

## ***European Aviation Safety Agency***

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**DECISION N° 2004/01/CF  
OF THE EXECUTIVE DIRECTOR OF THE AGENCY**

**of 28 April 2004**

**on the implementation of Article 2.3.a of Commission Regulation EC N°  
1702/2003**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY  
AGENCY,

Having regard to Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, hereinafter referred to as the Basic Regulation,

Having regard to Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of products, parts and appliances, as well as for the certification of design and production organisations, hereinafter referred to as the Implementing Regulation, especial, in particular its Article 2 paragraph 3a,

Whereas:

- (1) Products designed in a Member State can only be deemed to have a type certificate issued in accordance with the Implementing Regulation if, taking into account, in particular, airworthiness codes used and service experience, the type-certification basis provides for a level of safety equivalent to that required by the Basic Regulation and the Implementing Regulation;
- (2) Airworthiness codes used in some Member States are not sufficiently known to ensure that they provide for the appropriate level of safety;
- (3) Sufficient details of the type-certification basis used in the certification of products by some Member States are not currently available to the Agency.

HAS DETERMINED:

*Article 1*

The type-certification basis of the products listed in the attachment may not provide for a level of safety equivalent to that required by the Basic Regulation and the Implementing Regulation.

*Article 2*

**Entry into force**

This Decision shall enter into force at the date of its publication in the official publication of the Agency

Done at Brussels, 28 April 2004

Patrick GOUDOU  
Executive Director