

Executive Director Decision

**DECISION N° 2018/041/ED
OF THE EXECUTIVE DIRECTOR OF THE AGENCY**

of 12th June 2018

Recognising that the system of Australia includes the same independent level of checking of compliance in the field of production as provided by Commission Regulation (EU) No 748/2012

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Commission Regulation (EU) No 748/2012 of 3 August 2012 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 organisations¹, and in particular Article 9(2) thereof,

Having regard to Decision 2015/023/E of the Executive Director of the Agency of 30 January 2015 on the acceptance of foreign production, and in particular Article 4 thereof.

Whereas:

- (1) An organisation responsible for the production of products, parts and appliances shall demonstrate its capability in accordance with the provisions of Commission Regulation (EU) No 748/2012.
- (2) Organisations responsible for the manufacture of products, parts and appliances whose principal place of business is in a non-member State, may demonstrate capability in accordance with the provisions of Article 9(2) of Commission Regulation (EU) No 748/2012, when the Agency has determined that the system of that State includes the same independent level of checking of compliance as provided by that Regulation.
- (3) The Agency undertook an assessment in accordance with the conditions set up in the EDD 2015/023/E to verify the manner in which the Civil Aviation Safety Administration of Australia (hereinafter referred to as CASA) organises the oversight of manufacturers whose principal place of business is located in Australia. This assessment led to the determination that the system of Australia to exercise its State of Manufacture responsibilities has the same independent level of checking of compliance as the one provided by Commission Regulation (EU) No 748/2012 and its Annex (Part-21).

¹ Commission Regulation (EU) No 748/2012 of 03/08/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p.1-85 - EASA Part 21), as last amended.

HAS DECIDED AS FOLLOWS:

Article 1
Acceptance of products

Kavanagh Balloons (EASA.IM.BA.110)² and related parts and appliances manufactured by Kavanagh Balloons Australia Pty. Ltd.³ and GippsAero GA8 (EASA.IM.A.042)⁴ and related parts and appliances manufactured by GippsAero Pty. Ltd.⁵ can be accepted in the European Union under Article 9(2) of Regulation (EU) No 748/2012.

Article 2
CASA release documents

The following release documents issued for the products, parts and appliances identified in Article 1 are deemed acceptable in the European Union's regulatory system:

- (a) An Export Certificate of Airworthiness, CASA Form 723⁶, issued by CASA;
- (b) An Authorised Release Certificate, CASA Form 001, issued by the authorised staff at Kavanagh Balloons Australia Pty. Ltd. and at GippsAero Pty. Ltd.

Article 3
Continued validity

This Decision shall remain valid subject to the continued determination that the system of Australia to exercise its State of Manufacture responsibilities has the same independent level of checking of compliance as the one provided by Commission Regulation (EU) No 748/2012 and its Annex (Part-21), following periodical re-assessments by the Agency in accordance with the conditions set up in the EDD 2015/023/E and applicable EASA internal procedures.

² Kavanagh Balloons, Variants: Kavanagh Type B; Kavanagh Type C; Kavanagh Type D; Kavanagh Type E; Kavanagh Type EX; Kavanagh Type G.

³ Kavanagh Balloons Australia Pty. Ltd. 10 Marina Close Mt Kuring-Gai NSW 2080.

⁴ GippsAero Models: GA8; GA8-TC 320.

⁵ GippsAero Pty. Ltd., Latrobe Valley Airfield, 75 Airfield Road, Traralgon VIC 3844.

⁶ The provisions governing CASA Form 723 and CASA Form 001 in Australia are included in the Certificates of Airworthiness Manual and CASR Part 21, CASR Part 42 and CAR Part 4A.

Article 4
Notification and Publication

This Decision shall be notified to CASA, to Kavanagh Balloons Australia Pty. Ltd. and to GippsAero Pty. Ltd.

This Decision shall be published in the Official Publication of the Agency.

Article 5
Entry into force

This Decision shall enter into force on the day of its publication.

Done at Cologne, 12.06.2018

Patrick Ky