U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
National Policy

8100.14A
Change 2

Effective Date:
September 7, 2008

SUBJ: INTERIM PROCEDURES FOR WORKING WITH THE EUROPEAN COMMUNITY ON AIRWORTHINESS CERTIFICATION AND CONTINUED AIRWORTHINESS

FOREWORD

This order describes the procedures that Federal Aviation Administration (FAA) employees, designees, and delegations must follow when working with the European Community on the import or export of civil aeronautical products, parts, and appliances. This order addresses type, production, and airworthiness certification. It also addresses continued airworthiness.

On July 15, 2002, the European Parliament and the Council of the European Union (EU) adopted Regulation (EC) No 1592/2002 (Basic Regulation), subsequently replaced by EC No. 216/2008. It set common civil aviation rules in the EU and established a European Aviation Safety Agency (EASA). Effective September 28, 2003, EASA and the National Aviation Authorities (NAA) of EU Member States assumed their respective shared responsibilities for certificating and overseeing design, production, and maintenance of all civil aviation products in the EU. Other NAAs in Europe are now associated with EASA.

If you find any deficiencies, need clarification, or want to suggest improvements on this order, send a copy of FAA Form 1320-19, Directive Feedback Information (written or electronically), to the Aircraft Certification Service, Planning and Financial Resources Management Branch, AIR-530, Attention: Directives Management Officer. Form 1320-19 is on the last page of this order. You can also get the form electronically from the FAA web site (http://feds.faa.gov) and submit it by e-mail to 9-AWA-AIR-EASA@faa.gov or by fax to (202) 493-5144. Always use Form 1320-19 to follow up each verbal conversation.

for Dorenda D Baker

John Hickey
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CHAPTER 1. GENERAL

1-1. PURPOSE. This order provides interim policy and guidance on how to interact with the European Aviation Safety Agency (EASA) and the National Aviation Authorities (NAA) of European Union (EU) Member States for the purposes of type, production, and airworthiness certification, and continued airworthiness of aeronautical products.

1-2. DISTRIBUTION. Distribute this order to the following Federal Aviation Administration (FAA) offices:

a. Aircraft Certification Service (AIR) branch levels of Washington headquarters and all Aircraft Certification Directorates, including all Aircraft Certification Offices (ACO); Manufacturing Inspection Offices (MIO), Manufacturing Inspection District Offices (MIDO), Manufacturing Inspection Certificate Management Offices (CMO), and Manufacturing Inspection Satellite Offices (MISO); Directorate Standards Staffs; the Aircraft Certification Branch at the FAA Academy; and the Brussels International Policy Branch;

b. Flight Standards Aircraft Maintenance Division and all Flight Standards Aircraft Evaluation Groups, Flight Standards District Offices (FSDO), Flight Standards CMO, and all Flight Standards International Field Offices; and

1-3. CANCELLATION. Federal Aviation Administration (FAA) Order 8100.14, Change 1, *Interim Procedures for Working with the European Community on Airworthiness Certification and Continued Airworthiness*, dated January 29, 2007, is canceled.

1-4. EXPLANATION OF CHANGES.

Four chapters of the Order have been changed. **Chapter 2** changes: 1) provide information regarding status of EASA participating countries that are not EU Member States, and 2) remove requirement for early notification of Designee in-country activities. Changes to **Chapter 3**: 1) incorporate information on FAA validation of EASA STCs, 2) FAA acceptance/approval of EASA approved design data for major or minor repairs, 3) information regarding submission of significant changes to approved manuals, 4) NAA responsibility for personal recreational parachutes, and 5) acceptance of new Airbus aircraft from the EASA single POA. **Chapter 4** changes reflect EASA acceptance of FAA approved/accepted repair design data. **Chapter 5** changes reflect new EASA competencies. Additionally, EU Regulation references, EASA contact information and website links have been updated along with Appendix 1.

1-5. AUTHORITY TO CHANGE THIS ORDER. The Aircraft Certification Service (AIR) International Policy Office (AIR-40) is responsible for issuing, revising, or canceling the material in this order.

1-6. APPLICABILITY.

a. This order is intended primarily for ACOs, Directorate Standards Staffs, MIOs, MIDO/CMOs, and Flight Standards Offices that:

- Conduct type certification and validate design approvals;
- Oversee production and continued airworthiness; and
- Accept the import/export of products between the United States and the EU Member States.

b. This order ***addresses the significant differences*** in policy and procedures that are required by the ongoing changes in Europe.

1-7. RELATIONSHIP TO OTHER ORDERS ON BILATERAL ACTIVITIES. This order takes precedence over existing policy and procedures on bilateral activities with EU Member States, unless it states otherwise. We will revise FAA orders, as appropriate, to include this order, or other appropriate requirements, after the United States concludes an applicable bilateral agreement with the European Community, hereafter referred to as the Community. The executive agreement, signed June 30, 2008 is not yet implemented, and has no effect at this time.

1-8. DEVIATIONS. The FAA must adhere to this order to acknowledge the new European regulatory system while still fulfilling FAA obligations under bilateral agreements with EU Member States. Because EASA is still evolving, we should be flexible in adapting to any changes. Any deviations from this policy and guidance material should be coordinated with and approved by Aircraft Engineering Division (AIR-100), Production and Airworthiness Division (AIR-200), or International Policy Office (AIR–40), as appropriate to the subject. FAA employees should substantiate, document, and get their supervisors' concurrence with deviations before submitting them for review and approval.

1-9. REQUESTS FOR INFORMATION.

a. All *public* requests for information on this order and related activities will be processed per the Freedom of Information Act. Refer to FAA Order 1200.23, Public Availability of Information.

b. *FAA personnel* can contact the International Policy Office (AIR-40), telephone (202) 385-8940, for additional information or to ask questions about this order. They also can e-mail questions to 9-AWA-AIR-EASA@faa.gov. FAA designees with questions should contact their FAA advisors.

1-10. RECORDS MANAGEMENT. Refer to Orders 0000.1, FAA Standard Subject Classification System, 1350.14, Records Management, and 1350.15, Records Organization, Transfer, and Distribution Standards, or your office Records Management Officer (RMO)/Directives Management Officer (DMO) for guidance regarding retention or disposition of records.

CHAPTER 2. THE NEW EU SYSTEM AND OUR BILATERAL AGREEMENTS

2-1. TRANSITION TO THE NEW EU REGULATORY SYSTEM.

a. Creating the European Aviation Safety Agency (EASA).

(1) On July 15, 2002, the European Parliament and the Council of the European Union adopted Regulation (EC) No 1592/2002 (Basic Regulation). It was subsequently replaced in 2008 by EC No. 216/2008. The Basic Regulation set common civil aviation rules, and gave the Community regulatory competence in the field of civil aviation for the EU. This includes the power to regulate air transport safety and to check, correct, and ensure that Member States are uniformly implementing the Basic Regulation and common rules.

(2) The Basic Regulation also created EASA. The Basic Regulation required that EASA be operational by September 28, 2003, when they started overseeing type certification and continued airworthiness. EASA oversees all civil aviation products for EU Member States acting on behalf of the State of Design, except those products excluded by Annex II of the Basic Regulation (see Appendix 1 for Annex II criteria). On behalf of the Community, the respective EU Member States of Design and their NAAs still manage products excluded from EASA's responsibility by Annex II. In 2008, EASA received competency in aircraft operations and flight crew licensing and authorization of third country operators. EASA is leading operations-related regulatory issues that impact airworthiness, i.e. aircraft equipage, while regulations are being developed.

(3) The main objectives of EASA are to:

- Promote a high, uniform level of safety and environmental protection;
- Improve cost efficiency by not duplicating certification rules and procedures;
- Assist Member States in fulfilling their International Civil Aviation Organization (ICAO) obligations;
- Promote European positions in the field of aviation safety rules and standards; and
- Make it easier for products, services, and persons to circulate in the EU.

b. Working with Non-EU Member States who have joined EASA.

(1) EASA participation includes associated states, e.g. Switzerland, Norway, and Iceland, who are not EU Member States. The relationship between each of the national aviation authorities of the associated states and EASA is identical to that outlined in Figures 2-1, 2-2, 2-3 in this Order. EASA may impose limitations on these non-EU Member States that may include, but are not limited to:

- Aviation authorities from non-EU countries will be able to participate on committees within the EASA framework; however, unlike EU Member States, they will not have voting rights.
- Non-EU countries will retain their sovereignty to conclude agreements with third countries. However, they may not conclude agreements which would contradict the interests of EASA.

(2) If contacted by an EASA associated Member State, determine if there is a bilateral agreement between that country and the U.S. (See Figure 2-5.) If a bilateral agreement exists, ensure that actions taken abide with the bilateral. If a bilateral does not exist consult with AIR-40 for additional guidance.

c. Working with the Joint Aviation Authorities (JAA).

(1) The JAA also represents countries that are not EU Members. The JAA has incorporated, by reference, the EU regulations and certification specifications for aircraft certification and maintenance. Non-EU JAA Member Authorities will rely, to the maximum extent, on the findings of EASA to issue their own certificates and approvals. EASA has taken on the task of managing the JAA's aircraft certification and maintenance functions. A small governing body, JAA Transition (JAA T) comprised of a liaison office and a training office, will be retained to make EASA decisions applicable to other JAA members.

(2) The Community has developed its regulations and policy, basing them, to the greatest extent possible, on JAA regulations, procedures, standardization methods, organizational approvals, etc.

d. EU Airworthiness and Environmental Protection Requirements.

(1) EASA has issued new certification specifications to replace the Joint Aviation Requirements (JAR) as the airworthiness codes and acceptable means of compliance (AMC) for EU Member States. Certification specifications include:

(a) Book 1 – Airworthiness codes, which are standard technical interpretations of the airworthiness essential requirements in Annex 1 to the Basic Regulation and are derived from Section 1 of the JAR; and

(b) Book 2 – AMC which are non-exclusive means of showing compliance with airworthiness codes and are derived from Section 2 of the JAR.

(2) EASA has issued AMC-20 that contains general AMCs that are more complex in nature, e.g., involving multiple Certification Specifications.

(3) EASA has also issued AMC and guidance for implementing rule procedures, such as Part 21.

(4) The Community uses ICAO Annex 16 Volume I (Aircraft Noise) issued March 2002 and Volume II (Aircraft Engine Emissions) issued in November 1999 as its environmental protection requirements.

2-2. HOW THE EUROPEAN COMMUNITY DIVIDES RESPONSIBILITIES.

a. Transferring Civil Aviation Safety Oversight to the Community. Under the Basic Regulation, legal competence and authority on civil aviation moves from Member States to the Community. Member States retain their ICAO responsibilities. The Community divides responsibilities between EASA, the NAAs of the EU Member States, and the European Commission. EASA contracts with the NAAs to perform basic staff work leading to an EASA decision. As EASA staff increases, the supporting staff work is being assumed by EASA personnel. The Basic Regulation gives EASA power to allocate (outsource) certain tasks to qualified entities, but EASA remains accountable for this work. A qualified entity means a person or organization that may conduct certification tasks under the control and the responsibility of EASA. At the present time only NAAs may be allocated certification tasks. The NAAs must be accredited by EASA.

b. Rulemaking and Policy.

(1) The EU Council and Parliament have rulemaking authority in the Community. Through the Basic Regulation EC No. 216/2008, the Community assigns certain aviation safety functions to the EU Commission and EASA. Figure 2-1 lists the division of responsibility:

FIGURE 2-1. RULEMAKING AND POLICY RESPONSIBILITIES	
EU Parliament and Council	Adopt Community regulations and establish essential requirements (for example, Basic Regulation (EC) 216/2008).
EU Commission	Drafts Amendments to Basic Regulation 216/2008 and related essential requirements based on opinions from EASA. The EU Council and Parliament consider these drafts through their co-decision process. Issues Commission regulations (which are implementing rules, such as parts 21, 145) to implement the essential requirements of the Basic Regulation. Issues grants or denials of exemptions to the essential requirements.
EASA	Drafts and issues all certification specifications (including airworthiness codes and AMC) and guidance material (including maintenance). Drafts opinions for Amendments to Basic Regulation 216/2008 and related essential requirements. EASA forwards these opinions to the EU Commission. Drafts opinions on implementing rules for the Commission to consider. Issues special conditions and equivalent safety findings for product certification. Drafts grants or denials of exemptions to the essential requirements for the Commission to consider.
NAA	Recommends regulation and policy changes to EASA. Acts as technical advisor when requested by EASA or the Commission.

(2) To summarize, the EU regulatory hierarchy below the treaty level for airworthiness and certification is:

- ∞ Level 1: Basic Regulation (including essential requirements);
- ∞ Level 2: Implementing rules: for example, the Commission adopted Part 21, on the basis of a formal opinion by EASA;
- ∞ Level 3: Agency measures: for example, EASA's Executive Director approves airworthiness codes and associated AMC, including AMC and guidance material to Annex Part 21.

c. Airworthiness Certification (Type, Production, and Airworthiness, including organizational approvals). Figure 2-2 lists responsibilities for determining that products, appliances, and parts operating in the EU meet the appropriate airworthiness requirements and issuing the appropriate certification. It also lists responsibilities for approving design, production, and maintenance organizations:

FIGURE 2-2. AIRWORTHINESS CERTIFICATION RESPONSIBILITIES

EASA	Grants type certificates (TC), supplemental type certificates (STC), single serial number STCs, and amendments and other design approvals [repair, European Technical Standard Order (ETSO), replacement parts], design changes and certificate transfers. Determines type certification basis, including special conditions and equivalent safety findings. Accepts or rejects proposed deviations from certification specifications. Determines if a product complies with the type certification basis and issues relevant type certificates and other appropriate approvals. Issues revocations Grants environmental certifications. Oversees continued airworthiness of approved products, which includes issuing airworthiness directives (AD). Issues design organisation approvals (DOA). Issues production organisation approvals (POA) and repair station certifications outside the EU. (EASA may issue repair station or production approvals for European organizations at the request of an NAA.) Cooperates with foreign authorities and international institutions, such as ICAO, to assist EU Member States in fulfilling their State of Design obligations. **NOTE:** EASA may conduct certain tasks through "qualified entities" for which EASA would be responsible
NAA	Issues POAs and repair station certifications in their national boundaries. (An NAA may request EASA to issue a repair station or production approval for an organization in the EU.) Issues airworthiness certificates for individual aircraft registered in their country. Issues noise certificates for individual aircraft registered in their country. Approves and oversees all Annex II aircraft and related parts and appliances not under EASA's authority.

d. Oversight and Standardization. Figure 2-3 lists the responsibilities for oversight of EASA and NAA activities and ensuring standardization within the Community.

FIGURE 2-3. OVERSIGHT AND STANDARDIZATION RESPONSIBILITIES

European Commission	Is represented on the EASA Management Board along with representatives of the Member States.
	Provides opinions to the EASA Management Board on EASA's work program.
	Ensures Member States comply with Community Regulations.
Management Board	Appoints the EASA Executive Director, and the EASA Directors.
	Adopts the Agency's annual program of work, after receiving the Commission's opinion.
	Establishes procedures for the Executive Director to make decisions.
	Appoints the members of the Board of Appeal.
	Exercises disciplinary authority over the Executive Director and with agreement of the Executive Director discipline the four Directors.
	Establishes the Agency's organizational structure and adopts the Agency's staffing policy.
	Advises the Executive Director on any matter strictly related to strategic development of aviation safety.
	Establishes an advisory body of interested parties, which it must consult before making certain decisions.
EASA	Allocates certification tasks to certification teams, NAAs or qualified entities according to guidelines set by the Management Board.
	Undertakes any international functions and technical cooperation with third countries.
	Adopts internal administrative instructions and publishes notices to ensure the functioning of the Agency.
	Oversees ***all*** aviation safety activities of Member States, except for products excluded from EASA's responsibility by Annex II of the Basic Regulation.
	Standardizes implementation of EASA technical policies and procedures.
	Conducts inspections and investigations as necessary to fulfill its tasks.
	Provides the Commission with the necessary technical, scientific, and administrative support to carry out its tasks.
NAA	Standardizes implementation of its policies and procedures, and how they apply to Community requirements.
	Oversees maintenance and production in its country, including enforcement actions.

e. Points of Contact. EASA contact information can be found in Appendix 2 and at http://www.easa.europa.eu/ws_prod/g/g_contacts_mail.php. EU NAA contact information is available at https://intranet.faa.gov/FAAEmployees/org/linebusiness/avs/offices/air/div_dir/air40/media/Caalist.pdf. When EASA or an NAA notifies us of changes, we will update that listing. When EASA or an NAA notifies an Aircraft Certification Service office of new or changing contacts, the office should inform AIR-40 to help in keeping an up-to-date listing.

2-3. RELATED EU POLICY AND GUIDANCE. The Office for Official Publications of the European Communities published the Basic Regulation in the Official Journal of the European Communities on September 7, 2002. The Basic Regulation along with EU Implementing Rules, certification specifications, and policy and guidance materials is available on the Internet at: http://www.easa.eu.int/ws_prod/g/rg_regulations.php. EASA has established an internet site at http://www.easa.eu.int/ws_prod/g/rg_agency_desc_main.php as the official source of agency decisions.

a. Find additional information on Community aviation safety at: http://ec.europa.eu/transport/air_portal/.

b. Find general information on the Community at: http://www.eurunion.org or http://europa.eu.

2-4. BILATERAL AGREEMENTS.

a. Agreement with EU Member States and Associated Member States. As of January 2007, there are 27 EU Member States (see Figure 2-4). Fourteen of these 27 countries have either a Bilateral Airworthiness Agreement (BAA) or Bilateral Aviation Safety Agreement (BASA) with Implementation Procedures for Airworthiness (IPA) with the United States.

FIGURE 2-4. CURRENT EU MEMBER STATES

Austria	Germany	Netherlands
Belgium	Greece *	Poland
Bulgaria*	Hungary*	Portugal *
Cyprus*	Ireland *	Romania
Czech Republic	Italy	Slovak Republic*
Denmark	Latvia*	Slovenia*
Estonia*	Lithuania*	Spain
Finland	Luxembourg *	Sweden
France	Malta*	United Kingdom

* These countries do not have a bilateral airworthiness agreement with the U.S. related to aircraft certification although Ireland does have a BASA with the U.S. governing repair station activity.

FIGURE 2-5. EU ASSOCIATED STATES

Iceland*	Norway	Switzerland

* Iceland does not have a bilateral airworthiness agreement with the U.S. related to aircraft certification.

b. Agreement with the European Community. The United States has not yet implemented a bilateral agreement with the Community as a single entity. Per the Basic Regulation the Community, rather than individual Member States, now has legal competence on aviation safety. The U.S. and the European Community have signed a new agreement that has not yet entered into force. Eventually, it will largely replace our current 14 bilateral agreements with EU Member States. For the interim, the U.S. and our bilateral partner EU Member States have exchanged diplomatic notes to continue bilateral import and export procedures. As a result of these notes, EASA, not the NAA, is responsible for executing the design approval and continued airworthiness provisions of our existing BAAs and BASA IPAs. When working with EASA and the NAAs of the countries in Figures 2-4 and 2-5 above, we must apply the interim guidance and procedures of this order, until the United States implements its new bilateral agreement with the Community.

c. Import of Eligible Products, Parts, and Appliances. Until the new bilateral agreement is implemented with the Community, the FAA will continue to accept certain European products, parts, and appliances for import into the United States as defined in the applicable existing bilateral agreements. Products, parts, and appliances eligible for import into the United States are summarized in Appendix 3. Products, parts, and appliances not identified in Appendix 3 are not eligible for approval or import into the United States.

d. Export of Eligible Products, Parts, and Appliances. Until the new bilateral agreement is implemented with the Community, the EU will continue to accept all U.S. products, parts, and appliances for import into the EU per existing bilateral agreements. Note that there are special requirements when exporting PMA parts.

e. Acceptance of Existing Approved Products, Parts, and Appliances. The Basic Regulation provides for the acceptance by all EU Member States of existing aviation products, parts, and appliances already approved by any one EU Member State and of future products, parts, and appliances approved by EASA. U.S. products, parts, and appliances already accepted (except for restricted category products) by any EU Member State may be exported throughout the EU.

2-5. TYPE VALIDATION PRINCIPLES (TVP). The FAA will continue to apply Type Validation Principles (TVP) and Post Type Validation Principles (PTVP). We will apply TVP and PTVP when working with EASA and NAAs. The FAA and EASA have revised the TVP/PTVP to improve the efficiency on how we validate each others products. The spirit of TVP and PTVP are unchanged from those developed between FAA and JAA. (See FAA Order 8110.52, *Type Validation and Post-Type Validation Procedures.*)

2-6. RECOGNITION OF DELEGATION AND DESIGNEE SYSTEMS.

a. Accepting Existing Delegation or Organizational Approval Systems. The bilateral agreements provide for the acceptance of current delegation or organizational approval systems between the U.S and our bilateral partners. This continues when working with NAAs or with EASA, which represents EU Member States with whom the United States has a bilateral agreement. The Community proposed a new organizational approval system, Continuing Airworthiness Management Organisation (CAMO). A CAMO will manage the continued airworthiness of individual aircraft. The FAA has not accepted CAMO, and it is not recognized under the current bilateral agreements. The FAA has evaluated the activities of these organizations for their acceptability in the future.

b. Notification of FAA Designees or Delegated Organization Activities.

(1) We will no longer notify EASA or any NAA whenever a designated engineering representative (DER) or an FAA delegated organization plans to conduct type design approval activities within that EU Member State. Unless agreed for specific projects, no ACO or MIDO/CMO communication is required prior to authorizing designee activities in Europe.

(2) Other FAA policy (FAA Orders 8110.37, *Designated Engineering Representative (DER) Guidance Handbook*, and 8100.8, *Designee Management Handbook*) on U.S. designees and delegated organizations who work in Europe or on EU Member State registered aircraft, remains unchanged.

CHAPTER 3. IMPORTING EU PRODUCTS INTO THE U.S.

3-1. DESIGN APPROVAL VALIDATIONS.

a. Status of Existing FAA-Validated Products. Approvals of EU products that the FAA issued before EASA became operational remain valid. Based on those prior FAA approvals and validations, anyone can continue to import products of the same type into the United States. However, as noted later in this chapter, the responsibilities in the Community change with respect to continued airworthiness, design changes, repairs, etc. The responsibilities also change for future new applications for FAA validations.

b. Updates of Type Certificate Data Sheets (TCDS) and Supplemental Type Certificates (STC) for FAA-Validated Products.

(1) Order 8110.4, *Type Certification*, and Advisory Circular (AC) 33-2, *Aircraft Engine Type Certification Handbook*, require that the TCDS for an imported product, in the note titled "Import Requirements," reflect the airworthiness documentation from the country of the manufacturer's civil aviation authority. The documentation certifies that the aircraft, engine, or propeller conforms to its type design, is in a condition for safe operation, and meets certain other conditions. The TCDS statement is used for airworthiness certificate eligibility. This text will change to reflect EASA as the responsible authority as a result of EASA assuming responsibility for most products in the EU.

(2) FAA certificate managing ACOs and Directorate Standards Staffs responsible for FAA-validated products must revise the TCDSs and STCs from EU Member States to show a historical record and new import requirements as shown in Appendix 4. Each office must update the TCDS and STC at the next revision cycle, or at the earliest opportunity during certificate management activities, but not later than March 28, 2007. We encourage offices to update these TCDS as soon as possible to facilitate repair data acceptance and clarify import issues.

c. FAA Validation of an EU Restricted TC or STC.

(1) On a case-by-case basis, the FAA may choose to validate products with Restricted TCs or STCs from bilateral partner countries. With the essential requirements in Annex I of the Basic Regulation, "restricted" does not mean the same in the FAA system as it does in the EU system. This does not imply that EU products with a "restricted" certificate would not comply with ICAO Annex 8.

(2) EASA's system accommodates restricted aircraft. However, until the United States and the Community has concluded a bilateral agreement, we will evaluate each application for a U.S. restricted category TC on a case-by-case basis for its acceptability.

d. FAA TC and STC Validation Projects in Process before Operation of EASA.

(1) Unless the FAA is notified otherwise, we will continue any FAA validation projects for products from an EU Member State started before EASA became operational. The FAA will work with the existing EU team and project manager focal point (NAA or JAA) until

we complete the project. EASA may change the EU team members or make technical decisions. EASA will recognize any documented agreements reached during the project before EASA became operational – for example, type certification basis, methods of compliance. The FAA and EASA will continue to apply the principles and procedures of TVP and PTVP.

(2) Any communications with the EU team are considered to be communications with EASA. The State of Design NAA may issue technical certification or a technical visa that the product complies with the applicable technical requirements. This technical approval is then forwarded to EASA. EASA must approve this technical visa, before it represents an EASA approval. Should any disagreements on a certification program arise, the appeals process in TVP should be followed.

e. New Applications for FAA Validation of TCs and Amendments.

(1) EASA's Programmes Department will send new applications to the appropriate FAA office identified in the bilateral agreement. The FAA can accept TC applications from Europe from EU Member States covered by an existing bilateral agreement. Our procedures for responding and working the project with EASA and the applicant still use TVP.

(2) EASA designates its focal point to support the validation project. That EU focal point may be the NAA of the State of Design on behalf of EASA. The FAA will coordinate any decision-making on the project with the assigned focal point that represents EASA. However, if any significant disagreement arises between FAA and the focal point, the FAA will coordinate dispute resolution with that focal point through the EASA organization, not the NAA organizational structure.

(3) While validating products with EASA, the FAA will follow TVP and seek to improve efficiency where possible by relying on each other's findings. The appropriate FAA Directorate Standards Staff will provide a list showing the differences between the airworthiness standards of Title 14 Code of Federal Regulations (14 CFR) and the EASA certification specifications. In consultation with the Directorate Standards Staff, the ACO should use this list when applying the TVP process of determining which differences are significant enough to warrant further investigation as validation items. On behalf of the bilateral partner State of Design, EASA will issue the appropriate certifying statements to us and verify any data about the FAA's certification basis.

f. New Applications for FAA Validation of STCs.

(1) EASA's Programmes Department will send new STC applications to the New York ACO. Our procedures for responding and working the project with EASA and the applicant still use the Type Validation Principles (See FAA Order 8110.52, *Type Validation Procedures*).

(2) The STC scope is defined in the negotiated bilateral agreement implementation procedures. By mutual agreement, FAA and EASA have implemented these provisions. Effective April 1, 2007, the FAA may accept applications for STCs from applicants in France, Germany, Italy, Netherlands, Sweden, or the United Kingdom for:

(a) All STCs (Basic and Non-Basic) on products for which EASA acts on behalf of the State of Design.

(b) Basic STCs on U.S. State of Design and third country aircraft which have been type certificated by both the FAA and EASA. Unless otherwise specified by the FAA under the type validation procedures, the FAA shall retain the compliance determinations for such Basic STCs in the following areas:

1) Electrical equipment & complex wiring installations,

2) Avionics systems,

3) Communications systems, and

4) In-flight entertainment systems.

(c) All STCs (Basic and Non-Basic) on U.S. State of Design aircraft that EASA allocates to the German LBA.

Note: Basic and Non-Basic STCs are defined in the pending agreement and FAA Order 8110.52, "Type Validation Procedures".

g. FAA Noise, Emissions, and Fuel Venting Approvals for EU Products.

(1) There are no changes to FAA policy and procedures on environmental requirements for validation. All applicants must still comply with all applicable noise requirements of 14 CFR part 36, and the applicable fuel venting, and exhaust emission requirements of 14 CFR part 34.

(2) 14 CFR part 36 has been amended since the conclusion of the six EU Member State BASA IPAs. Contrary to the text of these six BASA IPAs, Amendment 36-24 requires that all applicants comply with the noise standards of 14 CFR part 36 in effect on the date of application for the U.S. TC, or application for change to the TC. In AIR-40's International Policy Memo 08-05, "Incorporation of Amendment 24 to14 CFR part 36 into Bilateral Aviation Safety Agreement (BASA) Implementation Procedures for Airworthiness (IPA)" [June 2008], the FAA gives specific guidance on amendment level and affected part 36 appendices based on the application date.

h. FAA Acceptance of EU Design Changes. (See Figure 3-1 for a summary of how to handle design changes.)

(1) Major Changes Developed by an EU TC Holder.

(a) The FAA and EASA will follow the PTVP, where appropriate. EASA, or an NAA on behalf of EASA, will notify us of major changes per existing PTVP procedures.

(b) The FAA accepts data and instructions that contain a statement showing that the data was appropriately reviewed under the system of the State of Design NAA prior to September 28, 2003. We accept data and instructions approved by or on behalf of EASA. We accept data and information that the TC holder submits supporting a major change in one of the following documents:

- Service bulletins,
- Structural repair manuals,
- Vendor manuals,
- Aircraft flight manuals, and
- Overhaul and maintenance manuals.

(c) The FAA will accept design change data and related instructions approved by EASA and submitted in a format not listed in paragraph 3-1h(1)(b), for State of Design products from France, Germany, Italy, the Netherlands, Sweden, and the United Kingdom or other States when noted in the respective BASA IPAs and on the FAA TCDS.

(2) Major Changes Developed by Other Than the EU TC holder. For a major change to the type design, the applicant must submit an FAA STC application as defined in paragraph 3-1e above.

(3) Minor Changes Developed by the EU TC Holder or Other EU Certificate Approval Holder. We accept, as FAA approved, data for minor changes from EU Member States that have a bilateral agreement with the United States. Minor changes must be approved per Commission Regulation, Annex Part 21. Such minor change data approvals may come from EASA or an organization that has a design organisation approval (DOA) from EASA.

> **Note:** For US companies, an EASA DOA is not needed since EASA will rely on the bilateral agreements and FAA's oversight system with respect to accepting U.S. design approvals.

(4) Major and Minor Repair Data.

(a) Repair data handling is defined in the negotiated bilateral implementation procedures. By mutual agreement, FAA and EASA have implemented these procedures. Effective April 1, 2007, the FAA shall accept/approve EASA-approved design data used in the support of major and minor repairs regardless of the State of Design of the product, part, or appliance, from companies in France, Germany, Italy, Netherlands, Sweden, or the United Kingdom if:

1) The FAA has certificated/validated the product, part, or appliance,

2) EASA is acting on behalf of the State of Design for the repair design data,

3) EASA repair design data approval is substantiated via an EASA repair design approval letter or a repair design approval issued under a DOA, *and*

4) The repair is not in an area that is subject to an FAA AD, unless the AD allows for acceptance of an EASA repair design approval.

Note: For repair data approved prior to September 28, 2003, FAA will accept either a National Aviation Authority's approval document, or equivalent, or a repair design approval issued under a former national DOA as evidence of the approval.

(b) The process we use to accept/approve repair design data depends on the criticality of the component being repaired. See Figure 3-2.

(c) The negotiated agreement defines critical components as follows:

"A critical component is a part identified as critical by the design approval holder during the validation process, or otherwise by the exporting authority."

As further explanation, the definition states: *"Typically*, such components include parts for which a replacement time, inspection interval, or related procedure is specified in the Airworthiness Limitations or Certification Maintenance Requirements (CMR) sections of the manufacturer's maintenance manual or in the Instructions for Continued Airworthiness (ICA)."

Note: This definition differs from the definitions of critical components found in our earlier IPAs with individual European aviation authorities. Although critical component lists will be established in all future validation programs, critical components lists may *not* exist for currently type certificated/validated products. As a result, the exporting authority, EASA in this case, will have to determine if the repair is to a critical component.

(d) Acceptance of All Repair Data from TC/STC Holders and Repair Data on Non-Critical Components from Other than the TC/STC Holder: We will use a streamlined process to *accept* design data for all major and minor repairs to non-critical components. We will also use it to *accept* design data developed by European Community TC and STC holders for repairs to critical components.

1) These data are considered to be approved by the FAA following their approval under EASA's system, provided they meet the four criteria given in paragraph (4) (a), above.

2) This process does not require application to the FAA or compliance findings to the FAA certification basis.

(e) Approval of Repair Data on Critical Components from Other than the TC/STC Holder: Data developed by someone *other than* the TC and STC holders to support major repairs to *critical* components will receive more scrutiny. In addition to meeting the four criteria given in paragraph (4) (a) above, these applicants must apply to the FAA to have their data *approved*.

1) The applicants in France, Germany, Italy, Netherlands, Sweden, or the United Kingdom shall submit their applications to EASA and request that the applications and required information be forwarded to the appropriate Directorate Standards Staff.

2) The applicants shall use the same EASA Form 31, Application for Approval of Major Change/Major Repair Design that they used to get EASA approval of the data for this purpose.

3) EASA will attach a cover letter to the EASA Form 31s and forward them to the FAA Standards Staff.
Note: EASA classifies all repairs to critical components as major repairs.

4) The FAA Standards Staff shall process the applications by:

i. Establishing a project number and initiating a CPN.
ii. Initiate coordination with CMACO for any U.S. product repairs, as defined in paragraph 4-18 of Order 8110.4C.
iii. If an application package is incomplete, the Standards Staff should notify the EASA contact on the application letter and advise the International Policy Office, AIR-40.

Note: This function is conducted by the Engine Certification Office for all engines and the Boston ACO for all propellers.

5) After the appropriate review and following the issuance of EASA's repair data approval, the Standards Staff shall issue an FAA letter of approval. The letter shall reference the number of EASA's repair data approval.

6) We recognize that some applicants have arrangements with design approval holders that will insure that they have access to all the information necessary to design the repair. In these cases, the application package should include confirmation from the applicant and EASA of the existence of these arrangements. We will issue letters approving the repair data based on EASA's repair data approvals without further technical review if this condition is satisfied.

7) In cases where the European applicant has *not* entered into an arrangement with the TC and STC holder, more information is needed for FAA approval. EASA will ensure that the applicants submit:

i. Drawings, specifications, and other data necessary to define the configuration and design features of the repair;

ii. A compliance summary that identifies the applicable airworthiness standards, methods of compliance, and compliance results; and

iii. Substantiation for continued applicability of existing Instructions for Continued Airworthiness (ICA) or supplemental ICAs, if any.

[In addition, EASA must issue a statement that indicates that the repair data brings the design back to its original or properly altered condition.**]**

FIGURE 3-1. DESIGN CHANGES FOR EU PRODUCTS IMPORTED INTO THE U.S.
(***NOTE:*** *Restricted Category Aircraft are handled on a case-by-case basis*)

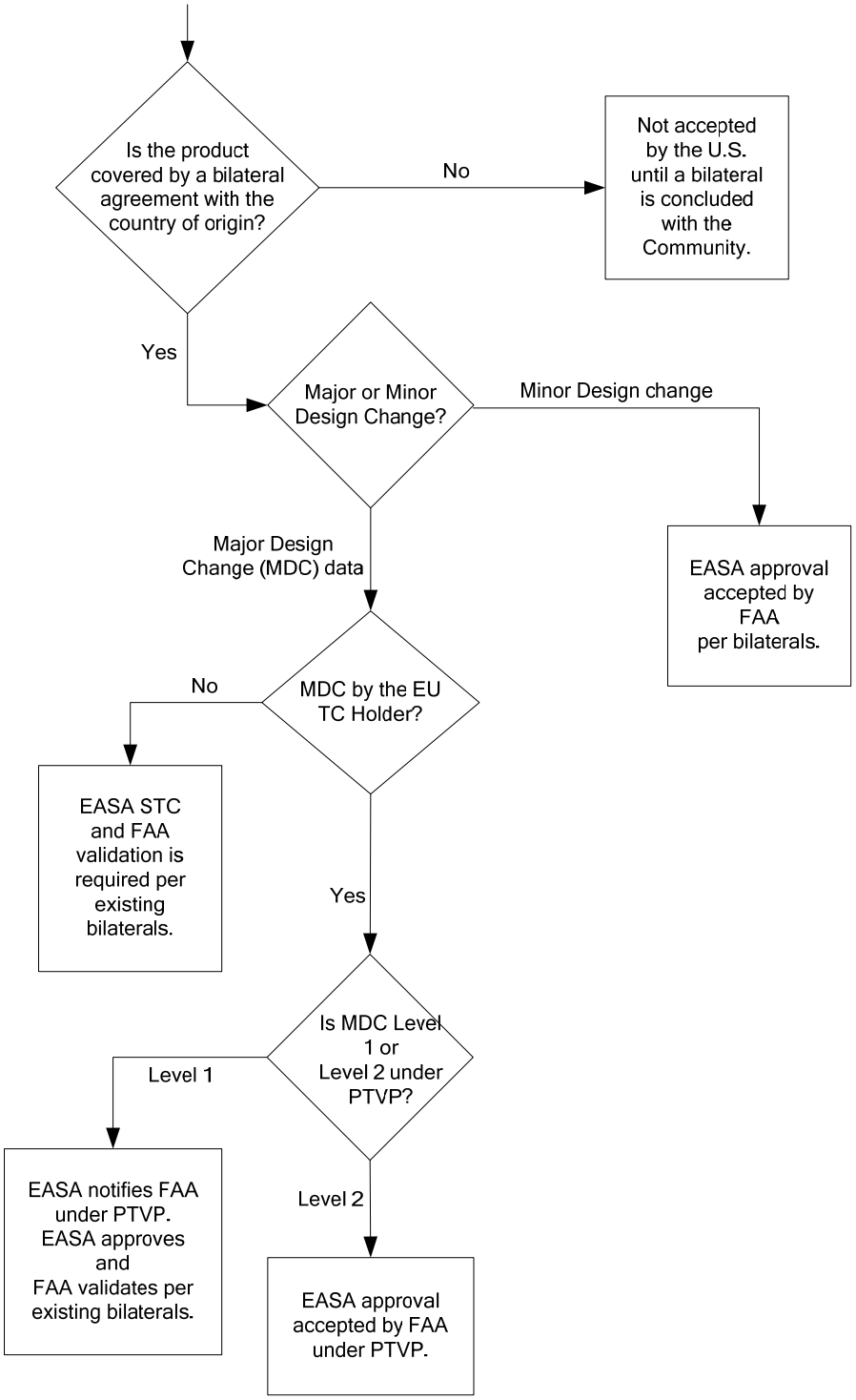
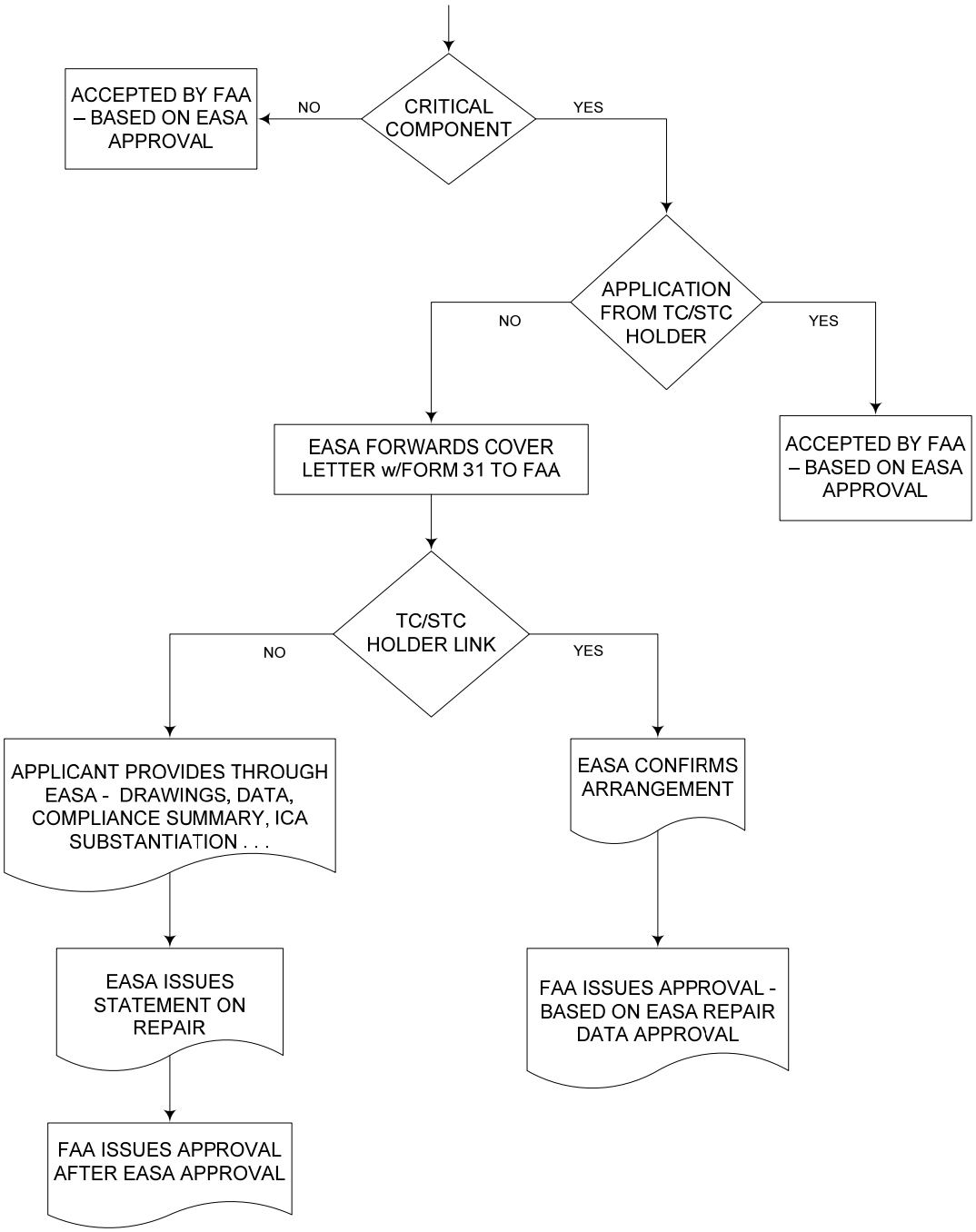


FIGURE 3-2. FAA ACCEPTANCE/APPROVAL OF EASA REPAIR DATA



i. Revisions to Approved Manuals. FAA and EASA management have implemented a clarification to Order 8110.52 *Type Validation and Post-Type Validation Procedures* regarding "submission of significant changes to approved manuals to EASA for their review and acceptance for all STCs". Until Order 8110.52 is revised to reflect these changes, interim clarifying guidance is provided in AIR-100 Policy Memo, "Procedures for Revisions to Approved Manuals, including Flight Manuals for EASA Projects", dated October 20, 2006. This policy memo is available on the RGL. Note that in addition to this guidance, the validating authority and certifying authority may mutually agree to notify fewer changes on an individual certificate holder basis.

j. FAA Letter of TSO Design Approval for EU Articles (Parts or Appliances).

(1) The NAA (for personal recreational parachutes) or EASA will forward, to the Boston Aircraft Certification Office, applications from European article manufacturers for new FAA letters of TSO design approval (TSO LODA). All applications, including those from the NAA, must have a statement approved by EASA certifying that the appliance or part complies with the appropriate FAA TSO. In addition, applicants should provide the Boston ACO with evidence of import into the United States for installation on a U.S. registered aircraft or a U.S. product.

(2) EASA has issued ETSOs that are derived from JAA Joint TSO (JTSO) requirements. The FAA will recognize ETSO standards that are identical to FAA TSOs as a means to minimize our technical evaluation. (However, the FAA has determined that while most ETSOs are technically similar, they are not identical to FAA TSOs due to different data or marking requirements.) An ETSO Authorisation must be issued and we require a certifying statement from EASA that certifies the appliance or part complies with the appropriate FAA TSO, in addition to other data as required by 14 CFR 21.617(a). A deviation must be granted by the appropriate AIR-100 branch for any TSO article that does not meet our TSO standard before we can issue a TSO LODA.

(3) The Boston ACO will issue the TSO LODA and send it to the EASA Certification Manager for Parts & Appliances with a copy to the applicant. The appliance can then be marked per the appropriate TSO and 14 CFR 21.607(d) requirements.

(4) There is no change to FAA's requirements regarding notification of design changes to a TSO letter of design approval; however, EASA will provide this notification.

k. Transfer of EU TCs and STCs. The EU State of Design will notify the FAA, per ICAO and bilateral agreement obligations, when the EU TC holder is transferring an EU certificate that the FAA validated to another holder or to another State of Design. Until the United States has an applicable bilateral agreement with the Community, the FAA cannot recognize the transfer of a European product to an EU State of Design that does not have a bilateral agreement with the United States.

3-2. AIRWORTHINESS CERTIFICATION OF EU PRODUCTS.

a. General. This section applies only to import of products, parts, and appliances from an EU Member State with whom the United States has a BAA or BASA IPA, and to products, parts, and appliances within the scope of the specific bilateral agreement for which that country is the State of Design. Products, parts, and appliances from a EU Member State that does not have a bilateral agreement with the United States are not eligible for import into the United States. Products, parts, and appliances must be imported with appropriate airworthiness documentation.

b. Import Documentation. Under existing bilateral agreements, the FAA will continue to recognize any JAA and NAA forms for products, parts, and appliances issued prior to the mandatory implementation date of any new EASA forms. Because the Community will not use a common Export Certificate of Airworthiness (C of A) document, each NAA will continue to issue its own Export C of A Form for new aircraft imported into the United States. An EASA POA holder will issue an EASA Form 1, Authorised Release Certificate (see Appendix 5, EASA Forms), for new aircraft engines and propellers, ETSO articles, and parts. Additionally, POA holders producing articles under the authority of an FAA letter of TSO design approval will issue an EASA Form 1 when exporting.

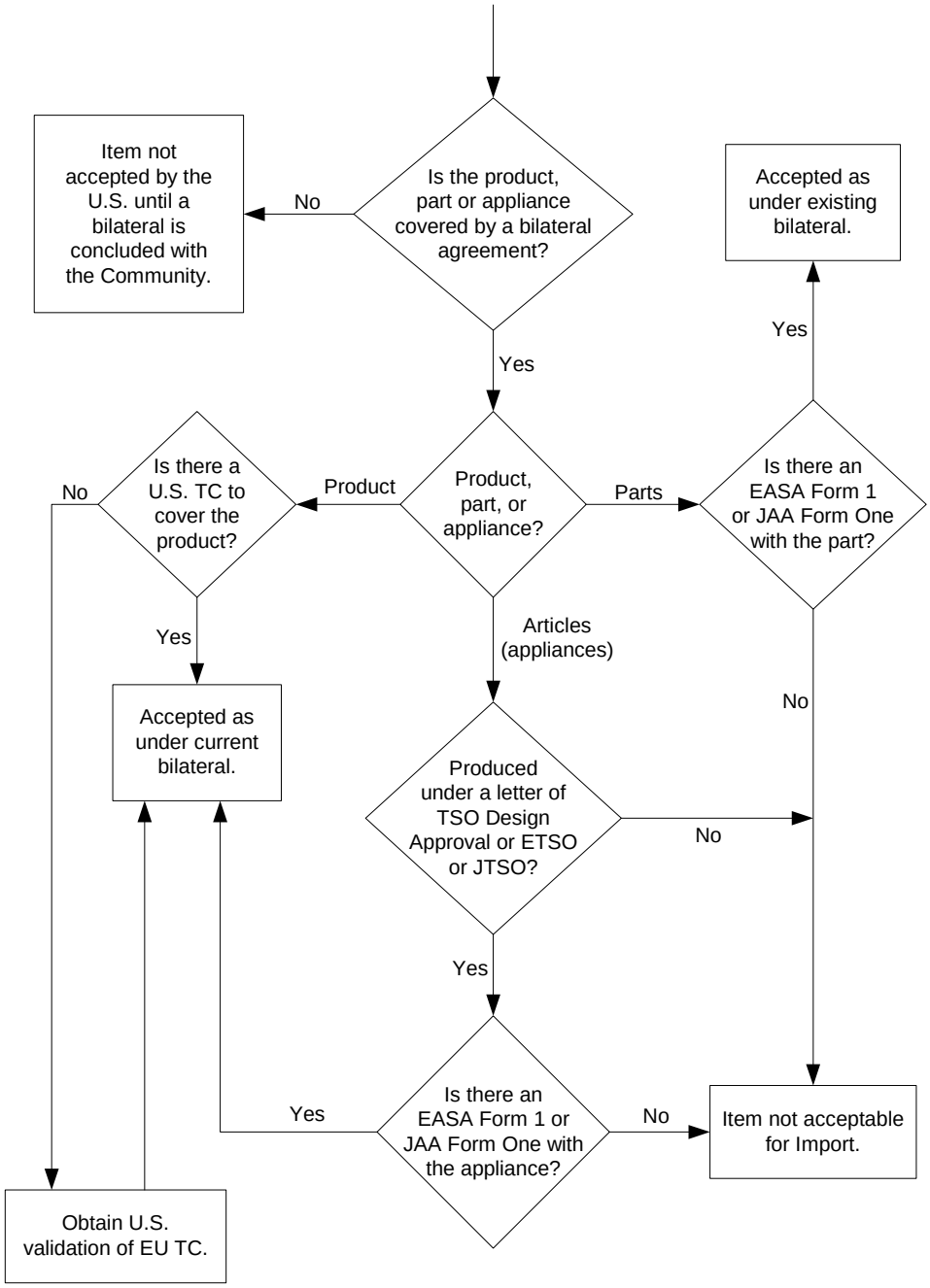
c. FAA Acceptance of EU Products, Parts and Appliances. For the import of EU products, parts and appliances into the United States, current FAA guidance and procedures for accepting them remain the same as governed by the existing bilateral agreements. The FAA will continue to require an Export C of A for aircraft and an authorized release certificate for aircraft engines, propellers, parts, and appliances. As defined by the applicable bilateral agreement and per current policy and procedures (see Figure 3-3), the FAA will continue to accept the following products, appliances, and parts with appropriate import documentation:

- ***New AIRBUS aircraft*** manufactured under an EASA POA with an EASA Export Certificate of Airworthiness.
- ***New aircraft*** with an NAA Export C of A.
- ***New EU restricted aircraft*** from current BASA IPA partners**,** after the FAA validates the TC, with an NAA Export C of A.
- ***New aircraft engine or propeller*** with a JAA Form One (issued prior to 09/28/2003) or an EASA Form 1.
- ***New TSO article*** with a JAA Form One (issued prior to 09/28/2003) or an EASA Form 1.
- ***New modification or replacement parts*** with a JAA Form One (issued prior to 09/28/2003) or an EASA Form 1.

NOTE: Bilateral agreements do not provide for the U.S. import of **used or rebuilt** engines, appliances, or parts. The EASA Form 1 for new products must be filled out on the left side, Blocks 14 through 18.

- ***Used aircraft***, including aircraft manufactured in any third country when provided for in the scope of the bilateral agreement, with an NAA Export C of A.

FIGURE 3-3. ACCEPTING EU PRODUCTS, PARTS, AND ARTICLES INTO THE U.S.
*(**NOTE:** Restricted Category Aircraft are handled on a case-by-case basis)*



d. Export Certificate of Airworthiness Exceptions. The exporting NAA will notify the geographical-responsible MIO of any non-compliance to our approved type design before issuing its Export C of A for an EU aircraft. The NAA will list this non-compliance as an "exception" on the Export C of A. This notification process, and our policy and procedure for accepting or rejecting any exception, remain the same. (See Order 8130.2, Airworthiness Certification of Aircraft and Related Products)

3-3. IDENTIFICATION AND MARKING. The identification and marking of products, parts, and appliances imported into the United States from the EU remain the same, with the following two exceptions:

a. The letters "EPA" (European Part Approval) will be marked on parts that are produced on and after March 28, 2004, using design data not belonging to the TC holder of the related product.

b. The applicable ETSO number will be marked on all articles produced to an ETSO airworthiness specification.

3-4. CONTINUED AIRWORTHINESS OF EU PRODUCTS OPERATING IN THE UNITED STATES.

a. EASA Mandatory Continued Airworthiness Information (MCAI).

(1) EASA is responsible for continued airworthiness of all products operating in the EU, except for those products under Annex II of the Basic Regulation. As the agent of the EU State of Design, EASA will issue any necessary ADs to correct unsafe conditions. EASA may also approve an AD prepared and issued by an NAA. In these instances, the NAA issued AD must contain a statement that the AD was approved by EASA and it must also contain an EASA approval number. EASA maintains a list of all NAA ADs that it has approved at: http://ad.easa.europa.eu/. Similarly EASA is responsible for notifying the FAA of pending emergency actions or significant investigations. ADs issued by EASA are mandatory in all EU Member States.

(2) The Community has determined that for the interim the NAA of the State of Design for an EU product will manage the product's continued airworthiness on behalf of EASA. The NAA will conduct the necessary oversight and prepare ADs, which EASA will approve or issue its own AD. The FAA will work EU product-specific technical continued airworthiness issues with the EASA Project Certification Manager (PCM). The FAA may have informal communications with the NAA specialists investigating the continued airworthiness issue and preparing the AD. Any request for us to meet with an EU manufacturer to discuss airworthiness issues must be coordinated through EASA.

(3) The FAA accountable directorate will take action based on EASA's AD. The Head of Products, EASA Certification Directorate and FAA directorate management representatives manage the resolution of any disagreements over a continued airworthiness issue.

b. Service Difficulty Reports (SDR) and Malfunction, Failure, and Defect Reporting.

(1) Existing bilateral agreements contain provisions on how to exchange data on malfunctions, failures, and defects. The Community is developing a centralized system for collecting and analyzing in-service data. In the interim, although EASA is responsible under the Basic Regulation for the continued airworthiness of EU products under its authority, the EU State of Design NAAs will oversee the continued airworthiness of their EU products. They will perform this oversight on behalf of EASA and the Community.

(2) The FAA will work with the EASA Project Certification Manager (PCM) for the product on reporting and exchanging in-service information. We also will respond to requests from EASA or the State of Design NAA about EU products operating in the United States.

(3) The NAAs, on behalf of EASA, will continue to oversee European industry service difficulty, malfunction, and defect reporting requirements. They also will provide appropriate SDR information on EU products, when the FAA requests it and in compliance with any 14 CFR 145 repair station approval or BASA MIP. The NAAs will conduct technical investigations, and prepare necessary ADs or other corrective actions for EASA.

c. FAA Accident/Incident and Suspected Unapproved Parts (SUP) Investigations.

(1) When the FAA investigates an accident, incident, or SUP involving an EU product, the accountable FAA office will coordinate with EASA and share all pertinent data and information. The FAA will forward all requests for help to EASA headquarters at the address in appendix 2. We may get help in the investigation from EASA or the EU Member State of Design NAA who manages the EU product's continued airworthiness for the Community.

(2) In accident investigations, the Investigator in Charge controls the sharing of information and data and the participation of FAA and the State of Design NAA. The Investigator in Charge may be a member of the appropriate accident investigating board, for example, the National Transportation Safety Board in the United States and the accident investigation organization of any country where an accident may have occurred.

(3) The State of Design NAA will assist to ensure the product manufacturer provides the information quickly. If urgency requires that the FAA request information directly from an EU manufacturer or the manufacturer provides data directly to us for any reason, our focal point will inform the NAA and EASA headquarters of that exchange as soon as possible.

CHAPTER 4. EXPORTING U.S. PRODUCTS TO THE EU

4-1. VALIDATION PROCESS CHANGES.

a. Any European validation teams composed of NAA individuals dealing with existing or new validations of U.S. products report to EASA management. If disagreements or differences of opinion arise during the validation project, the European decision-making agency is EASA.

b. Under the Community system, there will no longer be additional national design requirements (ANDR) for the airworthiness of the type design for a TC validation. However, some EU Member States may have local operational or stricter environmental requirements that an operator in their country would have to meet. Any type design changes to meet those unique local requirements are not a mandatory part of the type design requirements for import into the EU. However, an operator in a particular country may still be required to meet those additional requirements to get an operational approval.

c. Local Member State additional operational or environmental requirements that affect the type design will not be part of the EASA certification basis required for validation. Member State NAAs will handle those requirements locally, and may ask us to verify or approve requirements on their behalf. We will verify or approve those requirements for bilateral partner NAAs or EASA as the agent of a bilateral partner Member State.

4-2. DESIGN APPROVAL VALIDATION.

a. Status of Existing U.S. Products Validated or Accepted by EU Member States before the Operation of EASA.

(1) All products, parts, and appliances currently approved in any EU Member State are grandfathered. They remain acceptable for operation throughout the EU as long as they are maintained consistent with the initial approval. The U.S. company is responsible for showing evidence of such prior acceptance. Under Commission Regulation, Article 2, Paragraph 3, previously issued certificates, approvals, or authorisations by an EU Member State will remain valid. EASA will not reissue existing TCs and STCs until an amendment is requested. At that time, an EASA certificate will replace the NAA's certificate.

(2) The Community will not rescind TCs and STCs issued by NAAs. If more than one NAA has validated a product, each EU Member State will accept all the various NAA-approved configurations, although EU Member States may refuse operational approval for aircraft that do not meet their local operational or environmental requirements. The Community will consider any national variants previously approved within the EU as approved optional or alternative configurations. Even though EASA will not reissue existing TCs and STCs until amended, any products imported into the EU will have to meet the EASA type certification basis defined in paragraph 4-2a(3) plus applicable ADs (see para. 4-2a(4)).

(3) For all U.S. products having an existing design approval issued by an EU Member State, the Community will establish an EASA type certification basis per Commission Regulation, Article 2, 3 (a). The EASA type certification basis is either:

(a) The JAA certification basis, as defined in the JAA data sheet for products that have been validated under JAA procedures; ***or***

(b) The FAA type certification basis, if there was no JAA validation.

(4) Applicable Airworthiness Directives. The minimum type design configuration eligible for import into the EU must meet the above TC basis, the environmental protection requirement contained in ICAO Annex 16, and applicable ADs (see Figure 4-1). Applicable ADs are defined as the ADs of the State of Design. The Community has recognized all other Member State ADs as equal. While the approval of existing products validated and operating in the EU are grandfathered, EASA assumes the responsibility for their continued airworthiness, as explained later in this chapter. EASA may need to further reconcile the AD differences between Member States. This situation presents challenges to the FAA to export airworthy products in some practicable and standardized manner, per 14 CFR part 21 subpart L.

(a) In the interim, we will apply FAA ADs to U.S. products as the minimum for export (see paragraph 4-3).

(b) To export a used EU product to the EU, the exporter must identify the applicable State of Design ADs and verify that they have been incorporated before export.

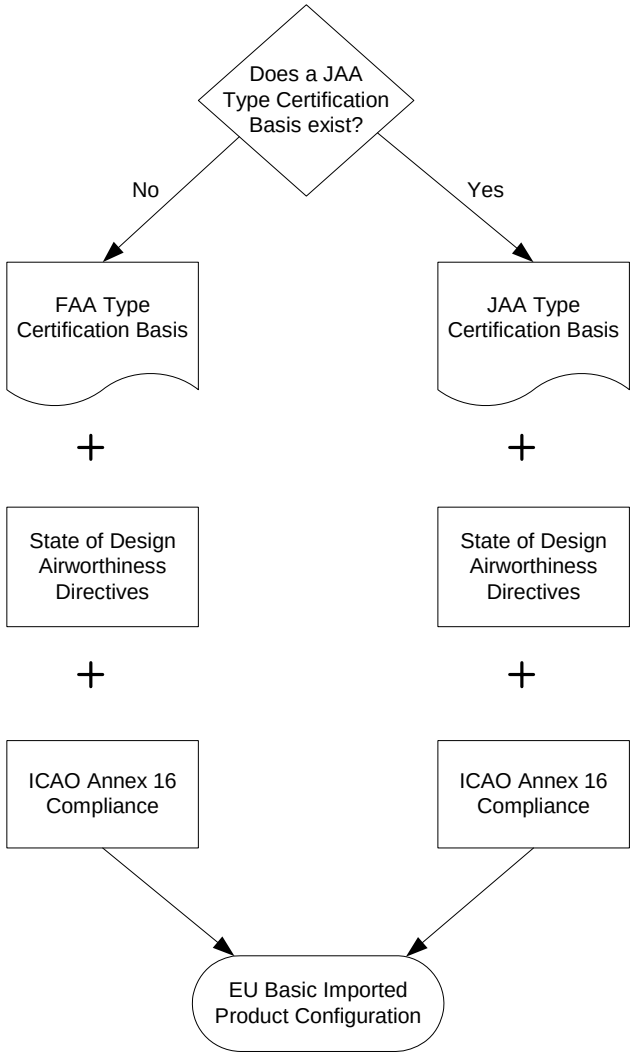
(c) If a U.S. manufacturer wants to use the ADs of another EU Member State rather than the U.S. ADs, the exporter must:

1. Ensure that the product's configuration is consistent with the selected ADs,

2. Verify the acceptability of those ADs with the importing NAA, and

3. Provide evidence to the FAA before shipment.

FIGURE 4-1. EU CERTIFICATION BASIS AND TYPE DESIGN DEFINITION



(5) STCs and Repair Data.

(a) Under transfer requirements in Commission Regulation Article 2, the Community will continue to accept, without further showing, existing STCs and repair data accepted in the EU before EASA became operational. They will accept the STCs and repair data as long as an NAA issued a design approval. The U.S. company should have proof of any prior approval or acceptance within the EU.

(b) Certain ***exceptions*** to the EU grandfather policy follow:

1. Some EU Member States have accepted U.S. STCs, although an NAA never issued its validation STC or "certificate." EASA will need to review these STCs for their applicability, documentation, and possible validation for future applications.

2. Some EU Member States have accepted repairs or alterations on U.S.-manufactured aircraft on their registry, although a Member State did not give the aircraft a corresponding design approval. Those repairs and alterations include ones that are not part of the manufacturer's service information accepted under the bilaterals (such as Instructions for Continued Airworthiness, service bulletins), or those that a DOA or other appropriately rated JAA approved organization did not develop. EASA will need to review any such repairs and alterations before they can be accepted for future application on EU-registered aircraft.

b. EU Validation Projects for U.S. TCs, STCs, and Amendments in Process Before the Operation of EASA.

(1) The Community will accept products validated by one or more Member States. If an NAA is validating an applicant's product, but one or more of the EU Member States have already validated the same product, the U.S. applicant may cease the current NAA validation project.

(2) Unless EASA notifies the FAA otherwise, any validation projects for U.S. products initiated prior to EASA becoming operational will continue to be worked to completion with the European validation team, which is composed of individuals from the NAAs. The European validation team reports to EASA. EASA manages and standardizes all certification and validation activity in the EU.

(3) Our policy and procedures for validation projects with the Community are contained in FAA Order 8110.52. The only major difference is that the FAA and the U.S. applicant will work with EASA and its validation team. The European validation team will be under the authority of EASA and may be composed of technical specialists of an NAA under contract to EASA.

(4) EASA may choose to change the EASA validation team members or engage in making technical decisions. If the European type certification basis was not established before EASA became operational, EASA will establish the EASA certification basis using the appropriate EASA certification specifications.

(5) EASA will recognize any documented agreements reached during the project before EASA became operational – for example, a JAA or NAA type certification basis or methods of compliance. If agreements were not finalized, EASA may require the applicant to meet the EU certification specifications in the interest of safety. After completing the project, EASA will issue a TC that will be valid in all EU Member States.

(6) Since EASA has joined the JAA, the JAA will also issue a recommendation to the non-EU JAA member authorities based on EASA's TC. The JAA does this so that the non-EU Member State NAA can issue their national validation TC or STC as they have in the past.

(7) When the European validation team is an NAA team, EASA will issue a TC or STC after the NAA completes its validation. There may be a delay between the NAA completing their work and EASA issuing the certificate due to coordination between the NAA and EASA. EASA will also notify JAA so that JAA may issue its recommendation to the non-EU JAA member authorities.

c. New Applications for EASA Validation of U.S. TCs, STCs, and Amendments.

(1) Application Process.

(a) An applicant submits a completed application for validation through their ACO to the EASA Programmes Department at the address shown in Appendix 2. An applicant DOES NOT send these applications directly to an NAA. Applicants use the EASA application form corresponding to the requested design approval. These forms are available at http://www.easa.eu.int/ws_prod/c/c_app_forms.php. A separate application must be used for each approval; i.e. DO NOT COMBINE MULTIPLE DESIGN CHANGES ON A SINGLE FORM.

(b) The initial ACO submittal to EASA should contain the FAA ACO cover letter on behalf of the applicant, the application form, and a copy (use PDF if e-mailing) of the FAA approval if it has been issued. The technical data package is not included in this initial submittal to EASA. The ACO cover letter should include specific remarks to expedite EASA processing:

- Note if the applicant is only requesting an AFM approval.

- For an application for an STC, note if it is Basic or Non-basic per TVP (refer to Order 8110.52 for guidance on TC and STC validations). Note also if the STC has an Approved Model List.

(c) STC applicants will also submit the following basic documentation, as applicable:

- A description of the change, together with the make and model of the product;

- A copy of the FAA STC and certification basis;

- The applicant's requested date for EASA issuance of the STC;

- A description of all novel or unusual design features which might necessitate issuance of EASA special conditions; and

- All exemptions or equivalent level of safety findings granted by the FAA for the U.S. STC.

Note: For STCs from companies that do not have an arrangement with the TC holder the applicant's package and ACO transmittal letter must include a statement that the FAA has reviewed the applicant's justification and concurs with the applicant's position that an arrangement is not necessary.

(d) The ACO should e-mail or fax (e-mail is preferred) these documents to the EASA Programmes Department. DO NOT send both fax and e-mail; only a single notification should be made. If e-mailed, use the specific product mailbox address:

- TC@easa.europa.eu.
- STC@easa.europa.eu.

(e) After EASA receives the FAA's notification along with the application forms, EASA:

- Establishes a project account (including a "p-number" to identify that account).
- Assigns the work.
- Provides a notification to the applicant and ACO that includes acceptance of the application and the technical focal point for further communication.

(f) EASA will submit an invoice to the applicant for the initial work per the schedule contained in the fees & charges regulation. This regulation may be found at http://www.easa.eu.int/ws_prod/g/rg_regulations_fnc.php. The applicant is required to pay the fee identified in the invoice for the initial EASA work. EASA will not start work on the project until it receives this fee.

(g) Once an EASA technical focal point has been identified, any further FAA or EASA technical communications are with the assigned EASA technical contact (EASA Project Certification Manager or responsible NAA), not the Programmes Department. The application data package is forwarded to the EASA technical focal point upon request. The data package for an issued STC must include: (1) Compliance Checklist; (2) Airplane/Rotorcraft Flight Manual Supplement; (3) Master Documentation List/Master Drawing List; (4) Manufacturing and Installation Instruction Drawings; (5) Maintenance/Repair Manual Supplements; (6) Weight and Balance Data; and (7) Instructions for Continued Airworthiness.

(2) Validation Process

(a) When the applicant is seeking concurrent FAA/EASA validation of a TC or STC, EASA will receive such concurrent requests (via FAA ACO) for validation before completion of the related FAA TC, STC, or amendment project and issuance of FAA's approval. After receiving a formal application, EASA can open a validation project and run it in parallel to

the FAA project. However, the EASA approval can only by issued after the related FAA TC, STC, or amendment is issued and a copy is submitted to EASA for information purposes.

(b) Validations with EASA will continue to follow TVP. To improve efficiency, EASA should rely on FAA findings to the maximum extent possible. The FAA Directorate Standards Staff will provide FAA offices involved with validation projects with a list of the differences between the EASA certification specifications and the airworthiness standards of 14 CFR. The FAA ACO will use that list when conducting the project with EASA and will issue the appropriate certifying statements of compliance to EASA per TVP and PTVP.

(c) During the course of its validation, EASA is responsible for accepting or rejecting proposed methods of compliance and processing special conditions, equivalent level of safety findings, and deviations to the certification specifications (comparable to our exemptions) where appropriate. EASA will continue to coordinate those with the FAA and the applicant.

(d) When technical validation is completed, the EASA Programmes Department will submit a final invoice to the applicant, and after receipt of payment, will issue the certificate. The applicant must pay the final invoice. NO EASA CERTIFICATE WILL BE ISSUED WITHOUT FULL PAYMENT.

(e) The ACO will receive an e-mail notification from the Programmes Department that EASA has issued its certificate (PDF will be attached) with the reference to both the FAA and EASA certificate numbers. EASA will also notify JAA so that JAA may issue its recommendation to the non-EU JAA member authorities.

(3) Operational Requirements.

(a) Under the Basic Regulation, NAAs cannot add any ANDRs to the EASA TC or STC certification basis. Because of national operational requirements, NAAs may still require an EU operator in a particular EU Member State to meet additional requirements to register an aircraft or to get operational approval. NAAs should identify these requirements during the TC program. EASA is responsible to integrate any operational equipment requirements that affect the type design. NAAs cannot add operational equipment requirements to the EASA type certification basis.

(b) EASA will encourage Member States to use JAR 26 as the EU equipment requirements until new requirements are in place. The Community has not determined how or if it will manage national variations for registering an aircraft and operating it in an individual country. However, the Basic Regulation, the EU transfer policy, and the Commission Regulation clearly state that the NAA will issue an airworthiness certificate to an aircraft that conforms to its EASA type design and is safe for operation.

d. EASA Acceptance of FAA Environmental Testing and Approvals for Noise, Emissions, and Fuel Venting. Current bilateral agreements do not cover reciprocal acceptance of environmental approvals. Under Annex Part 21 the U.S. applicant must declare that the product complies with the EU essential requirements for environmental protection. This declaration is in addition to the FAA's certification to 14 CFR parts 34 and 36. EASA will issue two TCDSs: one for airworthiness and emissions and a second for noise. In addition, the NAA

of the State of Registry will issue an aircraft Noise Certificate (see appendix 5) for each individual aircraft.

e. EU Acceptance of U.S. Design Changes Including Data Used in Support of Repairs. (See Figure 4-2 for a summary of how to handle design changes. See Figure 4-3 for the process for EASA Acceptance/Approval of FAA Repair Data.)

(1) Design Changes by the TC Holder. The FAA and EASA will follow the PTVP procedures for validating or accepting these changes. (See Order 8100.52)

(a) Major Level 2 Type Design Changes Developed by the TC Holder. According to the PTVP Procedures in Order 8110.52 and EASA Decision No. 2004/04/CF, EASA will automatically accept (i.e. without further showing) these changes.

(b) Major Level 1 Type Design Changes. The FAA and EASA will follow the PTVP procedures to validate these changes by the TC Holder. Application must be made to EASA. EASA will notify the FAA and TC Holder of any changes in assignment of work.

> **Note:** Changes to Aircraft Flight Manuals are no longer considered Major Level 1 changes (see Order 8110.52 for VA involvement).

(2) Major Type Design Changes Developed by Other Than the TC Holder. Major changes to the type design by someone other than the TC holder require the FAA to issue an STC. EASA then must validate the STC, as explained in paragraphs 4-2b and c in this section.

(3) Minor Design Changes Developed by Either the TC Holder or Other Than the TC Holder. EASA accepts minor design changes that are FAA accepted under the U.S. system for U.S. products

(4) FAA Approved Repair Design Data. Repair data handling is defined in the negotiated bilateral implementation procedures. By mutual agreement, FAA and EASA have implemented these procedures. EASA shall similarly accept/approve the FAA-approved repair design data used in the support of major and minor repairs regardless of the State of Design of the product or appliance, if:

(a) EASA has certificated/validated the product or appliance,

(b) FAA is the authority of the State of Design for the repair design data,

(c) For *major* repairs, the FAA repair design data approval is substantiated via an FAA letter or properly executed FAA Form 8110-3, 8100-9, or FAA Form 337.

> **Note:** It is important that FAA and its designees execute all FAA forms correctly for EASA acceptance, e.g. an FAA Form 337 must reference the approved data in block 8 and/or approve the data in block 3.

> **Note:** For a multidiscipline repair, the 8110-3/8100-9 should have the following statement in the "Purpose of Data" block (Reference FAA Order

8110.37C Paragraph 611g): "This form does constitute FAA approval of all the engineering design data necessary for substantiation of compliance to necessary requirements for the entire alteration/repair".

(d) For *minor* repairs, either

i. The repair design data has been provided by a U.S. design approval holder, *or*

ii. If not provided by a U.S. design approval holder, the determination that data are acceptable has been made by a U.S. maintenance organization under FAA's authorized system (e.g. 14 CFR parts 43, 65, 121, 125, 135, 145 or 129.14).

Note: An EU company must use EASA Part 21 for the approval of repair data for use on an EU-registered aircraft. Unless the minor repair data has been previously used on an N-registered aircraft, an EU company cannot determine any data to be acceptable data under 14 CFR 43 for use on an EU-registered aircraft.

(5) The process EASA uses to accept/approve repair design data depends on the criticality of the component being repaired. See chapter 3-1, paragraph h., (4)(c) for the definition of a critical component.

(a) As chapter 3-1, paragraph h., (4)(c) indicates, critical components lists may *not* exist for currently type certificated products. In this case, the applicant who wishes to have the repair design data exported to the European Union or associated countries should assess the criticality of the component. ACOs are encouraged to work with TC holders to develop and maintain lists that can be accessed by all parties.

(b) The applicant shall review the ICA and the Airworthiness Limitations and CMR sections to identify components with replacement times, inspection intervals, or related procedures and then identify truly critical components from this list.

(c) The applicant should then consult the FAA ACO to get their concurrence before proceeding. The ACO will consult the Certificate Management ACO (CMACO) before making a final decision.

Note: The Engine and Propeller Directorate is developing guidance that will provide a list of generic flight safety critical engine parts that may be used as an aid in this process.

(6) Figure 4-3. illustrates the process EASA will use to accept/approve U.S. repair design data.

(7) Repair Data from TC/STC Holder and on Non-Critical Components from Other than the TC/STC Holder: EASA will use a streamlined process, as illustrated in Figure 4-3, to

accept data for major and minor repairs to non-critical components. EASA will also use it to *accept* design data developed by the TC and STC holders for repairs to critical components.

Note: EASA classifies all repairs to critical components as major repairs.

(a) These data are considered to be approved by EASA following their approval or acceptance under the FAA system, provided they meet the criteria given in paragraph e. (4), above.

(b) This process does not require application to EASA or compliance findings to the EASA certification basis.

(8) Repair Data on Critical Component from Other than the TC/STC Holder: Data developed by someone *other than* the TC or STC holder to support major repairs to *critical* components will receive additional scrutiny by EASA. In addition to meeting the criteria given in paragraph e. (4) above, these applicants must apply to EASA to have their data *approved*.

(a) The applicant shall complete an EASA Form 31, Application for Approval of Major Change/Major Repair Design, for each repair data approval sought. They shall submit the application to their cognizant FAA ACO and request that the application and required supporting information be forwarded to EASA.

(b) The EASA website prescribes the manner in which these applications are to be made.

(c) EASA, like the FAA, recognizes that some applicants have arrangements with design approval holders that will insure that they have access to all the information necessary to design the repair.

i. The U.S. applicants should indicate that such arrangements exist in their application to EASA.

ii. The ACO must confirm the existence of the arrangements in its cover letter forwarding the package to EASA. These packages should be transmitted via email to MajorChange-Minor Repair@easa.europa.eu.

EASA shall issue a letter approving the repair data based on the FAA's repair data approval without further technical review if both of these conditions are satisfied.

(d) In cases where an applicant has *not* entered into an arrangement with the design approval holder, more information is required for EASA's approval.

i. The applicant must submit a justification that an arrangement is not necessary.

ii. The ACO must submit a statement that concurs with the applicant's justification.

iii. If we concur, we must ensure that the applicant also submits:

1) Drawings, specifications, and other data necessary to define the configuration and design features of the repair;
2) A compliance summary that identifies the applicable airworthiness standards, methods of compliance, and compliance results; and
3) Substantiation for continued applicability of existing Instructions for Continued Airworthiness (ICA) or supplemental ICAs, if any.

(e) In addition, the ACO must issue a statement that indicates that the repair data when installed will restore the damaged article to its original or pre-damaged condition.

(f) EASA will review the information submitted and issue a major repair design approval based on the ACO's statement.

FIGURE 4-2. DATA FOR DESIGN CHANGES FOR U.S. PRODUCTS EXPORTED TO THE EU

*(**NOTE:** Restricted Category Aircraft are handled on a case-by-case basis)*

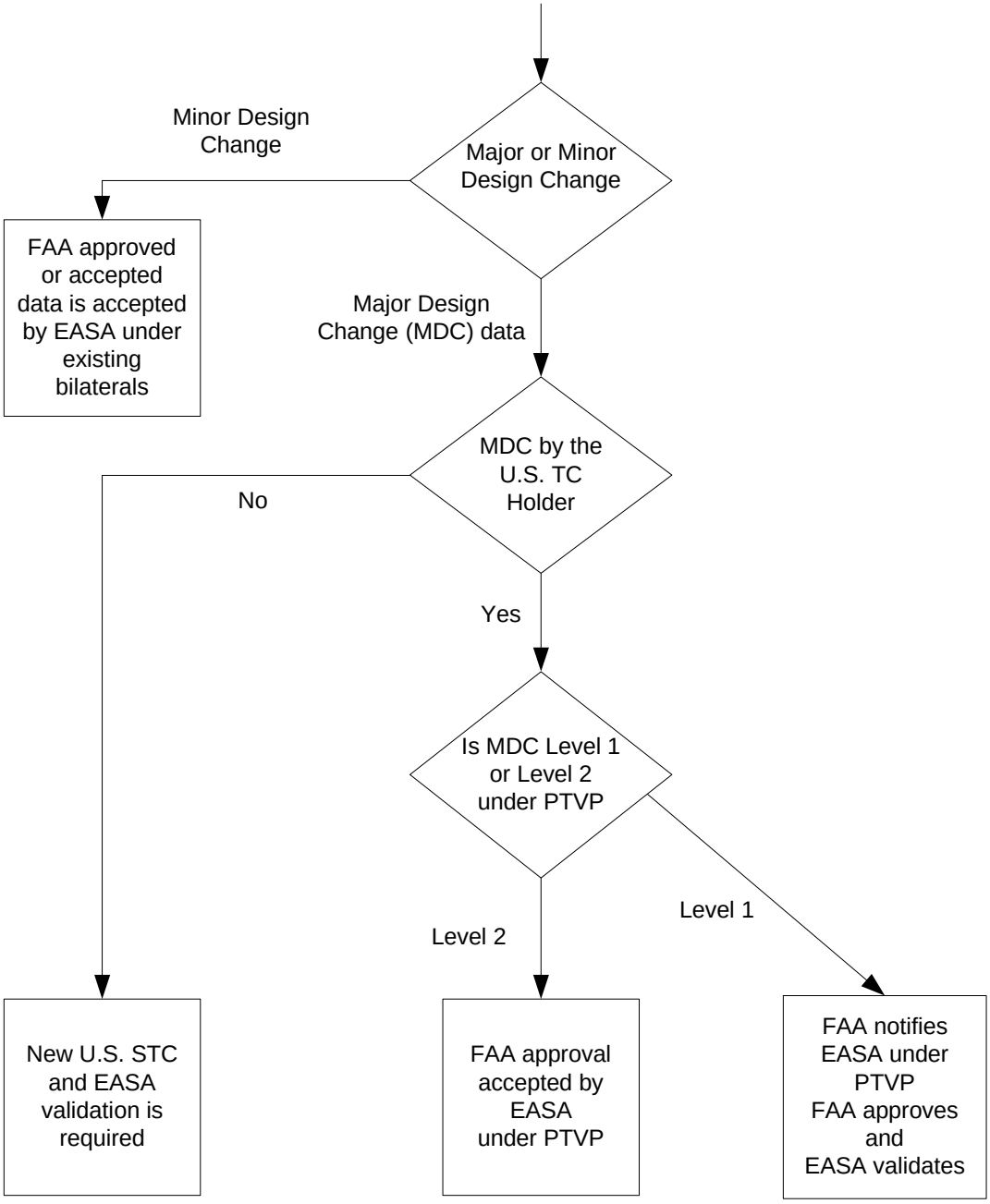
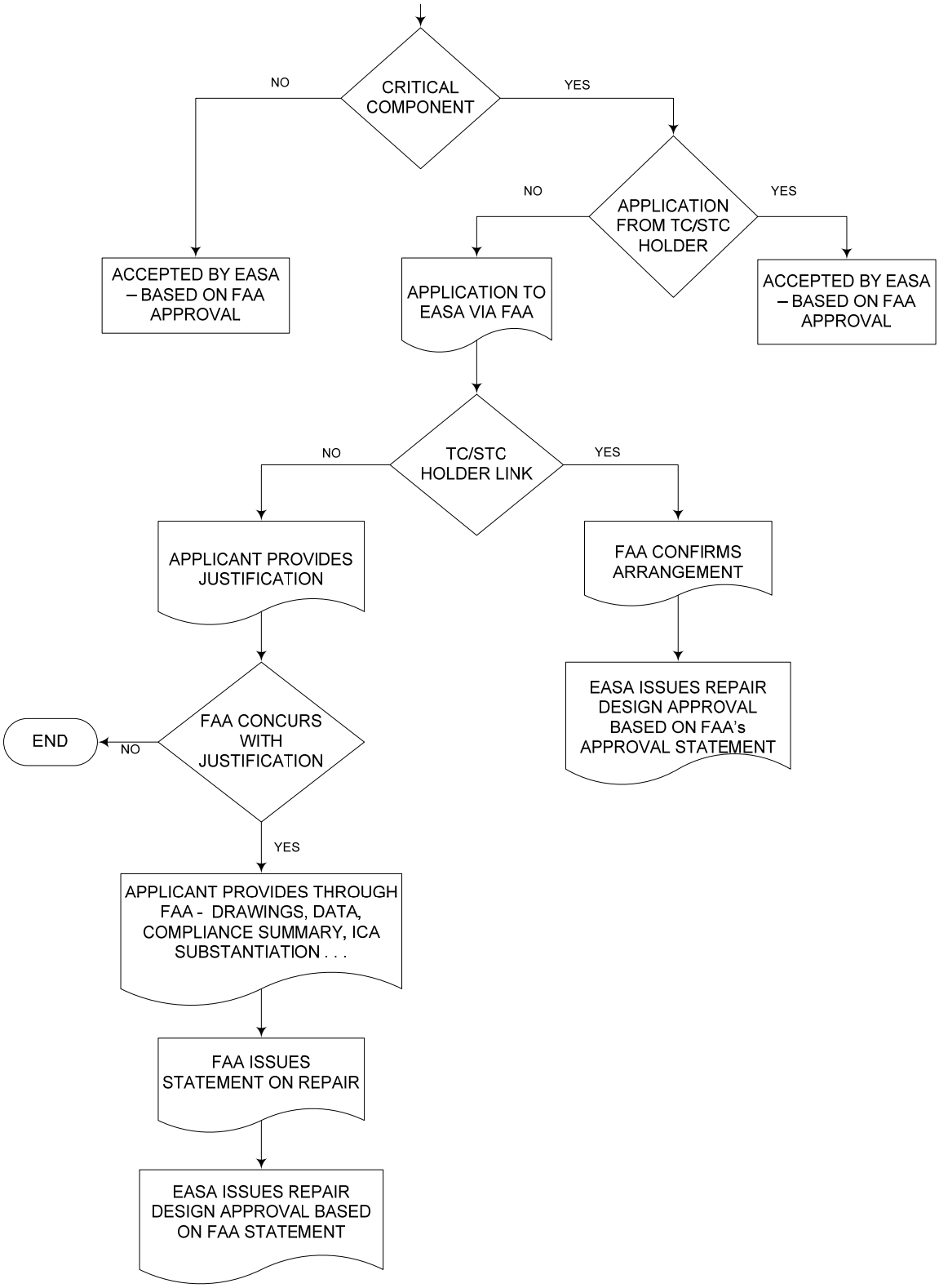


FIGURE 4-3. EASA ACCEPTANCE / APPROVAL OF FAA REPAIR DATA



f. European TSO Approval (ETSO) for U.S. Parts or Appliances.

(1) EASA will issue ETSO Authorisations as defined in Annex Part 21. U.S. appliance manufacturers should submit new applications for ETSOA through their ACO, with a certifying statement that the article complies with the ETSOA, to the EASA Manager, Parts and Appliances at the following e-mail address: ETSOA@easa.europa.eu. EASA may contract an EU Member State NAA to review the design on behalf of EASA.

> **Note**: Auxiliary power units (APUs) will be subject to a new EASA certification process similar to product type certification. The relevant standard is CS-APU, not an ETSO.

(2) Previously granted JTSO Authorisations for Import remain valid until replaced by an ETSO Authorisation. EASA will still accept without further showing articles already approved under the existing TSO/JTSO system.

(3) Minor changes to ETSO Authorisations are accepted without further investigation per the bilateral agreements.

g. Replacement and Modification Parts. EASA will accept U.S. Parts Manufacturer Approval (PMA) parts into the EU in a manner consistent with the JAA policy on PMA parts. NAAs will no longer issue separate national approvals for FAA PMA parts. Manufacturers of U.S. PMA parts will file applications with EASA for EU acceptance of critical FAA PMA parts that are not manufactured under a license agreement or a validated U.S. STC.

h. Transfer of U.S. TCs and STCs. Per ICAO and bilateral obligations, we will notify EASA, when a U.S. certificate that the Community validated is transferred from one U.S. holder to another, or transferred to another country. The FAA ACO will notify the EASA Director of Certification when a U.S. TC or STC is transferred. The ACO will also provide a copy of the revised certificate and TCDS.

i. EASA Validation of a U.S. Restricted Category TC or STC. After EASA validates the TC, the Community will continue to accept U.S. restricted category products case by case.

4-3. EXPORT OF U.S. PRODUCTS TO THE EU.

a. General. The Community has developed new common EU special import requirements for publication in AC 21-2, Export Airworthiness Approval Procedures. The United States will continue to export products, parts, and articles to EU Member States, using 14 CFR part 21, subpart L. (See Figure 4-4)

b. Export Documentation. Our export documentation remains the same. The FAA will continue to issue this documentation per bilateral agreements and FAA policy until the new bilateral agreement is implemented with the Community. The FAA Form 8130-4, Export Certificate of Airworthiness, should contain the following:

(1) A statement that the product covered by the Form 8130-4 conforms to the EASA type design basis and is in a condition for safe operation. In issuing this statement, the FAA is certifying compliance with the applicable State of Design ADs. For engines and propellers, the statement should also confirm that the engine or propeller has undergone a final operational check. (This conformity statement in the Exceptions block is in addition to the pre-printed certifying statement on the Form 8130-4.) Depending on the EASA type certification basis definition, the Form 8130-4 should contain one of the following statements:

If:	**Enter one of the following exporting statements:**
1. A new EASA TC exists,	"The [*INSERT AIRCRAFT MODEL*] covered by this certificate conforms to EASA Type Certificate [INSERT EASA TYPE CERTIFICATE NUMBER], and is found to be in a condition for safe operation." or "The [*INSERT ENGINE or PROPELLER MODEL*] covered by this certificate conforms to EASA Type Certificate [*INSERT EASA TYPE CERTIFICATE NUMBER],* is found to be in a condition for safe operation, and has undergone a final operational check."
2. An EASA TC does not exist but a JAA type certification basis and JAA Data Sheet exists,	"The [*INSERT AIRCRAFT MODEL*] covered by this certificate conforms to the JAA type certification basis, as defined in the JAA Data Sheet [*INSERT JAA DATA SHEET NUMBER*], and is found to be in a condition for safe operation." or "The [*INSERT ENGINE or PROPELLER MODEL*] covered by this certificate conforms to the JAA type certification basis, as defined in the JAA data sheet [*INSERT JAA DATA SHEET NUMBER*], and is found to be in a condition for safe operation, and has undergone a final operational check."
3. Neither a JAA type certification basis and JAA Data Sheet nor an EASA type certificate exists,	"The [*INSERT AIRCRAFT MODEL*] covered by this certificate conforms to the FAA type certificate [INSERT FAA TYPE CERTIFICATE NUMBER], and is found to be in a condition for safe operation." or "The [*INSERT ENGINE or PROPELLER MODEL*] covered by this certificate conforms to the FAA Type Certificate [INSERT FAA TYPE CERTIFICATE NUMBER], and is found to be in a condition for safe operation, and has undergone a final operational check."

Note: The conforming statement does not apply to USED aircraft, aircraft engines, or propellers.

Note: The EASA type certification basis should be available from several sources. For existing U.S. products certified prior to EASA becoming operational, we define the EASA type certification basis in paragraph 4-2a of this order. EASA will issue a new EASA TC and TCDSs to new products, including validated amended TCs.. Also, both the importing NAA and the exporting U.S. production approval holder should know what the EASA type certification basis is, that is, either a new EASA TC, a JAA basis, or – lacking either of those – the FAA type certification basis.

(2) If the importing EU Member State has identified any Additional National Requirements (ANR), an additional statement should be noted in the Exceptions block to verify that the product meets these ANRs. These unique ANRs are typically for aircraft registration or operational needs specific to an EU Member State. A statement such as the following should be entered on the Form 8130-4:

"This [INSERT AIRCRAFT, ENGINE, or PROPELLER MODEL] meets the Additional National Requirements as identified by [INSERT NAME OF IMPORTING EU MEMBER STATE NAA]."

c. EU Acceptance of U.S. Products, Parts, and Articles. Per current bilateral agreements and FAA policy and procedures, the FAA will continue to issue FAA Form 8130-4, *Export Certificate of Airworthiness*, for aircraft, aircraft engines, and propellers, and FAA Form 8130-3, *Authorized Release Certificate (Airworthiness Approval Tag)*, for TSO articles, and parts. The EU Member State will continue to accept the following:

(1) ***New aircraft, aircraft engines, and propellers*** with an FAA Export C of A.

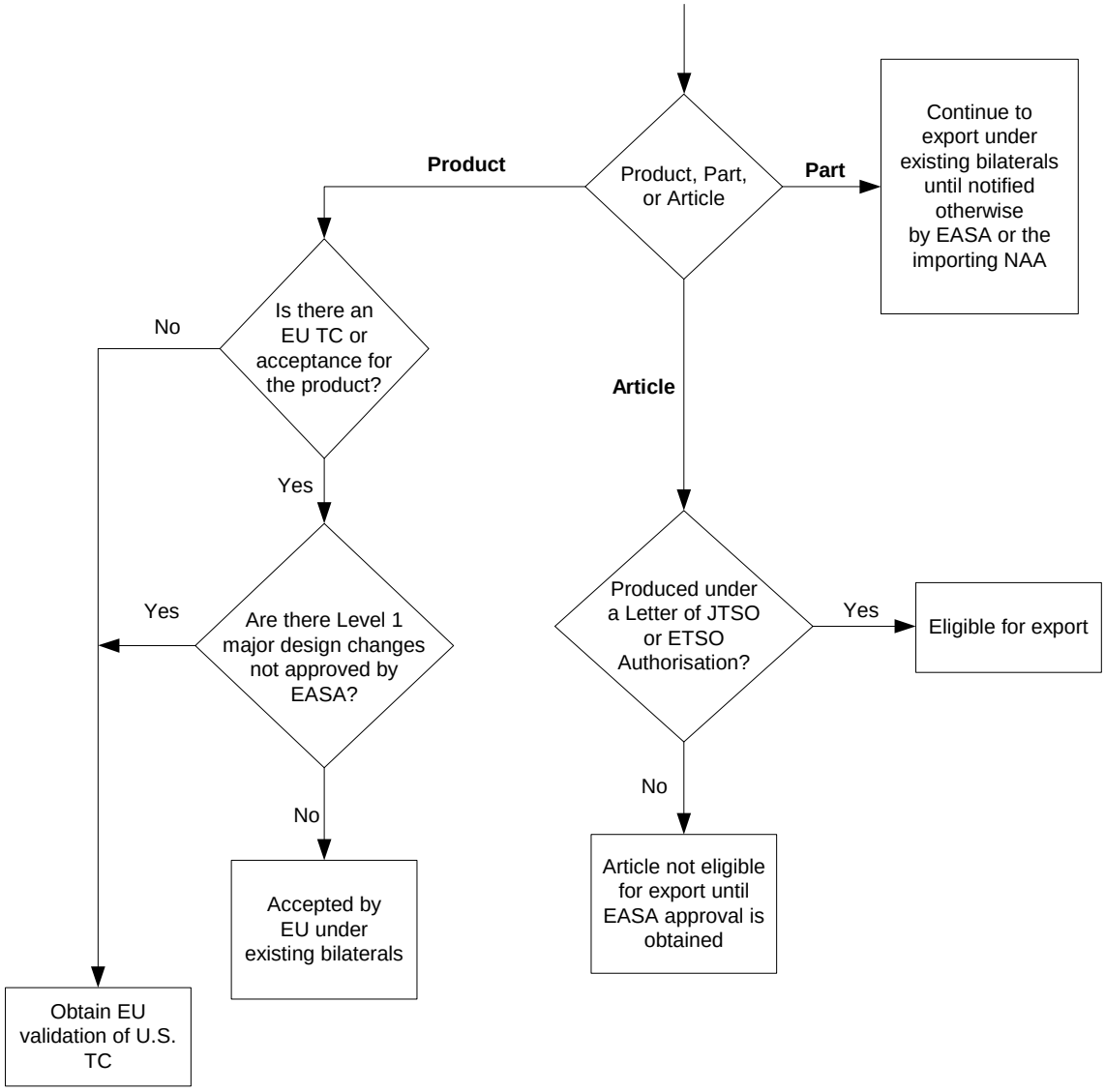
(2) ***New TSO article*** that has been granted an ETSO Authorisation or JTSO Authorisation, with an FAA Form 8130-3.

(3) ***New modification or replacement parts*** with an FAA Form 8130-3.

(4) ***Used aircraft***, including aircraft manufactured in any third country, with an FAA Export C of A.

(5) ***Aircraft with a U.S. special airworthiness certificate*** in the restricted category or primary category may be accepted by the Community on a case-by-case basis with an FAA Export C of A. EASA may elect to issue an EASA restricted TC for aircraft with a U.S. TC (that is, restricted category, primary category).

FIGURE 4-4. EXPORTING U.S. PRODUCTS, PARTS, AND ARTICLES TO THE EU



d. Export Certificate of Airworthiness Exceptions The MIDO/CMO will notify the importing EU Member State NAA of any non-compliance to the EASA-approved type design before issuing an FAA Export C of A for a new U.S. aircraft, aircraft engine, or propeller. For used aircraft, the appropriate FAA FSDO or Flight Standards CMO will notify the NAA. The FAA will list any non-compliance as an "exception" on the Export C of A. The FAA notification process to the EU Member State remains the same. The NAA needs to reply in writing to accept the exception before we can export the product. In addition, any aircraft that will be exported to the EU, whose type design is approved but contains design changes (e.g., STCs) and major repairs that are not approved within the EU, must have these design changes and repairs approved in accordance with either 4-2c or 4-2e, as appropriate. In these cases, the NAA may work with EASA to determine if an Export C of A exception may be granted to allow the export of the product prior to the EASA design approval. If an exception is granted, the NAA will reply in writing to the MIDO/CMO or FSDO/CMO to accept the aircraft prior to EASA design approval.

4-4. CONTINUED AIRWORTHINESS OF U.S. PRODUCTS OPERATING IN THE EU.

a. FAA Airworthiness Directives (ADs).

(1) EASA is responsible for the continued airworthiness of products operating in the EU, except for those products under Annex II of the Basic Regulation that remain with the NAAs. EASA may rely on the same NAA or team assigned to validate the product to also be the EU focal point on continued airworthiness. The FAA will respond to requests for information from EASA or the EU focal point, to help in their investigations of airworthiness issues on U.S. products operating in the EU. Any request by EASA to meet with a U.S. manufacturer to discuss airworthiness issues must be coordinated through the responsible ACO. The ACO will develop the agenda with the manufacturer based upon the input of the EASA focal point. The ACO will participate in all meetings.

(2) If the FAA is contemplating unilateral AD action, the local office must consult with its EASA technical counterpart. If EASA does not agree to issue its own AD, the final decision to issue an FAA unilateral action must be coordinated between the EASA Head of Product Certification and the Directorate Manager.

(3) The FAA will provide copies of ADs (including security-sensitive ADs) for U.S. products to the EASA AD focal point and Head of Product Certification for any EASA coordination prior to issuing unilateral AD action. We will also provide a copy to the NAA European focal point for the U.S. product, if identified. The FAA will continue to send advance notifications of significant airworthiness issues to EASA and the product focal point NAA or certification team PCM. For Annex II products, this notification will go directly to the certificating NAAs. (Contact AIR-40 for the EASA or NAA point of contact fax number.)

(4) EASA Executive Decision 02/2003 makes all FAA ADs on U.S. products legally binding within the EU unless EASA issues a different decision before the effective date of the FAA AD. The EASA Head of Product Certification will consult with the ACO prior to taking action that is different than our AD. The responsible EASA Certification Directorate and FAA

directorate management representatives manage the resolution of any disagreements over a continued airworthiness issue.

b. Service Difficulty Reports (SDR) and Malfunction, Failure, and Defect Reporting. Existing bilateral agreements discuss how to exchange data on malfunctions, failures, and defects. EASA is developing a centralized system to collect and analyze in-service data. The FAA will work with the EASA and the EU focal point when reporting and exchanging information on U.S. products. It is important to acquire in-service data from EASA/NAAs on U.S. products operating in the EU.

c. EASA Safety and Suspected Unapproved Parts (SUP) Investigations.

(1) When EASA conducts a safety or SUP investigation involving a U.S. product, the FAA and EASA will coordinate and share all pertinent data subject to Community and national law (see paragraph 5-3). Our policy and procedures on the protocol for investigations is unchanged. The Investigator in Charge from the appropriate accident investigating board controls the sharing of information and the participation of FAA and any other state in accident investigations. Examples of accident investigating boards are the National Transportation Safety Board in the U.S. and the accident investigation organization of any country where an accident may have occurred.

(2) For a specific investigation, EASA and the FAA will establish individual focal points to respond to questions from each other. These focal points will also ensure timely and consistent communication occurs. We will help to ensure a U.S. manufacturer provides the information quickly. If urgency requires that EASA request information directly from a U.S. manufacturer because it cannot contact us quickly, or the manufacturer provides data directly to EASA for any reason, EASA will ensure that we are aware of that exchange as soon as possible.

CHAPTER 5. RULEMAKING AND OTHER ADMINISTRATIVE COORDINATION

5-1. RULEMAKING, POLICY, AND GUIDANCE.

a. Continuing to Work with the JAA. EASA is the European authority for rules and policy for airworthiness and maintenance. The JAA has agreed to simply adopt all EASA rules and policy related to airworthiness and maintenance. In 2008, EASA received competency in aircraft operations and flight crew licensing and is developing new regulations. EASA is leading operations-related regulatory issues that impact airworthiness.

b. EASA Rulemaking Process. The EASA rulemaking process has retained some aspects of the JAR 11 procedures, such as issuance of Notice of Proposed Amendment (NPA), 90-day comment period, but with several significant differences.

(1) EASA is solely responsible for drafting Community aviation safety rules as an independent rulemaking body. The Executive Director can choose to use either a work group or EASA resources when drafting a document. The objective is to obtain the correct technical expertise for a given task, rather than systematically involving all parties.

(2) Two groups advise the EASA Executive Director on rulemaking: the Safety Standards Consultative Committee (SSCC) and Advisory Group of National Authorities (AGNA). The SSCC is intended to include those directly affected by EASA's actions (that is, industry). The AGNA include one NAA representative per EU Member State responsible for applying the Basic Regulation and its implementing rules. EASA publishes all materials on the internet including membership, procedures, meeting agendas, minutes, and related documentation, from both groups.

c. Working with EASA on Rulemaking. Provisions for participation in rulemaking are included in the new bilateral agreement with the Community, since the Basic Regulation does not provide for non-EU government involvement. The FAA and EASA have agreed to continue pursuing shared regulatory cooperation objectives. FAA and EASA have been coordinating their rulemaking programs and will coordinate on specific rules at, or prior to, key steps in their respective rulemaking processes. These key points are at the preparatory phase of the rulemaking program, at the tasking phase, before the formal consultation or public comment period (NPA/NPRM), and before the final rule adoption. The FAA and EASA will continue to resource and support the completion of key joint safety initiatives, e.g. the Changed Product Rule (CPR) and other harmonization efforts.

5-2. RECORD KEEPING. The Community will maintain all records on aviation safety, including regulatory, administrative, and technical records. Under the current system, a NAA that served as program manager for an EU certification or U.S. product validation would usually maintain the certification records. Initially NAAs will not transfer documents and records to EASA. EASA may later decide to transfer documents.

FIGURE 5-1. RECORD KEEPING RESPONSIBILITIES	
EASA maintains:	All records on EASA's duties and responsibilities in the areas of rulemaking, airworthiness, oversight, and standardization, for example, TC, TCDS, STC, AD, ETSO, DOA, POA, rules, policy. **NOTE:** EASA may permit NAAs to retain records locally in the areas of responsibility they are performing on behalf of EASA.
NAA maintains all records on:	Products the NAA approved before EASA became operational. Production approvals issued and overseen by the NAA. Annex II products. Airworthiness, oversight, and standardization activities that the NAA conducts with or on behalf of EASA. **NOTE:** NAAs may retain other records locally in the areas of responsibility they are performing on behalf of EASA.

5-3. PROTECTING PROPRIETARY DATA AND SUPPORT FOR REQUESTS UNDER FREEDOM OF INFORMATION, FREEDOM OF THE PRESS ACT, ETC.

a. Rules for Disclosing Information. The Community will continue to protect intellectual property, including proprietary data, under bilateral commitments and Community and national law. Access to proprietary data is restricted to EASA and NAAs who need to know as part of their regulatory responsibilities. Release of such data to other parties requires written consent from the owner of the data. The principles of protection and prior approval of public access to documents will be covered by Regulation (EC) 1049/2001 and rules adopted by the Commission and the EASA Management Board under the Basic Regulation, Articles 15 and 58. Under these principles, EASA must disclose any information it has, unless it falls within certain exceptions. These exceptions include trade secrets and financial or commercial data that would be considered confidential.

b. Releasing Officially Requested Information. The FAA, EASA, and NAAs will help each other determine if they can release officially requested information, per U.S., EU, or Member State regulations. Any FAA requests to release proprietary data belonging to an EU data holder will be submitted through EASA. Consent, if granted, will be forwarded to the FAA through EASA.

5-4. Forms. The Commission Regulation defines EASA forms in Annex Part 21 (see appendix 5 for forms pertinent to this order). NAA and JAA forms executed before EASA became operational are still valid. The EU Member State NAAs will continue to use their own local forms, unless there is an explicit requirement to use an EASA form. For example, NAAs must use an NAA form for Annex II products that are under the NAA's responsibility and for Export C of A.

CHAPTER 6. TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

6-1. TECHNICAL ASSISTANCE REQUESTS.

a. Providing Technical Assistance to NAAs or EASA. The FAA will continue to provide technical assistance to bilateral partner NAAs or EASA, when EASA is acting as the agent of a bilateral partner Member State. The affected FAA office should respond to requests, per existing policy and procedures. We will consider EASA requests for technical assistance for EU Member States that do not have a bilateral agreement with the United States, on a case by case basis, subject to available FAA resources.

b. Requesting EU Assistance.

(1) EASA has limited resources to support FAA requests. The FAA office should screen requests for criticality and when EASA is not able to support FAA requests, FAA designees can be sent without additional notification. EASA requests a minimum of three weeks advance notice for any technical assistance requests from the FAA. A special e-mail box has been established at EASA: validation-support@easa.europa.eu.

(2) When requesting new technical assistance, it is IMPORTANT for our specialists to determine if the support required in Europe is related to engineering design or manufacturing. This division of responsibility affects how the FAA (or any FAA Designated Regulatory Offices) will transmit and respond to new requests for technical assistance. For complex or lengthy projects, advance planning and a special arrangement/management plan may be required. Additionally, the Brussels International Policy Branch may request project status updates to coordinate with EASA's Programmes Department on a quarterly basis.

(3) Engineering Design: (including conformity of test set-ups) EASA is responsible for all design activity in EU Member States, except for aircraft covered under Annex II of the Basic Regulation.

(a) When the EU company holds an EASA DOA, the company may use its DOA procedures to conduct the requested technical assistance on behalf of EASA. No coordination or individual requests via EASA are required once the ACO confirms with EASA that the DOA is authorized for similar activities. The FAA recognizes that its specific activities are not strictly listed in the company's DOA, but the obligation is for the company to use the same approved methods/processes when conducting work on behalf of the FAA. FAA requests in these cases may go directly to the DOA. The FAA must provide clear guidance to the DOA on the documentation to be provided when the work is completed.

Note: FAA offices should be aware that EASA will not audit these DOAs regarding such technical assistance. In cases where a high volume of critical activity will be conducted by a DOA, contact AIR-40 so that some special surveillance arrangement may be negotiated with EASA.

(b) When the EU company does not hold an EASA DOA, all technical assistance requests related to compliance demonstration for design approval, including conformity of test

set-up and test witnessing, go to the EASA Programmes Department validation-support@easa.europa.eu. The FAA should send the request to EASA and copy the company involved to expedite processing the request. Alternatively, the FAA office could inform the applicant to have the EU supplier apply directly to EASA for assistance. EASA will not commence such assistance until the EU company has applied for this service using EASA Form 41, the contractual basis for the later invoicing of charges.

(4) Manufacturing: For assistance related to parts production, the NAAs may be contacted directly. The NAAs still oversee production and are responsible for conformity inspection of prototype parts. POAs may also conduct such inspections if delegated by an NAA. In limited cases where a POA has been issued by EASA, part conformity inspection requests should be coordinated through EASA.

c. FAA Special Arrangements with NAAs or EASA. Existing working arrangements with NAAs will continue until terminated by the FAA or NAA. These are largely in the conformity inspection, production oversight, and test witnessing areas. Any new special arrangements that may be needed with EASA must be coordinated through AIR-40.

6-2. REQUESTING CONFORMITY INSPECTIONS OR SURVEILLANCE SUPPORT FROM THE EU.

a. FAA Requests. Per existing FAA policy and procedures, we will continue to ask the applicable EU Member State NAA for help in conducting conformity inspections of prototype parts. However, we must ask EASA for conformity inspections of test set-ups located in the EU. The MIDO/CMO should be as specific as possible when requesting information or data to be returned to the FAA. (Note that no EASA form exists equivalent to FAA Form 8100-1, Conformity Inspection Record.)

b. EU Member State NAA Replies. The EU Member State NAA (or EASA if applicable) will send back all requested conformity inspection documentation (for example, Conformity Inspection Record, Statement of Conformity, Request for Conformity) to the requesting FAA office. The NAA will also issue an EASA Form signifying conformity, to accompany the prototype part on shipment.

6-3. REQUESTING TEST WITNESSING AND/OR TEST SET-UP FROM THE EU.

a. FAA Requests. We will ask the EASA Programmes Department for help in witnessing tests and conforming test set-ups within the EU. EASA may choose to task an NAA to support the FAA request or may witness the test itself. Need for EASA assistance on new U.S. TC projects must be coordinated with AIR-40 as early as possible. Where extensive support is anticipated, a special arrangement/management plan must be developed, consult AIR-40.

b. EASA or EU Member State NAA Replies. EASA or the EU Member State NAA or its approved organization will send back all requested test witnessing documentation (for example, test report) to the requesting FAA office.

c. EASA has established an internal working procedure, Certification Support for Validation (CSV), explaining how these requests will be processed.

6-4. COMPLIANCE FINDINGS TO EU REQUIREMENTS.

a. The FAA will continue to make statements of compliance to European airworthiness codes (JAR and/or EASA certification specifications) as requested by a bilateral partner NAA or EASA acting as the agent of a bilateral partner Member State per the existing BAAs/BASA IPAs. Designees currently authorized to make compliance findings to the JARs can be considered as candidates for making findings to EASA certification specifications, after the differences have been identified. (See paragraph 4-2c(1)(b).) The ACO will identify designees with this authorization in the Designee Information Network (DIN).

b. The FAA and FAA designees cannot make similar compliance findings for non-bilateral partner Member States until the new bilateral agreement is implemented with the Community.

6-5. ISSUANCE OF AIRWORTHINESS CERTIFICATES. The NAAs of Germany, Italy, and France will continue to assist with issuing U.S. Standard Airworthiness Certificates in their respective countries under existing bilateral agreements. The NAA points of contact are unchanged, unless the NAA notifies us otherwise.

6-6. INTERNATIONAL COOPERATIVE SUPPLIER SURVEILLANCE PROGRAM (ICSSP). In Germany, the United Kingdom, and France, our ICSSP will remain in effect under existing agreements, until a new bilateral agreement is in place with the Community that addresses ICSSP activities with other EU Member States.

6-7. REQUESTING PRODUCTION OVERSIGHT SUPPORT FROM THE EU.

a. FAA Requests. Per existing FAA policy and procedures, we ask the EU Member State NAA for help in overseeing production (for example, production approvals extended outside the United States, supplier surveillance in non-ICSSP countries).

b. EU Member State NAA Replies. The EU Member State NAA will conduct the requested production oversight assistance, and will send back all requested documentation associated with the oversight assistance to the requesting FAA office.

6-8. ACCESS TO FACILITIES. The FAA and the Community will continue to permit unrestricted access for each other's inspectors to all regulated facilities in the United States and the EU.

APPENDIX 1. BASIC REGULATION (EC) NO 216/2008, ANNEX II

"Aircraft referred to in Article 4(4)

Article 4(1), (2) and (3) do not apply to aircraft falling in one or more of the categories below:

(a) historic aircraft meeting the criteria below:

(i) non-complex aircraft whose:

- initial design was established before 1 January 1955, and
- production has been stopped before 1 January 1975;

or

(ii) aircraft having a clear historical relevance, related to:

- a participation in a noteworthy historical event, or
- a major step in the development of aviation, or
- a major role played into the armed forces of a Member State;

(b) aircraft specifically designed or modified for research, experimental or scientific purposes, and likely to be produced in very limited numbers;

(c) aircraft of which at least 51% is built by an amateur, or a non-profit association of amateurs, for their own purposes and without any commercial objective;

(d) aircraft that have been in the service of military forces, unless the aircraft is of a type for which a design standard has been adopted by the Agency;

(e) aeroplanes, helicopters and powered parachutes having no more than two seats, a maximum take-off mass (MTOM), as recorded by the Member States, of no more than:

(i) 300 kg for a land plane, single-seater; or

(ii) 450 kg for a land plane, two-seater; or

(iii) 330 kg for an amphibian or floatplane single-seater; or

(iv) 495 kg for an amphibian or floatplane two-seater, provided that, where operating both as a floatplane and as a land plane, it falls below both MTOM limits, as appropriate;

(v) 472,5 kg for a land plane, two-seater equipped with an airframe mounted total recovery parachute system;

(vi) 315 kg for a land plane single-seater equipped with an airframe mounted total recovery parachute system;

APPENDIX 1. BASIC REGULATION (EC) NO 216/2008, ANNEX II

and, for aeroplanes, having the stall speed or the minimum steady flight speed in landing configuration not exceeding 35 knots calibrated air speed (CAS);

(f) single and two-seater gyroplanes with a maximum take off mass not exceeding 560 kg;

(g) gliders with a maximum empty mass of no more than 80 kg when single-seater or 100 kg when two-seater, including those which are foot launched;

(h) replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to the original aircraft;

(i) unmanned aircraft with an operating mass of no more than 150 kg;

(j) any other aircraft which has a maximum empty mass, including fuel, of no more than 70 kg."

APPENDIX 2. EU CONTACTS

Send notifications and communications to the appropriate EASA or NAA office. See information below.

1. European Aviation Safety Agency (EASA):

Programmes Department
Phone: 49 221 89990 0000 request to be transferred to the applications office for new applications, or the approvals office for status of approvals)
Fax: 49 221 89990 4513

E-mail addresses for various applications: TC@easa.europa.eu
STC@easa.europa.eu
MajorChange-MinorRepair@easa.europa.eu
ETSOA@easa.europa.eu

E-mail address for technical assistance: validation-support@easa.europa.eu.

Physical Address:

European Aviation Safety Agency
Ottoplatz 1
D-50679 Köln
Germany

Phone: 49 221 89990 + 0000
General fax: 49 221 89990 9999

Mailing Address:

European Aviation Safety Agency
Postfach 10 12 53
D-50452 Köln
Germany

2. National Aviation Authorities (NAA) Contacts. NAA contact information is available on the FAA Intranet at:
https://intranet.faa.gov/FAAEmployees/org/linebusiness/avs/offices/air/div_dir/air40/media/Caalist.pdf

APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S.

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
AUSTRIA	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Replacement parts (Austria is State of Design, FAA has validated Type Certificate (TC) for the aircraft, etc.)	X	X	X
	Comments on component conformity and test witnessing: FAA and AustroControl have a special arrangement for conformity inspection and test witnessing. Consult this procedure when the FAA is working on behalf of Austria about AustroControl's expectations for data.			
BELGIUM	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (Belgium is State of Design + FAA has validated TC for the aircraft, etc.)	X	X	X
CZECH REPUBLIC	Aircraft	NO	NO	X
	Engines	NO	NO	X
	Propellers	NO	NO	X
	Appliance	NO	NO	X
	Replacement parts (for Czech products and appliances only)	NO	NO	X
	Comments: Formal Operating Procedures were concluded in 1996. These procedures describe various interactions between the FAA and the Civil Aviation Inspectorate and are similar to an IPA. **NOTE:** There are no bilateral provisions for the Civil Aviation Inspectorate to provide technical assistance to the FAA.			

APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
DENMARK	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
FINLAND	Gliders only	NO	NO	X
	Appliance	NO	NO	X
	Replacement parts (for appliances and gliders)	NO	NO	X
FRANCE	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (for products for which France is the State of Design)	X	X	X
	Modification parts (for products for which either France or the United States is the State of Design for the design change) **NOTE:** See AIR-200 Information Memo, "Imported Parts Produced in a Bilateral Country Under Licensing Agreement with a U.S. or Third Country Design Approval Holder," December 12, 2002, on French modification parts.	X	X	X
GERMANY	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (for both German and U.S. products, and specific Airbus models A300, A310, A320, A321)	X	X	X

APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
	Modification parts (on products for which Germany is the State of Design, and/or the part is manufactured by a German Production Organisation Approval (POA) holder who has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X
ITALY	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (for products for which Italy is the State of Design, and/or the part holds an FAA approval and is manufactured by an Italian POA holder who has an arrangement with a U.S. or third country design approval holder for the manufacturing rights)	X	X	X
	STCs (for products for which Italy is the State of Design)	X	X	X
	Modification parts (for products for which Italy is the State of Design, and/or the part is manufactured by an Italian POA holder who has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X
NETHERLANDS	Aircraft	X	X	X
	Appliance	X	X	X
	Replacement parts (NL is the State of Design for the aircraft or appliance and/or the part holds an FAA approval and is manufactured by a Dutch POA holder that has an arrangement with a U.S. or third country design approval holder for the manufacturing rights).	X	X	X
	STCs (for Netherlands State of Design aircraft)	X	X	X
	Modification parts (where NL is State of Design for the aircraft or appliance and the design change, and/or the part is manufactured by a Dutch POA holder that has an arrangement with a U.S. design change approval holder for the manufacturing rights).	X	X	X

APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
POLAND	Gliders, small fixed-wing aircraft of 12,500 lbs or less, and helicopters	X	X	X
	Piston engines of 1,000 horsepower or less, turbine engines	X	X	X
	Propellers associated with piston engines of 1,000 hp or less	X	X	X
	Replacement parts (for products for which Poland is the State of Design)	X	X	X
	Modification parts by TC holder	X	X	X
SPAIN	Aircraft	NO	NO	X
	Appliance	NO	NO	X
	Replacement parts (for aircraft and appliances only)	NO	NO	X
	Modification parts (by the original approval holder for aircraft and appliances only)	NO	NO	X
SWEDEN	Aircraft	X	X	X
	Engines	NO	NO	NO
	Propellers	NO	NO	NO
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (for products for which Sweden is the State of Design)	X	X	X
	Modification parts (where Sweden is State of Design for the product and the design change and /or the part is manufactured by a Swedish POA holder that has an arrangement with a U.S. design change approval holder for the manufacturing rights.)	X	X	X

APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
UNITED KINGDOM	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (on products for which the UK is the State of Design and /or the part holds an FAA approval and is manufactured by a UK POA holder that has an arrangement with a U.S. or third country design approval holder for the manufacturing rights)	X	X	X
	STCs (for products for which the UK is State of Design)	X	X	X
	Modification parts (where the UK is the State of Design for the product and the design change and/or the part is manufactured by a UK POA holder that has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X

APPENDIX 4. TYPE CERTIFICATE DATA SHEET (TCDS) IMPORT REQUIREMENTS FOR EU COMMUNITY PRODUCTS

A. New Historical Transition Statement:

Add the following statement immediately after the Type Certification Basis statement section in the TCDS and in STCs:

> "***[Insert name of the State of Design National Aviation Authority]*** originally type certificated this ***[insert aircraft, rotorcraft, engine, or propeller]*** under its type certificate Number ***[insert the original State of Design TC or STC number]***. The FAA validated this product under U.S. Type Certificate Number ***[insert the U.S. TC or STC number]***. Effective September 28, 2003, the European Aviation Safety Agency (EASA) began oversight of this product on behalf of ***[insert the State of Design]***."

B. Revised Import Requirements Statement:

Add before Note 1 of the TCDS:

> "**IMPORT REQUIREMENTS:**
>
> The FAA can issue a U.S. airworthiness certificate based on an NAA Export Certificate of Airworthiness (Export C of A) signed by a representative of ***[insert name of the State of Design/Manufacture National Aviation Authority]*** on behalf of the European Community. The Export C of A should contain the following statement: 'The aircraft covered by this certificate has been examined, tested, and found to comply with ***[insert document identifier, title revision, etc.]*** approved under U.S. Type Certificate No**.** ***[insert type certificate number]*** and to be in a condition for safe operation.' "

C. Revised Service Information Statement:

Add in the "Notes" Section of the FAA TCDS:

> **"SERVICE INFORMATION:**
>
> Each of the documents listed below must state that it is approved by the European Aviation Safety Agency (EASA) or – for approvals made before September 28, 2003 – by ***[insert the name of the State of Design National Aviation Authority]***. Any such documents are accepted by the FAA and are considered FAA approved.
>
> - Service bulletins,
> - Structural repair manuals,
> - Vendor manuals,
> - Aircraft flight manuals, and
> - Overhaul and maintenance manuals.

APPENDIX 4. TYPE CERTIFICATE DATA SHEET (TCDS) IMPORT REQUIREMENTS FOR EU COMMUNITY PRODUCTS (CONTINUED)

This applies only to the acceptance of the type design data. FAA personnel should also incorporate – into the Service Information statement above – a description of any other accepted forms or types of data approval where provided for under the bilateral agreement with the State of Design. This may include approvals made under the TC holder's DOA, repair instructions not included in the structural repair manual, etc.

APPENDIX 5. EASA FORMS

When the forms of this Appendix are issued in a language other than English, they shall include an English translation.

APPENDIX 5. EASA FORMS (CONTINUED)

EASA Form 15 Airworthiness Review Certificate

Competent authority of
a Member State of the
European Union

AIRWORTHINESS REVIEW CERTIFICATE

ARC REFERENCE: MS-YY-000

Pursuant to EC Regulation 1592/2002 of the European Parliament and Council for the time being in force, the Member State of Registry hereby certifies that the following aircraft:

Aircraft type: .....
Aircraft registration: .....
Aircraft serial Number: .....

is considered to be airworthy at the time of the issue.

Date of issue: .....
Signed: ..... **Authorisation Nr:** .....

EASA Form 15

APPENDIX 5. EASA FORMS (CONTINUED)

EASA Form 25 Certificate of Airworthiness

EASA LOGO Competent authorityLOGO

Certificate of Airworthiness

*	(Member State of Registry) (Issuing Authority)	*
1. Nationality and registration marks	2. Manufacturer and manufacturer's designation of aircraft	3. Aircraft serial number
4. Categories		
5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 and Regulation (EC) No 1592/2002, Article 5(2)(c) in respect of the abovementioned aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations. Date of issue: Signature: Limitations/Remarks:		
6. This Certificate of Airworthiness is valid unless suspended or revoked by the competent authority of the Member State of Registry. A current Airworthiness Review Certificate shall be attached to this Certificate.		

THIS PERMIT MUST BE CARRIED ON BOARD DURING ALL FLIGHTS

* For use of the Member State of Registry

NOTE: A5 format is suggested
Some States may wish to include translation into one or more of their own official language(s). This is possible within the A5 format

APPENDIX 5. EASA FORMS (CONTINUED)

EASA Form 45 - Noise certificate

*	*Member State of Registry* *Issuing Authority*	*
NOISE CERTIFICATE		
1. Nationality and registration marks ……	2. Manufacturer and manufacturer's designation of aircraft** ……	3. Aircraft Serial number ……
4. Engine** ……	5. Propeller ** ……	
6. Maximum Take-Off Mass ***…… ……	7. Cut Back Height ****…… ……	8. Maximum Landing Mass ***…… ……
9. Additional modifications incorporated for the purpose of compliance with the applicable noise certification standards.***** ……		
10. Noise Standard ******……	11. Lateral Noise Level *******…… ……	12. Fly-over Noise level *******…… ……
13. Approach Noise Level *******…… ……	14. Overflight Noise Level *******…… ……	
15. This Noise certificate is issued pursuant to Annex 16, Volume I to the Convention on International Civil Aviation dated Dec. 7, 1944 and Regulation (EC) No 1592/2002, Article 6 in respect of the above-mentioned aircraft, which is considered to comply with the foregoing noise standard when maintained and operated in accordance with the relevant airworthiness requirements and operating limitations. Date of issue…… Signature……		

This Certificate should be carried in the aircraft.

* For use of the State of Registry
** Designation should contain Type and Model. Propeller information only if applicable.
*** Should state maximum mass and unit, (e.g. 170.500 kg) Maximum Landing mass only if applicable.
**** Should contain height above the runway at which thrust/power is reduced following full thrust/power take-off and unit e.g. 950 ft. or N/A if not applicable.
***** May contain other noise relevant equipment or modifications, such as mufflers, STC's incorporated, tailrotor, acoustic liner etc. that are deemed necessary by the certificating authority to identify the acoustical configuration of the aircraft.
****** Should contain Chapter and section specifying maximum noise levels, i.e. CH10, 10.4 b.
******* Should state noise level and unit, i.e. 98,5 EPNdB, or N/A if not applicable.

APPENDIX 5. EASA FORMS (CONTINUED)

EASA Form 24 - Restricted Certificate of Airworthiness

EASA LOGO Competent authorityLOGO

Restricted Certificate of Airworthiness

*	(Member State of Registry) (Issuing Authority)	*
1. Nationality and registration marks	2. Manufacturer and manufacturer's designation of aircraft	3. Aircraft serial number
4. Categories		
5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 ar Regulation (EC) No 1592/2002, Article 5(3)(b) in respect of the abovementioned aircraft which is considered to be airworthy whe maintained and operated in accordance with the foregoing and the pertinent operating limitations. In addition to above the following restrictions apply: The aircraft may be used in international navigation notwithstanding above restrictions. Date of issue: Signature: Limitations/Remarks:		
6. This Certificate of Airworthiness is valid unless suspended or revoked by the competent authority of the Member State of Registry.. A current Airworthiness Review Certificate shall be attached to this Certificate.		

THIS PERMIT MUST BE CARRIED ON BOARD DURING ALL FLIGHTS

* For use of the State of Registry

NOTE: A5 format is suggested
Some States may wish to include translation into one or more of their own official language(s). This is possible within the A5 format

APPENDIX 5. EASA FORMS (CONTINUED)

EASA Form 20 - Permit to Fly

Competent authority logo	**PERMIT TO FLY**
*	
Competent authority of a Member State of Registry granted by virtue of Regulation (EC) No 1592/2002 hereby permit noted aircraft to fly within the Member State under conditions listed below. This permit is also valid for flight to and within other States provided separate approval is obtained from the competent authorities of such States.	1. Nationality and registration marks.
2. Aircraft manufacturer/type	3. Serial number
4. The permit covers	
5. Limitations/Remarks	
7. Place and date of issue	8. Signature of the competent authority representative

THIS PERMIT MUST BE CARRIED ON BOARD DURING ALL FLIGHTS

* for use by State of Registry

APPENDIX 5. EASA FORMS (CONTINUED)

1. Approving Competent Authority/Country	**AUTHORISED RELEASE CERTIFICATE** EASA FORM 1				3. Form Tracking Number	
4. Approved Organisation Name and Address:					5. Work Order/Contract/Invoice	
6. Item	7. Description	8. Part No	9. Eligibility (*)	10. Quantity	11. Serial/Batch No	12. Status/Work
13. Remarks Part M Section A Subpart F organisation approval number: AAA RRR XXXX						
14. Certifies that the items identified above were manufactured in conformity to: ☐ approved design data and are in condition for safe operation ☐ non-approved design data specified in block 13				19. ☐ Part-145.A.50 Release to Service ☐ Other regulation specified in block 13 Certifies that unless otherwise specified in block 13, the work identified in block 12 and described in block 13, was accomplished in accordance with Part-145 and in respect to that work the items are considered ready for release to service.		
15. Authorised Signature	16. Approval/ Authorisation Number			20. Authorised Signature	21. Certificate/Approval Ref. No	
17. Name	18. Date (d/m/y)			22. Name	23. Date (d/m/y)	

EASA Form 1- Issue 1

(*) Installer must cross-check eligibility with applicable technical data

APPENDIX 5. EASA FORMS (CONTINUED)

AUTHORISED RELEASE CERTIFICATE — EASA FORM 1 (reverse side)

USER/INSTALLER RESPONSIBILITIES

NOTE:

1. It is important to understand that the existence of the document alone does not automatically constitute authority to install the part/component/assembly.

2. Where the user/installer works in accordance with the national regulations of an airworthiness authority different from the airworthiness authority specified in block 1 it is essential that the user/installer ensure that his/her airworthiness authority accepts parts/ components/ assemblies from the airworthiness authority specified in block 1.

3. Statements 14 and 19 do not constitute installation certification. In all cases the aircraft maintenance record shall contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown.

APPENDIX 6. ACRONYMS

AC Advisory Circular

ACO Aircraft Certification Office

AD Airworthiness Directive

AGNA Advisory Group of National Authorities

AIR Aircraft Certification Service

AMC Acceptable Means of Compliance

ANDR Additional National Design Requirement

ANR Additional National Requirement

BAA Bilateral Airworthiness Agreement

BASA Bilateral Aviation Safety Agreement

C of A Certificate of Airworthiness

CAMO Continuing Airworthiness Management Organisation

CFR Code of Federal Regulations

CMO Certificate Management Office

CMACO Certificate Management Aircraft Certification Office

CPR Changed Product Rule

DAR Designated Airworthiness Representative

DER Designated Engineering Representative

DOA Design Organization Approval

EASA European Aviation Safety Agency

EC European Community

EPA European Part Approval

EU European Union

APPENDIX 6. ACRONYMS (CONTINUED)

ETSO European Technical Standard Order

FAA Federal Aviation Administration

FSDO FAA Flight Standards District Office

ICAO International Civil Aviation Organization

ICSSP International Cooperative Supplier Surveillance Program

IPA Implementation Procedures for Airworthiness

JAA Joint Aviation Authorities

JAR Joint Aviation Requirements

JIP Joint Implementation Procedures

JTSO Joint Technical Standard Order

MCAI Mandatory Continued Airworthiness Information

MIDO Manufacturing Inspection District Office

MIO Manufacturing Inspection Office

MISO Manufacturing Inspection Satellite Office

NAA National Aviation Authority

NPA Notice of Proposed Amendment

ODAR Organizational Designated Airworthiness Representative

PCM Project Certification Manager

PMA Parts Manufacturer Approval

POA Production Organisation Approval

PTVP Post Type Validation Principles

SDR Service Difficulty Report

SSCC Safety Standards Consultative Committee

STC Supplemental Type Certificate

APPENDIX 6. ACRONYMS (CONTINUED)

SUP Suspected Unapproved Part

TC Type Certificate

TCDS Type Certificate Data Sheet

TDS Technical Data Sheet

TSO Technical Standard Order

TVP Type Validation Principles

U.S. United States

U.S. Department
of Transportation

**Federal Aviation
Administration**

Directive Feedback Information

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: Order 8100.14A, Change 2

To: Directive Management Officer, AIR-530

(*Please check all appropriate line items)*

☐ An error (procedural or typographical) has been noted in paragraph _____ on page _____.

☐ Recommend paragraph _____ on page _____ be changed as follows:
(attach separate sheet if necessary)

☐ In a future change to this directive, please include coverage on the following subject:
(briefly describe what you want added)

☐ Other comments:

☐ I would like to discuss the above. Please contact me.

Submitted by: _____ Date: _____

FTS Telephone Number: _____ Routing Symbol: _____

FAA Form 1320–19 (8-89)(Representation)