

Contents

21.Light.1 Scope	9
21.Light.2 Competent authority	9
SUBPART A — GENERAL PROVISIONS	11
21.Light.A.1 Scope	11
21.Light.A.2 Undertaking by another person than the applicant for, or holder of, a certificate or the declarant of a declaration of design compliance	11
21.Light.A.3 Reporting system	11
21.Light.A.4 Airworthiness directives	13
21.Light.A.5 Collaboration between design and production	13
21.Light.A.6 Marking	13
21.Light.A.7 Record-keeping	13
21.Light.A.8 Manuals	14
21.Light.A.9 Instructions for continued airworthiness	14
21.Light.A.10 Access and investigation	15
21.Light.A.11 Findings and observations	15
21.Light.A.12 Alternative means of compliance	16
SUB-PART B TYPE CERTIFICATES	17
21.Light.A.21 Scope	17
21.Light.A.22 Eligibility	17
21.Light.A.23 Demonstration of design capability	17
21.Light.A.24 Application for a type certificate	17
21.Light.A.25 Demonstration of compliance	18
21.Light.A.26 Type Design	19
21.Light.A.27 Requirements for the issuance of a type-certificate	19
21.Light.A.28 Obligations of a type certificate holder	19
21.Light.A.29 Transferability of a type-certificate	20
21.Light.A.30 Continued validity of a type-certificate	20
SUB-PART C DECLARATIONS OF AIRCRAFT DESIGN COMPLIANCE	21
21.Light.A.41 Scope	21
21.Light.A.42 Eligibility	21
21.Light.A.43 Declaration of design compliance	21
21.Light.A.44 Compliance activities for a declaration of design compliance	23

21.Light.A.45 Applicable Technical Specifications for declarations of design compliance and environmental protection requirements.....	23
21.Light.A.46 Aircraft design data	24
21.Light.A.47 Obligations of the declarant	24
21.Light.A.48 Transferability of a declaration of design compliance	24
SUBPART D — CHANGES TO TYPE-CERTIFICATES	25
21.Light.A.61 Scope.....	25
21.Light.A.62 Standard changes	25
21.Light.A.63 Classification of changes to a type-certificate	25
21.Light.A.64 Eligibility.....	25
21.Light.A.65 Application for a change to a type certificate	25
21.Light.A.66 Demonstration of Compliance.....	26
21.Light.A.67 Requirements for approval of a minor change to a type-certificate.....	27
21.Light.A.68 Requirements for the approval of a major change to a type-certificate	27
21.Light.A.69 Approval of a changes to type-certificate by the applicant under a privilege	27
21.Light.A.70 Obligations for minor changes to a type-certificate	28
SUBPART E — SUPPLEMENTAL TYPE-CERTIFICATES	29
21.Light.A.81 Scope.....	29
21.Light.A.82 Eligibility.....	29
21.Light.A.83 Demonstration of design capability.....	29
21.Light.A.84 Application for a supplemental type-certificate.....	29
21.Light.A.85 Demonstration of Compliance.....	29
21.Light.A.86 Requirements for approval of a supplemental type-certificate	30
21.Light.A.87 Approval of a supplemental type-certificate by the applicant under a privilege.....	31
21.Light.A.88 Obligations of a holder of a supplemental type-certificate.....	31
21.Light.A.89 Transferability of a supplemental type-certificate	31
21.Light.A.90 Continued validity of a supplemental type-certificate	32
21.Light.A.91 Changes to a part of a product covered by a supplemental type-certificate.....	32
SUBPART F — CHANGES TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED	33
21.Light.A.101 Scope.....	33
21.Light.A.102 Standard changes	33
21.Light.A.103 Classification of changes to an aircraft for which design compliance has been declared	33
21.Light.A.104 Eligibility.....	33
21.Light.A.105 Declaration of design compliance for minor changes	34
21.Light.A.106 Declaration of design compliance for a major change	34

21.Light.A.107 Compliance activities for declaring compliance of a major change	36
SUBPART G - DECLARED PRODUCTION ORGANISATIONS.....	38
21.Light.A.121 Scope.....	38
21.Light.A.122 Eligibility.....	38
21.Light.A.123 Declaration of production capability	38
21.Light.A.124 Management system for production.....	39
21.Light.A.125 Resources of the declared production organisation	40
21.Light.A.126 Scope of work	41
21.Light.A.127 Obligations of the declared production organisation	42
21.Light.A.128 Notification of changes and cessation of activities	43
SUBPART H – CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS	44
21.Light.A.141 Scope.....	44
21.Light.A.142 Eligibility.....	44
21.Light.A.143 Application for a certificate of airworthiness and restricted certificate of airworthiness	44
21.Light.A.144 Obligations on the applicant for a certificate of airworthiness or restricted certificate of airworthiness.....	45
21.Light.A.145 Transferability of a certificate of airworthiness and of a restricted certificate of airworthiness	46
21.Light.A.146 Continued validity of a certificate of airworthiness and of a restricted certificate of airworthiness	46
SUBPART I — NOISE CERTIFICATES AND RESTRICTED NOISE CERTIFICATES	47
21.Light.A.161 Scope.....	47
21.Light.A.162 Eligibility.....	47
21.Light.A.163 Application.....	47
21.Light.A.164 Transferability and re-issuance within Member States.....	48
21.Light.A.165 Continued validity of a noise certificate and of a restricted noise certificate.....	48
SUBPART J — DECLARED DESIGN ORGANISATIONS	49
21.Light.A.171 Scope.....	49
21.Light.A.172 Eligibility.....	49
21.Light.A.173 Declaration of design capability	49
21.Light.A.174 Management system for design	50
21.Light.A.175 Resources of the declared design organisation.....	51
21.Light.A.176 Scope of work	51
21.Light.A.177 Obligations of the declared design organisation.....	52
21.Light.A.178 Notification of changes and cessation of activities	52

SUBPART K — PARTS.....	53
21.Light.A.191 Scope.....	53
21.Light.A.192 Showing of Compliance	53
21.Light.A.193 Release of parts for installation.....	53
SUBPART M — DESIGN OF REPAIRS TO TYPE-CERTIFIED PRODUCTS	55
21.Light.A.201 Scope.....	55
21.Light.A.202 Standard repairs	55
21.Light.A.203 Classification of repair designs to a type-certified product.....	55
21.Light.A.204 Eligibility.....	55
21.Light.A.205 Application for the approval of a repair design to a type-certified product	56
21.Light.A.206 Demonstration of Compliance.....	56
21.Light.A.207 Requirements for the approval of a minor repair design.....	57
21.Light.A.208 Requirements for the approval of a major repair design.....	57
21.Light.A.209 Approval of a repair design by the applicant under a privilege	58
21.Light.A.210 Obligations of a holder of a repair design approval	58
21.Light.A.211 Unrepaired damage	59
SUBPART N — DESIGN OF REPAIRS TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED	60
21.Light.A.221 Scope.....	60
21.Light.A.222 Standard repairs	60
21.Light.A.223 Classification of repair designs to an aircraft for which design compliance has been declared	60
21.Light.A.224 Eligibility.....	60
21.Light.A.225 Declaration of design compliance for minor repair designs.....	61
21.Light.A.226 Declaration of design compliance of major repair designs	61
21.Light.A.227 Compliance activities for declaring compliance of a major repair design.....	61
21.Light.A.228 Obligations of the declarant of a declaration of design compliance of a repair design	62
21.Light.A.229 Unrepaired damage	62
SUBPART P — PERMIT TO FLY.....	63
21.Light.A.241 Permit to fly and Flight Conditions	63
SUBPART Q — IDENTIFICATION OF PRODUCTS AND PARTS.....	64
21.Light.A.251 Scope.....	64
21.Light.A.252 Design of markings	64
21.Light.A.253 Identification of products	64
21.Light.A.254 Handling of identification data	65

21.Light.A.255 Identification of parts	65
SUBPART R - STATEMENT OF CONFORMITY FOR AIRCRAFT, ENGINE AND PROPELLER, AND PARTS THEREOF, THAT CONFORM TO A DECLARATION OF DESIGN COMPLIANCE.....	66
21.Light.A.271 Scope.....	66
21.Light.A.272 Eligibility.....	66
21.Light.A.273 Production control system	66
21.Light.A.274 Issuance of a Statement of Conformity	67
21.Light.A.275 Obligations of natural or legal person issuing a statement of conformity	67
SECTION B — PROCEDURES FOR COMPETENT AUTHORITIES	68
SUBPART A — GENERAL PROVISIONS.....	68
21.Light.B.11 Oversight documentation	68
21.Light.B.12 Exchange of information.....	68
21.Light.B.13 Information to the Agency	68
21.Light.B.14 Airworthiness directives received from non-member States.....	68
21.Light.B.15 Immediate reaction to a safety problem	68
21.Light.B.16 Management system	69
21.Light.B.17 Allocation of tasks to qualified entities	70
21.Light.B.18 Changes in the management system.....	70
21.Light.B.19 Resolution of disputes	70
21.Light.B.20 Record-keeping	71
21.Light.B.21 Findings and observations	72
21.Light.B.22 Enforcement measures	73
21.Light.B.23 Airworthiness directives	74
21.Light.B.24 Alternative means of compliance	74
SUBPART B — TYPE-CERTIFICATES.....	76
21.Light.B.41 Certification specifications.....	76
21.Light.B.42 Initial investigation.....	76
21.Light.B.43 Type-certification basis for a type-certificate.....	76
21.Light.B.44 Special conditions	77
21.Light.B.45 Designation of applicable environmental protection requirements for a type- certificate	77
21.Light.B.46 Investigation	77
21.Light.B.47 Issuance of a type-certificate.....	78
21.Light.B.48 Continuing airworthiness oversight of products for which a type-certificate has been issued	78
21.Light.B.49 Transfer of a type certificate	78

SUBPART C — DECLARATIONS OF DESIGN COMPLIANCE.....	80
21.Light.B.61 Technical Specifications for declarations of product design compliance.....	80
21.Light.B.62 Initial oversight investigations.....	80
21.Light.B.63 Registration of a declaration of design compliance	80
21.Light.B.64 Continuing airworthiness oversight of aircraft for which design compliance has been declared	81
21.Light.B.65 Obligations upon an expression of intent to submit a declaration of design compliance.....	81
SUBPART D — CHANGES TO TYPE-CERTIFICATES	82
21.Light.B.81 Type-certification basis and environmental protection requirements for a major change to a type-certificate.....	82
21.Light.B.82 Investigation and issuance of an approval of a minor change to a type-certificate...	82
21.Light.B.83 Investigation of a major change to a type-certificate.....	83
21.Light.B.84 Issuance of an approval of a major change to a type-certificate	83
21.Light.B.85 Continuing airworthiness oversight of changed products for which a type-certificate has been issued.....	84
SUBPART E — SUPPLEMENTAL TYPE-CERTIFICATES	85
21.Light.B.101 Type-certification basis and environmental protection requirements for a supplemental type-certificate.....	85
21.Light.B.102 Investigation	85
21.Light.B.103 Issuance of a supplemental type-certificate.....	86
21.Light.B.104 Continuing airworthiness oversight of products for which a supplemental type-certificate has been issued	86
SUBPART F — CHANGES TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED	87
21.Light.B.121 Initial oversight investigation of a declaration of design compliance of a major change to an aircraft design of an aircraft for which design compliance has been declared	87
21.Light.B.122 Registration of a declaration of design compliance for a major change to an aircraft design.....	87
21.Light.B.123 Continuing airworthiness oversight of a changed aircraft for which design compliance has been declared	88
21.Light.B.124 Obligations upon an expression of intent to submit a declaration of design compliance for a change	88
SUBPART G — DECLARED PRODUCTION ORGANISATIONS	89
21.Light.B.141 Registration of a declaration of production capability	89
21.Light.B.142 Initial oversight investigation.....	89
21.Light.B.143 Oversight.....	89
21.Light.B.144 Oversight programme.....	89
21.Light.B.145 Oversight activities.....	90

21.Light.B.146 Changes to declarations.....	91
SUBPART H — CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS	92
21.Light.B.161 Investigation	92
21.Light.B.162 Issue or amendment of a certificate of airworthiness and restricted certificate of airworthiness	93
21.Light.B.163 Oversight.....	94
SUBPART I — NOISE CERTIFICATES	95
21.Light.B.171 Investigation	95
21.Light.B.172 Issue of noise certificates.....	95
21.Light.B.173 Oversight.....	95
SUBPART J — DECLARED DESIGN ORGANISATIONS	96
21.Light.B.181 Initial Investigation	96
21.Light.B.182 Registration of a declaration of design capability	96
21.Light.B.183 Oversight.....	96
21.Light.B.184 Oversight programme.....	96
21.Light.B.185 Oversight activities.....	97
21.Light.B.186 Changes to declarations.....	98
SUBPART M — DESIGN OF REPAIRS TO TYPE-CERTIFIED PRODUCTS	100
21.Light.B.201 Type-certification basis and environmental protection requirements for a repair design approval.....	100
21.Light.B.202 Investigation and issuance of an approval for a minor repair design.....	100
21.Light.B.203 Investigation of an application for approval of a major repair design	100
21.Light.B.204 Issuance of an approval of a major repair design.....	101
21.Light.B.205 Continuing airworthiness oversight of products for which a repair design has been approved	101
21.Light.B.206 Unrepaired damage	102
SUBPART N — DESIGN OF REPAIRS TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED	103
21.Light.B.221 Initial oversight investigation of a declaration of design compliance of a major repair design to an aircraft for which design compliance has been declared	103
21.Light.B.222 Registration of a declaration of a major repair design to an aircraft for which design compliance has been declared	103
21.Light.B.223 Continuing airworthiness oversight of a repair design for which design compliance has been declared.....	104
21.Light.B.224 Obligations upon an expression of intent to submit a declaration of design compliance for a major repair	104
SUBPART P — PERMIT TO FLY.....	105

21.Light.B.241 Investigation prior to issuance a permit to fly	105
21.Light.B.242 Investigation prior to issuance of the flight conditions	105
SUBPART Q — IDENTIFICATION OF PRODUCTS AND PARTS.....	106
SUBPART R - STATEMENT OF CONFORMITY FOR AIRCRAFT, ENGINE AND PROPELLER, AND PARTS THEREOF, THAT CONFORM TO A DECLARATION OF DESIGN COMPLIANCE.....	107
21.Light.B.251 Oversight.....	107
21.Light.B.252 Oversight programme.....	107
21.Light.B.253 Oversight activities.....	108

DRAFT

Regulation (EU) No 748/2012

ANNEX II

PART 21 Light

Certification and declaration of design compliance of aircraft intended primarily for sports and recreational use and related products and parts, and declaration of design and production capability of organisations

21.Light.1 Scope

(a) Section A of this Annex (Part 21 Light) establishes the provisions governing the rights and obligations in accordance with this Annex of

- (a) the applicant for, and holder of, any certificate issued or to be issued,
- (b) natural or legal persons declaring design compliance, design capabilities or production capabilities, or intending to do so,
- (c) the signatory of a statement of conformity for an aircraft, engine, propeller or part produced

having their principal place of business in a Member State.

(b) Section B of this Annex establishes the provisions governing the certification, oversight and enforcement by the Agency and national competent authorities in accordance with this Annex and establishes requirements for their administration and management systems relating to the exercise of these tasks.

21.Light.2 Competent authority

For the purpose of this Annex, 'competent authority' shall be:

- (a) for Section A, Subpart A,
 - (1) for design organisations, the Agency;
 - (2) for production organisations the authority designated by the Member State where the organisations has its principal place of business; or the Agency if so requested by that Member State;
- (b) for Section A, Subparts B, D, E, J, K, M, O, and Q, the Agency;
- (c) for Section A, Subparts F, G, H, I and R the authority designated by the Member State where the organisation has its principal place of business; or the Agency if so requested by that Member State;
- (d) for Section A, Subpart P:
 - (1) for aircraft registered in a Member State, the authority designated by the Member State of registry;

- (2) for unregistered aircraft, the authority designated by the Member State which prescribed the identification marks;
- (3) for the approval of flight conditions related to the safety of the design, the Agency.

DRAFT

SECTION A — TECHNICAL REQUIREMENTS

SUBPART A — GENERAL PROVISIONS

21.Light.A.1 Scope

This Section establishes general rights and obligations relevant to the applicant for, and holder of, any certificate issued or to be issued in accordance with this Annex and any declarant of design or production capability, or of design compliance, and any natural or legal person issuing a statement of conformity for an aircraft, engine, propeller or part produced.

21.Light.A.2 Undertaking by another person than the applicant for, or holder of, a certificate or the declarant of a declaration of design compliance

The actions and obligations required to be undertaken by the holder of, or applicant for, a certificate for a product or part or by the declarant of a declaration of design compliance under this Section may be undertaken on its behalf by any other natural or legal person, provided that the holder's obligations are and will be properly discharged.

21.Light.A.3 Reporting system

- (a) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, any natural or legal person that holds or has applied for a type certificate, supplemental type certificate, major repair design approval, or any other relevant certificate deemed to have been issued under this Annex, or that has declared the compliance of an aircraft or a change or repair to it under this Annex shall:
 - (1) establish and maintain a system for collecting, investigating and analysing occurrence reports in order to identify adverse trends or to address deficiencies, and to extract occurrences, whose reporting is mandatory in accordance with point (3) and those which are reported voluntary. The system shall include:
 - (i) 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 or part covered by the type certificate, supplemental type certificate, major repair design approval, or any other relevant certificate deemed to have been issued under this Annex, or by the declaration of design compliance issued under this Annex;
 - (ii) internal errors, near misses, and hazards that do not fall under point (i);
 - (2) make available to known operators of the product or part, on request, to any person authorised under other associated implementing acts or delegated acts, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences;
 - (3) report to the Agency any failure, malfunction, defect or other occurrence of which it is aware related to a product or part, covered by the type certificate, supplemental type certificate, major repair design approval, or any other relevant certificate deemed to have been issued under this Annex, or by a declaration of design compliance issued under this

Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018.

- (b) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, any natural or legal person that has declared its production capability under Subpart G of this Annex, or that produces a product or part under Subpart R of this Annex, shall:
- (1) establish and maintain a system for collecting and assessing internal occurrence reports, including reports on internal errors, near misses, and hazards, in order to identify adverse trends or to address deficiencies, and extract occurrences, whose reporting is mandatory in accordance with points (2) and (3) and those which are reported voluntarily;
 - (2) report to the design approval holder or declarant of design compliance, all cases in which products or parts have been released by them and subsequently identified to have possible deviations from the applicable design data, and investigate with the design approval holder or the declarant of the declaration of design compliance, to identify those deviations which could lead to an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018;
 - (3) report to the Agency and the competent authority of the Member State identified in point 21.Light.2 if any, the deviations which could lead to an unsafe condition that were identified according to point (2);
 - (4) if acting as a supplier to another production organisation, also report to that other organisation all cases in which it has released products or parts to that organisation and subsequently identified them to have possible deviations from the applicable design data.

The reporting obligations of point 21.A.3A (b) of Annex I to Regulation (EU) No 748/2012 of natural and legal persons who hold or have applied for a production organisation approval shall include occurrences related to products and parts produced in conformity to design data approved or declared in accordance with this Annex and, where the design compliance was declared, reports shall be made to the declarant of design compliance.

- (c) The natural or legal person referred to in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and of the persons mentioned in the report, when reporting in accordance with points (a)(3), (b)(2), (b)(3) and (b)(4).
- (d) The natural or legal person referred to in points (a) and (b) shall make the reports defined in points (a)(3) and (b)(3) in a form and manner established by the competent authority, as soon as practicable and in any case dispatched not later than 72 hours after the natural or legal person referred to in points (a) and (b) has identified the possible unsafe condition, unless exceptional circumstances prevent this.
- (e) Without prejudice to Regulation (EU) No 376/2014, if an occurrence reported under point (a)(3), or under point (b)(3) results from a deficiency in the design, or a production deficiency, the holder of the type certificate, supplemental type certificate, major repair design approval, or any other relevant certificate deemed to have been issued under this Annex, the declarant of a declaration of design compliance or the production organisation referred to in point (b) as appropriate, shall investigate the reason for the deficiency and report to the Agency, and to the competent authority of the Member State identified in point 21.Light.2 if any, the results of its investigation and any action it is taking or proposes to take to correct that deficiency.

- (f) If the competent authority finds that an action is required to correct the deficiency, the holder of the type certificate, supplemental type certificate, major repair design approval, or any other relevant certificate deemed to have been issued under this Annex, the declarant of a declaration of design compliance, or the production organisation referred to in point (b) as appropriate, shall submit the relevant data to the competent authority.

21.Light.A.4 Airworthiness directives

When an airworthiness directive has to be issued by the Agency in accordance with point 21.Light.B.23 to correct the unsafe condition, or to require the performance of an inspection, the holder of the type certificate, supplemental type certificate, major repair design approval, or any other relevant certificate deemed to have been issued under this Annex, or the declarant of a declaration of design compliance shall:

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

21.Light.A.5 Collaboration between design and production

The

- holder of a type-certificate, supplemental type-certificate, approval of a change to type-certificate or approval of a repair design, and the declarant of a declaration of design compliance, and
- organisation or the or natural or legal person producing products or parts of that specific design

shall collaborate to ensure that the product or part are in conformity to that design and to ensure the continued airworthiness of the product or part.

21.Light.A.6 Marking

- (a) The holder of a type-certificate, supplemental type-certificate, approval of a change to type-certificate or approval of a repair design, or the declarant of a declaration of design compliance shall specify the marking in accordance with Subpart Q.
- (b) The organisation or the natural or legal person producing products or parts shall mark these products and parts in accordance with Subpart Q.

21.Light.A.7 Record-keeping

All natural or legal persons who hold or who have applied for a type certificate, supplemental type certificate, repair design approval, or permit to fly, who have declared design compliance, who have issued a declaration of design or production capability, or who produce products or parts under this Regulation shall:

- (a) when designing a product or part or changes or repairs thereto, establish a record-keeping system that incorporates the requirements imposed on its partners and subcontractors and maintain relevant design information/data and hold them at the disposal of the Agency in order

to provide the information necessary to ensure their continued airworthiness and the compliance with the applicable environmental protection requirements;

- (b) when producing a product or part, establish a record-keeping system and record the details of the work relevant to the conformity of the products or parts, and the requirements imposed on its partners and suppliers, and hold them at the disposal of the competent authority in order to provide the information necessary to ensure the continuing airworthiness of the product and part;
- (c) with regard to permits to fly, in addition to the record-keeping requirements established in point 21.A.5(c) of Annex I to Regulation (EU) No 748/2012 record any documents produced to demonstrate compliance with the additional requirements established in point 21.Light.A.241(b), and hold them at the disposal of the Agency and the competent authority.
- (d) retain records of competence and the qualifications of personnel who are involved in design or production and in the independent function to monitor the compliance, and in safety management if required by points 21.Light.A.124(b), 21.Light.A.125(c), 21.Light.A.174(b), 21.Light.A.175(b) or 21.Light.A.175(e);

21.Light.A.8 Manuals

The holder of a type-certificate or supplemental type-certificate or the declarant of a declaration of design compliance shall produce, maintain and update master copies of all manuals or variations in the manuals required by the applicable type-certification basis and applicable technical specifications for the product or part, and provide copies, on request, to the Agency.

21.Light.A.9 Instructions for continued airworthiness

- (a) The holder of a type-certificate, supplemental type certificate, design change or repair design approval or the declarant of a declaration of design compliance shall establish the information which are necessary for ensuring that the airworthiness of the aircraft type and any associated part, conforming to that design, is maintained throughout the operational life.
- (b) The holder of a type-certificate, supplemental type certificate, design change or repair design approval or the declarant of a declaration of design compliance shall provide the information established in (a) before the embodiment of that design is released to service.
- (c) The instructions for continued airworthiness shall be provided by:
 - 1. the holder of a type-certificate or by the declarant of a declaration of design compliance to each known owner of one or more products upon its delivery or upon the issuance of the first certificate of airworthiness or restricted certificate of airworthiness, as applicable, for the affected aircraft, whichever occurs later,
 - 2. the holder of a type-certificate, supplemental type-certificate or minor change approval or by the declarant of a declaration of design compliance, for a design change to all known operators of the product affected by the change upon the release to service of the modified product,
 - 3. the holder of a repair design approval or by the declarant of a declaration of design compliance, for a repair design 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 or part may be released into service before the related instructions for

continued airworthiness have been completed, but this shall be for a limited service period, and in agreement with the Agency.

Thereafter, these certificate holders or declarants shall make those information available on request to any other person required to comply with those instructions for continued airworthiness.

- (d) By way of derogation from point (b), the type-certificate holder or declarant of a declaration of design compliance may delay the availability of a part of the instructions for continued airworthiness, dealing with long lead accomplishment instructions of a scheduled nature, until after the product or modified product has entered into service, but shall make those instructions available before the use of this data is required for the product or modified product.
- (e) The design approval holder or declarant, who is required to provide instructions for continued airworthiness in accordance with point (b), shall also make available changes to those instructions to all known operators of the product affected by the change and, on request, to any other person required to comply with those changes.

21.Light.A.10 Access and investigation

All natural or legal persons who hold or who have applied for a type certificate, supplemental type certificate, major repair design approval, permit to fly, certificate of airworthiness, restricted certificate of airworthiness, noise certificate, who have declared design compliance, who have declared their design or production capability or who produce aircraft, engines, propellers or parts under Subpart R under this Section, shall:

- 1. grant the competent authority access to any facility, product, part, document, record, data, processes, procedures or any other material, and permit the review of any report and make any inspection and perform or witness any test that are necessary to verify the compliance and the continued compliance of the natural or legal person, and conformity of products and parts, with the applicable requirements of this Section;
- 2. in case the natural or legal person uses partners, supplier or subcontractors, make arrangements with them to ensure that the competent authority has access and can investigate as described in point (1).

21.Light.A.11 Findings and observations

- (a) After the receipt of the notification of findings the natural or legal person who holds or who has applied for a type certificate, supplemental type certificate, major repair design approval, permit to fly, certificate of airworthiness, restricted certificate of airworthiness, noise certificate, who has declared design compliance, who has declared their design or production capability or who produces aircraft, engines, propellers or parts under Subpart R under this Section, shall take the following steps within the time period determined by the competent authority in accordance with point (d) or (e) of point 21.Light.B.21:
 - 1. identify the root cause(s) of, and contributing factor(s) to, the non-compliance;
 - 2. define a corrective action plan and propose it to the competent authority;
 - 3. demonstrate the implementation of the corrective action(s) to the satisfaction of the competent authority.

- (b) An observation notified by the competent authority in accordance with point (f) of point 21.Light.B.21 shall be given due considerations. The natural or legal person shall record the decision taken in respect of those observations.

21.Light.A.12 Alternative means of compliance

- (a) Alternative means of compliance to the acceptable means of compliance (AMC) adopted by the Agency may be used by an organisation to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (b) If an organisation wishes to use an alternative means of compliance, it shall, prior to using it, provide the competent authority with a full description of those alternative means of compliance. The description shall include any revisions to manuals or procedures that may be relevant, as well as an assessment that demonstrates compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (c) The organisation may use these alternative means of compliance subject to prior approval by the competent authority, and upon receipt of the notification as provided for in point (d) of point 21.Light.B.24.

SUB-PART B TYPE CERTIFICATES

21.Light.A.21 Scope

This Subpart establishes the procedure for applying for type-certificates, and establishes the rights and obligations of the applicants for, and holders of those certificates for products, when the product is one of the following:

1. an aeroplane with a Maximum Take-off Mass (MTOM) of 2 000 kg or less with a seating configuration of maximum 4 persons;
2. a sailplane or powered sailplane of 2 000 kg MTOM or less;
3. a balloon;
4. a hot air airship;
5. a passenger gas airship designed for not more than 4 persons;
6. a rotorcraft with a Maximum Take-off Mass (MTOM) of 1 200kg or less with a seating configuration of maximum 4 persons;
7. a piston engine and fixed pitch propeller that is intended to be installed on an aircraft referred to in points 1 to 6. In this case, the type certificate data sheet shall be appropriately annotated to only permit installation of the engine or propeller on such aircraft;
8. gyroplanes.

21.Light.A.22 Eligibility

Any natural or legal person that has demonstrated, or is in the process of demonstrating its design capability in accordance with point 21.Light.A.23 may apply for a type certificate under the conditions laid down in this Subpart.

21.Light.A.23 Demonstration of design capability

An applicant for a type-certificate shall demonstrate its design capability by:

- (a) holding a design organisation approval with the terms of approval covering the type of design work and category of the product, issued by the Agency in accordance with Subpart J of Annex I of Regulation (EU) No 748/2012; or
- (b) declaring its design capability for type of design work and category of the product in accordance with Subpart J of this Section.

21.Light.A.24 Application for a type certificate

- (a) An application for a type-certificate shall be made in a form and manner established by the Agency.
- (b) An application for a type-certificate shall include as a minimum:
 1. a justification that the application is within the scope as established in point 21.Light.A.21;
 2. preliminary descriptive data of the product, the intended use, and the kind of operation of the product for which certification is requested;

3. a proposal for the type-certification basis and environmental protection requirements, prepared in accordance with the requirements and options specified in points 21.Light.B.43 and 21.Light.B.45;
 4. a compliance demonstration plan detailing the means and methods of compliance that shall be updated by the applicant when there are changes to the certification project that affect points 1 to 3.
- (c) An application for a type certificate is valid for three years. In case where a type-certificate has not been issued within this period, a new application has to be made in accordance with points (a) and (b).

21.Light.A.25 Demonstration of compliance

- (a) The applicant for a type-certificate shall, following the acceptance of the compliance demonstration plan by the Agency and in accordance with it, demonstrate compliance with the applicable type-certification basis, and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.43 and 21.Light.B.45, and shall provide the Agency with the means by which such compliance has been demonstrated.
- (b) The applicant for a type-certificate shall provide the Agency with a recorded justification of the means of compliance within compliance documents according to the compliance demonstration plan.
- (c) When carrying out testing and inspections to demonstrate compliance in accordance with point (a) the applicant shall have verified prior to carrying out any test:
 1. for the test specimen, that:
 - (i) the materials and processes adequately conform to the specifications for the proposed type design;
 - (ii) the constituent parts of the products adequately conform to the drawings in the proposed type design;
 - (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.
- (d) Flight testing for the purpose of obtaining a type-certificate shall be conducted in accordance with the methods for such flight testing specified by the Agency. The applicant for a type-certificate shall make all flight tests necessary to determine compliance with the applicable type-certification basis. The flight tests shall include a period of operation in a final configuration of a sufficient duration to ensure that there will be no safety issues when the aircraft first enters service.
- (e) An applicant for a type-certificate shall allow the Agency to:
 1. review any data and information related to the demonstration of compliance;
 2. witness or carry out any test or inspection conducted for the purpose of the demonstration of compliance;
 3. conduct a physical inspection of the first article of that product in the final configuration to verify compliance of the design with the type-certification basis and applicable environmental

protection requirements and any other investigation determined in accordance with point 21.Light.B.46.

- (f) Upon the completion of compliance demonstration the applicant shall declare to the Agency that:
1. it has demonstrated compliance with the type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.43 and 21.Light.B.45, according to the compliance demonstration plan; and
 2. no feature or characteristic has been identified that may make the product unsafe for the uses for which certification is requested.

21.Light.A.26 Type Design

The applicant for a type certificate shall clearly define the product type design to enable its unique and unambiguous identification, consisting of:

1. drawings and specifications;
2. information on materials and processes;
3. information on methods of manufacture and assembly;
4. airworthiness limitations;
5. environmental characteristics; and
6. any other data allowing by comparison the determination of the airworthiness and, if relevant, the environmental characteristics of later products of the same type.

21.Light.A.27 Requirements for the issuance of a type-certificate

In order to be issued with a type-certificate the applicant shall:

1. demonstrate its design capability in accordance with point 21.Light.A.23;
2. demonstrate compliance of the design in accordance with point 21.Light.A.25;
3. demonstrate that for aircraft type-certificates, that the engine or propeller, or both, if installed in the aircraft, have either:
 - i. a type-certificate issued or determined in accordance with Annex I to Regulation (EU) No 748/2012 or issued in accordance with this Annex; or
 - ii. been included within the application for the aircraft type-certificate and the applicant has ensured the compliance of the engine and propeller during compliance demonstration in point 21.Light.A.25.
4. demonstrate that there are no unresolved issues from the physical inspection of the first article of that product in the final configuration or any other investigation carried out by the Agency in accordance with points (3) and (4) of point 21.Light.B.46.

21.Light.A.28 Obligations of a type certificate holder

The holder of a type certificate shall undertake the obligations of a type certificate holder set forth in Subpart A and shall continue to comply with the eligibility requirement under point 21.Light.A.22.

21.Light.A.29 Transferability of a type-certificate

The holder of a type-certificate may transfer that certificate, provided that the Agency has verified in accordance with point 21.Light.B.49 that the natural or legal person to whom the type-certificate is intended to be transferred is eligible in accordance with point 21.Light.A.22 to hold a type-certificate and is able to undertake the obligations of a type-certificate holder under point 21.Light.A.28. The holder of the type-certificate shall apply to the Agency to verify whether these conditions are complied with, in the form and manner established by the Agency.

21.Light.A.30 Continued validity of a type-certificate

(a) A type certificate shall be valid as long as:

1. the type-certificate is not surrendered by the holder;
2. the holder of the type-certificate remains in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under point 21.Light.B.21;
3. the type-certificate is not revoked by the Agency in accordance with point 21.Light.B.22.

(b) Upon surrender or revocation, the type-certificate shall be returned to the Agency.

SUB-PART C DECLARATIONS OF AIRCRAFT DESIGN COMPLIANCE

21.Light.A.41 Scope

This Subpart establishes the procedure for declaring design compliance of aircraft, and establishes the rights and obligations of the declarant, when the aircraft is one of the following:

1. an aeroplane with a Maximum Take-off Mass (MTOM) of 1 200 kg or less that is not jet-powered with a seating configuration of maximum 2 persons;
2. a sailplane or powered sailplane of 1 200 kg MTOM or less;
3. a balloon designed for not more than 4 persons;
4. a hot air airship designed for not more than 4 persons;

and when the design of these aircraft does not cover novel or unusual design features. A design feature is novel or unusual if there are no design specifications in the technical specifications as published by the Agency in accordance with point 21.Light.B.61.

21.Light.A.42 Eligibility

Any natural or legal person may declare the compliance of an aircraft design under the conditions laid down in this Subpart.

21.Light.A.43 Declaration of design compliance

- (a) Prior to producing an aircraft or agreeing with a production organisation to produce an aircraft, a natural or legal person that designs an aircraft shall declare that the design complies with technical specifications issued by the Agency in accordance with point 21.Light.B.61.
- (b) The declaration shall contain at least the following information:
 1. the name of the person submitting the declaration, address/place of business;
 2. a unique reference for identifying the aircraft;
 3. the technical specifications and environmental protection requirements applicable according to point 21.Light.A.45 with which the declarant declares compliance;
 4. a signed declaration that the design is in compliance with the technical specifications and the environmental protection requirements referred to in point 3, according to the compliance demonstration plan;
 5. a signed declaration that no features or characteristics have been identified that may make the aircraft unsafe for the intended use or environmentally incompatible;
 6. a commitment that the obligations in accordance with point 21.Light.A.47 will be undertaken;
 7. if the aircraft design includes an engine or propeller
 - i. a reference to the engine or propeller type-certificate that was issued or determined in accordance with Annex I to Regulation (EU) No 748/2012 or with this Annex; or

- ii. in case of piston engines and fixed pitch propellers, a statement that the declaration of design compliance of the aircraft covers the compliance of the engine or propeller with the applicable engine or propeller technical specifications;
- 8. the instructions for continued airworthiness;
- 9. the operating limitations;
- 10. the data sheet for airworthiness and if applicable, emissions;
- 11. the data sheet for noise, if applicable;
- 12. any other conditions or limitations prescribed for the product in the technical specifications and environmental protection requirements with which the declarant declares compliance with.
- (c) By way of derogation from point (b)(3) the declarant may request the Agency to prescribe specific detailed technical conditions in accordance with point 21.Light.B.65, and declare compliance with those.
- (d) The declarant shall submit the declaration of design compliance to the Agency. Together with this declaration, the declarant shall provide to the Agency
 - 1. a drawing of the aircraft;
 - 2. a detailed description of the aircraft design, including all the configurations covered by the declaration, the operating characteristics, design features and any limitations;
 - 3. a compliance demonstration plan detailing the means by which compliance with the applicable technical specifications and environmental protection requirements has been demonstrated during compliance demonstration;
 - 4. a recorded justification of compliance within compliance data and activities according to the compliance demonstration plan;
 - 5. where compliance is demonstrated by carrying out tests, recorded justification of the conformity of the test articles and equipment, demonstrating
 - a. for the test specimen, that:
 - (i) the materials and processes adequately conformed to the specifications for the design;
 - (ii) the constituent parts of the products adequately conformed to the drawings in the design; and
 - (iii) the manufacturing processes, construction and assembly adequately conformed to those specified in the design;
 - b. that the test and measuring equipment used for the test were adequate for the test and appropriately calibrated.
 - 6. reports, results of inspections or tests that the declarant found necessary to determine that the product complies with the applicable technical specifications and environmental requirements.
- (e) The declarant may, prior to submitting the declaration of design compliance to the Agency, express to the Agency the intent to design an aircraft and to declare its design compliance in accordance with this Subpart, in order to get a confirmation from the Agency that the aircraft is within the scope of this Subpart or to request as a service from the Agency:
 - 1. an assessment of the appropriateness of the technical specifications that have been selected for design compliance in accordance with point 21.Light.A.45;

2. an assessment of the ability of the proposed design of the aircraft to comply with these technical specifications;
3. advice on the most appropriate means to demonstrate compliance with the technical specifications;
4. an assessment of the completeness of the compliance demonstration plan.

21.Light.A.44 Compliance activities for a declaration of design compliance

Prior to making a declaration of design compliance in accordance with point 21.Light.A.43, the declarant shall for that specific design:

1. Establish and keep updated a compliance demonstration plan detailing the means for compliance demonstration that shall be followed during compliance demonstration. This document shall be updated as necessary;
2. Record the justification of compliance within compliance documents according to the compliance demonstration plan;
3. Perform testing and inspections as necessary in accordance with the compliance demonstration plan;
4. Ensure and record the conformity of the test articles and equipment and ensure that the test specimen conforms to the specifications, drawings, manufacturing processes, construction and assembly means in the design;
5. Ensure that the test and measuring equipment to be used for testing are adequate for testing and appropriately calibrated;
6. Allow the Agency to conduct or participate to any inspections or tests of aircraft in the final or suitably mature design and production configuration that are necessary to determine that the product has no feature or characteristic that makes the aircraft unsafe or environmentally incompatible for the intended usage;
7. Carry out flight testing in order to determine that the aircraft complies with the applicable technical specifications and environmental requirements and include a period of operation in a final configuration of a sufficient duration to ensure that there will be no safety issues when the aircraft first enters service;
8. Perform flight testing for the purpose of declaring compliance in accordance with the methods for such flight testing specified by the Agency.

21.Light.A.45 Applicable Technical Specifications for declarations of design compliance and environmental protection requirements

- (a) The declarant shall demonstrate design compliance of the aircraft with those technical specifications among those issued by the Agency in accordance with point 21.Light.B.61, which are applicable to the aircraft and which are effective on the date of declaring design compliance to the Agency.
- (b) By way of derogation from point (a), in case a declarant has expressed in accordance with point 21.Light.A.43 (e) the intent to design an aircraft and to declare its design compliance, a declarant

may declare design compliance with those technical specifications, which are applicable to the aircraft and which were effective on the date of expressing this intent.

21.Light.A.46 Aircraft design data

- (a) The declarant shall clearly define the aircraft design to enable its unique and unambiguous identification.
- (b) The aircraft design data that is used by the declarant to uniquely define the aircraft design shall include:
 - 1. drawings and specifications;
 - 2. information on materials and processes;
 - 3. information on methods of manufacture and assembly;
 - 4. airworthiness limitations;
 - 5. environmental characteristics; and
 - 6. any other data allowing by comparison the determination of the airworthiness and, if relevant, the environmental characteristics of later products of the same type.

21.Light.A.47 Obligations of the declarant

The declarant shall

- (a) arrange for the Agency to conduct a physical inspection and flight tests of the first article of that aircraft in the final or suitably mature configuration to ensure the aircraft can achieve an acceptable level of safety and is environmentally compatible;
- (b) retain all supporting documents for a declaration of design compliance, and make them available to the Agency upon request;
- (c) undertake the obligations of a declarant of a declaration of design compliance set forth in Subpart A.

21.Light.A.48 Transferability of a declaration of design compliance

- (a) A declaration of design compliance cannot be transferred.
- (b) A natural or legal person who is taking over the aircraft design of an aircraft for which design compliance has been declared previously shall
 - 1. submit a new declaration of design compliance in accordance with this Subpart;
 - 2. demonstrate that the declarant for this declaration of aircraft design compliance is no longer active or agrees to the transfer of the design data;
 - 3. commit to take over from the previous declarant the obligations as per point 21.Light.A.47.

SUBPART D — CHANGES TO TYPE-CERTIFICATES

21.Light.A.61 Scope

- (a) This Subpart establishes the procedure for applying for the approval of changes to type-certificates for products certified in accordance with this Annex, provided that the changed product is still within the scope of point 21.Light.A.21, and establishes the rights and obligations of the applicants for, and holders of, those approvals.
- (b) This Subpart also defines standard changes that are not subject to an approval under this Subpart.

21.Light.A.62 Standard changes

- (a) Standard changes are changes to a type-certificate of a product approved in accordance with Subpart B of Section B, that follow design data included in certification specifications issued by the Agency, containing acceptable methods, techniques and practices for carrying out and identifying standard changes, including the associated instructions for continued airworthiness, and which are not in conflict with the data of the holder of that type-certificate.
- (b) Points 21.Light.A.63 to 21.Light.A.70 are not applicable to standard changes.

21.Light.A.63 Classification of changes to a type-certificate

- (a) Changes to a type-certificate shall be classified as minor and major.
- (b) A “minor change” is a change that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, or other characteristics affecting the airworthiness of the product and does not change its environmental characteristics.
- (c) All other changes are “major changes”, unless the change in design, power, thrust, or mass is so extensive that a substantially complete investigation of compliance with the applicable type-certification basis or with the applicable technical specifications is required, in which case the design shall be certified in accordance with Subpart B of this Section.
- (d) The requirements for the approval of minor changes are those established in point 21.Light.A.67.
- (e) The requirements for the approval of major changes are those established in point 21.Light.A.68.

21.Light.A.64 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 the approval of a minor change to a type-certificate under this Subpart.

21.Light.A.65 Application for a change to a type certificate

- (a) An application for approval of a change to a type-certificate shall be made in a form and manner established by the Agency.

- (b) For a major change to a type certificate, the applicant shall include in the application a compliance demonstration plan for the demonstration of compliance in accordance with point 21.Light.A.25 along with a proposal for the certification basis and environmental protection requirements, prepared in accordance with the requirements and options specified in point 21.Light.B.81.

21.Light.A.66 Demonstration of Compliance

- (a) The applicant for major change to a type-certificate shall demonstrate compliance with the applicable type-certification basis, and environmental protection requirements as established and notified to the applicant by the Agency in accordance with point 21.Light.B.81, and shall provide the Agency with the means by which such compliance has been demonstrated.
- (b) The applicant for a major change to a type-certificate shall provide the Agency with a recorded justification of the means of compliance according to the compliance demonstration plan.
- (c) When carrying out testing and inspections to demonstrate compliance in accordance with point (a), the applicant shall have verified prior to carrying out any test:
 - 1. for the test specimen, that:
 - (i) the materials and processes adequately conform to the specifications for the proposed changed type design;
 - (ii) the constituent parts of the products adequately conform to the drawings in the proposed changed type design;
 - (iii) the manufacturing processes, construction and assembly adequately conform to those specified in the proposed changed 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.
- (d) Flight testing for the purpose of obtaining an approval of a major change to a type-certificate shall be conducted in accordance with the methods for such flight testing specified by the Agency. The applicant for a major change to a type-certificate shall make all flight tests necessary to determine compliance with the applicable type-certification basis. The flight tests shall include a period of operation in a final configuration of a sufficient duration to ensure that there will be no safety issues when the aircraft first enters service.
- (e) An applicant for a major change to a type-certificate shall allow the Agency:
 - 1. to review any data and information related to the demonstration of compliance;
 - 2. to witness or carry out any test or inspection conducted for the purpose of the demonstration of compliance; and
 - 3. if considered necessary to conduct a physical inspection of the first article of that product in the final changed configuration to verify compliance of the design with the type-certification basis and applicable environmental protection requirements.
- (f) Upon the completion of compliance demonstration the applicant shall declare to the Agency that:
 - 1. it has demonstrated compliance with the type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.81, according to the compliance demonstration plan; and

2. no feature or characteristic has been identified that may make the changed product unsafe for the uses for which certification is requested.

21.Light.A.67 Requirements for approval of a minor change to a type-certificate

In order to be issued with an approval of a minor change to a type-certificate the applicant shall:

1. demonstrate that the change and areas affected by the change comply
 - a. with the type-certification basis and the environmental protection requirements incorporated by reference in the type-certificate; or
 - b. if the applicant chooses to, with the certification specifications that are applicable to the product on the date of the application for the change;
2. declare compliance with the type-certification basis and the environmental protection requirements that applies in accordance with point (1)(a), or with the certification specifications chosen in accordance with point (1)(b), and record the justifications of compliance in the compliance documents;
3. submit to the Agency the justification of compliance for the change and the declaration of compliance.

21.Light.A.68 Requirements for the approval of a major change to a type-certificate

In order to be issued with an approval of a major change to a type-certificate the applicant shall:

1. demonstrate 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 and notified to the applicant by the Agency in accordance with point 21.Light.B.81;
2. demonstrate compliance in accordance with point 21.Light.A.66;
3. demonstrate that there are no unresolved issues from the physical inspection of the first article of that product in the final changed configuration carried out by the Agency in accordance with point 21.Light.A.66(e)(3).

21.Light.A.69 Approval of a change to a type-certificate under a privilege

- (a) The approval of a change to a type-certificate that it has designed may be issued - instead of the competent authority – by an approved design organisation without an application according to point 21.Light.A.65 in accordance with the scope of its privileges provided for in points (2) and (8) of point 21.A.263(c) of Annex I of Regulation (EU) No 748/2012, as recorded in the terms of approval.
- (b) When issuing an approval of a change to type-certificate in accordance with point (a), the design organisation shall:
 1. ensure that all substantiation data and justifications are available;
 2. ensure that compliance of the change with the type-certification basis and environmental protection requirements according to point (1) of point 21.Light.A.67 or point (1) of point 21.Light.A.68 has been demonstrated and declared;
 3. confirm that it has not found;

- i. any non-compliances with the type-certification basis and where applicable environmental protection requirements, or with the certification specifications chosen;
 - ii. any feature or characteristic of the change that may make the changed product unsafe for the uses for which certification is requested.
- 4. limit the approval of a change to a type-certificate to the specific configuration(s) in the type-certificate to which the change relates.

21.Light.A.70 Obligations for minor changes to a type-certificate

The holder of an approval of a minor change to a type-certificate shall ensure that the obligations for holders of minor change approval of Subpart A are undertaken.

SUBPART E — SUPPLEMENTAL TYPE-CERTIFICATES

21.Light.A.81 Scope

This Subpart establishes the procedure for natural or legal persons other than the holder of that type-certificate for applying for the approval of major changes to type-certificates issued under Annex I Regulation (EU) No 748/2012 or this Annex of products within the scope of point 21.Light.A.21, provided that the changed product is still within the scope of that point, and establishes the rights and obligations of the applicants for, and holders of, those certificates.

21.Light.A.82 Eligibility

Any natural or legal person that has demonstrated or is in the process of demonstrating or have declared, its design capability in accordance with point 21.Light.A.83 may apply for a supplemental type-certificate under the conditions laid down in this Subpart.

21.Light.A.83 Demonstration of design capability

An applicant for a supplemental type-certificate shall demonstrate its design capability by:

1. holding a design organisation approval with the terms of approval covering the scope of product, issued by the Agency in accordance with Subpart J of Annex I of Regulation (EU) No 748/2012; or
2. declaring its design capability for the scope of the product in accordance with Subpart J of this Section.

21.Light.A.84 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 Agency.
- (b) When applying for a supplemental type-certificate, the applicant for a supplemental type-certificate shall:
 1. include in the application the information required by point 21.Light.A.65(b);
 2. 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.

21.Light.A.85 Demonstration of Compliance

- (a) The applicant for a supplemental type-certificate shall demonstrate compliance with the applicable type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.101 and shall provide the Agency with the means by which such compliance has been demonstrated.
- (b) The applicant for a supplemental type-certificate shall provide the Agency with a recorded justification of the means of compliance within compliance documents according to the compliance demonstration plan.

- (c) When carrying out testing and inspections to demonstrate compliance in accordance with point (a), the applicant shall have verified prior to carrying out any test:
1. for the test specimen, that:
 - (i) the materials and processes adequately conform to the specifications for the proposed changed type design;
 - (ii) the constituent parts of the products adequately conform to the drawings in the proposed changed type design;
 - (iii) the manufacturing processes, construction and assembly adequately conform to those specified in the proposed changed 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.
- (d) Flight testing for the purpose of obtaining a supplemental type-certificate shall be conducted in accordance with the methods for such flight testing specified by the Agency. The applicant for a supplemental type-certificate shall make all flight tests necessary to determine compliance with the applicable type-certification basis. The flight tests shall include a period of operation in a final configuration of a sufficient duration to ensure that there will be no safety issues when the aircraft first enters service.
- (e) An applicant for a supplemental type-certificate shall allow the Agency to:
1. review any data and information related to the demonstration of compliance;
 2. witness or carry out any test or inspection conducted for the purpose of the demonstration of compliance; and
 3. conduct a physical inspection of the first article of that product in the final changed configuration to verify compliance of the design with the type-certification basis and applicable environmental protection requirements.
- (f) Upon the completion of compliance demonstration the applicant for a supplemental type-certificate shall declare to the Agency that:
1. it has demonstrated compliance with the type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.101, according to the compliance demonstration plan; and
 2. no feature or characteristic has been identified that may make the changed product unsafe for the uses for which certification is requested.

21.Light.A.86 Requirements for approval of a supplemental type-certificate

- (a) In order to be issued with a supplemental type-certificate the applicant shall:
1. demonstrate its design capability in accordance with point 21.Light.A.83;
 2. demonstrate 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 Agency in accordance with point 21.Light.B.81;
 3. demonstrate compliance in accordance with point 21.Light.A.85;

4. 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.Light.A.84(b), demonstrate that the type certificate holder:
 - (i) has no technical objection to the information submitted under point 21.Light.A.65; and
 - (ii) has agreed to collaborate with the applicant to ensure discharge of all obligations for continued airworthiness of the changed product through compliance with points 21.Light.A.28 and 21.Light.A.88.
 5. demonstrate that there are no unresolved issues from the physical inspection of the first article of that product in the final changed configuration carried out by the Agency in accordance with point 21.Light.A.85 (e)(3).
- (b) A supplemental type-certificate shall be limited to the specific configuration(s) in the type-certificate to which the related major change relates.

21.Light.A.87 Approval of a supplemental type-certificate under a privilege

- (a) The approval of a supplemental type-certificate it has designed may be issued - instead of the competent authority – by an approved design organisation without an application according to point 21.Light.A.84 in accordance with the scope of its privileges provided for in point (9) of point 21.A.263(c) of Annex I of Regulation (EU) No 748/2012, as recorded in the terms of approval.
- (b) When issuing a supplemental type-certificate in accordance with point (a), the design organisation shall:
 1. ensure that all substantiation data and justifications are available;
 2. ensure that compliance of the change with the applicable type-certification basis and environmental protection requirements has been demonstrated and declared;
 3. confirm that it has not found;
 - iii. any non-compliances with the type-certification basis and where applicable environmental protection requirements, or with the certification specifications chosen;
 - iv. any feature or characteristic of the change that may make the changed product unsafe for the uses for which certification is requested.
 4. limit the approval of the supplemental type-certificate to the specific configuration(s) in the type-certificate to which the change relates.

21.Light.A.88 Obligations of a holder of a supplemental type-certificate

Each holder of a supplemental type-certificate shall undertake the obligations of a supplemental type-certificate holder of Subpart A and shall continue to comply with the eligibility requirement under point 21.Light.A.82.

21.Light.A.89 Transferability of a supplemental type-certificate

The holder of a supplemental type-certificate may transfer that certificate, provided that the natural or legal person to whom it is intended to be transferred is eligible in accordance with point 21.Light.A.83 to hold a supplemental type-certificate and is able to undertake the obligations of a supplemental type-certificate holder under point 21.Light.A.88.

21.Light.A.90 Continued validity of a supplemental type-certificate

- (a) A supplemental type certificate shall be valid as long as
 - 1. the supplemental type-certificate is not surrendered by the holder;
 - 2. the holder of the supplemental type-certificate remains in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, taking into account the provisions related to the handling of findings as specified under point 21.Light.B.21;
 - 3. the supplemental type-certificate is not revoked by the Agency in accordance with point 21.Light.B.22.
- (b) Upon surrender or revocation, the type-certificate shall be returned to the Agency.

21.Light.A.91 Changes to a part of a product covered by a supplemental type-certificate

- (a) A minor change to that part of a product covered by a supplemental type-certificate shall be approved in accordance with Subpart D of this Section.
- (b) A 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 in accordance with Subpart D of this Section. Point 21.Light.A.87 applies accordingly.

SUBPART F — CHANGES TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED

21.Light.A.101 Scope

- (a) This Subpart establishes the procedure for declaring design compliance of a change to aircraft design of aircraft for which design compliance has been declared in accordance with Subpart C and establishes the rights and obligations of the declarant.
- (b) This Subpart also defines standard changes that are not subject to a declaration of design compliance under this Subpart.

21.Light.A.102 Standard changes

- (a) Standard changes are changes to an aircraft design of an aircraft for which design compliance has been declared in accordance with Subpart C of this Section, that follow design data included in certification specifications issued by the Agency, containing acceptable methods, techniques and practices for carrying out and identifying standard changes, including the associated instructions for continued airworthiness, and which are not in conflict with the data of the declarant of the declaration of aircraft design compliance.
- (b) Points 21.Light.A.103 to 21.Light.A.107 are not applicable to standard changes.

21.Light.A.103 Classification of changes to an aircraft for which design compliance has been declared

- (a) Changes to aircraft design to an aircraft for which design compliance has been declared in accordance with Subpart C shall be classified as minor and major, using the criteria laid down in 21.Light.A.63 (b) and (c).
- (b) Design compliance of a minor change shall be declared in accordance with point 21.Light.A.105.
- (c) Design compliance of a major change shall be declared in accordance with point 21.Light.A.106

21.Light.A.104 Eligibility

- (a) Only the declarant of a declaration of aircraft design compliance may declare compliance of a minor or major change to an aircraft design to an aircraft for which design compliance has been declared, using the conditions laid down in this Subpart.
- (b) By derogation from point (a), if the declarant for a declaration of aircraft design compliance is no longer active or is unresponsive to requests for design changes, compliance of a changed aircraft may be declared in accordance with Subpart C by an approved design organisation within the scope of their terms of approval, or by a natural or legal person that is able to undertake the obligations of a declarant of a declaration of aircraft design compliance in accordance with point 21.Light.A.47 for the changed aircraft.

21.Light.A.105 Declaration of design compliance for minor changes

- (a) Prior to installing or incorporating or agreeing with a production organisation to install or incorporate a minor change to an aircraft design of an aircraft for which design compliance has been declared, the organisation that has designed that minor change shall declare that the minor change complies with
 - 1. the technical specifications incorporated by reference in the declaration of design compliance of the aircraft, unless the Agency in the meantime has excluded that technical specification or parts of it from the list that is made available in accordance with point 21.Light.B.61 because it has determined that experience from other similar products in service or products that have similar design features, has shown that unsafe conditions may develop and the technical specifications that were referenced in the declaration of design compliance of the aircraft do not address this unsafe condition, or
 - 2. with the technical specifications contained on the date of the declaration of design compliance of the change to an aircraft design in the list that is made available by the Agency in accordance with point 21.Light.B.61, if chosen by the declarant.
- (b) The declaration of design compliance shall be made in the form and manner established by the Agency.
- (c) The declarant may, prior to making a declaration in accordance with point (a), express to the Agency the intent to design a minor change to an aircraft design and to declare its design compliance in accordance with this Subpart, in order to request as a service from the Agency an assessment of the appropriateness of the technical specifications that have been selected for design compliance in accordance with point (a).
- (d) The declarant shall maintain a register of minor changes to aircraft design of aircraft for which design compliance has been declared, and make any declaration made in accordance with point (a) available to the Agency upon request.

21.Light.A.106 Declaration of design compliance for a major change

- (a) Prior to installing or incorporating or agreeing with a production organisation to install or incorporate a major change to an aircraft design of an aircraft for which design compliance has been declared, the organisation that has designed that minor change shall declare that the major change and areas affected by that change comply with
 - 1. the technical specifications incorporated by reference in the declaration of design compliance of the aircraft, unless the Agency in the meantime has excluded that technical specification or parts of it from the list that is made available in accordance with point 21.Light.B.61 because it has determined that experience from other similar products in service or products that have similar design features, has shown that unsafe conditions may develop and the technical specifications that were referenced in the declaration of design compliance of the aircraft do not address this unsafe condition, or
 - 2. with the technical specifications contained on the date of the declaration of design compliance of the change to an aircraft design in the list that is made available by the Agency in accordance with point 21.Light.B.61, if chosen by the declarant.
- (b) The declaration of design compliance shall be made in the form and manner established by the Agency.

(c) The declaration shall contain at least the following information:

1. the name of the person submitting the declaration, address/place of business,
2. declaration reference number of the aircraft to which the major change relates;
3. a unique reference for identifying the major change;
4. the technical specifications and environmental protection requirements applicable according to point 21.Light.B.61 with which the declarant declares compliance;
5. a signed declaration that the major change is in compliance with the applicable technical specifications and the environmental protection requirements referred to in point 4, according to the compliance demonstration plan;
6. a signed declaration that no features or characteristics have been identified that may make the aircraft unsafe for the intended use or environmentally incompatible;
7. a commitment that the obligations in accordance with point 21.Light.A.47 will be undertaken also in respect of the changed aircraft design;
8. the instructions for continued airworthiness;
9. the operating limitations (if changed);
10. the data sheet for airworthiness and if applicable, emissions;
11. the data sheet for noise, if applicable;
12. any other conditions or limitations prescribed for the product in the technical specifications and environmental protection requirements with which the declarant declares compliance with.

(d) The declarant shall submit the declaration of design compliance to the Agency. Together with this declaration, the declarant shall provide to the Agency

1. a drawing of the major change;
2. basic data about the major change, including the operating characteristics, design features and any limitations;
3. a compliance demonstration plan detailing the means for compliance demonstration that was followed during compliance demonstration;
4. a recorded justification of compliance within compliance data and activities according to the compliance demonstration plan;
5. the means by which such compliance with the applicable technical specifications and environmental protection requirements in point 21.Light.B.61 has been demonstrated;
6. where compliance is demonstrated by carrying out tests, recorded justification of the conformity of the test articles and equipment, demonstrating
 - a. for the test specimen, that:
 - (i) the materials and processes adequately conformed to the specifications for the design;
 - (ii) the constituent parts of the products adequately conformed to the drawings in the design;and
 - (iii) the manufacturing processes, construction and assembly adequately conformed to those specified in the design;

- b. that the test and measuring equipment used for the test were adequate for the test and appropriately calibrated.
- 7. reports, results of inspections or tests that the declarant found necessary to determine that the product complies with the applicable technical specifications and environmental requirements.
- (e) The declaration of a major change to a declaration of design compliance shall be limited to the specific configuration(s) in the declaration of design compliance to which the change relates.
- (f) The declarant may, prior to making a declaration in accordance with point (a), express to the Agency the intent to design a major change to an aircraft design and to declare its design compliance in accordance with this Subpart, in order to request as a service from the Agency:
 - 1. an assessment of the appropriateness of the technical specifications that have been selected for design compliance in accordance with point (a);
 - 2. an assessment of the ability of the proposed design change to comply with these technical specifications;
 - 3. advice on the most appropriate means to demonstrate compliance with the technical specifications;
 - 4. an assessment of the completeness of the compliance demonstration plan.

21.Light.A.107 Compliance activities for declaring compliance of a major change

Prior to making a declaration of compliance in accordance with point 21.Light.A.106, the declarant shall for that specific design:

- 1. establish and keep updated a compliance demonstration plan detailing the means for compliance demonstration that shall be followed during compliance demonstration. This document shall be updated as necessary;
- 2. record the justification of compliance within compliance documents according to the compliance demonstration plan;
- 3. perform testing and inspections as necessary in accordance with the compliance demonstration plan;
- 4. ensure and record the conformity of the test articles and equipment and ensure that the test specimen conforms to the specifications, drawings, manufacturing processes, construction and assembly means in the design;
- 5. ensure that the test and measuring equipment to be used for testing are adequate for testing and appropriately calibrated;
- 6. allow the Agency to conduct or participate to any inspections or tests of aircraft in the final or suitably mature design and production configuration that are necessary to determine that the changed product has no feature or characteristic that makes the aircraft unsafe or environmentally incompatible for the intended usage;
- 7. carry out flight testing as necessary in order to determine that the aircraft complies with the applicable technical specifications and environmental requirements and include a period of operation in a final configuration of a sufficient duration to ensure that there will be no safety issues when the aircraft first enters service;

8. perform any necessary flight testing for the purpose of declaring compliance in accordance with the methods for such flight testing specified by the Agency.

DRAFT

SUBPART G - DECLARED PRODUCTION ORGANISATIONS

21.Light.A.121 Scope

This Subpart establishes the procedure of declaring production capability of natural and legal persons showing conformity of products and parts with the applicable design data for the purpose of this Section, and establishes the rights and obligations of the declarant.

21.Light.A.122 Eligibility

A natural or legal person ('organisation'), which

1. has applied or intends to apply for the approval of the design of the product or part in accordance with this Annex; or
2. has declared or intends to declare the compliance of an aircraft design in accordance with this Annex, or
3. is collaborating with the applicant for, or holder of, an approval for that design in accordance with this Annex, or with the organisation that has declared or intends to declare the compliance of that design in accordance with this Annex, in order to ensure that the product or part are in conformity to that design and the continued airworthiness of the product or part,

may declare their production capability under the conditions laid down in this Subpart.

21.Light.A.123 Declaration of production capability

- (a) Prior to producing any products or parts, an organisation intending to show their conformity with the applicable design data shall declare its production capability.
- (b) The declaration, and any subsequent changes thereto, shall be made using the form contained in Appendix [tbd].
- (c) The declaration shall include the information necessary for the competent authority to become familiar with the organisation and the intended scope of work, which includes at least the following:
 1. the registered name of the organisation;
 2. contact details of the organisations registered address of the principal place of business and, where applicable, the contact and the operating sites of the organisation;
 3. names and contact details of the accountable manager of the organisation nominated in accordance with point (c)(1) of point 21.Light.A.125;
 4. the intended scope of work;
 5. the date of intended commencement of production;
 6. a statement confirming that the organisation:
 - i. has a management system for production in accordance with point (a) of point 21.Light.A.124; and
 - ii. will maintain the management system for production in compliance with this Subpart;

7. a statement confirming that the organisation will adhere to the processes and procedures established in accordance with point (e) of point 21.Light.A.124;
 8. a statement that the organisation agrees to undertake the obligations of a declared production organisation in accordance with point 21.Light.A.127.
- (d) The declaration of production capability shall be submitted to the competent authority.

21.Light.A.124 Management system for production

- (a) The declared production organisation shall establish, implement, and maintain a management system for production with clear accountability and lines of responsibility throughout the organisation that:
1. corresponds to the nature and complexity of its activities, the size of the organisation and takes into account the hazards and associated risks inherent in these activities;
 2. is established under the accountability of an accountable manager nominated according to point (c)(1) of point 21.Light.A.125.
- (b) The management system for production shall include a means to manage aviation safety within the organisation by:
1. establishing, implementing and maintaining a safety policy, related safety objectives and a means to measure safety performance;
 2. appointing key safety personnel in accordance with point (c)(2) of point 21.Light.A.125;
 3. establishing a risk management process that includes the identification of aviation safety hazards entailed by its activities, resulting from analysis of the occurrences collected according to point 21.Light.A.3, their evaluation and the management of the associated risks, including taking actions, to mitigate the risks, and verify their effectiveness;
 4. promoting safety in the organisation.
- (c) The management system for production shall include a means to manage quality by maintaining a quality system that shall:
1. ensure that each product or part produced by the declared production 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;
 2. establish, implement, and maintain, as appropriate, within the scope of their activities, 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. the collaboration with the applicant for, or holder of, the design approval or declarant of a declaration of design compliance;
- x. the completion and retention of records;
- xi. the competence and qualifications of personnel;
- xii. the issue of airworthiness release documents;
- xiii. handling, storage and packing;
- xiv. internal quality audits and the resulting corrective actions;
- xv. work performed at any location other than the operating sites included in the declaration;
- xvi. work carried out after the completion of production but prior to delivery, to maintain the aircraft in a condition for safe operation;
- xvii. the request for the issuance of permits to fly and the approval of associated flight conditions.

3. include specific provisions in the control procedures for any critical parts.

- (d) The declared production organisation shall establish, as part of the management system for production, an independent function to monitor the compliance of the organisation with the relevant requirements and compliance with, and adequacy of, the production management system. This monitoring shall include a feedback system to the person or group of persons referred to in points (c)(1) and (2) of point 21.Light.A.125 to ensure, as necessary, corrective action.
- (e) The declared production organisation shall establish, maintain and keep updated, as part of the management system for production, processes and procedures that ensure the compliance of products that are produced with the applicable design data. The declared production organisation shall make documentary evidence of these processes and procedures available to the competent authority upon request.
- (f) The declared production organisation shall have procedures in place to ensure that newly manufactured aircraft are maintained in accordance with the applicable maintenance instructions and are kept in an airworthy condition and, if applicable, that a certificate of release to service is issued for any maintenance that has been completed.
- (g) If the declared production organisation holds (an)other organisation certificate(s) issued on the basis of Regulation (EU) 2018/1139 and its delegated and implementing acts, the production organisation may integrate the production management system with the management system that is required for the issuance of the other certificate(s).

21.Light.A.125 Resources of the declared production organisation

The declared production organisation shall ensure that:

- (a) facilities, working conditions, equipment and tools, processes and associated materials, number and competence of staff, and general organisation are adequate to discharge its obligations under point 21.Light.A.127;
- (b) with regard to all necessary airworthiness and environmental data:

1. the declared production organisation is in receipt of such data from the Agency, and from the declarant of a declaration of design compliance or the holder of, or applicant for, the type certificate, or design approval, to determine conformity with the applicable design data;
 2. the declared production organisation has established a procedure to ensure that airworthiness and environmental data are correctly incorporated in its production data;
 3. such data is 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. an accountable manager has been nominated by the declared production organisation with authority to ensure that, within the organisation, all production is performed to the required standards and that the declared production organisation is continuously in compliance with the requirements of the management system for production referred to in point (a) of point 21.Light.A.124, and the data and the procedures identified in point (e) of point 21.Light.A.124;
 2. a person or group of persons have been nominated by the accountable manager to ensure that the organisation is in compliance with the requirements of this Subpart, and are identified, together with the extent of their authority. Such person or group of persons shall have a responsibility to the accountable manager and direct access to him or her. They shall have 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 declared production organisation in respect of airworthiness and environmental data matters;
 4. the organisational structure of the organisation along with the key personnel that are responsible for ensuring that the organisation is in compliance with this Subpart is documented and kept updated.
- (d) with regard to certifying staff, authorised by the declared production organisation to sign the documents issued under point 21.Light.A.126 within the scope of declared production activities:
1. the knowledge, background (including other functions in the organisation), and experience of the certifying staff are appropriate to discharge their allocated responsibilities;
 2. certifying staff are provided with evidence of the scope of their authorisation. A list of certifying staff shall be maintained by the declared production organisation.

21.Light.A.126 Scope of work

- (a) A declared production organisation is entitled to show conformity of products and parts, which are in the scope of this Section and which it has produced within the declared scope of work, with the applicable design data.
- (b) A declared production organisation is entitled, for a complete aircraft, after presentation of an aircraft statement of conformity (EASA Form 52B) to apply:
1. for an aircraft that conforms to type design approved in accordance with Subpart B of Section B, a certificate of airworthiness and a noise certificate;
 2. for an aircraft that conforms to a design for which compliance has been declared in accordance with Subpart C, a restricted certificate of airworthiness and a restricted noise certificate.
- (c) A declared production organisation is entitled to issue authorised release certificates (EASA Form 1) and statements of conformity (EASA Form 1B) as applicable for parts that either conform to:

1. approved design data issued in accordance with this Subpart B of Section B, D or M;
 2. declared design data for which design compliance has been declared in accordance with Subpart C, F or N;
 3. production data based upon all the necessary approved design data as provided by a repair design approval holder;
- (d) A declared production organisation is entitled to recommend the conditions for an aircraft, which it has produced and for which it has attested conformity with the applicable design data, under which a permit to fly can be issued by the competent authority.
- (e) A declared production organisation is entitled to maintain a new aircraft that it has produced, as necessary to keep it in an airworthy condition, unless Regulation (EU) No 1321/2014 requires the maintenance to be performed under such rules, and to issue a certificate of release to service (EASA Form 53B) in respect of that maintenance.

21.Light.A.127 Obligations of the declared production organisation

- (a) The declared production organisation shall work in accordance with clearly defined procedures, practices and processes.
- (b) If the declared production organisation intends to conduct flight tests then it shall prepare, maintain and keep updated an operations manual that includes a description of the organisation's policies and processes for flight test. The declared production organisation shall make this manual available to the competent authority upon request.
- (c) For completed aircraft, prior to submitting an aircraft statement of conformity (EASA Form 52B) to the competent authority, the declared production organisation shall ensure that the aircraft is in a condition for safe operation and conforms to:
1. the approved type design of a type-certificated product issued in accordance with Subpart B of Section B, or
 2. the design data of an aircraft for which design compliance has been declared in accordance with Section C.
- (d) For products (other than complete aircraft) and parts, prior to issuing an Authorised Release Certificate (EASA Form 1) or a statement of conformity (EASA Form 1B), the declared production organisation shall ensure that the product or part is in a condition for safe operation and conforms to:
1. the approved type design of a type-certificated product issued in accordance with Subpart B of Section B; or
 2. the design data of an aircraft for which design compliance has been declared in accordance with Section C.
- (e) For engines, the declared production organisation shall ensure that the completed engine is in compliance with the applicable emissions requirements.
- (f) The declared production organisation shall include in any Authorised Release Certificates (EASA Form 1) or statements of conformity (EASA Form 1B) that are issued by it the reference number issued by the competent authority in accordance with point 21.Light.B.241 for this declared production organisation.

- (g) The declared production organisation shall ensure that the organisation records the details of any work that is completed.
- (h) The declared production organisation shall provide to the design holder or the declarant of a declaration of design compliance continuing airworthiness support for any products or parts that they have produced.
- (i) The declared production organisation shall have an archiving system that records the requirements that have been placed on other organisations such as suppliers and subcontractors. The declared production organisation shall make the archived data available to the competent authority for continuing airworthiness purposes.
- (j) For the production of new aircraft, the declared production organisation shall ensure that the aircraft is kept in an airworthy condition and that maintenance is performed including any necessary repairs in accordance with the applicable design data prior to the issuance of an aircraft statement of conformity (EASA Form 52B).
- (k) Where the declared production organisation issues a certificate of release to service after such maintenance, determine that each completed aircraft has been subjected to necessary maintenance and is in condition for safe operation, prior to issuing that certificate.
- (l) The declared production organisation shall comply with the requirements applicable to declared production organisation in Subpart A.

21.Light.A.128 Notification of changes and cessation of activities

The declared production organisation shall notify the competent authority without undue delay of the following:

1. any changes to the information that has been declared in accordance with point (c) of point 21.Light.A.123;
2. changes to the management system for production that are significant to the showing of conformity or to the airworthiness and environmental characteristics of the product or part;
3. the cessation of the some or all activities covered by the declaration.

SUBPART H – CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS

21.Light.A.141 Scope

This Subpart establishes the procedure for applying for certificates of airworthiness or a restricted certificates of airworthiness for aircraft the design of which has been certified or declared in accordance with this Annex and establishes the rights and obligations of the applicants for, and holders of those certificates.

21.Light.A.142 Eligibility

Any natural or legal person under whose name an aircraft is registered or will be registered in a Member State ('Member State of registry'), may to apply for a certificate of airworthiness or for a restricted certificate of airworthiness for that aircraft under the conditions laid down in this Subpart.

21.Light.A.143 Application for a certificate of airworthiness and restricted certificate of airworthiness

- (a) A natural or legal person shall apply for a certificate of airworthiness or restricted certificate of airworthiness in a form and manner established by the competent authority of the Member State of registry.
- (b) A natural or legal person may apply for
 - 1. a certificate of airworthiness for aircraft which conform to a type-certificate that has been issued by the Agency in accordance with Subpart B of Section B; or
 - 2. a restricted certificate of airworthiness for aircraft which conform to a declaration of design compliance in accordance with Subpart C which is registered by the Agency in accordance with point 21.Light.B.63 at the time of application.
- (c) For a new aircraft, that conforms to a type-certificate issued by the Agency the applicant shall include in the application:
 - 1. an aircraft statement of conformity (EASA Form 52 or EASA Form 52B) that is either issued or signed by:
 - i. a production organisation that has declared their production capability under Subpart G of this Section and registered by the competent authority in accordance with point 21.Light.B.141; or
 - ii. a production organisation approval holder under the privileges of point (b) of point 21.A.163 of Annex I to Regulation (EU) No 748/2012;
 - 2. a weight and balance report with a loading schedule;
 - 3. the flight manual if required by the applicable type-certification basis.
- (d) For a new aircraft that conforms to a declaration of design compliance which is registered by the Agency, the applicant shall include in the application:
 - 1. an aircraft statement of conformity (EASA Form 52B) that is either issued or signed by:
 - a. a natural or legal person in accordance with Subpart R of this Section;

- b. a production organisation that has declared their production capability under Subpart G of this this Section and registered by the competent authority in accordance with point 21.Light.B.141; or
 - c. a production organisation approval holder under the privileges of point (b) of point 21.A.163 of Annex I to Regulation (EU) No 748/2012;
- 2. a weight and balance report with a loading schedule;
- 3. the flight manual if required by the applicable technical specifications for the declaration of design compliance.
- (e) For a used aircraft originating from a Member State, the applicant shall include in the application an airworthiness review certificate issued in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014.
- (f) For a used aircraft originating from a non-member State, the applicant shall include in the application
 - 1. a statement from the competent authority of the State where the aircraft is, or was, registered, reflecting the airworthiness status of the aircraft at the time of transfer;
 - 2. the historical records to establish the production, modification, and maintenance standard of the aircraft;
 - 3. a weight and balance report with a loading schedule;
 - 4. the flight manual;
 - 5. a recommendation for the issuance of a certificate of airworthiness or restricted certificate of airworthiness and for an airworthiness review certificate following an airworthiness review carried out in accordance with Annex I (Part-M) or Annex Vb (Part-ML) to Commission Regulation (EU) No 1321/2014.
- (g) Unless otherwise agreed, the statements referred to in points (c)(1), (d)(1) and (f)(1) shall be issued no more than 60 days before presentation of the aircraft to the competent authority of the Member State of registry.

21.Light.A.144 Obligations on the applicant for a certificate of airworthiness or restricted certificate of airworthiness

The applicant for a certificate of airworthiness or for a restricted certificate of airworthiness shall

- (a) present the manuals, placards, listings, and instrument markings and other necessary information required by applicable type-certification basis or by the applicable technical specifications for declarations of design compliance in one or more of the official language(s) of the European Union acceptable to the competent authority of the Member State of registry;
- (b) demonstrate that its aircraft is identified in accordance with Subpart Q of this Section;
- (c) arrange for inspections of the competent authority of the Member State of registry to assess whether the aircraft has any non-conformities that could affect the safety of the aircraft.

21.Light.A.145 Transferability of a certificate of airworthiness and of a restricted certificate of airworthiness

Where ownership of an aircraft has changed:

- (a) if it remains on the same register, the certificate of airworthiness, or the restricted certificate of airworthiness issued in accordance with Subpart H of Section B shall be transferred together with the aircraft;
- (b) if the aircraft is intended to be registered in another Member State, the natural or legal person under whose name the aircraft will be registered shall apply for a new certificate of airworthiness or restricted certificate of airworthiness with the competent authority of the new Member State of registry and shall include in this application the former certificate of airworthiness or restricted certificate of airworthiness issued in accordance with Subpart H of Section B and a valid airworthiness review certificate issued in accordance with Annex I (Part M) or Annex Vb (Part ML) of Regulation (EU) No 1321/2014.

21.Light.A.146 Continued validity of a certificate of airworthiness and of a restricted certificate of airworthiness

- (a) A certificate of airworthiness and restricted certificate of airworthiness shall remain valid as long as:
 - 1. the aircraft remaining on the same register;
 - 2. the certificate not being surrendered by the holder;
 - 3. the holder remains in compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts and with the applicable type-design or with the applicable design data of an aircraft for which design compliance has been declared, and with the continuing airworthiness requirements, taking into account the provisions related to the handling of findings as specified under point 21.Light.B.21;
 - 4. the certificate is not being revoked by the competent authority of the Member State of registry under point 21.Light.B.22.
- (b) Upon surrender or revocation, the certificate shall be returned to the competent authority of the Member State of registry.

SUBPART I — NOISE CERTIFICATES AND RESTRICTED NOISE CERTIFICATES

21.Light.A.161 Scope

This Subpart establishes the procedure for applying for noise certificates or a restricted noise certificates for aircraft the design of which has been certified or declared in accordance with this Annex and establishes the rights and obligations of the applicants for, and holders of those certificates.

21.Light.A.162 Eligibility

Any natural or legal person under whose name an aircraft is registered or will be registered in a Member State may apply for a noise certificate or a restricted noise certificate for that aircraft under the conditions laid down in this Subpart.

21.Light.A.163 Application

- (a) A natural or legal person shall apply for noise certificate or restricted noise certificate in a form and manner established by the competent authority of the Member State of registry.
- (b) A natural or legal person may apply for
 - 1. a noise certificate for aircraft which conform to a type-certificate that has been issued in accordance with Subpart B of Section B; or
 - 2. a restricted noise certificate for aircraft which conform to a declaration of design compliance submitted in accordance with Subpart C which is registered by the Agency in accordance with point 21.Light.B.63 at the time of application.
- (c) The applicant shall include in the application:
 - 1. with regard to new aircraft:
 - i. an aircraft statement of conformity (EASA Form 52 or EASA Form 52B) that is either issued or signed by:
 - a. a natural or legal person in accordance with Subpart R of this Section;
 - b. a production organisation that has declared their production capability under Subpart G of this this Section and registered by the competent authority in accordance with point 21.Light.B.141; or
 - c. a production organisation approval holder under the privileges of point (b) of point 21.A.163 of Annex I to Regulation (EU) No 748/2012;
 - ii. the reference to the noise record within the Agency database of noise levels reflecting the noise information determined in accordance with the applicable noise requirements;
 - 2. with regard to used aircraft:
 - i. the reference to the noise record within the Agency database of noise levels reflecting the noise information determined in accordance with the applicable noise requirements; and

- ii. the historical records to establish the production, modification, and maintenance standard of the aircraft.
- (d) Unless otherwise agreed, the statements referred to in point (i) of point (c)(1) shall be issued no more than 60 days before presentation of the aircraft to the competent authority of the Member State of registry.

21.Light.A.164 Transferability and re-issuance within Member States

Where ownership of an aircraft has changed:

- (a) if the aircraft remains on the same register, the noise certificate or restricted noise certificate issued in accordance with Subpart I of Section B shall be transferred together with the aircraft;
- (b) if the aircraft is intended to be registered in another Member State, the natural or legal person under whose name the aircraft will be registered shall apply for a new noise certificate or restricted noise certificate with the competent authority of the new Member State of registry and shall include in this application the former noise certificate or restricted noise certificate issued in accordance with Subpart I of Section B.

21.Light.A.165 Continued validity of a noise certificate and of a restricted noise certificate

- (a) A noise certificate or restricted noise certificate shall remain valid as long as:
 - 1. the aircraft remaining on the same register;
 - 2. the certificate not being surrendered by the holder;
 - 3. the holder remains in compliance with the relevant environmental protection requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts and the applicable and with the applicable type-design or with the applicable design data of an aircraft for which design compliance has been declared, taking into account the provisions related to the handling of findings as specified under point 21.Light.B.21;
 - 4. the certificate is not being revoked by the competent authority of the Member State of registry under point 21.Light.B.22.
- (b) Upon surrender or revocation, the certificate shall be returned to the competent authority of the Member State of registry.

SUBPART J — DECLARED DESIGN ORGANISATIONS

21.Light.A.171 Scope

This Subpart establishes the procedure of declaring design capability of a natural and legal persons designing products under this Section, and establishes the rights and obligations of the declarant.

21.Light.A.172 Eligibility

A natural or legal person ('organisation') required by point 21.Light.A.22, point 21.Light.A.82 or point 21.Light.A.204 to demonstrate their design capability may declare it under the conditions laid down in this Subpart.

21.Light.A.173 Declaration of design capability

- (a) Prior to or at the same time as applying for a design approval under this Section, or prior to submitting the application for the approval of flight conditions in accordance with point 21.A.710 of Annex I to Regulation (EU) No 748/2012 of a product designed by it, whatever comes first, the organisation shall submit a declaration of design capability to the Agency.
- (b) The declaration, and any subsequent changes thereto, shall be made in a form and manner established by the Agency.
- (c) The declaration shall include the information necessary for the Agency to become familiar with the organisation and the intended scope of work, which includes at least the following:
 - 1. the registered name of the organisation;
 - 2. contact details of the organisations registered address of the principal place of business and, where applicable, of the operating sites of the organisation;
 - 3. names and contact details of the head of the design organisation;
 - 4. the intended scope of work;
 - 5. a statement confirming that the organisation
 - A. has a management system for design in accordance with point (a) of point 21.Light.A.174; and
 - B. will maintain the management system for design in compliance with this Subpart;
 - 6. a statement confirming that the organisation will adhere to the processes and procedures established in accordance with point (e) of point 21.Light.A.174;
 - 7. a statement that the organisation agrees to undertake the obligations of a declared design organisation in accordance with point 21.Light.A.177.
- (d) The declaration of design capability shall be submitted to the Agency.

21.Light.A.174 Management system for design

- (a) The declared design organisation shall establish, implement, and maintain a management system for design with clear accountability and lines of responsibility throughout the organisation that:
 - 1. corresponds to the nature and complexity of its activities, the size of the organisation and takes into account the hazards and associated risks inherent in these activities;
 - 2. is established under the accountability of a single manager nominated as the head of the design organisation according to point (a) of point 21.Light.A.175.
- (b) The management system for design shall include a means to manage aviation safety within the organisation by:
 - 1. establishing, implementing and maintaining a safety policy, related safety objectives and a means to measure safety performance;
 - 2. appointing key safety personnel in accordance with point (b) of point 21.Light.A.175;
 - 3. establishing a risk management process that includes the identification of aviation safety hazards entailed by its activities, resulting from analysis of the occurrences collected according to point 21.Light.A.3, their evaluation and the management of the associated risks, including taking actions, to mitigate the risks, and verify their effectiveness;
 - 4. promoting safety in the organisation.
- (c) The declared design organisation shall establish, as part of the management system for design shall include a means to provide design assurance by establishing, implementing and maintaining a system for the control and supervision of the design, and of design changes and repairs, of products. This system shall:
 - 1. include an airworthiness function responsible for ensuring that the design of products or the design of changes and repairs thereof, comply with the applicable type-certification basis and the environmental protection requirements;
 - 2. establish, implement and maintain an independent verification function of the demonstration of compliance on the basis of which the organisation declares compliance with the applicable type-certification basis, and with the environmental protection requirements;
 - 3. specify the manner in which the design assurance system accounts for the acceptability of the parts that are designed or the tasks that are performed by partners or subcontractors according to methods which are the subjects of written procedures.
- (d) The declared design organisation shall establish, as part of the management system for design, an independent function to monitor the compliance of the organisation with the relevant requirements and compliance with, and adequacy of, the management system for design. This monitoring shall include a feed-back system to the person or a group of persons referred to in point (b) of point 21.Light.A.175, and to the accountable manager referred to in point (a) 21.Light.A.175 to ensure, as necessary, corrective action.
- (e) The declared design organisation shall establish, maintain and keep updated processes and procedures that ensure the design compliance of products with the applicable type-certification basis. The declared design organisation shall make documentary evidence of these processes and procedures available to the Agency upon request.
- (f) Where any parts or any changes to the products are designed by partner organisations or subcontractors, the process and procedures in point (e) shall include a description of how the design organisation is able to give, for all parts the assurance of compliance required by point

(c)(2), and shall contain, directly or by cross-reference, descriptions and information on the design activities and organisation of those partners or subcontractors.

- (g) If the declared design organisation holds (an)other organisation certificate(s) issued on the basis of Regulation (EU) 2018/1139 and its delegated and implementing acts, the declared design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s).

21.Light.A.175 Resources of the declared design organisation

- (a) The declared design organisation shall nominate a head of the design organisation with the authority for ensuring that, within the organisation, all design activities are performed to the required standards and that the declared design organisation is continuously in compliance with the requirements for the management system for design referred to in points (a) to (d) of point 21.Light.A.174 and the procedures referred to in point (e) of point 21.Light.A.174.
- (b) The head of the design organisation shall nominate and identify key personnel within the organisation that are responsible for:
1. ensuring that the design of products and the design of changes and repairs thereof, comply with the applicable type-certification basis, and with the environmental protection requirements;
 2. the independent monitoring of compliance and adequacy function; and
 3. depending on the size of the organisation any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Section.
- (c) The person or group of persons identified in point (b) shall have:
1. a responsibility to the head of the design organisation and direct access to him or her;
 2. the appropriate knowledge, background and experience to discharge their allocated responsibilities.
- (d) The declared design organisation shall ensure that:
1. 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 that the products designed are airworthy and environmentally compatible;
 2. there is full and efficient coordination within the declared design organisation in respect of airworthiness and environmental matters.
- (e) The declared design organisation shall document the organisational structure of their organisation along with the key personnel that are responsible for ensuring that the organisation is in compliance with this Subpart, keep them updated and make them available to the Agency upon request.

21.Light.A.176 Scope of work

The declared design organisation shall identify the types of design work, the categories of products, for which design activities are conducted, and the functions and duties that the organisation performs in regard to the airworthiness and characteristics of noise, fuel venting and exhaust emissions of products.

21.Light.A.177 Obligations of the declared design organisation

A declared design organisation shall:

1. work in accordance with clearly defined procedures, practices and processes;
2. if the declared design organisation intends to conduct flight testing, maintain and keep updated an operations manual that provides a description of the organisation's policies and processes for flight test;
3. determine if the design of products including changes and repairs do not have any unsafe features and comply with the applicable type-certification basis, and with the environmental protection requirements, and provide the Agency with statements/documentations confirming this;
4. provide the Agency with information or instructions relating to continued airworthiness actions.
5. comply with the requirements applicable to declared design organisations in Subpart A.

21.Light.A.178 Notification of changes and cessation of activities

The declared design organisation shall notify the Agency without undue delay of the following:

1. any changes to the information that has been declared in accordance with point (c) of point 21.Light.A.173;
2. changes to the management system for design that are significant to the demonstration of compliance of the product designed by them;
3. the cessation of some or all activities covered by the declaration.

SUBPART K — PARTS

21.Light.A.191 Scope

This Subpart establishes how compliance of parts with the airworthiness requirements shall be shown.

21.Light.A.192 Showing of Compliance

- (a) The showing of compliance with the airworthiness requirements of parts to be installed in a type-certificated product or an aircraft for which design compliance has been declared, shall be made:
 - 1. in conjunction with the type-certification procedures of Subpart B, D or E for the product in which it is to be installed;
 - 2. in conjunction with the declaration of design compliance procedures of Subpart C or F for the product in which it is to be installed; or
 - 3. under the ETSO authorisation procedure of Subpart O of Section A of Annex I of Regulation (EU) No 748/2012; or
 - 4. in the case of standard parts, in accordance with officially recognised standards.
- (b) In all cases where the approval of a part is explicitly required by Union law or Agency measures, the part shall comply with the applicable ETSO or with the specifications recognised as equivalent by the Agency in the particular case.

21.Light.A.193 Release of parts for installation

- (a) A part shall only be installed in a type-certified product or in an aircraft for which design compliance has been declared, when it is in a condition for safe operation, marked in accordance with Subpart Q of this Section and accompanied by an authorised release certificate (EASA Form 1) or a statement of conformity (EASA Form 1B), certifying that the item was manufactured in conformity with approved or declared design data.
- (b) By way of derogation from point (a) and provided that the conditions in point (c) are met, the following parts do not require an authorised release certificate (EASA Form 1) or a statement of conformity (EASA Form 1B) in order to be installed in a type-certified product or in an aircraft for which design compliance has been demonstrated:
 - (1) a standard part;
 - (2) a part 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;
 - (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 for which the consequences of a non-conformity with its approved design data or declared design data has a negligible safety effect on the product and which is identified as such by the holder of the design approval or the declarant of design compliance in the instructions for continued airworthiness. In order to determine the safety effects of a non-conforming part, the design approval holder or declarant of design compliance may establish

in the instructions for continued airworthiness specific verification activities to be conducted by the installer of the part on the product;

- (4) in the case of the embodiment of a standard change as per 21.Light.A.102 or a standard repair as per point 21.Light.A.202, a part, for which the consequences of a non-conformity with its design data have a negligible safety effect on the product, and the part is identified as such in the certification specifications for standard changes and standard repairs issued in accordance with point 21.B.70 of Annex I to Regulation (EU) No 748/2012. In order to determine the safety effects of a non-conforming part, specific verification activities to be conducted by the person that installs the part in the product may be established in these certification specifications;
 - (5) a part that is exempted from an airworthiness approval in accordance with Commission Regulation (EU) No 965/2012; and
 - (6) a part that is an item of a higher assembly identified in points (b)(1) to (b)(5).
- (c) Parts listed in point (b) are eligible for installation in a type-certified product or in an aircraft for which design compliance has been declared without being accompanied by an EASA Form 1 or an EASA Form 1B, provided that the installer holds a document issued by the person or organisation that manufactured the part, which declares the name of the part, the part number, and the conformity of the part with its design data, and which contains the issuance date.

SUBPART M — DESIGN OF REPAIRS TO TYPE-CERTIFIED PRODUCTS

21.Light.A.201 Scope

- (a) This Subpart establishes the procedure for applying for the approvals of repair designs to type-certificated products and establishes the rights and obligations of the applicants for, and holders of, those approvals.
- (b) This Subpart also defines standard repairs that are not subject to an approval under this Subpart.

21.Light.A.202 Standard repairs

- (a) Standard repairs are repair design to a type-certificated product approved in accordance with Subpart B of Section B, that follow design data included in certification specifications issued by the Agency, containing acceptable methods, techniques and practices for carrying out and identifying standard repairs, including the associated instructions for continuing airworthiness, and which are not in conflict with the data of the holder of that type certificate.
- (b) Points 21.Light.A.203 to 21.Light.A.211 are not applicable to standard repairs.

21.Light.A.203 Classification of repair designs to a type-certified product

- (a) Repair design to a type-certificated product shall be classified as minor and major.
- (b) A “minor repair” is a repair design that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, or other characteristics affecting the airworthiness of the product and does not change its environmental characteristics.
- (c) All other repair designs are “major repairs”, unless the repair design in design, power, thrust, or mass is so extensive that a substantially complete investigation of compliance with the applicable type-certification basis or with the applicable technical specifications is required, in which case the design shall be certified in accordance with Subpart B of this Section.
- (d) The requirements for the approval of minor repair designs are those established in point 21.Light.A.207.
- (e) The requirements for the approval of major repair designs are those established in point 21.Light.A.208.

21.Light.A.204 Eligibility

- (a) Any natural or legal person that has demonstrated, or is in the process of demonstrating its design capability in accordance with point 21.Light.A.23 may apply for the approval of a major repair design to a type-certified product under the conditions laid down in this Subpart.
- (b) Any natural or legal person may apply for the approval of a minor repair design to a type-certified product under the conditions laid down in this Subpart.

21.Light.A.205 Application for the approval of a repair design to a type-certified product

- (a) An application for approval of a repair design to a type-certified product shall be made in a form and manner established by the Agency.
- (b) For the approval of a major repair design the applicant shall include in the application, or supplement it after the initial application, a compliance demonstration plan containing:
 - 1. a description of the damage and the design identifying the configuration of the type design upon which the repair design 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 or the supplemental type-certificate;
 - 4. any proposed amendments to the type-certification basis incorporated by reference in, as applicable, either the type-certificate or supplemental type-certificate;
 - 5. the specification 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.

21.Light.A.206 Demonstration of Compliance

- (a) The applicant for the approval of a major repair design shall demonstrate compliance with the applicable type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.201 and shall provide the Agency with the means by which such compliance has been demonstrated.
- (b) The applicant for the approval of a major repair design shall provide the Agency with a recorded justification of the means of compliance within compliance documents according to the compliance demonstration plan.
- (c) When carrying out testing and inspections to demonstrate in accordance with point (a), the applicant shall have verified prior to carrying out any test:
 - 1. for the test specimen, that:
 - (i) the materials and processes adequately conform to the specifications for the proposed type design;
 - (ii) the constituent parts of the products adequately conform to the drawings in the proposed type design;
 - (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.
- (d) Flight testing for the purpose of obtaining an approval of a major repair design shall be conducted in accordance with methods for such flight testing specified by the Agency. The applicant shall make all flight tests necessary to determine compliance with the applicable type-certification basis. The flight tests shall include a period of operation in a final configuration of a sufficient duration

to ensure that there will be no safety issues when the aircraft with the repair design first enters service.

- (e) An applicant for the approval of a major repair design shall allow the Agency to:
1. review any data and information related to the demonstration of compliance;
 2. witness or carry out any test or inspection conducted for the purpose of the demonstration of compliance; and
 3. if considered necessary to conduct a physical inspection of the repaired product to verify compliance of the design with the type-certification basis and applicable environmental protection requirements.
- (f) Upon the completion of compliance demonstration the applicant shall declare to the Agency that:
1. it has demonstrated compliance with the type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with points 21.Light.B.201, according to the compliance demonstration plan; and
 2. no feature or characteristic has been identified that may make the product with the repair design unsafe for the uses for which certification is requested.

21.Light.A.207 Requirements for the approval of a minor repair design

In order to be issued with an approval of a minor repair design to a type-certified product the applicant shall:

1. demonstrate that the repair design and areas affected by the repair design comply:
 - a. with the type-certification basis and the environmental protection requirements incorporated by reference in the type-certificate; or
 - b. if the applicant chooses to, with the certification specifications that are applicable to the product on the date of the application for the approval of the repair design;
2. declare compliance with the type-certification basis and the environmental protection requirements that applies in accordance with point (1)(a), or with the certification specifications chosen in accordance with point (1)(b), and record the justifications of compliance in the compliance documents;
3. submit to the Agency the justification of compliance for the change and the declaration of compliance.

21.Light.A.208 Requirements for the approval of a major repair design

In order to be issued with an approval of a major repair design to a type-certified product the applicant shall

1. demonstrate that the repair design and areas affected by the repair design comply with the type-certification basis and environmental protection requirements as established and notified to the applicant by the Agency in accordance with point 21.Light.B.201;
2. demonstrate compliance in accordance with point 21.Light.A.206;

3. demonstrate that there are no unresolved issues from the physical inspection of the first article of that product with the repair design in the final changed configuration carried out by the Agency in accordance with point 21.Light.A.206(e)(3).

21.Light.A.209 Approval of a repair design under a privilege

- (a) The approval of a repair design it has designed may be issued - instead of the competent authority – by an approved design organisation without an application according to point 21.Light.A.205 in accordance with the scope of its privileges provided for in point (2) and (5) of point 21.A.263(c) of Annex I of Regulation (EU) No 748/2012, as recorded in the terms of approval.
- (b) When issuing a repair approval in accordance with point (a), the design organisation shall:
 1. ensure that all substantiation data and justifications are available;
 2. ensure that compliance of the change with the type-certification basis and environmental protection requirements according to point (1) of point 21.Light.A.207 or point (1) of point 21.Light.A.208 has been demonstrated and declared;
 3. confirm that it has not found;
 - i. any non-compliances with the type-certification basis and where applicable environmental protection requirements, or with the certification specifications chosen;
 - ii. any feature or characteristic of the repair that may make the changed product unsafe for the uses for which certification is requested.
 4. limit the approval of a repair to a type-certificate to the specific configuration(s) in the type-certificate to which the repair relates.

21.Light.A.210 Obligations of a holder of a repair design approval

The holder of a repair design approval shall

1. if they are not the type-certificate or supplemental type-certificate holder, establish an arrangement with the relevant holder;
2. provide to the organisation performing the repair all the necessary instructions to install or embody the repair design;
3. support any production organisation producing parts for the repair design, and ensure that any those parts are produced using production data that is based upon the design data that is provided by the repair design approval holder;
4. if a repair design is approved subject to limitations, the applicant shall ensure that the repair design includes all necessary instructions and limitations. These instructions and limitations shall be transmitted by the holder of the repair design approval to the operator in accordance with a procedure agreed with the Agency;
5. undertake the obligations of a repair design holder of Subpart A.

21.Light.A.211 Unrepaired damage

A damage to a product, the design of which has been approved in accordance with Section B, may not require a repair design, when an evaluation of the airworthiness consequences justifies it. Such evaluation is to be made by either the Agency or by a design organisation, which is appropriately approved in accordance with Subpart J of Annex I to Regulation (EU) No 748/2012, under a procedure accepted by the Agency. If the evaluation concludes that an unrepaired damage requires limitations, those shall be processed in accordance with point (d) of point 21.Light.A.210.

DRAFT

SUBPART N — DESIGN OF REPAIRS TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED

21.Light.A.221 Scope

- (c) This Subpart establishes the procedure for declaring design compliance of repair designs to an aircraft for which design compliance has been declared in accordance with Subpart C and establishes the rights and obligations of the declarant.
- (d) This Subpart also defines standard repairs that are not subject to a declaration of design compliance under this Subpart.

21.Light.A.222 Standard repairs

- (a) Standard repairs are repair design to a an aircraft for which design compliance has been declared accordance with Subpart C, that follow design data included in certification specifications issued by the Agency, containing acceptable methods, techniques and practices for carrying out and identifying standard repairs, including the associated instructions for continuing airworthiness, and are not in conflict with the data of the declared design.
- (b) Points 21.Light.A.223 to 21.Light.A.229 are not applicable to standard repairs.

21.Light.A.223 Classification of repair designs to an aircraft for which design compliance has been declared

- (a) Repair designs to an aircraft for which design compliance has been declared in accordance with Subpart C shall be classified as either major or minor, using the criteria laid down in point 21.Light.A.203 (b) and (c).
- (b) Design compliance of a minor repair design shall be declared in accordance with point 21.Light.A.225.
- (c) Design compliance of a major repair design shall be declared in accordance with point 21.Light.A.226.

21.Light.A.224 Eligibility

- (a) Only the declarant of a registered declaration of aircraft design compliance may declare compliance of a minor or major repair design to an aircraft for which design compliance has been declared, using the conditions laid down in this Subpart.
- (c) By derogation from point (a) if the declarant for a declaration of aircraft design compliance is no longer active or is unresponsive to requests for repair designs, compliance of a changed product may be declared in accordance with Subpart C by an approved design organisation within the scope of their terms of approval, or by a natural or legal person that is able to undertake the obligations of a declarant of a declaration of aircraft design compliance in accordance with point 21.Light.A.47 for the changed aircraft.

21.Light.A.225 Declaration of design compliance for minor repair designs

- (a) Prior to incorporating or embodying or agreeing with a production organisation to incorporate or embody a minor repair design to an aircraft for which design compliance has been declared, the declarant shall declare that the minor repair design complies with the technical specifications and environmental protection requirements with which they had declared aircraft compliance according to point 21.Light.A.43.
- (b) The declaration of design compliance shall be made in the form and manner established by the Agency.
- (c) The declarant shall maintain a register of minor repair designs to aircraft for which design compliance has been declared, and make any declaration made in accordance with point (a) available to the Agency upon request.

21.Light.A.226 Declaration of design compliance of major repair designs

- (a) Prior to incorporating or embodying or agreeing with a production organisation to incorporate or embody a major repair design to an aircraft for which design compliance has been declared, the declarant shall declare that the major repair design complies with technical specifications and environmental protection requirements with which they had declared aircraft compliance according to point 21.Light.A.43.
- (b) The declaration of design compliance shall be made in a form and manner established by the Agency.
- (c) The declaration shall contain at least the following information:
 - 1. the name of the person submitting the declaration, address/place of business,
 - 2. declaration reference number of the aircraft to which the major repair design relates;
 - 3. a unique reference for identifying the major repair design;
 - 4. the technical specifications and environmental protection requirements applicable according to point 21.Light.B.61 with which the declarant declares compliance;
 - 5. a signed declaration that the major repair design is in compliance with the applicable technical specifications and the environmental protection requirements referred to in point 4, according to the compliance demonstration plan;
 - 6. a signed declaration that no features or characteristics have been identified that may make the aircraft unsafe for the intended use or environmentally incompatible;
 - 7. a description of the damage and the design identifying the configuration of the type design upon which the repair is made;
 - 8. an identification of all areas of the type design and the approved manuals that are changed or affected by the repair design.
- (d) The declarant shall retain all necessary substantiation data and provide it on request to the Agency.

21.Light.A.227 Compliance activities for declaring compliance of a major repair design

Prior to making a declaration of compliance in accordance with 21.Light.A.226, the declarant shall:

1. establish and keep updated a compliance demonstration plan detailing the means for compliance demonstration that shall be followed during compliance demonstration. This document shall be updated as necessary;
2. record the justification of compliance within compliance documents according to the compliance demonstration plan;
3. perform testing and inspections as necessary in accordance with the compliance demonstration plan;
4. ensure and record the conformity of the test articles and equipment and ensure that the test specimen conforms to the specifications, drawings, manufacturing processes, construction and assembly means in the design.
5. ensure that the test and measuring equipment to be used for testing are adequate for testing and appropriately calibrated.
6. allow the Agency to conduct or participate to any inspections or tests of aircraft in the final or suitably design and production configuration that are necessary to determine that the product with the repair design has no feature or characteristic that makes the aircraft unsafe or environmentally incompatible for the intended usage.
7. carry out flight testing as necessary in order to determine that the aircraft complies with the applicable technical specifications and environmental requirements.
8. perform any necessary flight testing for the purpose of declaring compliance in accordance with the flight conditions for such flight testing specified by the Agency.

21.Light.A.228 Obligations of the declarant of a declaration of design compliance of a repair design

The declarant of design compliance shall

1. provide to the organisation performing the repair all the necessary instructions to install or embody the repair design;
2. support any production organisation producing parts for the repair design, and ensure that any those parts are produced using production data that is based upon the design data that is provided by the declarant;
3. if a repair design is declared subject to limitations, the declarant shall transmit these limitations to the operator using a documented procedure that is made available to the Agency upon request
4. undertake the obligations of a declarant of design compliance of a repair design of Subpart A.

21.Light.A.229 Unrepaired damage

The declarant of design compliance of an aircraft in accordance with Subpart C shall conduct an evaluation of the airworthiness consequences of any damage to such aircraft that is left unrepaired and that is not covered by previously declared data. Any necessary limitations shall be processed in accordance with point (3) of point 21.Light.A.228.

SUBPART P — PERMIT TO FLY

21.Light.A.241 Permit to fly and Flight Conditions

- (a) The procedures for applying for the issuance of permits to fly and related flight conditions for aircraft within the scope of this Annex shall be those established in Subpart P of Annex I to Regulation (EU) No 748/2012 and those established in points (b) and (c).
- (b) When applying for a permit to fly in accordance with point 21.A.707 of Annex I to Regulation (EU) No 748/2012, the applicant shall arrange for the competent authority to conduct a conformity inspection of the aircraft.
- (c) When applying for flight conditions in accordance with point 21.A.709 of Annex I to Regulation (EU) No 748/2012 and when the flight conditions are related to the safety of the design the applicant shall arrange for the Agency to physically inspect and test the aircraft and, in case the flight conditions are related to an aircraft for certification of the design is intended, to conduct a critical design review.

SUBPART Q — IDENTIFICATION OF PRODUCTS AND PARTS

21.Light.A.251 Scope

This Subpart establishes the requirements for the identification of products and parts designed and produced under this Annex.

21.Light.A.252 Design of markings

- (a) The holder of a type-certificate, supplemental type-certificate, approval of a change to type-certificate or approval of a repair design, or the declarant of a declaration of design compliance shall specify in the design data the marking of products and parts designed in accordance with this Annex.
- (b) The specifications of the marking shall include the following information For products the marking shall include specifications for the following information:
 - 1. for products
 - i. name of the production organisation;
 - ii. product designation;
 - iii. serial number of the product;
 - iv. any other information appropriate to identify the product.
 - 2. for parts
 - i. a name, trademark, or symbol identifying the production organisation;
 - ii. the part number
 - iii. the serial number, in case a part to be fitted on a product has been identified as a critical part.

21.Light.A.253 Identification of products

- (a) Any natural or legal person that produces under Subpart G of Annex I of Regulation (EU) No 748/2012 or under Subpart G or R products for which the design has been approved or declared in accordance with this Annex shall identify that product as specified in accordance with 21.Light.A.252 by means of a fireproof marking on a fireproof plate.
- (b) 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, and in the case of a propeller, propeller blade, or propeller hub, placed on it on a non-critical surface.
- (c) For manned balloons, the identification plate 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 name of the production organisation, part number, or equivalent, and serial number, or equivalent.

21.Light.A.254 Handling of identification data

- (a) No person shall remove, change, or place identification information referred to in point (a) of point 21.Light.A.253, without the approval of the Agency.
- (b) No person shall remove or install any identification plate referred to in point (a) of point 21.Light.A.253, without the approval of the Agency.
- (c) By way of derogation from points (a) and (b), any natural or legal person performing maintenance work in accordance with Regulation (EU) No 1321/2014 may, in accordance with methods, techniques and practices established by the Agency:
 - 1. remove, change, or place the identification information referred to in point 21.Light.A.253; or
 - 2. remove an identification plate referred to in point 21.Light.A.253, 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.Light.A.255 Identification of parts

Any natural or legal person that produces under Subpart G of Annex I of Regulation (EU) No 748/2012 or under Subpart G or R of Section A parts for a product for which the design has been approved or declared in accordance with this Annex shall permanently and legibly mark that part as specified in accordance with point 21.Light.A.252.

SUBPART R - STATEMENT OF CONFORMITY FOR AIRCRAFT, ENGINE AND PROPELLER, AND PARTS THEREOF, THAT CONFORM TO A DECLARATION OF DESIGN COMPLIANCE

21.Light.A.271 Scope

This Subpart establishes the procedures for the issuance of statements of conformity for aircraft, engine, or propeller, or a part thereof, that have been produced in conformity with the design data of a declaration of design compliance, and the rights and obligations of the declarant.

21.Light.A.272 Eligibility

Any natural or legal person which is granted access to the applicable design data and is able to undertake the obligations stated in point 21.Light.A.275 may issue a statement of conformity (EASA Form 52B or EASA Form 1B) for an aircraft, engine or propeller, or a part thereof, under the conditions laid down in this Subpart.

21.Light.A.273 Production control system

A natural or legal person issuing a statement of conformity with the applicable declared design data of an aircraft, engine, or propeller, or a part thereof, that it has produced, shall establish, implement and maintain a system for controlling production that:

1. includes processes and procedures that ensure the aircraft, engine and propeller, and any part thereof, conforms with the applicable declared design data;
2. ensures that each statement of conformity is only signed by an authorised persons;
3. if flight tests are necessary within the scope of production, has processes in place that ensure that any flight tests are conducted in a safe manner;
4. ensures that the natural or legal person is in receipt of all necessary airworthiness and environmental data to determine conformity;
5. has procedures in place that ensure that airworthiness and environmental data is correctly incorporated in its production data, kept up to date and made available to all personnel who need access to such data to perform their duties;
6. includes a quality system that ensures that any aircraft, engine and propellers, and any part thereof, that is produced by the natural or legal person including its partners, or is supplied from or subcontracted to outside parties conforms with the applicable declared design data and is in a condition for safe operation;
7. includes an archiving system that records the requirements that have been placed on other organisations such as suppliers and subcontractors. The archived data shall be made available to the competent authority for continuing airworthiness purposes;
8. ensures that the maintenance of a newly manufactured aircraft is conducted in accordance with the applicable maintenance instructions and is kept in an airworthy condition, and if applicable a certificate of release to service is issued for any maintenance that has been completed;
9. includes an internal occurrence reporting system in the interest of safety, to enable the collection and assessment of occurrence reports collected in accordance to point 21.Light.A.3 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.

21.Light.A.274 Issuance of a Statement of Conformity

(a) When issuing a statement of conformity (EASA Form 52B or EASA Form 1B), the natural or legal person shall include all of the following:

1. a statement that the aircraft, engine or propeller, or the part thereof, conforms to the applicable declared design data and is in condition for safe operation;
2. for each aircraft, a statement that the aircraft has been ground- and flight-checked;
3. for each engine, or variable pitch propeller, a statement that the engine or variable pitch propeller has been subjected to a final functional test;
4. if applicable, a statement that the completed engine is in compliance with the applicable engine exhaust emissions requirements on the date of production of the engine.

(b) The natural or legal person shall issue a statement of conformity upon:

1. the initial transfer of the ownership of the aircraft, engine or propeller, or part thereof; or for aircraft
2. application for the issue of the aircraft restricted certificate of airworthiness.

21.Light.A.275 Obligations of natural or legal person issuing a statement of conformity

The natural or legal person issuing a statement of conformity shall:

1. inform the competent authority that they intend to produce aircraft, engine, or propeller, or a part thereof, in conformity with the design data of a declaration of design compliance and that they are will issue statements of conformity in accordance with this Subpart;
2. ensure that the details of any completed work is recorded;
3. maintain at the place of production the technical data and drawings necessary to determine whether the aircraft, engine or propeller, or part thereof, conforms to the applicable declared design data;
4. provide continuing airworthiness support to the declarant of a declaration of design compliance for any aircraft, engine or propeller, or part thereof, that they have produced;
5. for new aircraft that it has produced, ensure that the aircraft is kept in an airworthy condition and that maintenance is performed, unless Regulation (EU) No 1321/2014 requires the maintenance to be performed under such rules, including any necessary repairs in accordance with applicable design data prior to the issuance of an aircraft statement of conformity;
6. when issuing a certificate of release to service after such maintenance, determine that each completed aircraft has been subjected to the necessary maintenance and is in condition for safe operation, prior to issuing the certificate;
7. undertake the obligations of a natural or legal person issuing statements of conformity of Subpart A;
8. inform the competent authority about the cessation its activities under this Subpart.

SECTION B — PROCEDURES FOR COMPETENT AUTHORITIES

SUBPART A — GENERAL PROVISIONS

21.Light.B.11 Oversight documentation

The competent authority shall provide all the legislative acts, standards, rules, technical publications, and related documents to the relevant personnel in order to allow them to perform their tasks and to discharge their responsibilities.

21.Light.B.12 Exchange of information

(a) The competent authority of the Member State and the Agency share information available to them through their investigation conducted and oversight performed in accordance with this Section, which is relevant for the other party when performing certification, oversight or enforcement tasks under this Section.

(b) The competent authority of the Member State and the Agency shall coordinate a product focussed investigation and oversight of the design and production of products and parts under this Annex, including where necessary, conducting joint oversight visits.

21.Light.B.13 Information to the Agency

(a) The competent authority of the Member State shall notify the Agency in case of any significant problems with the implementation of Regulation (EU) 2018/1139 and its delegated and implementing acts, within 30 days from the manifestation of such problems.

(b) Without prejudice to Regulation (EU) 376/2014 and its delegated and implementing acts, the competent authority of the Member State shall provide the Agency as soon as possible with any safety-significant information stemming from the occurrence reports stored in the national database as specified in Article 6(6) of Regulation (EU) 376/2014.

21.Light.B.14 Airworthiness directives received from non-member States

When the competent authority of a Member State receives an airworthiness directive from the competent authority of a non-member State, that airworthiness directive shall be transferred to the Agency for dissemination in accordance with Article 77(1)(h) of Regulation (EU) 2018/1139.

21.Light.B.15 Immediate reaction to a safety problem

(a) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, the competent authority of the Member State shall implement a system to appropriately collect, analyse, and disseminate safety information.

(b) The Agency shall implement a system to appropriately analyse any relevant safety information received, and without undue delay, provide Member States and the Commission with any information, including recommendations or corrective actions to be taken, that is necessary for

them to react in a timely manner to a safety problem involving products, parts, persons or organisations that are subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.

- (c) Upon receiving the information referred to in points (a) and (b), the competent authority of the Member State shall take adequate measures to address the safety problem.
- (d) Measures taken under point (c) shall immediately be notified to all persons or organisations which need to comply with them under Regulation (EU) 2018/1139 and its delegated and implementing acts. The competent authority of the Member State shall also notify those measures to the Agency and, when combined action is required, to the other Member States concerned.

21.Light.B.16 Management system

- (a) The competent authority shall establish and maintain a management system, including as a minimum:
 - 1. documented policies and procedures to describe its organisation, means and methods to achieve compliance with Regulation (EU) 2018/1139 as well as Regulation (EU) No 376/2014 and their delegated and implementing acts. The procedures shall be kept up to date, and serve as the basic working documents within that competent authority for all related tasks;
 - 2. a sufficient number of personnel to perform its tasks and discharge its responsibilities. A system shall be in place to plan the availability of personnel, in order to ensure the proper completion of all tasks;
 - 3. personnel who are qualified to perform their allocated tasks and who have the necessary knowledge, experience, initial and recurrent training to ensure continuing competency;
 - 4. adequate facilities and office accommodation to perform the allocated tasks;
 - 5. a function to monitor the compliance of the management system with the relevant requirements, and the adequacy of the procedures, including the establishment of an internal audit process, and a safety risk management process. Compliance monitoring shall include a system to feedback audit findings to the senior management of the competent authority to ensure the implementation of corrective actions as necessary;
 - 6. a person or group of persons having a responsibility to the senior management of the competent authority for the compliance monitoring function.
- (b) The competent authority shall, for each field of activity, including the management system, appoint one or more persons with the overall responsibility for the management of the relevant task(s).
- (c) The competent authority shall establish procedures for participation in a mutual exchange of all necessary information and assistance with any other competent authorities concerned, whether from within the Member State or in other Member States, including on:
 - 1. all findings raised and any follow-up actions taken as a result of the oversight of persons and organisations that carry out activities in the territory of a Member State, but certified by the competent authority of another Member State, or by the Agency;
 - 2. information stemming from mandatory and voluntary occurrence reporting as required by point 21.Light.A.3.

- (d) A copy of the procedures related to the management system of the competent authority of the Member State and their amendments shall be made available to the Agency for the purpose of standardisation.

21.Light.B.17 Allocation of tasks to qualified entities

- (a) A competent authority may allocate tasks related to the initial certification or to the continuing oversight of products and parts, and of natural or legal persons subject to Regulation (EU) 2018/1139 and its delegated and implementing acts, to qualified entities. When allocating tasks, the competent authority shall ensure that it has:
 - 1. put a system in place to initially and continuously assess whether the qualified entity complies with Annex VI 'Essential requirements for qualified entities' to Regulation (EU) 2018/1139. This system and the results of the assessments shall be documented;
 - 2. established a documented agreement with the qualified entity, approved by both parties at the appropriate management level, which defines:
 - i. the tasks to be performed;
 - ii. the declarations, reports, and records to be provided;
 - iii. the technical conditions to be met in performing such tasks;
 - iv. the related liability coverage;
 - v. the protection given to information acquired in carrying out such tasks.
- (b) The competent authority shall ensure that the internal audit process and safety risk management process required by point (a)(5) of point 21.Light.B.16 cover all the certification and continuing oversight tasks performed on its behalf by the qualified entity.

21.Light.B.18 Changes in the management system

- (a) The competent authority shall have a system in place to identify changes that affect its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139, as well as Regulation (EU) No 376/2014 and their delegated and implementing acts. This system shall enable it to take action necessary to ensure that its management system remains adequate and effective.
- (b) The competent authority shall update its management system to reflect any change to Regulation (EU) 2018/1139, as well as Regulation (EU) No 376/2014 and their delegated and implementing acts in a timely manner, so as to ensure its effective implementation.
- (c) The competent authority of the Member State shall notify the Agency of any changes affecting its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139, as well as Regulation (EU) No 376/2014 and their delegated and implementing acts.

21.Light.B.19 Resolution of disputes

The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures.

21.Light.B.20 Record-keeping

- (a) The competent authority shall establish a system of record-keeping that allows adequate storage, accessibility, and reliable traceability of:
1. the management system's documented policies and procedures;
 2. the training, qualifications, and authorisation of its personnel;
 3. the allocation of tasks, covering the elements required by point 21.Light.B.17, as well as the details of tasks allocated;
 4. certification processes and continuing oversight of certified and declared organisations, including:
 - i. the application for a certificate;
 - ii. the declaration of capability;
 - iii. the declaration of design compliance;
 - iv. the competent authority's continuing oversight programme, including all assessments, audits and inspection records;
 - v. the certificates issued, including any changes to them;
 - vi. a copy of the oversight programme listing the dates when audits are due and when audits were carried out;
 - vii. copies of all formal correspondence;
 - viii. recommendations for the issue or continuation of a certificate or continuation of the registration of a declaration, detail of findings, and actions taken by organisations to close these, including the date of closure, enforcement actions, and observations;
 - ix. any assessment, audit and inspection report issued by another competent authority;
 - x. copies of all organisation expositions, handbooks, procedures and processes or manuals and amendments to them;
 - xi. copies of any other document approved by the competent authority;
- (5) Statements of Conformity that it has reviewed according to Subpart R.
- (b) The competent authority of the Member State shall include in the record-keeping:
- (1) the evaluation and notification to the Agency of any alternative means of compliance proposed by organisations, and the assessment of any alternative means of compliance used by the competent authority itself;
 - (2) safety information in accordance with point 21.Light.B.13 and follow-up measures;
 - (3) the use of flexibility provisions in accordance with Regulation (EU) 2018/1139 .
- (c) The competent authority shall maintain a list of all certificates that it has issued and any declarations that it has registered.
- (d) All records referred to in points (a), (b) and (c) shall be kept for a minimum period of 5 years, subject to applicable data protection law.

- (e) All the records referred to in points (a), (b) and (c) shall be made available upon request to a competent authorities of another Member State or the Agency.

21.Light.B.21 Findings and observations

- (a) When the competent authority during investigation or oversight or by any other means detects a non-compliance with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with a procedure or manual required by those Regulations, or with a certificate or declaration issued in accordance with those Regulations, it shall without prejudice to any additional action required by those Regulations, raise a finding.
- (b) The competent authority shall have a system to analyse findings for their safety significance.

A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected which lowers safety or seriously endangers flight safety, or in case of design organisations may lead to an uncontrolled non-compliance and to a potential unsafe condition as per point 21.Light.B.23; level 1 findings shall also include but not be limited to the following:

- (1) any failure to grant the competent authority access to the organisation's or natural or legal person's facilities as defined in point 21.Light.A.10 during normal operating hours and after two written requests;
- (2) providing wrong information or by falsification of documentary evidence;
- (3) any evidence of malpractice or of fraudulent use of a certificate, declaration or statement issued in accordance with this Annex;
- (4) the lack of an accountable manager or head of the design organisation, as applicable.

A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with a procedure or manual required by those Regulations, or with a declaration issued in accordance with those Regulations, which is not classified as a level 1 finding.

- (c) The competent authority shall communicate the finding to the organisation or natural or legal person in writing, and request corrective action to address the non-compliance(s) identified.
- (d) If there are any level 1 findings the competent authority shall take immediate and appropriate action in accordance with point 21.Light.B.22, unless the finding is on a design organisation which has declared its design capabilities, in which case the Agency shall first grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which in any case shall not be more than 21 working days. The period shall commence from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified. If the level 1 finding directly relates to an aircraft, the competent authority shall inform the competent authority of the Member State in which the aircraft is registered.
- (e) For level 2 findings, the competent authority shall grant the organisation or natural or legal person a corrective action implementation period that is appropriate to the nature of the finding. The period shall commence from the date of the written communication of the finding to the organisation or natural or legal person, requesting corrective action to address the non-compliance identified. At the end of this period, and subject to the nature of the finding, the competent authority may extend the period provided that a corrective action plan has been agreed by the competent authority.

The competent authority shall assess the corrective action and implementation plan proposed by the organisation or the natural or legal person, and if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.

If an organisation or natural or legal person fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d).

- (f) The competent authority may issue observations for those cases not requiring level 1 or level 2 findings:
- (1) for any item the performance of which has been assessed to be ineffective;
 - (2) when it has been identified that an item has the potential to cause a non-compliance; or
 - (3) when suggestion or improvement are of interest for the overall safety performance of the organisation.

Observations issued under this point shall be communicated to the organisation in writing and recorded by the competent authority.

21.Light.B.22 Enforcement measures

- (a) The competent authority shall:

1. suspend a certificate where the competent authority considers that there are reasonable grounds that such action is necessary to prevent a credible threat to aircraft safety;
2. issue an Airworthiness Directive under the conditions of point 21.Light.B.23.
3. suspend, revoke or limit a certificate if such action is required pursuant to point (d) of point 21.Light.B.21;
4. suspend or revoke a certificate of airworthiness, a restricted certificate of airworthiness when the conditions specified in point (b) of point 21.Light.B.163 are met;
5. suspend or revoke a noise certificate, a restricted noise certificate when the conditions specified in point (b) of point 21.Light.B.173 are met;
6. take immediate and appropriate action necessary to limit or prohibit the activities of an organisation or natural or legal persons, where the competent authority considers that there are reasonable grounds that such action is necessary to prevent a credible threat to aircraft safety,
7. limit or prohibit the activities of an organisation or natural or legal persons, which has declared its capabilities to design or produce products or parts in accordance with Section A or which issues statements of conformity in accordance with Subpart R of Section A pursuant to point (d) of point 21.Light.B.21,
8. not register a declaration of design compliance as long as there are unresolved findings from the initial oversight investigation;
9. temporarily or permanently de-register a declaration of design compliance or a declaration of capability pursuant to point (d) of point 21.Light.B.21;
10. take any further enforcement measures necessary in order to ensure the termination of a non-compliance with the essential requirements set out in Annex II to Regulation (EU) 2018/1139 and with this Annex, and, where necessary, remedy the consequences thereof.

- (b) Upon taking an enforcement measure in accordance with point (a) the competent authority shall notify it to the addressee, state the reasons for it and inform the addressee of its right to appeal.

21.Light.B.23 Airworthiness directives

- (a) An airworthiness directive means a document issued or adopted by the Agency which mandates actions to be performed on an aircraft to restore an acceptable level of safety, when the safety level of this aircraft may otherwise be compromised.
- (b) The Agency shall issue an airworthiness directive when:
 - 1. an unsafe condition has been determined by the Agency to exist in an aircraft, as a result of a deficiency in the aircraft, or an engine, propeller or part installed on this aircraft; and
 - 2. that condition is likely to exist or develop in other aircraft.
- (c) 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.

21.Light.B.24 Alternative means of compliance

- (a) Alternative means of compliance may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (b) The competent authority shall establish a system to consistently evaluate that all the alternative means of compliance used by itself or by organisations under its oversight allow for the establishment of compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.
- (c) The competent authority shall evaluate all the alternative means of compliance proposed by an organisation in accordance with point 21.Light.A.12 by analysing the documentation provided and, if considered necessary, by conducting an inspection of the organisation.
- (d) When the competent authority finds that the alternative means of compliance are in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts, it shall without undue delay notify the organisation that the alternative means of compliance may be implemented. When a competent authority of a Member State finds that an alternative means of compliance is in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts, it shall also notify the Agency of their content, and include copies of all the relevant documentation.
- (e) If the competent authority of a Member State itself issues alternative means of compliance to achieve compliance, it shall:
 - 1. make them available to all the organisations and persons under its oversight;
 - 2. notify the Agency without undue delay.

The competent authority of the Member State shall provide the Agency with a full description of the alternative means of compliance, including any revisions to procedures that may be relevant, as well as an assessment demonstrating that they comply with Regulation (EU) 2018/1139 and its delegated and implementing acts.

DRAFT

SUBPART B — TYPE-CERTIFICATES

21.Light.B.41 Certification specifications

The Agency, in accordance with Article 76(3) of Regulation (EU) 2018/1139, shall issue certification specifications and other detailed specifications, including certification specifications for airworthiness, and environmental protection, that competent authorities, organisations and personnel may use to demonstrate compliance of products and parts with the relevant essential requirements set out in Annexes II, IV and V to that Regulation, as well as with those for environmental protection set out in Article 9(2) and Annex III of that Regulation. Such specifications shall be sufficiently detailed and specific to indicate to applicants the conditions under which certificates are to be issued, amended or supplemented.

21.Light.B.42 Initial investigation

(a) Upon receiving an application for a type-certificate under this Annex, the Agency shall verify whether the product is within the scope established in point 21.Light.A.21 and whether the applicant is eligible in accordance with point 21.Light.A.22 to apply for a type-certificate for the product.

(b) When the conditions of point (a) are not fulfilled, the Agency shall reject the application.

21.Light.B.43 Type-certification basis for a type-certificate

(a) The Agency shall establish the type-certification basis and notify it to the applicant. The type-certification basis shall consist of:

1. the certification specifications for airworthiness designated by the Agency from those applicable to the product at the date of application for that certificate, unless:
 - i. the applicant chooses to comply with certification specifications which became applicable after the date of the application; if an applicant chooses to comply with a certification specification which became applicable after the date of the application, the Agency shall include in the type certification basis any other certification specification that is directly related; or
 - ii. the Agency accepts any alternative to a designated certification specification that cannot be complied with, for which compensating factors have been found that provide an equivalent level of safety; or
 - iii. the Agency accepts or prescribes other means that demonstrate compliance with the essential requirements of Annex II to Regulation (EU) 2018/1139.
2. any special condition prescribed by the Agency in accordance with point 21.Light.B.44(a).

(b) The Agency may amend the certification basis at any point before the issuance of the type-certificate, if it has determined that experience from other similar products in service or products that have similar design features has shown that unsafe conditions may develop and the certification basis that was established and notified to the applicant does not address this unsafe condition.

21.Light.B.44 Special conditions

- (a) The Agency shall prescribe special detailed technical specifications, named ‘special conditions’, for a product if the related certification specifications do not contain adequate or appropriate safety standards for the product because:
 - 1. the product has novel or unusual design features relative to the design practices on which the applicable certification specifications are based;
 - 2. the intended use of the product is unconventional; or
 - 3. experience from other similar products in service or products having similar design features or newly identified hazards have shown that unsafe conditions may develop.
- (b) Special conditions contain such safety standards as the Agency finds necessary in order to establish a level of safety equivalent to that of the applicable certification specifications.

21.Light.B.45 Designation of applicable environmental protection requirements for a type-certificate

The Agency shall designate and notify to the applicant for a type-certificate for an aircraft, the applicable environmental requirements in accordance with point 21.B.85 of Annex I to Regulation (EU) No 748/2012.

21.Light.B.46 Investigation

The Agency shall

- 1. conduct a review of the initial compliance demonstration plan and any subsequent update provided by the applicant in order to establish the completeness of the plan and the appropriateness of the proposed means and methods of demonstrating compliance with the type-certification basis established in accordance with point 21.Light.B.43 and the applicable environmental protection requirements designated in accordance with point 21.Light.B.45; when the compliance demonstration plan is incomplete or not appropriate to achieve compliance demonstration, the Agency shall inform the applicant and request an amendment of it;
- 2. when satisfied that compliance demonstration plan provides is appropriate so that the applicant can demonstrate compliance, approve the compliance demonstration plan and any subsequent updates of the compliance demonstration plan;
- 3. conduct a physical inspection and assessment of the first article of that product in the final configuration, taking into consideration the critical design review carried out in accordance with point (a) of point 21.Light.B.242, in order to verify the compliance of the product with the applicable type-certification basis; the Agency shall verify the compliance of the product, considering the likelihood of an unidentified non-compliance with the type-certification basis or environmental protection requirements, and the potential impact of that non-compliance on product safety or environmental protection;
- 4. if during the establishment of the type-certification basis, designation of the environmental protection requirements or during the review of the compliance demonstration plan the Agency determines that the product design contains any element for which an unidentified non-compliance with the type-certification basis or environmental protection requirements may have a severe impact on the safety or environmental compatibility of the product, the Agency shall determine which investigations are necessary in addition to point 3 in order to verify compliance demonstration; the

Agency shall notify those additional investigation and which elements of the design would be subject to this investigation to the applicant.

21.Light.B.47 Issuance of a type-certificate

- (a) The Agency shall issue without undue delay an aircraft, engine or propeller type-certificate, provided that:
1. the applicant has complied with point 21.Light.A.27;
 2. the Agency through the investigation carried out pursuant to point 21.Light.B.46, has not found any non-compliance with the type-certification basis and the environmental protection requirements;
 3. there are no unresolved issues from the investigation carried out pursuant to point (3) of point 21.Light.B.46 of that product in the final configuration;
 4. no feature or characteristic has been identified that may make the product unsafe for the uses for which the certification is requested.
- (b) The type-certificate shall include:
1. the type design;
 2. the operating limitations;
 3. the instructions for continued airworthiness;
 4. the type-certificate data sheet for airworthiness and emissions;
 5. the applicable type-certification basis and environmental protection requirements with which the Agency records compliance;
 6. if applicable, the type-certificate data sheet for noise; and
 7. any other conditions or limitations prescribed for the product in the applicable type-certification basis and environmental protection requirements.

21.Light.B.48 Continuing airworthiness oversight of products for which a type-certificate has been issued

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance with the type certification basis or environmental protection requirements, the Agency shall raise a finding in accordance with point 21.Light.B.21, or under the conditions of point 21.Light.B.23 issue an airworthiness directive.

21.Light.B.49 Transfer of a type certificate

- (a) When receiving an application for verification whether a type-certificate can be transferred by its holder in accordance with point 21.Light.A.29, the Agency shall verify corresponding to points 21.Light.B.42 and 21.Light.B.46 if the transferee is eligible to be a type certification holder in accordance with point 21.Light.A.22 and is able to undertake the obligations of a type-certificate holder under point 21.Light.A.28.

- (b) When the Agency concludes that the conditions referred to in point (a) are met by the transferee, it shall inform the type-certificate holder that a transfer of the type-certificate to that natural or legal person is accepted by the Agency.

DRAFT

SUBPART C — DECLARATIONS OF DESIGN COMPLIANCE

21.Light.B.61 Technical Specifications for declarations of product design compliance

- (a) The Agency, in accordance with Article 76(3) of Regulation (EU) 2018/1139, shall issue, maintain and make available a list of technical specifications that natural and legal persons can use to demonstrate compliance with the relevant essential requirements set out in Annex II to that Regulation when declaring design compliance in accordance with Subpart C of Section A.
- (b) The technical specifications that are listed in accordance with point (a) shall provide design standards which reflect the state of the art and best design practices, and which build on the best available experience and scientific and technical progress, and on the best available evidence and analysis of aircraft design, for aircraft that are in the scope established under point 21.Light.A.41. The list may include:
 - 1. Certification Specifications issued by the Agency in accordance with point 21.B.70 of Annex I to Regulation (EU) No 748/2012 for the airworthiness of the aircraft design;
 - 2. the environmental protection requirements contained in Annex 16 to the Chicago Convention, Volumes I to III applicable in accordance with the first paragraph of Article 9 of Regulation (EU) 2018/1139; and the detailed environmental protection requirements issued by the Agency for the showing of compliance of aircraft with the second paragraph of Article 9 of Regulation (EU) 2018/1139;
 - 3. Special Conditions that have been prescribed by the Agency in accordance with point 21.B.75 of Annex I to Regulation (EU) No 748/2012 or point 21.Light.B.44 of Section B for other aircraft and which are of a general nature;
 - 4. detailed technical standards developed by standardisation and other industry bodies.

21.Light.B.62 Initial oversight investigations

- (a) Upon receiving a declaration of design compliance the Agency shall verify that the aircraft is within the scope of Subpart C of Section A of this Annex and that the declaration contains all the information specified in point 21.Light.A.43. The Agency shall acknowledge receipt of the declaration, including the assignment of an individual declaration of design compatibility reference number to the declarant.
- (b) The Agency shall conduct a physical inspection and assessment of the first article of that aircraft in the final configuration, taking into consideration the safety review carried out in accordance with point (a) of point 21.Light.B.242. If the Agency finds evidence in the declaration or through the physical inspection and assessment carried out in accordance with the first sentence indicating that the aircraft could not be capable of conducting a safe flight and be environmentally compatible during in-service operations, the Agency shall raise a finding in accordance with point 21.Light.B.21.

21.Light.B.63 Registration of a declaration of design compliance

The Agency shall register a declaration of design compliance for an aircraft provided that:

- 1. the declarant has declared compliance in accordance with point 21.Light.A.43 (a);
- 2. the declarant has provided to the Agency the documents required in accordance with point 21.Light.A.43 (c);

3. the declarant has made a commitment that the obligations in accordance with point 21.Light.A.47 will be undertaken;
4. there are no unresolved findings from the physical inspection and assessment of the first article of the aircraft in the final configuration carried out in accordance with point (b) of point 21.Light.B.62.

21.Light.B.64 Continuing airworthiness oversight of aircraft for which design compliance has been declared

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance with the applicable technical specifications or environmental protection requirements, the Agency shall raise a finding in accordance with point 21.Light.B.21, or under the conditions of point 21.Light.B.23 issue an airworthiness directive.

21.Light.B.65 Obligations upon an expression of intent to submit a declaration of design compliance

If a natural or legal persons has expressed to the Agency in accordance with point 21.Light.B.33 (e) its intent to design an aircraft and to declare design compliance of the aircraft in accordance with Subpart C of Section A, the Agency

- (a) shall verify and confirm to the natural or legal person whether the aircraft is within the scope of Subpart C of Section A of this Annex;
- (b) may, if requested by the natural or legal person, as a service, verify and confirm that the technical specifications intended to be used by that person to demonstrate design compliance are suitable and appropriate;
- (c) may, if requested by the legal or natural person, prescribe specific detailed technical specifications that can be used by that person to demonstrate design compliance with if the technical specifications issued by the Agency in accordance with point 21.Light.B.61 that are effective on the date of expressing the intent do not address any particularities of the intended design;
- (d) may, if requested by the natural or legal person, as a service, verify the compliance plan or parts of the compliance demonstration prior to the natural or legal person submitting its declaration of design compliance;
- (e) shall inform the natural or legal person if prior to the declaration of design compliance the Agency has determined that experience from other similar products in service or products that have similar design features, has shown that an unsafe conditions may develop and the technical specifications that would be used to declare compliance with do not address this unsafe condition.

SUBPART D — CHANGES TO TYPE-CERTIFICATES

21.Light.B.81 Type-certification basis and environmental protection requirements for a major change to a type-certificate

- (a) The Agency shall establish the type-certification basis for a major change to a type-certificate and notify it to the applicant.
- (b) The type-certification basis shall consist for a major change to a type-certificate and areas affected by the change of the certification specifications incorporated by reference in the type-certificate, unless
 1. the Agency finds that the certification specifications referenced in the type-certificate do not provide adequate standards with respect to the proposed change, therefore the change and areas affected by the change shall also comply with any special conditions, and amendments to those special conditions, prescribed by the Agency in accordance with point 21.Light.B.44, to provide a level of safety equivalent to that established by the certification specifications applicable on the date of the application for the change;
 2. an applicant chooses to comply with a certification specification set out in an amendment that is applicable on the date of the application for the change.
- (c) The Agency shall designate the applicable environmental protection requirements for the major change to a type-certificate in accordance with point 21.A.85 of the Annex I to Regulation (EU) No 748/2012 and notify them to the applicant.

21.Light.B.82 Investigation and issuance of an approval of a minor change to a type-certificate

- (a) Upon receiving an application for a minor change to a type-certificate under this Annex, the Agency shall approve the minor change when:
 1. the applicant has provided the substantiation data, justifications and demonstrated and declared the compliance of the change with the applicable type-certification basis and environmental protection requirements, or with the certification specifications chosen in accordance with point 21.Light.A.67;
 2. the Agency through its verification of the demonstration of compliance, taking into account the design features, complexity and overall criticality of the design or technology, as well as previous experience of design activities with the applicant, has not found:
 - a. any non-compliances with the type-certification basis and where applicable environmental protection requirements, or with the certification specifications chosen;
 - b. any feature or characteristic of the change that may make the changed product unsafe for the uses for which certification is requested.
- (b) 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.

21.Light.B.83 Investigation of a major change to a type-certificate

Upon receiving an application for a major change to a type-certificate under this Annex the Agency shall

1. conduct a review of the initial compliance demonstration plan and any subsequent update provided by the applicant in order to establish the completeness of the plan and the appropriateness of the proposed means and methods of demonstrating compliance with the type-certification basis and environmental protection requirements established and designated in accordance with point 21.Light.B.81; when the compliance demonstration plan is incomplete or not appropriate to achieve compliance demonstration, the Agency shall inform the applicant and request an amendment of it;
2. when satisfied that compliance demonstration plan provided is appropriate so that the applicant can demonstrate compliance, approve the compliance demonstration plan and any subsequent updates of the compliance demonstration plan;
3. determine the likelihood of an unidentified non-compliance of the major change with the type-certification basis or environmental protection requirements, and the potential impact of that non-compliance on the product safety or environmental protection, and determine on that basis whether a physical inspection and assessment of the first article of that product in the final changed configuration is necessary in order to verify the compliance of the product with the applicable type-certification basis, taking into consideration the critical design review if carried out in accordance with point (a) of point 21.Light.B.242; the Agency shall notify to the applicant before conducting this inspection and assessment;
4. if during the establishment of the type-certification basis, designation of the environmental protection requirements or during the review of the compliance demonstration plan the Agency determines that the major change design contains any element for which an unidentified non-compliance with the type-certification basis or environmental protection requirements may have a severe impact on the safety or environmental compatibility of the changed product, the Agency shall determine which investigations are necessary in addition to point 3 in order to verify compliance demonstration; the Agency shall notify those additional investigation and which elements of the design would be subject to this investigation to the applicant.

21.Light.B.84 Issuance of an approval of a major change to a type-certificate

(a) The Agency shall approve the major change when:

1. it has been demonstrated by the applicant that the change and areas affected by the change comply with the type-certification basis and environmental protection requirements, as established and designated by the Agency in accordance with point 21.Light.B.81;
 2. compliance has been demonstrated and declared by the applicant in accordance with point (f) of point 21.Light.A.66.
 3. the Agency through its verification of the demonstration of compliance has not found:
 - a. any non-compliances with the type-certification basis and where applicable the environmental protection requirements;
 - b. any feature or characteristic of the change that may make the changed product unsafe for the uses for which certification is requested.
- (b) 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.

21.Light.B.85 Continuing airworthiness oversight of changed products for which a type-certificate has been issued

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance of a product for which a change a type-certificate has been approved, with the type certification basis or environmental protection requirements, the Agency shall raise a finding in accordance with point 21.Light.B.21, or under the conditions of point 21.Light.B.23 issue an airworthiness directive.

DRAFT

SUBPART E — SUPPLEMENTAL TYPE-CERTIFICATES

21.Light.B.101 Type-certification basis and environmental protection requirements for a supplemental type-certificate

- (a) The Agency shall establish the type-certification basis for a supplemental type-certificate and notify it to the applicant.
- (b) The type-certification basis shall consist for a major change to a type-certificate in the form of a supplemental type-certificate and areas affected by the change of the certification specifications incorporated by reference in the type-certificate, unless
 1. the Agency finds that the certification specifications referenced in the type-certificate do not provide adequate standards with respect to the proposed change, therefore the change and areas affected by the change shall also comply with any special conditions, and amendments to those special conditions, prescribed by the Agency in accordance with point 21.Light.B.44, to provide a level of safety equivalent to that established by the certification specifications applicable on the date of the application for the change;
 2. an applicant chooses to comply with a certification specification set out in an amendment that is applicable on the date of the application for the change.
- (c) The Agency shall designate the applicable environmental protection requirements for the major change to a type-certificate in accordance with point 21.A.85 of the Annex I to Regulation (EU) No 748/2012 and notify them to the applicant.

21.Light.B.102 Investigation

Upon receiving an application for a supplemental type-certificate under this Annex the Agency shall

1. conduct a review of the initial compliance demonstration plan and any subsequent update provided by the applicant in order to establish the completeness of the plan and the appropriateness of the proposed means and methods of demonstrating compliance with the type-certification basis and environmental protection requirements established and designated in accordance with point 21.Light.B.101; when the compliance demonstration plan is incomplete or not appropriate to achieve compliance demonstration, the Agency shall inform the applicant and request an amendment of it;
2. when satisfied that compliance demonstration plan provided is appropriate so that the applicant can demonstrate compliance, approve the compliance demonstration plan and any subsequent updates of the compliance demonstration plan;
3. determine the likelihood of an unidentified non-compliance of the major change with the type-certification basis or environmental protection requirements, and the potential impact of that non-compliance on the product safety or environmental protection, and determine on that basis whether a physical inspection and assessment of the first article of that product in the final changed configuration is necessary in order to verify the compliance of the product with the applicable type-certification basis, taking into consideration the critical design review if carried out in accordance with point (a) of point 21.Light.B.242; the Agency shall notify to the applicant before conducting this inspection and assessment;
4. if during the establishment of the type-certification basis, designation of the environmental protection requirements or during the review of the compliance demonstration plan the Agency

determines that the major change design contains any element for which an unidentified non-compliance with the type-certification basis or environmental protection requirements may have a severe impact on the safety or environmental compatibility of the changed product, the Agency shall determine which investigations are necessary in addition to point 3 in order to verify compliance demonstration; the Agency shall notify those additional investigation and which elements of the design would be subject to this investigation to the applicant.

21.Light.B.103 Issuance of a supplemental type-certificate

- (a) Upon receiving an application for a supplemental type-certificate under this Annex, the Agency shall issue a supplemental type certificate when:
1. it has been demonstrated by the applicant that the change and areas affected by the change comply with the type-certification basis and environmental protection requirements, as established and designated by the Agency in accordance with point 21.Light.B.101;
 2. compliance has been demonstrated and declared by the applicant in accordance with point (f) of point 21.Light.A.85.
 3. the Agency through its verification of the demonstration of compliance has not found:
 - c. any non-compliances with the type-certification basis and where applicable the environmental protection requirements;
 - d. any feature or characteristic of the change that may make the changed product unsafe for the uses for which certification is requested.
- (b) A supplemental type-certificate shall be limited to the specific configuration(s) in the type-certificate to which the related major change relates.

21.Light.B.104 Continuing airworthiness oversight of products for which a supplemental type-certificate has been issued

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance of a product for which a supplemental type-certificate has been issued, with the type certification basis or environmental protection requirements, the Agency shall raise a finding in accordance with point 21.Light.B.21, or under the conditions of point 21.Light.B.23 issue an airworthiness directive.

SUBPART F — CHANGES TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED

21.Light.B.121 Initial oversight investigation of a declaration of design compliance of a major change to an aircraft design of an aircraft for which design compliance has been declared

- (a) Upon receiving a declaration of design compliance for a major change to an aircraft design of an aircraft for which design compliance has been declared, the Agency shall verify that the change is within the scope of point 21.Light.A.101 and that the declaration contains all the information specified in point 21.Light.A.106. The Agency shall acknowledge receipt of the declaration, including the assignment of an individual declaration of design compliance reference number to the declarant.
- (b) The Agency shall assess based upon the risk of a non-compliance leading to a design that is not capable of safe flight or being environmentally incompatible whether a physical inspection and assessment of the changed product is needed and subsequently inform the declarant if that is the case. This assessment of the risk shall take into consideration:
 - 1. the complexity of the major change and the overall effect on aircraft structures, flight characteristics and systems;
 - 2. previous experience of physical inspections of aircraft and major changes that have been designed by the declarant;
 - 3. the response by the declarant to any previous findings that have been raised for non-compliances for the specific aircraft or similar aircraft designed by the declarant that have also been subject to a declaration of design compliance.
- (c) If the Agency finds evidence in the declaration or through the physical inspection and assessment if carried out in accordance with point (b) indicating that the changed aircraft could not be capable of conducting a safe flight and be environmentally compatible during in-service operations, the Agency shall raise a finding in accordance with point 21.Light.B.21.

21.Light.B.122 Registration of a declaration of design compliance for a major change to an aircraft design

- (a) The Agency shall register a declaration of design compliance of a major change an aircraft design of an aircraft for which design compliance has been declared provided that:
 - 1. the declarant has declared compliance in accordance with point (a) of point 21.Light.A.106;
 - 2. the declarant has provided to the Agency the documents required in accordance with point (c) of point 21.Light.A.106;
 - 3. the declarant has made a commitment that the obligation in accordance with point 21.Light.A.47 will be undertaken also in respect of the changed aircraft design;
 - 4. there are no unresolved issues from the physical inspection, if carried out in accordance with point (b) of point 21.Light.B.121.

- (b) The Agency shall only register a declaration of a major change to an aircraft design of an aircraft for which design compliance has been declared if it is limited to the specific configuration(s) in the registered declaration of design compliance to which the change relates.

21.Light.B.123 Continuing airworthiness oversight of a changed aircraft for which design compliance has been declared

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance of the change, for which design compliance has been declared, with the applicable technical specifications or environmental protection requirements, the Agency shall act in accordance with point 21.Light.B.64.

21.Light.B.124 Obligations upon an expression of intent to submit a declaration of design compliance for a change

If the declarant has expressed to the Agency its intent to design a change to an aircraft design of an aircraft for which design compliance has been declared and to declare design compliance of that change, the Agency:

1. shall verify and confirm to the declarant whether the aircraft is still within the scope of Subpart F of Section A;
2. may, if requested by the declarant, as a service, verify and confirm that the technical specifications intended to be used to demonstrate design compliance are suitable and appropriate, in particular whether it has not been excluded from the list that is made available in accordance with point 21.Light.B.61 since the technical specification was used as a basis for design compliance of the aircraft for which a design change is intended to be designed;
3. may, if requested by the declarant, prescribe specific detailed technical specifications that can be used by the declarant to demonstrate design compliance with if the technical specifications issued by the Agency in accordance with point 21.Light.B.61 that are effective on the date of expressing the intent do not address any particularities of the intended design;
4. may, if requested by the declarant, as a service, verify the compliance plan or parts of the compliance demonstration prior to the natural or legal person submitting its declaration of design compliance;
5. shall inform the natural or legal person if prior to the declaration of design compliance the Agency has determined that experience from other similar products in service or products that have similar design features, has shown that an unsafe conditions may develop and the technical specifications that would be used to declare compliance with do not address this unsafe condition.

SUBPART G — DECLARED PRODUCTION ORGANISATIONS

21.Light.B.141 Registration of a declaration of production capability

The competent authority shall register on a suitable database the declaration of production capability including the declared scope of work, provided that:

1. the declarant has declared their capability in accordance with point 21.Light.A.123;
2. the declarant has made a commitment that the obligations in accordance with point 21.Light.A.127 will be complied with;
3. there are no unresolved issues in accordance with point 21.Light.B.142.

21.Light.B.142 Initial oversight investigation

Upon receiving a declaration from an organisation declaring their production capability, the competent authority shall verify that the declarant is eligible to declare their production capability, that the declaration contains all the information specified in point (c) of point 21.Light.A.123 and that the declaration does not contain information that indicates a non-compliance with the requirements of Subpart G of Section A. The competent authority shall acknowledge receipt of the declaration, including the assignment of an individual declared production organisation reference number to the declarant.

21.Light.B.143 Oversight

- (a) The competent authority shall oversee the declared production organisation in order to verify continuous compliance of the declared production organisation with the applicable requirements of Section A and the implementation of safety measures mandated according to points (c) and (d) of point 21.Light.B.15.
- (b) The oversight shall include a first article inspection of every newly produced aircraft, engine, propeller or part and, as determined by the oversight programme in accordance with point 21.Light.B.144, inspections of further aircraft, engines, propellers and parts produced by the declared production organisation.

21.Light.B.144 Oversight programme

- (a) The competent authority shall establish and maintain an oversight programme in order to ensure compliance with point 21.Light.B.143. This oversight programme shall take into account the specific nature of the organisation, the complexity of its activities, the results of past certification and/or oversight activities, and it shall be based on the assessment of the associated risks. It shall include, within each oversight planning cycle:
 1. assessments, audits and inspections, including as appropriate:
 - (i) management system assessments and process audits;
 - (ii) product audits of a relevant sample of the products and parts that are under the scope of the organisation;
 - (iii) sampling of the work performed; and
 - (iv) unannounced inspections;

2. meetings convened between the accountable manager and the competent authority to ensure that they both remain informed of any significant issues.
- (b) The oversight programme shall include records of the dates when assessments, audits, inspections and meetings are due, and when assessments, audits, inspections and meetings have been effectively carried out.
- (c) An oversight planning cycle that does not exceed 24 months shall be applied.
- (d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months:
1. the organisation has demonstrated that it can effectively identify aviation safety hazards and manage the associated risks;
 2. the organisation has continuously demonstrated compliance with points 21.Light.A.128 and that it has full control over all changes to the management system for production;
 3. no level 1 findings have been issued;
 4. all corrective actions have been implemented within the time period that was accepted or extended by the competent authority as defined in point 21.Light.B.21.
- (e) Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (d) (1) to (4), the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself.
- (f) The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.
- (g) At the completion of each oversight planning cycle, the competent authority shall issue a recommendation report on the continuation of the activities conducted by the declared production organisation based on its declaration of production capability, reflecting the results of oversight.

21.Light.B.145 Oversight activities

- (a) When the competent authority verifies compliance of the declared production organisation in accordance with point 21.Light.B.143 in accordance with the oversight programme established in accordance with point 21.Light.B.144, it shall:
1. provide the personnel responsible for oversight with guidance to perform their functions;
 2. conduct assessments, audits, inspections, and, if needed, unannounced inspections;
 3. collect evidence needed in case further action is required, including the measures provided for in points 21.Light.B.21 and 21.Light.B.22;
 4. inform the organisation declared production organisation about the results of the oversight activities.
- (b) If the facilities of the declared production organisation are located in more than one State, the competent authority identified in point 21.Light.2 may agree to have oversight tasks performed by the competent authority(ies) of the Member State(s) where other facilities are located, or by the Agency for facilities that are located in a non-member State. Any declared production organisation that is subject to such an agreement shall be informed of its existence and of its scope.

- (c) For any oversight activities that are performed by the competent authority at facilities located in a Member State other than where the organisation has its principal place of business, the competent authority shall inform the competent authority of that Member State before performing any on-site audit or inspection of the facilities.
- (d) The competent authority shall collect and process any information deemed necessary for conducting oversight activities.
- (e) If the competent authority detects a non-compliance of the declared production organisation with the applicable requirements of Section A and the implementation of safety measures mandated according to points (c) and (d) of point 21.Light.B.15, the competent authority shall act in accordance with points 21.Light.B.21 and 21.Light.B.22.

21.Light.B.146 Changes to declarations

- (a) Upon receiving a notification of changes in accordance with point 21.Light.A.128, the competent authority shall verify the completeness of the notification in accordance with point 21.Light.B.242.
- (b) The competent authority shall update its oversight programme established according to point 21.Light.B.144 and investigate whether it is necessary to establish any conditions under which the organisation may operate during the change.
- (c) When the change affects any aspect of the declaration that is registered in accordance with point 21.Light.B.141, the competent authority shall update the register.
- (d) Upon completion of the activities required by points (a) to (c) the competent authority shall acknowledge receipt of the notification to the declared production organisation.

SUBPART H — CERTIFICATES OF AIRWORTHINESS AND RESTRICTED CERTIFICATES OF AIRWORTHINESS

21.Light.B.161 Investigation

- (a) The competent authority of the Member State of registry shall prepare procedures for its investigation, covering at least the following elements:
1. evaluation of eligibility of the applicant;
 2. evaluation of the conditions for the application;
 3. classification of airworthiness certificates;
 4. evaluation of the documentation received with the application;
 5. inspection of aircraft;
 6. determination of necessary conditions, restrictions or limitations to the certificate.
- (b) Upon receiving an application for a certificate of airworthiness or restricted certificate of airworthiness, the competent authority of the Member State of registry shall verify if the aircraft is within the scope established in point 21.Light.A.141.
- (c) The competent authority of the Member State of registry shall perform sufficient investigation activities to justify the issuance, maintenance, amendment, suspension or revocation of the certificate of airworthiness or restricted certificate of airworthiness. When investigating for the issuance of a certificate of airworthiness or restricted certificate of airworthiness for a newly produced aircraft the competent authority of the Member State of registry shall evaluate the need to conduct a physical inspection of the aircraft to ensure conformity and safety of flight of the aircraft prior to the issuance of a certificate of airworthiness or restricted certificate of airworthiness. This evaluation shall take into account:
1. the results of the physical inspection of the first article of that product in the final configuration, conducted in accordance with point (b) of point 21.Light.B.143 or point (b) of point 21.Light.B.251 by the competent authority of the Member State of registry, or by the competent authority overseeing the organisation or natural or legal person that produced this aircraft, if different;
 2. the time period since the last physical inspection conducted by the competent authority of the Member State of registry of an aircraft produced by the organisation, or natural or legal person, that produced that aircraft;
 3. the results of the oversight conducted under Subpart G or under Subpart G of Section B of Annex I to Regulation (EU) No 748/2012 of the organisation issuing the statement of conformity for the aircraft, or the verification conducted under Subpart R of other statements of conformity issued by the same signatory;
 4. the time period since the last oversight visit of the organisation in accordance with Subpart G, or Subpart G of Section B of Annex I to Regulation (EU) No 748/2012, or since the last verification conducted under Subpart R of a statement of conformity issued by the same signatory.

21.Light.B.162 Issue or amendment of a certificate of airworthiness and restricted certificate of airworthiness

- (a) The competent authority of the Member State of registry shall issue or amend a certificate of airworthiness or a restricted certificate of airworthiness (EASA Form 25, see Appendix VI of Annex I to Regulation (EU) No 748/2012) without undue delay when the applicant has provided the documentation required by point 21.Light.A.143 and complies with the obligations in point 21.Light.A.144, and when it is satisfied that
1. for new aircraft that the aircraft, and its engine and propeller if applicable, conforms to a design approved in accordance with Subpart B and is in a condition for safe operation;
 2. for used aircraft that:
 - i. the aircraft, and its engine and propeller if applicable, conforms to a type design approved in accordance with Subpart B and any supplemental type- certificate, change or repair approved in accordance with Subpart D, E or M;
 - ii. the applicable airworthiness directives have been complied with; and
 - iii. the aircraft, and its engine and propeller if applicable, has been inspected in accordance with the Annex I (Part-M) or Annex Vb (Part ML) to Regulation (EU) No 1321/2014.
- (b) The competent authority of the Member State of registry shall issue or amend a restricted certificate of airworthiness (EASA Form 24, see Appendix V) without undue delay when the applicant has provided the documentation required by point 21.Light.A.143 and complies with the obligations in point 21.Light.A.144, and when it is satisfied that
1. for new aircraft that the aircraft, and its engine and propeller if applicable, conforms to an aircraft design for which design compliance has been declared in accordance with Subpart C of Section A which is registered by the Agency in accordance with point 21.Light.B.63 at the time of application, and is in a condition for safe operation.
 2. for used aircraft, that:
 - i. the aircraft, and its engine and propeller if applicable, conform to an aircraft design for which design compliance has been declared in accordance with Subpart C of Section A, which is registered by the Agency in accordance with point 21.Light.B.63 at the time of application, along with any design changes or repair design changes for which design compliance has been declared in accordance with Subparts F or N of Section A which are registered by the Agency in accordance with point 21.Light.B.122 or point 21.Light.B.222 or by the declarant in accordance with point (c) of point 21.Light.A.105;
 - ii. the applicable airworthiness directives have been complied with; and
 - iii. the aircraft has been inspected in accordance with Annex I (Part M) or Annex Vb (Part ML) of Regulation (EU) No 1321/2014.
- (c) By derogation from points (a) and (b), for a used aircraft originating from another Member State, the competent authority of the new Member State of registry shall issue the certificate of airworthiness or restricted certificate of airworthiness when the applicant has provided the documentation required by point (b) of point 21.Light.A.145 and when it is satisfied that the applicant complies with point (a) of point 21.Light.A.144.
- (d) For a new aircraft or used aircraft originating from a non-member State, in addition to the certificate referred to in point (a) or (b), the competent authority of the Member State of registry

shall issue an initial airworthiness review certificate (EASA Form 15a, see Appendix II of Annex I to Regulation (EU) No 748/2012).

- (e) A certificate of airworthiness or restricted certificate of airworthiness shall be issued for an unlimited duration. It may be amended only by the competent authority of the Member State of registry.

21.Light.B.163 Oversight

(a) Upon evidence that any of the conditions under which the certificate of airworthiness or the restricted certificate of airworthiness was issued, or that the holder does not comply with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts or with the applicable type-design or with the applicable design data of an aircraft for which design compliance has been declared, or with the continuing airworthiness requirements, the competent authority of the Member State of registry shall issue a finding in accordance with point 21.Light.B.21.

(b) When the type-certificate under which the certificate of airworthiness was issued is suspended or revoked, or otherwise became invalid in accordance with point 21.Light.A.30, or the declaration of design compliance under which the restricted certificate of airworthiness was issued is not any longer registered in accordance with point 21.Light.B.63, the competent authority of the Member State of registry shall take action in accordance with point 21.Light.B.22.

SUBPART I — NOISE CERTIFICATES

21.Light.B.171 Investigation

- (a) The competent authority of the Member State of registry shall prepare procedures for its investigation, covering at least the following elements:
 - 1. evaluation of eligibility of the applicant;
 - 2. evaluation of the conditions for the application;
 - 3. evaluation of the documentation received with the application;
 - 4. inspection of aircraft.
- (b) Upon receiving an application for a noise certificate or restricted noise certificate, the competent authority of the Member State of registry shall verify if the aircraft is within the scope established in point 21.Light.A.161.
- (c) The competent authority of the Member State of registry shall perform sufficient investigation activities for an applicant for, or holder of, a noise certificate or restricted noise certificate to justify the issuance, maintenance, amendment, suspension or revocation of the certificate.

21.Light.B.172 Issue of noise certificates

- (a) The competent authority of the Member State of registry shall issue or amend noise certificates (EASA Form 45, see Appendix VII of Annex I to Regulation (EU) No 748/2012) and restricted noise certificates (EASA Form 45B, see Appendix [tbd]) without undue delay when the applicant has provided the documentation required by point 21.Light.A.163, and when it is satisfied that the aircraft is in conformity with the applicable design data for noise.
- (b) For used aircraft originating from another Member State, the noise certificate or restricted noise certificate shall be issued against the corresponding data that is provided by the Agency database on noise levels.
- (c) A noise certificate and the restricted noise certificate shall be issued for an unlimited duration. It may be amended only by the competent authority of the Member State of registry.

21.Light.B.173 Oversight

- (a) Upon evidence that any of the conditions under which the noise certificate or the restricted noise certificate was issued, or that the holder does not comply with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts or with the applicable type-design or with the applicable design data of an aircraft for which design compliance has been declared, the competent authority of the Member State of registry shall issue a finding in accordance with point 21.Light.B.21.
- (b) When the type-certificate under which the noise certificate was issued is suspended or revoked, or otherwise became invalid in accordance with point 21.Light.A.30, or the declaration of design compliance under which the restricted noise certificate was issued is not any longer registered in accordance with point 21.Light.B.63, the competent authority of the Member State of registry shall take action in accordance with point 21.Light.B.22.

SUBPART J — DECLARED DESIGN ORGANISATIONS

21.Light.B.181 Initial Investigation

Upon receiving a declaration from an organisation declaring their design capability, the Agency shall verify that the declarant is eligible to declare their design capabilities, that the declaration contains all the information specified in point (c) of point 21.Light.A.173 and that the declaration does not contain information that indicates a non-compliance with the requirements of Subpart J of Section A. The Agency shall acknowledge receipt of the declaration, including the assignment of an individual declared design organisation reference number to the declarant.

21.Light.B.182 Registration of a declaration of design capability

The Agency shall register on a suitable database the declaration of design capability including the declared scope of work, provided that:

1. the declarant has declared their capabilities in accordance with point 21.Light.A.173;
2. the declarant has made a commitment that the obligations in accordance with point 21.Light.A.177 will be undertaken;
3. there are no unresolved issues in accordance with point 21.Light.B.181.

21.Light.B.183 Oversight

- (a) The Agency shall oversee the declared design organisation in order to verify continuous compliance of the organisation with the applicable requirements of Section A.
- (b) The oversight shall include a product critical design review or physical inspection, and a first article inspection of every new design of the declared design organisation.

21.Light.B.184 Oversight programme

- (a) The Agency shall establish and maintain an oversight programme in order to ensure compliance with point 21.Light.B.183. The oversight programme shall take into account the specific nature of the organisation, the complexity of its activities, the results of past certification and/or oversight activities, and it shall be based on the assessment of the associated risks. It shall include, within each oversight planning cycle:
 1. assessments, audits and inspections, including as appropriate:
 - (i) management system assessments and process audits;
 - (ii) product audits of a relevant sample of the design and certification of the products, and parts that are under the scope of the organisation;
 - (iii) sampling of the work performed;
 - (iv) unannounced inspections;
 2. meetings convened between the head of the design organisation and Agency to ensure that both remain informed of significant issues.

- (b) The oversight programme shall include records of the dates when assessments, audits, inspections and meetings are due, and when assessments, audits, inspections and meetings have been effectively carried out.
- (c) An oversight planning cycle that does not exceed 24 months shall be applied.
- (d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the Agency has established that during the previous 24 months:
 - 1. the organisation has demonstrated that it can effectively identify aviation safety hazards and manages the associated risks;
 - 2. the organisation has continuously demonstrated compliance with point 21.Light.A.178 and that it has full control over all changes to the design management system;
 - 3. no level 1 findings have been issued;
 - 4. all corrective actions have been implemented within the time period that was accepted or extended by the competent authority as defined in point 21.Light.B.21.
- (e) Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (d) (1) to (4) above, the organisation has established, and the Agency has approved, an effective continuous system for reporting to the Agency on the safety performance and regulatory compliance of the organisation itself.
- (f) The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.
- (g) At the completion of each oversight planning cycle, the Agency shall issue a recommendation report on the continuation of the activities conducted by the declared design organisation based on its declaration of design capability, reflecting the results of oversight.

21.Light.B.185 Oversight activities

- (a) When the Agency verifies compliance of the declared design organisation in accordance with point 21.Light.B.183 in accordance with the oversight programme established in accordance with point 21.Light.B.184, it shall
 - 1. provide the personnel responsible for oversight with guidance to perform their functions;
 - 2. conduct assessments, audits, inspections, and, if needed, unannounced inspections;
 - 3. collect evidence needed in case further action is required, including the measures provided for in point 21.Light.B.22;
 - 4. inform the declared design organisation about the results of the oversight activities
- (b) The Agency shall collect and process any information deemed necessary for conducting oversight activities.
- (c) If the Agency detects a non-compliance of the declared design organisation with the applicable requirements of Section A, with a procedure or manual required by Section A, with the declaration submitted, the competent authority shall act in accordance with points 21.Light.B.21 and 21.Light.B.22.

21.Light.B.186 Changes to declarations

- (a) Upon receiving a notification of changes in accordance with point 21.Light.A.178, the Agency shall verify the completeness of the notification in accordance with point 21.Light.B.181.
- (b) The Agency shall update its oversight programme established according to point 21.Light.B.184 and investigate whether it is necessary to establish any conditions under which the organisation may operate during the change.
- (c) When the change affects any aspect of the declaration that is registered in accordance with point 21.Light.B.182, the Agency shall update the register.
- (d) Upon completion of the activities required by points (a) to (c) the Agency shall acknowledge receipt of the notification to the declared design organisation.

SUBPART K — PARTS

./.

DRAFT

SUBPART M — DESIGN OF REPAIRS TO TYPE-CERTIFIED PRODUCTS

21.Light.B.201 Type-certification basis and environmental protection requirements for a repair design approval

The Agency shall designate any amendments to the type-certification basis incorporated by reference in, as applicable, either the type-certificate or the supplemental type-certificate, which the Agency considers necessary for maintaining a level of safety equal to that previously established and notify them to the applicant for the approval of a repair design.

21.Light.B.202 Investigation and issuance of an approval for a minor repair design

- (a) Upon receiving an application for the approval of a minor repair design to a type-certificated product under this Annex, the Agency shall approve the minor repair design when:
 - 1. the applicant has provided the substantiation data, justifications and demonstrated and declared the compliance of the repair design with the applicable certification basis and environmental protection requirements established in accordance with point 21.Light.B.201;
 - 2. the Agency, through its verification of the demonstration of compliance, taking into account the design features of the repair design, complexity and overall criticality of the repair design, as well as previous experience of design activities with the applicant, has not found:
 - a. any non-compliances with the type-certification basis and where applicable environmental protection requirements;
 - b. any feature or characteristic of the repair design that may make the product with the repair design unsafe for the uses for which certification is requested.
- (b) An approval of a minor repair design shall be limited to the specific configuration(s) in the type-certificate to which the repair design relates.

21.Light.B.203 Investigation of an application for approval of a major repair design

Upon receiving an application for the approval of a major repair design under this Annex the Agency shall

- 1. conduct a review of the initial compliance demonstration plan and any subsequent update provided by the applicant in order to establish the completeness of the plan and the appropriateness of the proposed means and methods of demonstrating compliance with the type-certification basis and environmental protection requirements established and designated in accordance with point 21.Light.B.201; when the compliance demonstration plan is incomplete or not appropriate to achieve compliance demonstration, the Agency shall inform the applicant and request an amendment of it;
- 2. when satisfied that compliance demonstration plan provided is appropriate so that the applicant can demonstrate compliance, approve the compliance demonstration plan and any subsequent updates of the compliance demonstration plan;
- 3. determine the likelihood of an unidentified non-compliance of the major repair design with the type-certification basis or environmental protection requirements, and the potential impact of that non-compliance on the product safety or environmental protection, and determine on that basis

whether a physical inspection and assessment of the first article of that product in the final configuration with the repair design is necessary in order to verify the compliance of the product with the applicable type-certification basis; the Agency shall notify to the applicant before conducting this inspection and assessment;

4. if during the review of the compliance demonstration plan the Agency determines that the major repair design contains any element for which an unidentified non-compliance with the type-certification basis or environmental protection requirements may have a severe impact on the safety or environmental compatibility of the changed product, the Agency shall determine which investigations are necessary in addition to point 3 in order to verify compliance demonstration; the Agency shall notify those additional investigation and which elements of the design would be subject to this investigation to the applicant.

21.Light.B.204 Issuance of an approval of a major repair design

- (a) Upon receiving an application for the approval of a major repair design to a type-certificated product under this Annex, the Agency shall approve the major repair design when:
 1. it has been demonstrated by the applicant that the repair design and areas affected by the repair design comply with the type-certification basis and environmental protection requirements, as established by the Agency in accordance with point 21.Light.B.201; and
 2. compliance has been demonstrated and declared by the applicant in accordance with point 21.Light.A.208.
 3. the owner of the type-certificate data, in case the applicant has specified in accordance with point 21.Light.A.205(b)(5) that it provided the certification data on the basis of an arrangement with them, has
 - (i) no technical objection to the information submitted under point (a)(2); and
 - (ii) agreed to collaborate with the holder of the repair design approval to discharge all obligations for continued airworthiness of the product with the repair design through compliance with point 21.Light.A.210.
 4. the Agency through its verification of the demonstration of compliance has not found:
 - i. any non-compliances with the type-certification basis and where applicable the environmental protection requirements;
 - ii. any feature or characteristic of the change that may make the product with the repair design unsafe for the uses for which certification is requested.
- (b) An approval of a major repair design shall be limited to the specific configuration(s) in the type-certificate to which the repair design relates.

21.Light.B.205 Continuing airworthiness oversight of products for which a repair design has been approved

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance of a product for which a repair design has been approved, with the type certification basis or environmental protection requirements, the Agency shall raise a finding in accordance with point 21.Light.B.21, or under the conditions of point 21.Light.B.23 issue an airworthiness directive.

21.Light.B.206 Unrepaired damage

An evaluation of the airworthiness consequences shall be conducted by the Agency, when requested to do under point 21.Light.A.211 in the event that a damaged product is left unrepaired, and is not covered by previously approved data. The Agency shall establish any limitations necessary to ensure a safe flight with the damaged product.

DRAFT

SUBPART N —DESIGN OF REPAIRS TO AIRCRAFT FOR WHICH DESIGN COMPLIANCE HAS BEEN DECLARED

21.Light.B.221 Initial oversight investigation of a declaration of design compliance of a major repair design to an aircraft for which design compliance has been declared

- (a) Upon receiving a declaration of design compliance of a major repair design to an aircraft for which design compliance has been declared, the Agency shall verify that that the repair design is within the scope of point 21.Light.A.221 and that the declaration contains all the information specified in point 21.Light.A.226. The Agency shall acknowledge receipt of the declaration, including the assignment of an individual declaration of design compliance reference number to the declarant.
- (b) The Agency shall assess based upon the risk of a non-compliance leading to a design that is not capable of safe flight or being environmentally incompatible whether a physical inspection and assessment of the aircraft with the major repair design is needed and subsequently inform the declarant if that is the case. This assessment of the risk shall take into consideration:
 - 1. the complexity of the major repair design and the overall effect on aircraft structures, flight characteristics and systems;
 - 2. previous experience of physical inspections of aircraft and major repair designs and changes that have been designed by the declarant;
 - 3. the response by the declarant to any previous findings that have raised for non-compliances for the specific aircraft or similar aircraft designed by the declarant that have also been subject to a declaration of design compliance.
- (c) If the Agency finds evidence in the declaration or through the physical inspection and assessment if carried out in accordance with point (b) indicating that the aircraft with the major repair design could not be capable of conducting a safe flight and be environmentally compatible during in-service operations, the Agency shall raise a finding in accordance with point 21.Light.B.21.

21.Light.B.222 Registration of a declaration of a major repair design to an aircraft for which design compliance has been declared

- (a) The Agency shall register a declaration of a major repair design to an aircraft for which design compliance has been declared provided that:
 - 1. the declarant has declared compliance in accordance with point (a) of point 21.Light.A.226;
 - 2. the declarant has provided to the Agency the documents required in accordance with point (c) of point 21.Light.A.226 (c);
 - 3. the declarant has made a commitment that the obligations in accordance with point 21.Light.A.228 will be undertaken;
 - 4. there are no unresolved issues from the physical inspection, if carried out in accordance with point (b) of point 21.Light.B.221;
- (b) The Agency shall only register a declaration of a major repair design to an aircraft for which design compliance has been declared if it is limited to the specific configuration(s) in the registered declaration of design compliance to which the major repair design relates.

21.Light.B.223 Continuing airworthiness oversight of a repair design for which design compliance has been declared

If the Agency through its continuing airworthiness oversight, including through reports received in accordance with point 21.Light.A.3, or by any other means detects a non-compliance of the repair design, for which design compliance has been declared, with the applicable technical specifications or environmental protection requirements, the Agency shall raise a finding in accordance with point 21.Light.B.21, or under the conditions of point 21.Light.B.23 issue an airworthiness directive.

21.Light.B.224 Obligations upon an expression of intent to submit a declaration of design compliance for a major repair

If the declarant has expressed to the Agency its intent to design a major repair to an aircraft for which design compliance has been declared and to declare design compliance of that major repair design, the Agency:

1. may, if requested by the declarant, as a service, verify and confirm that the technical specifications intended to be used to demonstrate design compliance are suitable and appropriate;
2. may, if requested by the declarant, prescribe specific detailed technical specifications that can be used by the declarant to demonstrate design compliance with if the technical specifications issued by the Agency in accordance with point 21.Light.B.61 that are effective on the date of expressing the intent do not address any particularities of the intended design;
3. may, if requested by the declarant, as a service, verify the compliance plan or parts of the compliance demonstration prior to the natural or legal person submitting its declaration of design compliance.

SUBPART P — PERMIT TO FLY

21.Light.B.241 Investigation prior to issuance a permit to fly

- (a) Without prejudice to Subpart P of Section B of Annex I to Regulation (EU) No 748/2012, when investigating an application for the issuance of a permit to fly for an aircraft which is in the scope of this Annex, the competent authority of the Member State shall conduct a physical inspection of the aircraft and be satisfied that the aircraft conforms to the design defined under point 21.A.708 of that Annex I before flight.
- (b) If the competent authority finds evidence indicating that the aircraft is not conform to the designed defined under point 21.A.708 of Annex I to Regulation (EU) No 748/2012, it shall raise a finding in accordance with point 21.Light.B.21.

21.Light.B.242 Investigation prior to issuance of the flight conditions

- (a) Without prejudice to Subpart P of Section B of Annex I to Regulation (EU) No 748/2012, when investigating an application for the approval of flight conditions for an aircraft which is in the scope of this Annex, the Agency shall:
 - 1. if the application is related to an aircraft which is, or is intended to be type-certified, conduct a critical design review of the design and a physical inspection and test of the aircraft;
 - 2. if the application is related to an aircraft for which design compliance is, or is intended to be declared, physically inspect and test the aircraft

in order to ensure that that the aircraft is capable of safe flight and that the flight testing required by point 21.Light.A.25(d), point (a) of point 21.Light.A.43, point (d) of point 21.Light.A.68, point (d) of point 21.Light.A.82A, point 21.Light.A.107, point 21.Light.A.206, or point 21.Light.A.227 can be conducted safely.

- (b) If the Agency finds evidence indicating that the aircraft could not be capable of conducting a safe flight, the Agency shall raise a finding in accordance with point 21.Light.B.21.

SUBPART Q — IDENTIFICATION OF PRODUCTS AND PARTS

./.

DRAFT

SUBPART R - STATEMENT OF CONFORMITY FOR AIRCRAFT, ENGINE AND PROPELLER, AND PARTS THEREOF, THAT CONFORM TO A DECLARATION OF DESIGN COMPLIANCE

21.Light.B.251 Oversight

- (a) The competent authority shall oversee the natural or legal person issuing statements of conformity under Subpart R of Section A in order to verify continuous compliance of the natural or legal person with the applicable requirements of Section A and the implementation of safety measures mandated according to points (c) and (d) of point 21.Light.B.15.
- (b) The oversight shall include a first article inspection of every first newly produced aircraft, engine, propeller or part for which the natural or legal person has issued a statement of conformity and, as determined by the oversight programme in accordance with point 21.Light.B.252, inspections of further aircraft, engines, propellers and parts produced by the natural or legal person.

21.Light.B.252 Oversight programme

- (a) The competent authority shall establish and maintain an oversight programme in order to ensure compliance with point 21.Light.B.252. This oversight programme shall take into account the specific nature of the natural or legal person, the complexity of its activities, the results of past oversight activities, and it shall be based on the assessment of the associated risks. It shall include, within each oversight planning cycle:
 - 1. assessments, audits and inspections, including as appropriate:
 - (i) production control system assessments and process audits;
 - (ii) product audits of a relevant sample of the products and parts that are under the scope of the organisation;
 - (iii) sampling of the work performed; and
 - (iv) unannounced inspections;
 - 2. meetings convened between the legal or natural person and the competent authority to ensure that they both remain informed of any significant issues.
- (b) The oversight programme shall include records of the dates when assessments, audits, inspections and meetings are due, and when assessments, audits, inspections and meetings have been effectively carried out.
- (c) An oversight planning cycle that does not exceed 24 months shall be applied.
- (c) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months:
 - (1) the natural or legal person has demonstrated that it can effectively identify aviation safety hazards and manage the associated risks;
 - (2) the natural or legal person has continuously demonstrated compliance with points 21.Light.A.273 and that it has full control over all changes to the management system for production;
 - (3) no level 1 findings have been issued;

- (4) all corrective actions have been implemented within the time period that was accepted or extended by the competent authority as defined in point 21.Light.B.21.
- (d) Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (c)(1) to (4), the natural or legal person has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself.
- (e) The oversight planning cycle may be reduced if there is evidence that the safety performance of the natural or legal person has decreased.
- (f) At the completion of each oversight planning cycle, the competent authority shall issue a recommendation report on the continuation of the activities conducted by the natural or legal person, reflecting the results of oversight.

21.Light.B.253 Oversight activities

- (a) When the competent authority verifies compliance of the natural or legal person in accordance with point 21.Light.B.251 in accordance with the oversight programme established in accordance with point 21.Light.B.252, it shall:
 - 1. provide personnel responsible for oversight with guidance to perform their functions;
 - 2. conduct assessments, audits, inspections, and, if needed, unannounced inspections;
 - 3. collect evidence needed in case further action is required, including the measures provided for in point 21.Light.B.22;
 - 4. inform the natural or legal person about the results of the oversight activities;
- (b) If the facilities of the natural or legal person are located in more than one State, the competent authority identified in point 21.Light.2 may agree to have oversight tasks performed by the competent authority(ies) of the Member State(s) where other facilities are located, or by the Agency for facilities that are located in a non-member State. Any natural or legal person that is subject to such an agreement shall be informed of its existence and of its scope.
- (c) For any oversight activities that are performed by the competent authority at facilities located in a Member State other than where the natural or legal person has its principal place of business, the competent authority shall inform the competent authority of that Member State before performing any on-site audit or inspection of the facilities.
- (d) The competent authority shall collect and process any information deemed necessary for conducting oversight activities.
- (e) If the competent authority detects a non-compliance of the natural or legal person issuing statements of conformity with the applicable requirements of Section A and the implementation of safety measures mandated according to points (c) and (d) of point 21.Light.B.15, the competent authority shall act in accordance with points 21.Light.B.21 and 21.Light.B.22.