



Transfer, surrender, limitation, suspension and revocation of a product related certificate

WI.CERT.00151-003

	Name	Validation	Date
Prepared by:	Ralf Bader	Validated	21/08/2025
Verified by:	Ralf Bader	Validated	21/08/2025
Reviewed by:	Dominique Perron	Validated	21/08/2025
Approved by:	Rachel Daeschler	Validated	21/08/2025



**DOCUMENT CONTROL SHEET****Reference documents****a) Procedures**

PR.CERT.00001 - Airworthiness of type design

b) Internal documents

WI.CERT.00005 – Decisions and signatures for certification
 WI.CERT.00012 - Electronic application review & task assignment
 FO.CERT.00038 - Application for Transfer of Certificate
 FO.CERT.00095 - Technical visa for type certificate / restricted type certificate
 FO.CERT.00096 - Technical visa for post TC design approval
 FO.CERT.00021 - Technical Visa for ETSOA
 FO.CERT.00148 - Multi Technical Visa for ETSOA
 Legal Note 02/05/2025

Abbreviations/Definitions

AD	Airworthiness Directive
ARC	Authorized Release Certificate
BASA	Bilateral Aviation Safety Agreement
Basic Regulation	Regulation (EU) 2018/1139
CT	Certification Directorate
DOA	Design Organisation Approval
EASA	European Union Aviation Safety Agency
ED	EASA Executive Director
ETSO(A)	European Technical Standard Order (Authorisation)
FCL	Flight Crew Licensing
ICAO	International Civil Aviation Organisation
PCM	Product Certification Manager
POA	Production Organisation Approval
PtF	Permit to Fly
(R)CofA	(Restricted) Certificate of Airworthiness
(R)TC	(Restricted) Type Certificate
SAS	EASA Specific Airworthiness Specifications
SDM	Safety Data Management
STC	Supplemental Type Certificate
SoD	State of Design
TCDS	Type Certificate Data Sheet
TCDSN	Type Certificate Data Sheet Noise
TIP	Technical Implementation Procedures
VA	Validation Authority
WA	Working Arrangement
WI	Work instruction





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EASA organisational unit responsible for applications = RS3.1

EASA organisational unit responsible for approval certificates = RS3.1

Definitions

Transfer: ownership of a certificate moves from one certificate holder to another certificate holder

Surrender: invalidation of a certificate requested by the certificate holder

Limitation: partial invalidation of a certificate;

Suspension: temporary invalidation of a certificate;

Revocation: cancellation and permanent invalidation of a certificate.

Log of issues

Issue	Issue date	Change description
001	21/03/2022	Initial issue.
002	10/03/2025	Part-21 Light content added. Chapters 1, 2 and 3 complemented by actual process step description and background information. Chapter 4 for orphaned design added.
003	21/08/2025	Clarification of the validity/invalidity of aircraft TC in case of surrendered/suspended/revoked engine or propeller TC.





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1. Transfer of Certificates

1.1. General considerations

In accordance with Part-21, the transfer of a (Restricted) Type Certificate ((R)TC, ref. 21.A.47) or a Supplemental Type Certificate (STC, ref. 21.A.116) may only be made to a natural or legal person that is able to undertake the obligations as (R)TC/STC holder and for this purpose demonstrated its ability by holding a Design Organisation Approval (DOA) issued by the Agency or by meeting alternative eligibility criteria (ref. 21.A.14(b) or (c)).

The obligations as a DOA holder include:

- 21.A.3A Reporting Systems
- 21.A.3B Airworthiness directives
- 21.A.4 Coordination between design and production
- 21.A.5 Record-keeping
- 21.A.6 Manuals
- 21.A.7 Instructions for continued airworthiness
- 21.A.9 Access and investigation
- 21.A.62 Availability of operational suitability data
- 21.A.65 Continuing structural integrity for aeroplanes structures

In accordance with Part-21L, the transfer of a Type Certificate TC, ref. 21L.A.29) or a Supplemental Type Certificate (STC, ref. 21L.A.89) may only be made to a natural or legal person that is able to undertake the obligations as TC/STC holder and for this purpose demonstrated its ability by holding a Design Organisation Approval (DOA) issued by the Agency or by declaring their design capability (ref. 21L.A.23).

Declarations of Aircraft Design Compliance cannot be transferred (ref. 21L.A.48), but are subject to a new declaration.

The transferee accedes to all rights and obligations of a certificate holder which includes the continued airworthiness responsibilities for all aircraft produced under that certificate.

In cases where the (R)TC/STC holder ceases to legally exist (e.g. due to financial or economic constraints), it may happen that a legal administrator is the only contact person for the former holder and that the former holder is not able to provide any relevant airworthiness related technical statement. In such cases EASA may rely on the capability of the new holder to perform an assessment of the available data and to confirm that all data are received to administer the certificate holder's responsibilities. It needs to be assessed that the information available to the new certificate holder is sufficient to exercise the continued airworthiness responsibilities. In these cases, the EASA Legal Department should be informed and involved as necessary.

When an (R)TC/STC is transferred, all related change and repair approvals held by the former (R)TC/STC holder are transferred as well.

By analogy with a transfer of an (R)TC/STC, for repairs (minor or major) and minor change approvals, held by a person different from the (R)TC or STC Holder, a transfer of the approval is also possible. In case of major repairs, the transfer shall follow the same process as for (R)TC/STC, with the involvement of the assigned PCM and/or expert. In case of minor changes and repairs, since any natural or legal person is eligible for a minor change and repair application, as per 21.A.92/21L.A.64 and 21.A.435/21L.A.204, such transfer is merely an EASA administrative action that does not need technical involvement of a PCM or expert.





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An ETSO authorisation (ETSOA) issued under Part-21 is not transferable except for a change in ownership of the holder (ref. 21.A.621). In case of company name change or a change of ownership in accordance with point 21.A.621, the company may apply for an administrative minor change via the EASA portal to receive a revised ETSOA certificate. The revision would only be done on request of the applicant since there is no obligation to revise certificates in case of name changes.

Note 1: If a new certificate is requested, the activity is charged to the applicant by the number of hours for an administrative change.

Note 2: For the case of an existing FAA-LODA (Letter of Design Approval) a name change or change of ownership will not lead to a LODA revision. ETSO articles released under the new name or ownership will be accepted under the reciprocal provisions of the BASA/TIP EU-US.

The transfer of certificates may involve the transfer of the State of Design (SoD) responsibilities. The SoD, as defined by the ICAO Annex 8, means the State having jurisdiction over the organisation responsible for the type design.

Requests for transfer must be made by authorised persons of the current certificate holder or the new holder complemented with a clear agreement between the two transfer partners. In case of no existing certificate holder, the applicant (new holder) should provide evidence data of the orphan certificate.

When a certificate is transferred, the certificate must be reissued:

- (R)TC – is reissued with a new date;
- (R)TCDS – is reissued with an increased issue number;
- Major changes/repairs of the new (R)TC Holder are reissued with an increased revision number;
- STC – is reissued with an increased revision number;
- Minor change/repairs of non-(R)TC/STC holder are reissued with an increased revision number;
- ETSOA are reissued with an increased revision number.

Reissuance of a (R)TC also requires the (R)TC Data Sheet (TCDS(N)) to be revised in order to show the new holder and the record of previous holders. A TCDS(N) should be prepared by using the latest relevant template, especially in cases where there is no previous EASA TCDS(N) (e.g. grandfathered types).

A ‘Certification Information’ shall be published on the [EASA website](#) to inform the public about the transfer with the minimum information as per ICAO Annex 8 and the related guidance Doc 9760 (Transfer of Type Certificate).

Changes of name or address are considered administrative changes by EASA unless there is a change of the capability of the person/organisation holding the Certificate.

Note 3: Transfers are charged by an hourly fee as per the [fees and charges regulation](#).

1.2. Process Scenarios

1.2.1. Transfer within EASA Member States

When a certificate is transferred from an EASA member state holder to a new EASA member state holder, EASA continues to exercise the SoD responsibilities.

Application

Applications for transfer are made to EASA in the appropriate format (EASA Form 38). The EASA organisational unit responsible for applications checks and verifies the information contained in the application form.





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The application should be made by the current certificate holder. The application shall include or be supplemented with a statement made by the new certificate holder regarding its eligibility as certificate holder and its acceptance of the related responsibilities and obligations. Alternatively, the application could be provided by the new certificate holder in agreement with the current certificate holder respectively the legal holder of the design data when the certificate is orphan.

The application follows the usual internal process for task assignment according to the kind of approval to be transferred (see WI.CERT.00012).

Technical Investigation

The PCM shall first check that the new (potential) certificate holder has demonstrated its capability (ref. 21.A.14/21LA.23 for (R)TC, 21.A.112B/21LA.83 for STC; 21.A.432B/21LA.23 for major repair and 21.A.602B for ETSO). In doing so, the PCM shall coordinate with the responsible DOA Team Leader (when relevant). In case of the ETSOA transfer (change of ownership), the capability for production shall be checked as well (if needed, in coordination with POA Team Leader).

If the new (potential) certificate holder is failing to demonstrate its capability, after the coordination with the respective product line Section Manager, the PCM shall inform the applicant in writing that EASA intends to refuse the transfer and the reasons for this refusal, giving the new (potential) certificate holder time to respond to EASA’s intention. Should the non-ability as per 21.A.47/21.LA.29, 21.A.116/21LA.89 or 21.A.621 still remain, EASA shall refuse the transfer by means of a letter, including the reasons for the refusal and an appeal clause as specified in the Basic Regulation. In case of such negative decision, if necessary, the Legal Department should be consulted.

Once the capability demonstration is verified, the PCM, supported if needed by the relevant experts, shall check the ability of the new (potential) certificate holder to undertake the responsibilities associated with obligations as certificate holder (ref: 21.A.44/21L.A.28 for (R)TC and APU ETSOA, 21.A.118A/21L.A.88 for STC, 21.A.451/21L.A.210 for major repair and 21.A.609 for ETSO). These verifications shall include:

- the completion of the transfer of all certificate related data and records from the current holder to the new one (including evidence of title transfer (sales contract, etc.)). The certificate related data include for example: the type design data, the certification data (including application and approval letters), the certification basis and compliance documentation, summary of service experience (AD’s, occurrence data, records of continued airworthiness meetings etc.), manuals (operation, life limits, maintenance, etc.)
- the readiness of the coordination arrangements between the future design approval holder and the production organisations, if relevant. The formal signature of such arrangements might be possible only once the transfer is confirmed by EASA;
- the transfer of open matters (e.g. on-going continued airworthiness aspects), if relevant.

The above list of verification items is not intended to be exhaustive. The PCM shall always refer to the actual applicable Part-21/21L requirement to ensure compliance of the new certificate holder.

For the completion of the transfer, the process steps as per chapter 1.2.4 shall be followed

1.2.2. Transfer of Certificates from/to EASA to/from a foreign Authority

The transfer of a certificate between persons/organisations of different jurisdictions, which involves the transfer of the SoD responsibilities shall be administered according to an agreed transfer procedure. EASA and the foreign Authority might provide technical assistance to each other upon request and after mutual agreement to ensure the new certificate holder is able to fulfil their responsibilities.





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Where no existing transfer procedure exists, between a foreign authority and EASA, an ad-hoc agreement may be concluded between the Authorities during a transfer exercise. In this case the involvement of the Directorate’s International Certification officers is required. In addition, if the transfer is from EASA to a foreign Authority, the EASA management decision is needed to confirm that such transfer can be pursued.

Application

The application for transfer shall be made by the current holder through its competent Authority. In case of a holder located in an EASA member State, applications are made to EASA in the appropriate format (EASA Form 38). The EASA organisational unit responsible for applications verifies the information contained in the application form.

Upon receiving a transfer application, the competent Authority shall notify the receiving Authority.

In the event that EASA receives an application or notification for transfer, the application will follow normal internal rules for allocation of the application to the responsible department and allocation of a PCM.

Technical Investigation

If the corresponding Certificate exists in the receiving Authority registries (i.e. as a result of a previous validation exercise), the State of Design and the Validating Authority need to be exchanged along with the transfer of the certificate. If there is no previous validation exercise, the actual transfer needs a concurrent validation exercise for transfers towards EASA or accepted under the terms of a relevant BASA. For transfers from EASA the receiving Authority will define its process for validation or acceptance of the EASA certificate (if not defined through a BASA or WA).

The activities involving the transfer of a Certificate shall be regulated by the appropriate competent Authority to ensure that the continuing airworthiness responsibilities under ICAO Annex 8 are maintained or retained by the new holder and the State of Design.

For transfers towards EASA, the PCM shall perform the same verifications as in case of a transfer within EASA Member States (refer to the previous scenario, in 1.2.1).

For transfers from EASA, the new SoD is responsible to determine the eligibility of the proposed certificate holder.

The transfer of the ICAO SoD responsibilities for the (R)TC/STC to the receiving Authority will be considered complete when the receiving Authority confirms that all necessary data have been transferred to the new holder, that the new holder is able to perform the responsibilities required of a design approval holder and that the receiving Authority has issued a new (R)TC/STC in the name of the new holder.

If the receiving Authority’s (R)TC/STC covers only some of the models in the transferring Certifying Authority’s original (R)TC/STC and the new holder does not apply for approval of the models not covered (by the receiving Authority’s (R)TC/STC), the current holder will continue to hold the data for those models and the transferring Certifying Authority will continue to fulfil its SoD responsibilities for the models that are not covered (by the receiving Authority’s (R)TC/STC).

In case of transfer towards EASA, if the new (potential) certificate holder is failing to demonstrate compliance with applicable obligation requirements (including the failure to demonstrate its capability), after the coordination with the respective product line Section Manager, the PCM shall inform the applicant in writing that EASA intends to refuse the transfer and the reasons for this refusal, giving the new (potential) certificate holder time to respond to EASA’s intention. Should the non-ability as per 21.A.47/21L.A.29, 21.A.116/21L.A.89 or 21.A.621 still remain, EASA shall refuse the transfer





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by means of a letter, including the reasons for the refusal and an appeal clause as specified in the Basic Regulation. In case of such negative decision, if necessary, the Legal Department should be consulted.

For the completion of the transfer, the process steps as per chapter 1.2.4 shall be followed.

1.2.3. Transfer of certificates within/between foreign Authorities

Transfers from a foreign holder to another foreign holder will affect EASA validation certificates that were issued based on the foreign certificates. When EASA is notified of a transfer, the case shall be assessed to determine the validity of the EASA certificate.

If the SoD is changing and there is no bilateral agreement with the new SoD, a decision by EASA management is needed to confirm that such transfer can be reflected at the level of the EASA validated certificate. In case of a positive decision, the PCM shall perform the same verifications and process steps as in case of a transfer within EASA member states (refer to 1.2.4).

If re-issuance of an EASA certificate in the name of the new holder is not possible, EASA shall send the negative decision to the concerning parties. The EASA (R)TC/STC will need to be revoked (see the Chapter 3 of this WI).

1.2.4. Process steps transfer

1. Current Certificate Holder to submit the original certificate to EASA; if a wet signed original paper certificate was submitted initially (also applicable for EASA validation certificates, when a certificate is transferred from a foreign Authority to EASA).
2. In case of transfer from EASA to a foreign authority, the receiving Authority to issue the (R)TC/STC/TSOA with the data of the new certificate holder.
3. PCM to submit the Technical Visa to the EASA organisational unit responsible for approval certificates.; For transfers as per chapter 1.2.2, the PCM ensures that the relevant provisions from Bilateral Agreements (BASA) and associated Technical Implementation Procedures (TIP) or Working Arrangements (WA) are considered.
4. Product line section manager to sign the re-issued certificate that is prepared by the EASA organisational unit responsible for approval certificates who, once signed,
 - a. submits it to the new Certificate Holder, and
Note: In case of an (R)TC/STC transfer, the related major change approval certificates transfer may be executed by a signed list of the related major change approval certificates.
 - b. updates the Product / Certificate Lists, and
 - c. establishes and publishes the 'Certification Information' as the transfer decision on the [EASA website](#), (see certification information content in 1.2.5);
 - d. informs the safety information section (ads@easa.europa.eu), SDM (SDM@easa.europa.eu), FCL (FCL@easa.europa.eu), Maintenance Type Rating [AML Part-66@easa.europa.eu](mailto:AML_Part-66@easa.europa.eu))
5. If applicable, the TCDS is to be updated and published by the PCM;
6. If applicable, the TCDSN is to be updated and published by the assigned noise expert who is informed by the PCM.
7. If applicable, the PCM informs the DOA team leader in charge who updates the Terms of Reference of the DOA/AP to DOA.
8. If applicable, the Safety Information Section to update the Safety Publications Tool for Airworthiness Directives based on the certification information.





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- 9. The Safety Information Section to notify all ICAO Member States, if
 - a. a Certification Information is issued, and
 - b. it is not proven that an EASA approval / authorization certificate was never validated by a foreign authority.

Note for a certificate transfer from a foreign authority to EASA:

Transferring authority to reissue a (R)TC/STC/TSOA with the data of the new certificate holder after EASA issues its (R)TC/STC/ETSOA.

1.2.5. Content of transfer certification information

- 1. Certification Information reference and issue date
- 2. Subject description of the certification information (transfer)
- 3. Legal and trade names and address of the previous certificate holder
- 4. Former state of design
- 5. Legal and trade names and address of the new certificate holder
- 6. New state of design
- 7. List of design approval documents that have been transferred, including:
 - a. Type or Model designation(s)
 - b. Design Organisation
 - c. Former state of design certificate reference and issue date
 - d. New state of design certificate reference and issue date
- 8. New state of design contact information including name, post address and e-mail address
- 9. Effective date of transfer





2. Surrender of Certificates

2.1 General considerations

According to 21.A.51(b)/21L.A.30 (for (R)TC), 21.A.118B(b)/21L.A.90 (for STC) and 21.A.619(b) (for ETSOA), a (R)TC, a STC and an ETSOA can be surrendered by the holder, which results in the respective approval / authorisation to become invalid. The (R)CofA of in-service aircraft may be affected depending on the kind of approval/authorization (see details in orphaned certificates in chapter 4 below).

The surrender of a certificate is a legal action in which the Certificate Holder voluntarily relinquishes the certificate and the associated privileges and obligations. Only the Certificate Holder may request the surrender. Reasons might be e.g. bankruptcy, insolvency or that there is no more product in service covered by that approval/authorization.

The potential effect to create orphan products, parts or articles in service shall be carefully investigated and considered for the processing of a surrender application (see details in orphaned certificates in chapter 4 below).

A surrender of certificate by the certificate holder is very similar to a revocation by EASA. The consequences and actions are the same beside the point that a revocation is in any case permanent and a surrender can be still changed into a transfer of the certificate. A surrender should not be followed by a revocation.

Surrender of an approval /authorization certificate precludes further related production.

Requests to the EASA organisational unit responsible for applications shall be in writing, in form of a letter and signed by the authorised representative of the Certificate Holder. There is no dedicated EASA form. In the case where the surrender affects a fleet still in service, the letter shall contain a legal statement with a list of known civil operators on the registries of EASA Member States, and non-EASA countries if any. The request must clearly identify the affected certificate and a proposed date when the planned surrender becomes effective.

The surrender related notification to the public shall be made through 'Certification Information' published on the EASA website. This must also be done in the aim of giving interested parties the opportunity to provide comments before the announced EASA decision becomes effective.

In case of a request for a surrender, the certificate (paper document) shall be returned to the Agency if a wet signed original paper certificate was submitted initially.

Note: A surrender of a certificate is free of charge.

2.2 Process steps surrender

The following steps shall be followed once a request for surrender of a product certificate is received:

1. The task of reviewing the surrender of the Certificate should be allocated to the PCM in charge of the Type/ETSO following the usual internal process for task allocation. There is however no related SAP project established.
2. PCM to review the potentially affected in-service fleet. If in-service products cannot be excluded, the PCM should inform the holder of the certificate about the consequences of a surrender, i.e.
 - no production,
 - certificate of airworthiness invalidated in case of a (R)TC, i.e. further flight possibility per Permit to Fly only,
 - Adaptation of the Terms of Reference in case of a DOA/AP to DOA





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- see also chapter 4 for orphan certificates.

If in-service products cannot be excluded that include the design requested to be surrendered, the PCM shall inform the affected product line managers.

The PCM ensures that the relevant provisions from Bilateral Agreements (BASA) and associated Technical Implementation Procedures (TIP) or Working Arrangements (WA) are considered.

Finally the PCM informs the EASA organisational unit responsible for approval certificates.

3. the EASA organisational unit responsible for approval certificates
 - a. establishes the ‘Certification Information’ stating the intention of the EASA member state Certificate Holder to surrender a referenced certificate (for non-EU, see further down), (see certification information content in 2.3);
 - i. The ‘Certification Information’ is to be published on the [EASA website](#) offering the public (interested parties) the opportunity to provide comments. The ‘Certification Information’ shall include a provision detailing the possibility of a transfer of the certificate in case the current certificate holder is willing to transfer. In case a request for transfer is received, process as per chapter 1 as the surrender decision on the [EASA website](#).
Instead of a second ‘Certification Information’ when the surrender is confirmed/decided, a sentence shall be added with an effectivity date with the condition “if not replaced by a correcting certification information”. The time duration between announcement and effectivity should be at least 15 working days.
 - b. updates the Product / Certificate Lists, and
 - c. informs the safety information section (ads@easa.europa.eu), SDM (SDM@easa.europa.eu), FCL (Flight Crew Licensing) (FCL@easa.europa.eu), Maintenance Type Rating (AML_Part-66@easa.europa.eu)
4. If applicable, the TCDS is to be clearly marked as “Surrendered” e.g. with a watermark on each page and published by the PCM;
5. If applicable, the TCDSN is to be clearly marked as “Surrendered” e.g. with a watermark on each page and published by the assigned noise expert who is informed by the PCM.
6. If applicable, the Terms of Reference of the DOA/AP to DOA are to be updated.
7. In case of an “orphaned” engine or propeller (R)TC, the propulsion PCM shall ensure that the affected aircraft
 - a. (R)TCs are identified
 - b. DOA team leaders are informed.
 - c. The actions as per chapter 4.2, sub-chapter 2 are performed.
8. The Safety Information Section to notify all ICAO Member States, if EASA is the primary authority of the approval/authorization.

If a non-EU certificate holder elects to surrender a foreign (R)TC, STC or TSO validated by EASA, the Primary Certifying Authority of the foreign State of Design (SoD) should notify EASA in accordance with the relevant provisions of a BASA/TIP, WA and ICAO Annex 8. The foreign competent Authority may continue to exercise its continuing airworthiness responsibilities as the SoD for the surrendered certificate in accordance with Annex 8 provisions, and inform EASA of any identified unsafe condition, until the point of time the certificate is reissued to a new holder. EASA may not take the continuing airworthiness responsibilities in such case.

If a holder of an EASA validated certificate surrenders its validated certificate, EASA shall immediately notify the relevant foreign competent Authority of the SoD in writing of this action.





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2.3 ***Content of surrender/limitation/suspension/revocation certification information***

1. Certification Information reference and issue date
2. Subject description of the certification information (surrender/limitation/suspension/revocation)
3. Legal and trade names and address of the certificate holder
4. List of design approval documents that have been surrendered/limited/suspended/revoked, including:
 - a. Model designation
 - b. Design Organisation
 - c. State of design certificate reference and issue date
5. State of design contact information including name, post address and e-mail address
6. Effective date of surrender/limitation/suspension/revocation
7. Consequence information regarding the validity/invalidity of individual (R)CofA issued under 21.A.181 to in-service aircraft that embody design covered by the surrendered/limited/suspended/revoked certificate.





3. Limitation, suspension and revocation of Certificates

The Basic Regulation, Art. 62(2), requires the Agency to take all enforcement measures in order to terminate identified infringements. These measures include limiting, suspending or revoking certificates as per point 21.B.65.

In accordance with 21.A.51/21L.A.30 (for (R)TC), 21.A.118B/21L.A.90 (for STC), 21.A.259 (DOA) and 21.A.619 (for ETSOA) EASA may limit, suspend or revoke a certificate when the holder can no longer maintain compliance with relevant Part 21/21L requirements.

A non-compliance with Part-21/21L requirements may also be for instance the case where the design organisation approval of the Certificate Holder is revoked by EASA under 21.A.259, 21.B.65, 21L.B.22 and/or 21.B.433 (e.g. due to unresolved level 1 finding affecting the validity of the DOA certificate).

Also, in accordance with 21.B.65/21L.B.22, the competent authority may limit, suspend or revoke the product certificates when it considers that there are reasonable grounds that such action is necessary to prevent a credible threat to aircraft safety. For (R)TC, STC, major and minor change approvals, major and minor repair approvals and ETSO authorisations the competent authority is EASA.

Furthermore, according to Article 11(1) of Commission Implementing Regulation (EU) 2019/2153 on the fees and charges levied by EASA, the Agency may also suspend or revoke product related certificates in the event of non-payment of the fees due by the certificate holder.

In the absence of specific definition in Basic Regulation or Part 21/21L, the terms limitation, suspension and revocation, in relation with product certificates, shall be used with the following meaning:

- **Limitation** consists of a partial invalidation of a certificate;
- **Suspension** is a temporary invalidation of a certificate;
- **Revocation** is the cancellation and permanent invalidation of a certificate.

The suspension, revocation and potentially limitation of a product certificate* renders the respective approval / authorisation invalid. The (R)CofA of in-service aircraft may be affected depending on the kind of approval/authorization (see details in orphaned certificates in chapter 4 below).

* a type-certificate, restricted type-certificate, change certificate, supplemental type-certificate, European Technical Standard Order (ETSO) authorisation, major repair design approval or any other relevant approval deemed to have been issued under Part-21/21L.

Similarly to a surrender (see chapter 2.1), a suspension, revocation and potentially limitation of a (R)TC also precludes further production of the product covered by the (R)TC and by analogy, there is the same further installation impossibility for a suspension revocation and potentially limitation of a certificate other than (R)TC (e.g. a STC or ETSOA).

EASA is required to be proportionate and consistent in its decisions. This means that EASA needs to take the action that is most lenient but at the same time mitigates any potential safety risk, e.g. if the safety threat can be mitigated by a limitation, the certificate should not be revoked. EASA also needs to ensure that similar cases receive similar decisions, e.g. if in a similar occurrence a certificate was suspended, it should not be revoked in the next similar instance. If it is not clear which decision to take, the Legal Department should be consulted.

A decision by EASA management may also be needed, and/or consultation of the relevant CT Safety Board necessary, as the suspension, revocation and potentially limitation of a certificate have different legal implications depending on the certificate category, including the effect to leave Orphan aircraft, designs or articles in service (see in 4. below).





If the Agency suspends a certificate because the certificate holder fails to comply with the applicable requirements or fails to pay the annual fee or surveillance fee, the Agency may revoke the certificate after continued failed compliance, see also the [fees and charges regulation](#). The intent of such decisions as well as the decisions themselves shall be published.

Note: A limitation, suspension or revocation of a certificate is not charged.

The instructions in 3.1 and 3.2 below are referring to the revocation process. In general, the same approach and process steps apply for a limitation or suspension. If specific provisions are needed these are indicated.

3.1 General considerations

The holder of the certificate for which the revocation is being considered shall always be aware of the measures EASA intends to take, and be given a chance to provide their position and rectify the situation before a decision is issued. This consultation may be skipped if well justified and explained in the decision. See further in 3.2

A revocation is a permanent decision, the consequences need therefore be carefully considered.

In case of foreign certificates validated by EASA, when receiving a revocation notification from the Primary Certifying Authority of a foreign SoD (according to the BASA /TIP relevant or WA provisions), EASA also revokes the validated certificate.

Note: If a revocation or suspension is justified and the Validating Authority (VA) concurs with the Certifying Authority's (CA) certificate action, the VA will initiate a revocation or suspension of its TC or STC.

Alternatively, foreign authorities may decide to assume continuing airworthiness responsibility so that it can support the continued safe operation of the affected product within its jurisdiction. In this case, EASA should obtain and provide any type design data the VA requests to the VA if the owner of the type design data gives consent. The VA may then decide what, if any, action to take.

3.2 Process steps limitation/suspension/revocation

1. Collection of evidence for a negative decision

If applicable, the PCM coordinates with the DOATL responsible for the respective organisation. If the organisation is holding a DOA, the DOATL shall assess the impact on the DOA and follow-up the identified non-compliances with DOA findings. When there is evidence of non-compliance with relevant Part 21/21L requirements by the certificate holder, and the EASA notifications of such non-compliance have not been followed up by the respective holder with satisfactory corrective actions, the responsible PCM escalates the case to the attention of the Product Line Section Manager.

2. Warning letter

The responsible Product Line Section Manager sends a warning letter to the certificate holder. The letter shall refer to the expected corrective actions and their due dates, and inform about consequence of failure to comply (e.g. limitation, suspension, revocation).

The draft letter should be consulted with the Legal Department.





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Note: When the non-payment is the reason for the contemplated revocation action, the warning letter is prepared by the EASA organisational unit responsible for approval certificates, endorsed by the Product Line Section Manager, and signed by RS and CT Directors.

3. Limitation/suspension/revocation decision if the certificate holder does not react successfully to the warning letter
When the warning letter does not lead to corrective actions that are acceptable for the Agency, in accordance with WI.CERT.00005 for Decisions and signatures for certification the PCM in coordination with the Product Line Section Manager
 - a. initiate the certificate limitation/suspension/revocation decision. The decision shall contain indication of the legal basis, reasons and an appeal clause. The draft decision shall be consulted with the Legal department and the comments received, if any, need to be considered.
 - b. ensure signature of the negative decision by a person who has received delegation to take such decision. If no delegation is in place, the decision is to be signed by the ED. In addition, negative decisions shall not be signed by the same person who took the primary decision affected by the negative decision.
 - c. ensure to inform the respective Head of Department, CT Director and ED, if relevant, about the intended negative decision.
 - d. ensure that the public is informed by the EASA organisational unit responsible for approval certificates.

4. Information of the certificate holder and the public domain

The EASA organisational unit responsible for approval certificates

- a. notifies the certificate holder about the intended negative decision and its effectivity date by provision of the letter signed by management.
- b. mandates the holder to return the certificate if a wet signed original paper certificate was submitted initially.
- c. establishes the 'Certification Information' stating the intention to limit/suspend/revoke a referenced certificate. The 'Certification Information' is to be published on the EASA website offering the public (interested parties) the opportunity to provide comments before the announced EASA decision becomes effective. The 'Certification Information' should include a provision detailing the possibility of a transfer of the certificate in coordination with the current certificate holder. In case a request for transfer is received, process as per chapter 1 as the limitation/suspension/revocation decision on the EASA website.
 - i. In case of a limitation or suspension, a sentence shall be added with an effectivity date with the condition "if not replaced by a correcting certification information". The time duration between announcement and effectivity should be at least 15 working days.

Additionally, the content in chapter 2.3 shall be part of the certification information.

5. The Safety Information Section to notify all ICAO Member States by e-mail, if EASA is the primary authority of the approval/authorization
6. Public information for revocation decision

When the warning letter and the certification information as per step 4 does not lead to corrective actions that are acceptable for the Agency, the EASA management level responsible for the negative decision as per WI.CERT.00005 informs the EASA organisational unit responsible for approval certificates, who





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- a. establishes an updated ‘Certification Information’ when the revocation is confirmed.
- 7. The EASA organisational unit responsible for approval certificates
 - a. updates the Product / Certificate Lists, and
 - b. informs the safety information section (ads@easa.europa.eu), SDM (SDM@easa.europa.eu), FCL (Flight Crew Licensing) (FCL@easa.europa.eu), Maintenance Type Rating (AML_Part-66@easa.europa.eu)
- 8. If applicable, the TCDS is to be clearly marked with “Limitation”, “Suspension” or “Revocation” e.g. with a watermark on each relevant page and published by the PCM;
- 9. If applicable, the TCDSN is to be clearly marked with “Limitation”, “Suspension” or “Revocation” e.g. with a watermark on each relevant page and published by the assigned noise expert who is informed by the PCM.
- 10. If applicable, the Terms of Reference of the DOA/AP to DOA are to be updated on the date of effectivity.
- 11. In case of an “orphaned” engine or propeller (R)TC, the propulsion PCM shall ensure that the affected aircraft
 - a. (R)TCs are identified
 - b. DOA team leaders are informed.
 - c. The actions as per chapter 4.2, sub-chapter 2 are performed.
- 12. The Safety Information Section to notify all ICAO Member States by e-mail to disseminate the certification information of step 6, if EASA is the primary authority of the approval/authorization.





4. Orphaned design

4.1 General considerations

As explained in 2.1 and 3. above, the surrender, suspension, revocation and potentially limitation of a product certificate* renders the respective approval / authorisation invalid. The affected design* becomes “orphaned” since it is no longer supported by a Certificate Holder to fulfil the legal obligations of Part-21/21L ensuring continuing airworthiness of these orphans under point 21.A.3A/21L.A.3.

*design covered by (R)TC , STC, change approval, ETSO authorisation, repair design approval issued under Part-21/21L.

The possible circumstances of an “orphaned” design* leading to situations of orphan aircraft, engine, propeller, design, or article when still in operation could be diverse, but basically may result from:

- a) the Certificate Holder voluntarily surrenders its certificate to EASA;
- b) the certificate of the Certificate Holder is legally suspended, revoked or potentially limited by EASA; or
- c) evidence shows that the Certificate Holder no longer exists (e.g. bankruptcy), or is no longer paying the required fees, or is not or will not fulfil its 21.A.3A/21L.A.3 obligations (e.g. unresolved DOA level 1 finding, DOA revocation, ...), and it has NOT surrendered its certificate.

All cases are covered in chapters 2 and 3 above. In case c), EASA is required to react to this occurrence by promptly suspending the certificate(s) of the “orphaned” design and then (possibly) revoking the certificate(s) which was suspended in a first step.

Note: Unless exceptional circumstances justify otherwise, it is unnecessary to act regarding “orphaned” design of minor design changes and repairs, as both have no appreciable effect on the characteristics that may affect the airworthiness of the product (aircraft, engine, propeller) according to the classification criteria of 21.A.91/21L.A.63 and 21.A.435/21L.A.204.

For the above reasons, the involvement of EASA management, and/or consultation of the relevant CT Safety Board, may be necessary depending on the contextual circumstances with the failing Certificate Holder and the category of “orphaned” design.

If a design covered by an orphan certificate is still in operation, the preferred option is a transfer to a new certificate holder as per chapter 1.

If no new applicant applies within a reasonable time to take over the obligations of an “orphaned” certificate, the certificate should eventually be revoked as per chapter 3 above. Careful consideration should be given to change a suspension decision into a revocation decision since it is not possible to reverse a revocation decision.

4.2 Continuing airworthiness consequences

Unlike an orphan TC, an orphan STC does not affect the continued validity of the aircraft’s Certificate of Airworthiness (CofA). Therefore, EASA will not take action by suspending or revoking the STC. However, the continuing airworthiness of the STC will continue to be monitored and ADs issued as necessary. If no design holder is available to produce the necessary corrective actions for EASA approval to rectify the unsafe condition, ultimately the AD can disallow the STC to remain in-service.





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1. Invalidated **aircraft (R)TC** certificate

- a. A (R)CofA per individual aircraft in service on civil registers as per 21.A.181/21L.A.146 becomes invalid when the related aircraft (R)TC becomes invalid due to a related surrender, suspension, revocation or potentially due to a limitation. The orphan aircraft has NO legal basis any longer to operate, it is not permitted to produce further aircraft of this type, and it is not permitted to register further aircraft of this type onto the civil registries of EASA Member States nor to move an aircraft from one civil register to another.
- b. An aircraft (R)TC becomes invalid in case of a surrender, suspension and revocation (see in 21.A.51/21L.A.30). In case of a limitation (see 21.B.65/21.L.B.22), the aircraft (R)TC also becomes invalid, but only for its specific part of type design definition affected by the EASA limitation.
- c. A continued operation of an orphan aircraft (R)TC is possible only via a Permit to Fly (PtF) for flight purpose 15* of 21.A701/21L.A.241 based on EASA approved Flight Conditions related to the safety of the design. In this regard, EASA's policy is that the Agency should exceptionally issue Flight Conditions when the safety assessment is putting confidence in the orphan aircraft and after conducting a conservative assessment of EASA's risk exposure.

* For non-commercial flying activity on individual non-complex aircraft or types for which a certificate of airworthiness or restricted certificate of airworthiness is not appropriate - see also GM 21.A.701(a).

Note:

(R)CofA exception - Only orphan aircraft with a design approved by EASA on the basis of EASA Specific Airworthiness Specifications (SAS) can be issued or hold a (R)CofA under Part 21.A.173(b) and Part 21.B.327(a). However, the Agency no longer issues SAS for new orphan aircraft based on the amended Basic Regulation (EU) 2018/1139 of 4 July 2018 - further details are available in EASA Procedure PR.CAP.00001.

2. Invalidated **engine/propeller (R)TC**

Actions:

- Affected DOA team leader, PCMs, experts and section managers shall ensure mutual information of such situation, consult each other and confirm that there is no immediate technical reason to suspend the aircraft TC and that the aircraft TC holder has the necessary technical capability to deal with the continuing airworthiness of the engines/propellers concerned.
- For EASA member state aircraft TC holders: In coordination with the affected DOA team leader(s), the affected PCM(s) shall communicate by writing to the aircraft TC holder(s) that since the engine or propeller TC has been surrendered it becomes invalid with the warning that the fleet will be grounded if one of the following conditions apply:
 - An continuing airworthiness occurrence which is not dealt with or any other continuing airworthiness concern,
 - The aircraft TC holder does not timely confirm that
 - the aircraft, including its engine / propeller remains airworthy and
 - there is adequate airworthiness reporting between the aircraft operators and the aircraft TC holder and between the aircraft TC holder and EASA,
- For non-EASA member state aircraft TC holders: The above item shall be ensured with the involvement of the state of design airworthiness authority.

If the TC holder is unable to provide such assurance, or if EASA is not confident that the aircraft TC holder has the necessary technical competence, the aircraft TC affected by the invalid engine / propeller TC should be revoked by EASA.





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If the TC holder provides such assurance and EASA is confident that the aircraft TC holder has the necessary technical competence, the aircraft TC affected by the invalid engine / propeller TC stays valid and the sub-chapter 3 that follows applies.

3. Invalidated certificate **other than (R)TC**.

- a. There is no effect on the continued validity of the (R)CofA of the aircraft that had the engine/propeller TC, design / article already installed prior to the invalidation of the STC, ETSO, etc. certificates. Therefore, EASA will not take action for suspension, revocation or limitation against orphan engine/propeller TC, STC, ETSO, etc. certificates.

With the orphan engine/propeller TC, STC, change, repair or ETSO installed, affected aircraft:

- can continue to fly
- can continue to keep the related design installed,
- may have the ARC renewed, and may be transferred between EASA Member States' registers.

Note:

The existing Instructions for Continued Airworthiness as available from the invalid certificate other than (R)TC can still be used to maintain the aircraft with the orphan design installed.

- b. From the date a design certificate other than (R)TC becomes invalid:
 - it can no longer be used for further installations.
 - it is not permitted to import and register an aircraft in an EASA Member State, when the related design was embodied after the date the design certificate became invalid.
 - it is not permitted to manufacture new parts covered by an orphan certificate.

Maintenance organisations and operators/owners of orphan aircraft (with permanent PtF) and aircraft with embodied orphan design / article (with (R)CofA) shall continue report in-service occurrences through the Aviation Safety Reporting portal in accordance with Regulation (EU) 376/2014 and associated Commission Implementing Regulation (EU) 2015/1018.

When reported in-service occurrences will indicate a possible unsafe condition, EASA will assess that occurrence and decide if there is an unsafe or potential unsafe condition. Where necessary, Airworthiness Directive(s) will be issued to address the unsafe condition, with required actions to restore the level of safety. However, without the support of a design Certificate Holder, such actions may be limited to mandating the removal of the orphan design /article from service.

