
STATUTORY INSTRUMENTS

2023 No. 588

The Aviation Safety (Amendment) Regulations 2023

Amendment of Section A of Annex I to Commission Regulation (EU) No 748/2012

6.—(1) Section A (technical requirements) is amended as follows.

(2) In Subpart A (general provisions), after point 21.A.4 insert—

“21.A.5 Record keeping

All persons who hold, or have applied for, a type-certificate, restricted type-certificate, supplemental type-certificate, UKTSO authorisation, design or repair approval, permit to fly, production organisation approval certificate or letter of agreement under this Regulation must:

- (a) when they design a product, part or appliance, or a change or repair to a product, part or appliance:
 - (1) establish and maintain a record-keeping system of the design information and data relating to the product, part or appliance;
 - (2) make available to the CAA information on the record-keeping system (including information held on it) that is necessary to ensure the continued airworthiness of the product, part or appliance, the continued validity of the operational suitability data and compliance with the applicable environmental protection requirements;
- (b) when they produce a product, part or appliance:
 - (1) record the details of the production process relevant to the conformity of the product, part or appliance with the applicable design data and the requirements imposed on them and their suppliers;
 - (2) make that data available to the CAA in order to provide the information that is necessary to ensure the continued airworthiness of the product, part or appliance;
- (c) in respect of permits to fly:
 - (1) maintain the documents produced under point 21.A.708 to establish and justify the flight conditions and make them available to the CAA in order to provide the information that is necessary to ensure the continued airworthiness of the aircraft;
 - (2) where the permit to fly is issued by an organisation that has appropriate approval, maintain the documents associated with it, including inspection records and documents that support the approval of the flight conditions and the issue of the permit to fly itself and make them available to the CAA in order to provide the information that is necessary to ensure the continued airworthiness of the aircraft;
- (d) retain records of the competence and qualifications, referred to in points 21.A.139(c), 21.A.145(c), 21.A.239(c), 21.A.245(a) and 21.A.245(e)(1), of the personnel that are involved in the following functions:

- (1) design or production;
 - (2) independent monitoring of the compliance of the organisation with the relevant requirements;
 - (3) safety management;
- (e) retain records of the authorisation of personnel, in respect of employed personnel that:
- (1) exercise the privileges of the approved organisation pursuant to point 21.A.163 or 21.A.263, or both, as appropriate;
 - (2) carry out the independent function to monitor the compliance of the organisation with the relevant requirements pursuant to point 21.A.139(e) or 21.A.239(e), or both, as appropriate;
 - (3) carry out the independent verification function of the demonstration of compliance pursuant to point 21.A.239(d)(2).

21.A.6 Manuals

21.A.6 The holder of a type-certificate, restricted type-certificate, or supplemental type-certificate must produce, maintain and update master copies of all manuals, or variations in the manuals, required by the applicable type-certification basis, the applicable operational suitability data certification basis and the environmental protection requirements for the product or article, and provide copies, on request, to the CAA.

21.A.7 Instructions for continued airworthiness

- (a) The holder of a type-certificate, restricted type-certificate, or supplemental type-certificate, design change or repair design approval must develop or reference the instructions which are necessary for ensuring that the airworthiness standard related to the product and any associated part is maintained throughout the operational life of the product, when demonstrating compliance with the applicable type-certification basis established and notified by the CAA in accordance with point 21.B.80.
- (b) At least one set of complete instructions for continued airworthiness must be provided by the holder of:
 - (1) a type-certificate or restricted type-certificate to each known owner of one or more products upon delivery of that product or products, or upon the issuance of the first certificate of airworthiness or restricted certificate of airworthiness for the affected aircraft, whichever occurs later;
 - (2) a supplemental type-certificate or design change approval to all known operators of the product affected by the change upon the release to service of the modified product;
 - (3) a repair design approval to all known operators of the product affected by the repair upon the release to service of the product in which the repair design is embodied. The repaired product, part or appliance may, if the CAA agrees, be released into service before the related instructions for continued airworthiness have been completed, but this must be for a limited service period agreed by the CAA.
- (c) After that, any other person required to comply with those design approval holders' instructions must be provided with them on request.
- (d) By way of derogation from point (b), the type-certificate holder or restricted type-certificate holder may delay the availability of a part of the instructions for continued

airworthiness, dealing with long lead accomplishment instructions of a scheduled nature, until after the product or modified product has entered into service, but must make those instructions available before the use of the instructions is required for the product or modified product.

- (e) The design approval holder, who is required to provide instructions for continued airworthiness in accordance with point (b), must also make available changes to those instructions to all known operators of the product affected by the change and, on request, to any other person required to comply with those changes. On request, that design approval holder must demonstrate to the CAA the adequacy of the process for making changes to the instructions for continued airworthiness available in accordance with this point.

21.A.8 Access and investigation

21.A.8 Any person that holds, or has applied for, a type-certificate, restricted type-certificate, supplemental type-certificate, UKTSO authorisation, design change or repair approval, certificate of airworthiness, noise certificate, permit to fly, design organisation approval, production organisation approval certificate or letter of agreement under this Regulation, must:

- (a) grant the CAA access to any facility, product, part or appliance, document, record, data, process, procedure or to any other material in order to review any report, make any inspection, or perform or witness any flight and ground test, as necessary, in order to verify the initial and continued compliance of the organisation with the applicable requirements of Regulation (EU) 2018/1139;
 - (b) make arrangements to ensure the CAA has access, as provided for in point (a), and has access to the facilities of the person's suppliers and subcontractors.”
- (3) In Subpart B (type-certificates and restricted type-certificates)—
- (a) in point 21.A.15—
 - (i) in point (b), after “the initial application” insert “by”;
 - (ii) in point (d), after “the initial application” insert “by”;
 - (b) in point 21.A.41, after “the operating limitations,” insert “the instructions for continued airworthiness,”;
 - (c) for point 21.A.44(a) substitute—
 - “(a) 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;”;
 - (d) for point 21.A.47 (including the heading) substitute—

“21.A.47 Transferability

The transfer of a type-certificate, a restricted type-certificate or a UKTSO authorisation for an auxiliary power unit may only be made to a person that is able to undertake the obligations laid down in point 21.A.44, and, for this purpose, has demonstrated its capability in accordance with point 21.A.14.”;

- (e) omit points 21.A.55, 21.A.57 and 21.A.61;
- (f) after point 21.A.62 (availability of operational suitability data) insert—

“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.”

(4) In Subpart D (changes to type-certificates and restricted type-certificates)—

- (a) in point 21.A.90B(a)(2), for “continuing” substitute “continued”;
- (b) after point 21.A.90B, insert—

“21.A.90C Stand-alone changes to the instructions for continued airworthiness

- (a) Stand-alone changes to the instructions for continued airworthiness (“stand-alone changes”) are changes that are not directly prepared as a result of a change to the type design or repairs design.
- (b) Stand-alone changes can only be made by the holder of the design approval for which instructions for continued airworthiness have been established.
- (c) Points 21.A.91 to 21.A.109 do not apply to stand-alone changes that:
 - (1) do not affect the airworthiness limitations section of the instructions for continued airworthiness, and
 - (2) do not require the design approval holder to perform any additional demonstration of compliance with the certification basis.
- (d) Stand-alone changes referred to in point (c) must be approved by the design approval holder under procedures agreed with the CAA.”;

(c) in point 21.A.93—

- (i) in point (b), after “the initial application” insert “by”;
- (ii) in point (c)(2), in the last sentence, for “any other change” substitute “a change to any other”;

(d) in point 21.A.101, after point (b) insert—

- “(ba) 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(3). 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.”;

(e) omit points 21.A.105 and 21.A.107;

(f) in point 21.A.109(a), for “21.A.4, 21.A.105, 21.A.107” substitute “21.A.4 to 21.A.8”.

(5) In Subpart E (supplemental type-certificates)—

- (a) in point 21.A.118A(a)(1), for “21.A.3A, 21.A.3B, 21.A.4, 21.A.105, 21.A.119, 29.A.120A” substitute “21.A.3A to 21.A.8”;
- (b) omit points 21.A.119 and 21.A.120A.

(6) In Subpart F (production without production organisation approval)—

- (a) after point 21.A.124 insert—

“21.A.124A Means of compliance

- (a) An organisation may, with prior approval from the CAA, use alternative means of compliance to establish compliance with this Regulation.
 - (b) To obtain prior approval, referred to in point (a), an organisation must provide the CAA with a full explanation indicating how compliance with this Regulation is to be achieved, including any revisions to manuals or procedures.”;
- (b) for point 21.A.125B (including the heading) substitute—

“21.A.125B Findings and observations

- (a) After receipt of the notification of findings pursuant to point 21.B.125, the holder of a letter of agreement must, within the period agreed with the CAA:
 - (1) identify the root cause of, and any contributing factors to, the non-compliance;
 - (2) submit to the CAA a corrective action plan;
 - (3) demonstrate the implementation of the corrective action plan to the satisfaction of the CAA.
 - (b) Where observations are received pursuant to point 21.B.125(f), the holder of a letter of agreement must give due consideration to the observations received and must keep a record of the decisions taken in respect of those observations.”;
- (c) for point 21.A.125C(a) substitute—

- “(a) The letter of agreement must state the period of time for which it is issued, which must not exceed one year. It remains valid subject to the following conditions:
 - (1) the production organisation continues to comply with the applicable requirements of this Annex;
 - (2) the production organisation, and its suppliers and contractors as appropriate, permit the CAA to carry out investigations in accordance with point 21.A.8;
 - (3) the production organisation provides the CAA with evidence showing it maintains satisfactory control of the manufacture of products, parts and appliances under the letter of agreement;
 - (4) the letter of agreement has not been revoked by the CAA under point 21.B.65 or surrendered by the production organisation, and its duration has not expired.”;
 - (d) in point 21.A.126(b)(5), for “because of departures from design data” substitute “because of deviations from design data”;
 - (e) omit point 21.A.126(b)(6).
- (7) In Subpart G (production organisation approval)—
- (a) after point 21.A.134 insert—

“21.A.134A Means of compliance

- (a) An organisation may, with prior approval from the CAA, use alternative means of compliance to establish compliance with this Regulation.

- (b) To obtain prior approval, referred to in point (a), an organisation must provide the CAA with a full explanation indicating how compliance with this Regulation is to be achieved, including details of any revisions to manuals or procedures.”;
- (b) for point 21.A.139 (including the heading) substitute—

“21.A.139 Production management system

- (a) The production organisation must establish, implement and maintain a production management system that includes a safety management element and a quality management element, with clearly defined accountability and lines of responsibility throughout the organisation.
- (b) The production management system must:
- (1) correspond to the size of the organisation, and to the nature and complexity of its activities, taking into account the hazards and associated risks inherent in those activities;
 - (2) be established, implemented and maintained under the direct accountability of a single manager appointed pursuant to point 21.A.145(c)(1).
- (c) As part of the safety management element of the production management system, the production organisation must:
- (1) establish, implement and maintain a safety policy and the corresponding related safety objectives;
 - (2) appoint key safety personnel in accordance with point 21.A.145(c)(2);
 - (3) establish, implement and maintain a safety risk management process to identify safety hazards entailed by its aviation activities, evaluate them and manage associated risks, including taking actions to mitigate the risks and verify their effectiveness;
 - (4) establish, implement and maintain a safety assurance process that includes:
 - (i) the measurement and monitoring of the organisation’s safety performance;
 - (ii) the management of changes in accordance with point 21.A.147;
 - (iii) the principles for the continuous improvement of the safety management element;
 - (5) promote safety in the organisation through:
 - (i) training and education;
 - (ii) communication;
 - (6) establish an occurrence reporting system in accordance with point 21.A.3A in order to contribute to the continuous improvement of safety.
- (d) As part of the quality management element of the production management system, the production organisation must:
- (1) ensure that each product, part or appliance produced by the organisation or by its partner, or supplied from or subcontracted to outside parties, conforms to the applicable design data and is in condition for safe operation, thus enabling the exercise of the privileges set out in point 21.A.163;

- (2) establish, implement and maintain, as appropriate, within the scope of the 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;
 - (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 or associated flight conditions;
 - (3) include specific provisions in the control procedures for any critical parts.
 - (e) The production organisation must establish, as part of the production management system, an independent monitoring function to verify compliance of the organisation with the relevant requirements of this Annex as well as compliance with, and adequacy of, the production management system. Monitoring must include feedback to the person referred to in point 21.A.145(c) (2) and to the manager referred to in point 21.A.145(c)(1) to ensure, where necessary, the implementation of corrective action.
 - (f) If the production organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the production management system may be integrated with that required under the additional certificate held.”;
- (c) in point 21.A.143—
- (i) for the first paragraph of point (a) substitute—
 - “(a) The production organisation must establish and maintain a production organisation exposition (“POE”) that provides directly or by cross-reference the following information related to the production management system as described in point 21.A.139:”;

- (ii) in point (a)(3), after “21.A.145(c)(2)” insert “and 21.A.145(c)(4)”;
- (iii) in point (a)(4), substitute “21.A.145(c)(1) and (2) with “21.A.145(c)(1), (2) and (4).”;
- (iv) for point (a)(11) substitute—
 - “**11.** a description of the production management system and the policy, processes and procedures as provided for in point 21.A.139(c);”;
- (v) in point (a)(12), for “21.A.139(a)” substitute “21.A.139(d)(1)”;
- (vi) for point (b) substitute—
 - “(b) The initial issue of the POE must be approved by the CAA.
 - (c) The POE must be amended as necessary so that it remains an up-to-date description of the organisation. Copies of any amendments must be supplied to the CAA.”;
- (d) in point 21.A.145—
 - (i) for the words before point (a), substitute “The production organisation must demonstrate that.”;
 - (ii) in point (a)—
 - (aa) for “with regard to general approval requirements,” substitute “the”;
 - (bb) for “discharge obligations” substitute “discharge its obligations”;
 - (iii) in point (b)—
 - (aa) for “environmental data”, in both places it occurs, substitute “environmental protection data”;
 - (bb) for point (1) substitute—
 - “**1.** the production organisation holds all data it needs to determine conformity with the applicable design data. Such data may originate from the CAA and from the holder of, or applicant for, the type-certificate, restricted type-certificate or design approval, and may include any exemption granted from the environmental protection requirements;”;
 - (iv) in point (c)—
 - (aa) for points (1) and (2) substitute—
 - “**1.** an accountable manager has been appointed by the production organisation with the authority to ensure that, within the organisation, all production is performed to the required standards and that the production organisation is continuously in compliance with the requirements of the production management system referred to in point 21.A.139, and the date and procedures identified in the POE referred to in point 21.A.143;
 - 2.** a person has been nominated by the accountable manager to ensure that the organisation is in compliance with the requirements of this Annex, and is identified, together with the extent of their authority;
 - 4.** the person nominated for the purpose of point (2) must be:
 - (i) responsible to, and have direct access to, the accountable manager appointed under point (1); and

- (ii) have appropriate knowledge, background and experience to discharge their responsibilities.”;
 - (bb) in point (c)(3), after “environmental” insert “protection”;
- (v) in point (d)—
 - (aa) in the words before point (1), for “under the scope or terms of approval” substitute “within the scope of the terms of approval”;
 - (bb) for points (1) to (3) substitute—
 - “1. they have appropriate knowledge, background, including that gained through undertaking other functions in the organisation, and experience to discharge their allocated responsibilities;
 - 2. they are provided with evidence of the scope of their authorisation.”;
- (e) omit point 21.A.157;
- (f) for points 21.A.158 and 21.A.159 (in each case, including the heading) substitute—

“21.A.158 Findings and observations

- (a) After receipt of the notification of findings under 21.B.225(e), the holder of the production organisation approval certificate must:
 - (1) identify the root cause of, and contributing factors to, the non-compliance;
 - (2) define a corrective action plan;
 - (3) demonstrate the implementation of the corrective action plan to the satisfaction of the CAA.
- (b) The actions referred to in point (a) must be performed within the period agreed with the CAA in accordance with point 21.B.225.
- (c) Where the holder of the production organisation approval certificate receives a notice of observations from the CAA pursuant to point 21.B.225(f), the holder of the production organisation approval certificate must give due consideration to the observations made and must keep a record of the decisions taken in respect of those observations.

21.A.159 Duration and continued validity

- (a) A production organisation approval certificate must be issued for an unlimited period of time pursuant to point 21.B.220. It is valid from the date of issue and remains valid subject to the following conditions:
 - (1) the production organisation continues to comply with the applicable requirements of Regulation (EU) 2018/1139;
 - (2) the production organisation, and its suppliers or subcontractors, as appropriate, permit the CAA to carry out investigations in accordance with point 21.A.8;
 - (3) the production organisation provides the CAA with evidence showing that it maintains satisfactory control of products, parts and appliances under the approval;

- (4) the production organisation approval certificate has not been revoked by the CAA under point 21.B.65 or surrendered by the production organisation.
- (b) Upon surrender or revocation, the production organisation approval certificate must be returned to the CAA.”.
- (8) In Subpart H (certificates of airworthiness and restricted certificates of airworthiness)—
- (a) in point 21.A.174(b)(3)(ii)—
- (i) for “Annex I (Part-M) or” substitute “Annex I (Part-M), or an airworthiness review certificate in accordance with”;
- (ii) at the end of the last unnumbered paragraph insert—
- “
- the date on which the first certificate of airworthiness was issued and, if the standards of Volume 3 of Annex 16(1) to the Chicago Convention(2) apply, the CO2 metric value data”;
- (b) omit point 21.A.180;
- (c) in point 21.A.181(a)—
- (i) for point (1) substitute—
- “1. the aircraft continuing to comply with the applicable type design and continued airworthiness requirements; and”;
- (ii) for point (4) substitute—
- “4. the certificate having not been revoked by the CAA under point 21.B.65 or surrendered by the certificate holder.”;
- (d) omit point 21.A.210;
- (e) in point 21.A.211(a)—
- (i) for point (1) substitute—
- “1. the aircraft continuing to comply with the applicable type design and continued airworthiness requirements; and”;
- (ii) for point (4) substitute—
- “4. the certificate having not been revoked by the CAA under point 21.B.65 or surrendered by the certificate holder.”.
- (9) In Subpart J (design organisation approval)—
- (a) for point 21.A.239 (including the heading) substitute—

(1) The first edition of Annex 16, Volume 3, to the Chicago Convention, 2017. Electronic [Annex 16 — Environmental Protection, Volume III \(icao.int\)](#). Hardcopy [Annex 16 - Environmental Protection - Volume III - Aeroplane CO2 Emissions | ICAO Store](#). To inspect a hardcopy at CAA premises email OGCMailbox@caa.co.uk or write to The CAA, Legal Department, Aviation House, Beehive Ring Road, Crawley, West Sussex, RH6 0YR or The CAA, Legal Department, Westferry Circus Canary Wharf, London E14 4HD.

(2) Convention on International Civil Aviation, ninth edition, 2006 (Doc 7300/9). Treaty Series No. 8 (1953); Cmd 8742. Electronic [Convention on International Civil Aviation, Ninth Edition - 2006 \(icao.int\)](#) or consolidated electronic version [Convention on International Civil Aviation - Doc 7300 \(icao.int\)](#). To inspect a hardcopy at CAA premises email OGCMailbox@caa.co.uk or write to The CAA, Legal Department, Aviation House, Beehive Ring Road, Crawley, West Sussex, RH6 0YR or The CAA, Legal Department, Westferry Circus Canary Wharf, London E14 4HD.

“21.A.239 Design management system

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

- (2) establish, implement and maintain an independent verification function on the basis of which the design organisation demonstrates compliance with the applicable airworthiness, operational suitability data and environmental protection requirements;
- (3) specify the manner in which the design management system accounts for the acceptability of the parts or appliances that are designed or the tasks that are performed by its partners or subcontractors according to the methods which are the subject of written procedures.
- (e) The design organisation must establish, as part of the design management system, an independent monitoring function to verify compliance of the organisation with the relevant requirements of this Annex as well as the compliance with, and adequacy of, the design management system. Monitoring must include feedback to the person referred to in point 21.A.245(b) and to the manager referred to in point 21.A.245(a) to ensure, where necessary, the implementation of appropriate corrective action.
- (f) If the design organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the design management system may be integrated with that required under the additional certificate.”;
- (b) in point 21.A.243—
 - (i) for point (a) substitute—
 - “(a) As part of the design management system, the design organisation must create and give to the CAA a handbook that describes, directly or by cross-reference:
 - (i) the organisation and its relevant policies, processes and procedures;
 - (ii) the type of design work;
 - (iii) the categories of products, parts and appliances for which the design organisation holds a design organisation approval,
 as identified in the terms of approval issued under point 21.A.251 and, where relevant, the interfaces with and the control of its partners or subcontractors.”;
 - (ii) in point (b)—
 - (aa) for “give” substitute “demonstrate”;
 - (bb) for “21.A.239(b)” substitute “21.A.239(d)(2)”;
 - (iii) for point (d) substitute—
 - “(d) The design organisation must establish, maintain and supply to the CAA a statement of the qualifications and experience of the management staff and of other persons in the organisation who are responsible for decisions that affect airworthiness, operational suitability data and environmental protection.”;
- (c) for point 21.A.245 substitute—

“21.A.245 Resources

- (a) The design organisation must appoint a head of the design organisation, who is an accountable manager, to ensure that the organisation’s design activities are performed to the required standards and that the design organisation continues to comply with the requirements of the design management system referred to

- in point 21.A.239 and the procedures specified in the handbook referred to in point 21.A.243.
- (b) The head of the design organisation must nominate and determine the extent of the authority of:
 - (1) a head of airworthiness;
 - (2) a head of independent monitoring;
 - (3) depending on the size of the organisation and the nature and complexity of its activities, any other person that is required to ensure that the organisation complies with the requirements of this Annex.
 - (c) By way of derogation from point 21.A.245(b)(1), the airworthiness function referred to in point 21.A.239(d)(1)(i) may be performed under the direct supervision of the head of the design organisation where:
 - (1) the scope of activities, or work, of the design organisation, as identified in the terms of approval issued under point 21.A.251, is limited to minor changes, minor repairs, or both; or
 - (2) for a limited period of time, which is to be agreed with the CAA, the design organisation does not have a nominated head of airworthiness and the exercise of that function under the direct supervision of the head of the design organisation is commensurate with the scope and level of the organisation's activities.
 - (d) The persons nominated pursuant to point (b) must:
 - (1) have direct access to, and be answerable to, the head of the design organisation;
 - (2) have the appropriate knowledge, background and experience to discharge their responsibilities.
 - (e) The design organisation must ensure that:
 - (1) there are sufficient number of suitably experienced technical department staff with the appropriate authority to discharge their allocated responsibilities and the facilities, equipment and accommodation are adequate to enable those staff to fulfil the airworthiness, operational suitability data and environmental protection requirements as regards the product;
 - (2) there is full and efficient coordination between the departments and within the departments in respect of airworthiness, operational suitability data and environmental protection matters.”;
- (d) in the heading to point 21.A.247, for “assurance” substitute “management”;
 - (e) in point 21.A.247—
 - (i) for “assurance” substitute “management”;
 - (ii) after “product,” insert “part or appliance”;
 - (iii) after “approved by the CAA” insert “before being implemented”;
 - (f) omit point 21.A.257;
 - (g) for point 21.A.258 (including the heading) substitute—

“21.A.258 Findings and observations

- (a) After receipt of a notification of findings in accordance with point 21.B.433, the holder of the design organisation approval must:
 - (1) identify the root cause of, and any contributing factors to, the non-compliance;
 - (2) establish a corrective action plan;
 - (3) demonstrate the implementation of the corrective action plan to the satisfaction of the CAA.
 - (b) The actions in point (a) must be undertaken within the period set by the CAA in accordance with point 21.B.433.
 - (c) Where the holder of the design organisation approval certificate receives a notification of observations pursuant to 21.B.433(e), the holder of the design organisation approval certificate must give due consideration to the observations made and must keep a record of decisions taken in respect of those observations.”;
- (h) for point 21.A.259 substitute—
- “(a) The CAA must issue a design organisation approval for an unlimited period of time pursuant to point 21.B.430. It is valid from the date of issue and remains valid subject to compliance with all the following conditions:
 - (1) the design organisation continues to comply with Regulation (EU) 2018/1139, taking into account the provisions of point 21.B.433 of this Annex related to the handling of findings;
 - (2) the holder of the design organisation approval, and its partners and subcontractors as appropriate, acknowledge that the CAA may carry out investigations in accordance with point 21.A.8;
 - (3) the design organisation provides the CAA with evidence showing that the design management system of the organisation maintains satisfactory control and supervision of the design of products, repairs and changes to the products under the approval;
 - (4) the design organisation approval certificate has not been revoked by the CAA under point 21.B.65 or surrendered by the design organisation.
 - (b) Upon surrender or revocation, the production organisation approval certificate must be returned to the CAA.”;
- (i) in point 21.A.263(c)—
- (i) for “, as established by the CAA” substitute “issued under point 21.A.251”;
 - (ii) for “design assurance system” substitute “design management system”;
- (j) in point 21.A.265—
- (i) for point (c) substitute—
 - “(c) determine that the design of the products, or of the changes or repairs to the products, complies with the applicable type-certification basis, operational suitability data certification basis, and the environmental protection requirements, and has no unsafe features;”;
 - (ii) in point (h), for “EASA.21J” substitute “CAA.21J”;
 - (iii) at the end of point (h) insert—

“;

(i) comply with Subpart A of this Section.”.

(10) In Subpart K (parts and appliances), for point 21.A.307 (including the heading) substitute—

“21.A.307 The eligibility of parts and appliances for installation

- (a) A part or appliance is eligible for installation in a type-certified product when it is in a condition for safe operation, marked in accordance with Subpart Q and accompanied by an authorised release certificate (CAA Form 1), certifying that the item was manufactured in conformity with approved design data.
- (b) By way of derogation from point (a), where the conditions in point (c) are met, the following parts or appliances do not require a CAA Form 1 in order to be eligible for installation in a type-certified product:
- (1) a standard part;
 - (2) in the case of ELA1 or ELA2, a part or appliance that is:
 - (i) not life-limited, nor part of the primary structure, nor part of the flight controls;
 - (ii) identified for installation in the specific aircraft; and
 - (iii) to be installed in an aircraft whose owner has verified compliance with the applicable conditions in (i) and (ii), and has accepted responsibility for this compliance;
 - (3) a part or appliance for which the consequences of a non-conformity with its approved design data have a negligible safety effect on the product, and which is identified as such by the holder of the design approval in the instructions for continued airworthiness. In order to determine the safety effects of a non-conforming part or appliance, the design approval holder may establish in the instructions for continued airworthiness specific verification activities to be conducted by the installer of the part or appliance on the product;
 - (4) in the case of the embodiment of a standard change in accordance with point 21.A.90B, or a standard repair in accordance with point 21.A.431B, a part or appliance for which the consequences of a non-conformity with its design data have a negligible safety effect on the product, and which is identified as such in the certification specifications for standard changes and standard repairs issued in accordance with point 21.A.90B(a)(2) and 21.A.431B(a)(2). In order to determine the safety effects of a non-conforming part or appliance, specific verification activities to be conducted by the installer of the part or appliance on the product may be established in the certification specifications referred to above;
 - (5) a part or appliance exempted from an airworthiness approval under [Commission Regulation \(EU\) No 965/2012](#)(4); and
 - (6) a part or appliance that is an item of a higher assembly identified in points (1) to (5).
- (c) Parts and appliances listed in point (b) are eligible for installation in a type-certified product without being accompanied by a CAA Form 1, provided that the installer holds a document issued by the person or organisation that manufactured the part or appliance, which declares the name of the part or appliance, the part number, and

(4) EUR 965/2012, as amended by [S.I. 2019/645](#); [S.I. 2020/1116](#); [S.I. 2021/614](#); [S.I. 2021/1203](#) and [S.I. 2022/1235](#).

the conformity of the part of appliance with its design data, and which contains the issuance date.”.

- (11) In Subpart M (repairs)—
- (a) in point 21.A.431B(a)(2), for “continuing” substitute “continued”;
 - (b) in point 21.A.432C(b), after “the initial application” insert “by”;
 - (c) in point 21.A.433(a)—
 - (i) after point (3), omit “and”;
 - (ii) at the end of point (4), insert—
 - “; 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”;
 - (d) omit points 21.A.447 and 21.A.449;
 - (e) in point 21.A.451—
 - (i) in point (a)(1)(i)—
 - (aa) after “21.A.4,” insert “21.A.5 to 21.A.8,”;
 - (bb) for “, 21.A.443, 21.A.447 and 21.A.449” substitute “and 21.A.443”;
 - (ii) in point (b)(1), for “21.A.447 and 21.A.449” substitute “21.A.5 and 21.A.7”.
- (12) In Subpart O (United Kingdom Technical Standard Order authorisations)—
- (a) in point 21.A.604(a)—
 - (i) after “derogation from points” insert “21.A.8,”;
 - (ii) for “21.A.615” substitute “21.A.621”;
 - (iii) after “21.A.44” insert “21.A.47,”;
 - (b) in point 21.A.609—
 - (i) in point (b), for “a current file of complete” to the end, substitute “an updated set of complete technical data and records in accordance with point 21.A.5,”;
 - (ii) in point (f), for “and 21.A.4,” substitute “, 21.A.4 and 21.A.8,”;
 - (c) omit points 21.A.613 and 21.A.615;
 - (d) for point 21.A.619 (including the heading) substitute—

“21.A.619 Duration and continued validity

- (a) A UKTSO authorisation, issued by the CAA under point 21.B.480, is valid from the date of issue and remains valid for an unlimited period subject to compliance with the following conditions:
 - (1) the conditions set when the UKTSO authorisation was issued continue to be observed by the UKTSO authorisation holder;
 - (2) the obligations specified in point 21.A.609 continue to be discharged by the UKTSO authorisation holder;
 - (3) the UKTSO authorisation holder, and its suppliers and subcontractors as appropriate, acknowledge that the CAA may carry out investigations in accordance with point 21.A.8;

- (4) in the opinion of the CAA the UKTSO article has not given rise to unacceptable hazards in service;
 - (5) the UKTSO authorisation has not been revoked by the CAA under point 21.B.65 or surrendered by its holder.
 - (b) Upon surrender or revocation, the UKTSO authorisation must be returned to the CAA.”.
- (13) In Subpart P (permit to fly)—
- (a) in point 21.A.711(d), after “granted in accordance with” insert “point M.A.711 of Annex I (Part-M) of Regulation (EU) No 1321/2014,”;
 - (b) omit point 21.A.721;
 - (c) in point 21.A.723(a)—
 - (i) after “subject to” insert “compliance with all the following conditions”;
 - (ii) in point (1)—
 - (aa) for “compliance” substitute “the organisation continues to comply”;
 - (bb) after “permit to fly” insert “as set out in point 21.A.711(e)”;
 - (iii) for point (2) substitute—
 - “**2.** the holder, and its suppliers or subcontractors as appropriate, acknowledge that the CAA may carry out investigations in accordance with point 21.A.8;
 - 2A.** the permit to fly has not been revoked by the CAA under point 21.B.65 or surrendered by its holder;”;
 - (d) omit point 21.A.729.
- (14) In Subpart Q (identification of products, parts and appliances), in point 21.A.804—
- (a) in point (a), in the words before point (1), after “appliance” insert “which is eligible for installation in a type-certified product”;
 - (b) in point (a)(3), after “UKTSO articles” insert “and for parts and appliances covered under point (b) of point 21.A.307”;
 - (c) in point (b), after “marked on the part” insert “or appliance”.