA] and

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.

Textual Amendments

F234 Word in Annex 1 point 21.A.729(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(10)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) All documents associated with the issue of permits to fly under the privilege of approved organisations, including inspection records, documents supporting the approval of flight conditions and the permit to fly itself, shall be held by the related approved organisation at the disposal of the ^[F235]CAA] and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.

Textual Amendments

F235 Word in Annex 1 point 21.A.729(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **207(10)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

SUBPARIDENTIFICATION OF PRODUCTS, PARTS AND APPLIANCES

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21.A.801 Identification of products

- (a) The identification of products shall include the following information:
1. manufacturer's name;
 2. product designation;
 3. manufacturer's Serial number;
 4. any other information the ^[F236]CAA] finds appropriate.

Textual Amendments

F236 Word in Annex 1 point 21.A.801 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) Any natural or legal person that manufactures an aircraft or engine under Subpart G or Subpart F shall identify that aircraft or engine by means of a fireproof plate that has the information specified in point (a) marked on it by etching, stamping, engraving, or other approved method of fireproof marking. The identification plate shall be secured in such a manner that it is accessible and legible, and will not likely be defaced or removed during normal service, or lost or destroyed in an accident.
- (c) Any natural or legal person that manufactures a propeller, propeller blade, or propeller hub under Subpart G or Subpart F shall identify it by means of a plate, stamping, engraving, etching or other approved method of fireproof identification that is placed on it on a non-critical surface, contains the information specified in point (a), and

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

will not likely be defaced or removed during normal service or lost or destroyed in an accident.

- (d) For manned balloons, the identification plate prescribed in point (b) shall be secured to the balloon envelope and shall be located, if practicable, where it is legible to the operator when the balloon is inflated. In addition, the basket, load frame assembly and any heater assembly shall be permanently and legibly marked with the manufacturer's name, part number, or equivalent, and serial number, or equivalent.

21.A.803 Handling of identification data

- (a) No person shall remove, change, or place identification information referred to in point 21.A.801(a) on any aircraft, engine, propeller, propeller blade, or propeller hub, or in point 21.A.807(a) on an APU, without the approval of the [F237CAA].

Textual Amendments

F237 Word in Annex 1 point 21.A.803 substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(2)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) No person shall remove or install any identification plate referred to in point 21.A.801, or in point 21.A.807 for an APU, without the approval of the [F237CAA].
- (c) By way of derogation from points (a) and (b), any natural or legal person performing maintenance work under the applicable associated implementing rules may, in accordance with methods, techniques and practices established by the [F237CAA]:
1. remove, change, or place the identification information referred to in point 21.A.801(a) on any aircraft, engine, propeller, propeller blade, or propeller hub, or in point 21.A.807(a) on an APU; or
 2. remove an identification plate referred to in point 21.A.801, or point 21.A.807 for an APU, when necessary during maintenance operations.
- (d) No person shall install an identification plate removed in accordance with point (c) (2) on any aircraft, engine, propeller, propeller blade, or propeller hub other than the one from which it was removed.

21.A.804 Identification of parts and appliances

- (a) Each part or appliance shall be marked permanently and legibly with:
1. a name, trademark, or symbol identifying the manufacturer in a manner identified by the applicable design data; and
 2. the part number, as defined in the applicable design data; and
 3. the letters [F238UKPA] for parts or appliances produced in accordance with approved design data not belonging to the type-certificate holder of the related product, except for [F239UKTSO] articles.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F238 Word in Annex 1 point 21.A.804(a)(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(3)(a)(i)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

F239 Word in Annex 1 point 21.A.804(a)(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(3)(a)(ii)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) By way of derogation from point (a), if the [^{F240}CAA] agrees that a part or appliance is too small or that it is otherwise impractical to mark a part or appliance with any of the information required by point (a), the authorised release document accompanying the part or appliance or its container shall include the information that could not be marked on the part.

Textual Amendments

F240 Word in Annex 1 point 21.A.804(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(3)(b)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

21.A.805 Identification of critical parts

In addition to the requirement of point 21.A.804, each manufacturer of a part to be fitted on a type-certificated product which has been identified as a critical part shall permanently and legibly mark that part with a part number and a serial number.

21.A.807 Identification of [^{F241}UKTSO] articles

- (a) Each holder of an [^{F242}UKTSO] authorisation under Subpart O shall permanently and legibly mark each article with the following information:
1. the name and address of the manufacturer;
 2. the name, type, part number or model designation of the article;
 3. the serial number or the date of manufacture of the article or both; and
 4. the applicable [^{F242}UKTSO] number.

Textual Amendments

F242 Word in Annex 1 point 21.A.807(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(4)(a)** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (b) By way of derogation from point (a), if the [^{F243}CAA] agrees that a part is too small or that it is otherwise impractical to mark a part with any of the information required by point (a), the authorised release document accompanying the part or its container shall include the information that could not be marked on the part.

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

F243 Word in Annex 1 point 21.A.807(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(4)(b)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

- (c) Each person who manufactures an APU under Subpart G or Subpart F shall identify that APU by means of a fireproof plate that has the information specified in point (a) marked on it by etching, stamping, engraving, or other approved method of fireproof marking. The identification plate shall be secured in such a manner that it is accessible and legible, and will not likely be defaced or removed during normal service, or lost or destroyed in an accident.

Textual Amendments

F241 Word in Annex 1 point 21.A.807 heading substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/645\)](#), regs. 1, **208(4)(a)** (with Sch. 3) (as amended by [S.I. 2019/1098](#), regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) ^{F20}^{F49} Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1).]

Textual Amendments

- F20** Substituted by Commission Delegated Regulation (EU) 2019/897 of 12 March 2019 amending Regulation (EU) No 748/2012 as regards the inclusion of risk-based compliance verification in Annex I and the implementation of requirements for environmental protection (Text with EEA relevance).
- F49** Substituted by Commission Delegated Regulation (EU) 2020/570 of 28 January 2020 amending and correcting Regulation (EU) No 748/2012 as regards the alignment of rules for continuing airworthiness of aircraft and aeronautical products, parts and appliances with Regulation (EU) No 1321/2014 (Text with EEA relevance).

Changes to legislation:

Commission Regulation (EU) No 748/2012, SECTION A is up to date with all changes known to be in force on or before 22 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1 Subpart J substituted by [S.I. 2023/588 reg. 7\(8\)](#)
- Annex 1 s. B Subpart B word substituted by [S.I. 2019/645 reg. 211](#) (This amendment not applied to legislation.gov.uk. Reg. 211 omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 11)
- Annex 1 s. B Subpart M word substituted by [S.I. 2019/645 reg. 220](#) (This amendment not applied to legislation.gov.uk. Reg. 220 omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 14)
- Annex 1 s. B Subpart O word substituted by [S.I. 2019/645 reg. 221\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 221(b) omitted immediately before IP completion day by virtue of S.I. 2020/1116, regs. 1(3), 15)
- Art. 8(4)(5) inserted by [S.I. 2023/588 reg. 3](#)
- Art. 9(5)(6) inserted by [S.I. 2023/588 reg. 4\(b\)](#)