

Pursuant to Articles 16 and 61, paragraph (2) of the Administration Law (Official Gazette of BiH No: 32/02 and 102/09) and Article 14, paragraph (1) of the Bosnia and Herzegovina Aviation Law (Official Gazette of BiH No: 39/09) Director General of the Bosnia and Herzegovina Directorate of Civil Aviation hereby issues the following

**RULEBOOK  
ON AIRWORTHINESS AND ENVIRONMENTAL CERTIFICATION OF  
AIRCRAFT AND RELATED PRODUCTS, PARTS AND APPLIANCES AND  
CERTIFICATION OF NON-EASA DESIGN AND PRODUCTION  
ORGANIZATIONS**

Article 1  
**(Subject)**

This Rulebook lays down common technical requirements and administrative procedures for airworthiness and environmental certification of aircraft and related products, parts and appliances for aircraft defined in Annex II of the Rulebook on common rules in the field of civil aviation and BHDCA responsibilities specifying:

- a) the issue of type-certificates, supplemental type-certificates and changes to those certificates;
- b) the issue of certificates of airworthiness and permits to fly;
- c) the issue of repair design approvals;
- d) the showing of compliance with environmental protection requirements;
- e) the issue of noise certificates;
- f) the identification of products, parts and appliances;
- g) the certification of certain parts and appliances;
- h) the certification of design and production organisations;
- i) the issue of airworthiness directives.

**Article 2  
(Terms)**

For the purpose of this Rulebook, the following terms mean:

- a) **Part E7-21** - means the requirements and procedures for the certification of aircraft and related products, parts and appliances, and of design and production organisations under Annex I of this Rulebook;
- b) **Part E7 - M** - means the applicable continuing airworthiness requirements adopted in accordance with the BiH Aviation Law;
- c) **Principal place of business** - means the head office or registered office of an air carrier within which the principal financial functions and operational control over activities specified in this Rulebook are exercised.
- d) **Article** - means any part and appliance to be used on civil aircraft;

- e) **BHLA1 aircraft** - means the following manned European light aircraft:
- a) an aeroplane with a Maximum Take-off Mass (MTOM) of 1 200 kg or less that is not classified as complex motor-powered aircraft;
  - b) a sailplane or powered sailplane with a Maximum Take-off Mass of 1 200 kg MTOM or less;
  - 3) a balloon with a maximum design lifting gas or hot air volume of not more than 3 400 m<sup>3</sup> for hot air balloons, 1 050 m<sup>3</sup> for gas balloons, 300 m<sup>3</sup> for tethered gas balloons;
  - 4) dirigible means an airship designed for not more than four occupants and a maximum design lifting gas or hot air volume of not more than 3400 m<sup>3</sup> for hot air airships and 1000 m<sup>3</sup> for gas airships;
- f) **BHLA2 aircraft** - means the following manned European light aircraft:
- 1) a) an aeroplane with a Maximum Take-off Mass (MTOM) of 2000 kg or less that is not classified as complex motor-powered aircraft;
  - b) a sailplane or powered sailplane with a Maximum Take-off Mass of 2000 kg MTOM or less;
  - 3) a balloon
  - 4) a hot air ship;
  - 5) gas airship (dirigible) meeting all of the following elements:
    - 3% maximum static heaviness;
    - Non-vectorred thrust (except reverse thrust),
    - Conventional and simple design of: structure, control system and ballonnet system;
    - Non-power assisted controls;
  - 6) a very light rotorcraft
- g) **EASA** - European Aviation Safety Agency;
- h) **National aviation authority** - responsible body, means BHDCA.

Article 3  
**(Certification of products, parts and appliances)**

Certificates for products, parts and appliances shall be issued as specified in Annex I (E7-21).

Article 4  
**(Continued validity of type certificate and related airworthiness certificates)**

- (1) Type certificates of individual aircraft that are in the Aircraft Register of Bosnia and Herzegovina on the day when this Rulebook enters into force shall be deemed approved in accordance with this Rulebook.
- (2) The list of historical aircraft, classified as Annex II aircraft in accordance with point a) (ii) of the Rulebook on common rules in the field of civil aviation and responsibilities of the European Aviation Safety Agency is given in Appendix 2 of this Rulebook.

Article 5  
**(Acceptable Means of Compliance)**

- (1) With the objective of consistent implementation of this Rulebook, BHDCA shall apply the current version of the following document published by EASA: Acceptable Means of Compliance - AMC and Guidance Material - GM - Part 21.
- (2) Terms in EASA AMC text like 'Agency' or 'competent authority' shall read, i.e. mean BHDCA.
- (3) Those EASA AMC paragraphs related to 'Member States' may not always be applied to BHDCA certificates issued in accordance with this Rulebook. BHDCA should be contacted in case of potential ambiguities.

Article 6  
**(Final provisions)**

- (1) This Regulation shall enter into force on the eighth day after its publication in the Official Gazette of Bosnia and Herzegovina.
- (2) The following regulations shall cease to have effect by virtue of the entry into force of this Rulebook: Rulebook on initial type certification of aircraft and aircraft components (Official Gazette of BiH 21/06), Rulebook on modifications and repairs to aircraft (Official Gazette of BiH 43/06), and Rulebook on airworthiness certificates (Official Gazette of BiH 47/07).

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Banja Luka, 14 December 2015

**Director General**  
Djordje Ratkovic

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**E7-21**

**Airworthiness certification of aircraft and related products, parts and appliances and design and production organisations**

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## **21.1 General**

For the purpose of this Annex I (E7-21), BHDCA shall be the competent authority.

### **SECTION A TECHNICAL REQUIREMENTS**

#### **SUBPART A - GENERAL PROVISIONS**

##### **21.A.1 Scope**

This Section establishes general provisions governing the rights and obligations of the applicant for, and holder of, any certificate issued or to be issued in accordance with this Section.

##### **21.A.2 Undertaking by another person than the applicant for, or holder of, a certificate**

The actions and obligations required to be undertaken by the holder of, or applicant for, a certificate for a product, part or appliance under this Section may be undertaken on its behalf by any other natural or legal person, provided the holder of, or applicant for, that certificate can show that it has made an agreement with the other person such as to ensure that the holder's obligations are and will be properly discharged.

##### **21.A.3A Failures, malfunctions and defects**

###### **(a) System for Collection, Investigation and Analysis of Data**

The holder of a type-certificate, supplemental type-certificate, major repair design approval or any other relevant approval deemed to have been issued under this Rulebook shall have a system for collecting, investigating and analysing reports of and information related to failures, malfunctions, defects or other occurrences which cause or might cause adverse effects on the continuing airworthiness of the product, part or appliance covered by the type-certificate, supplemental type-certificate, major repair design approval or any other relevant approval deemed to have been issued under this Rulebook. Information about this system shall be made available to all known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing rules.

###### **(b) Reporting to BHDCA**

1. The holder of a type-certificate, supplemental type-certificate, major repair design approval or any other relevant approval deemed to have been issued under this Rulebook shall report to BHDCA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type-certificate, supplemental type-certificate, major repair design approval or any other relevant approval deemed to have been issued under this Rulebook, and which has resulted in or may result in an unsafe condition.
2. These reports shall be made in a form and manner established by BHDCA, as soon as practicable and in any case not later than 72 hours after the identification of the possible unsafe condition, unless exceptional circumstances prevent this.

###### **(c) Investigation of Reported Occurrences**

1. When an occurrence reported under point (b), or under points 21.A.129(f)(2) or 21.A.165(f)(2) results from a deficiency in the design, or a manufacturing deficiency, the holder of the type-certificate, supplemental type-certificate, major repair design approval or any other relevant approval deemed to have been issued under this Rulebook, or the manufacturer as appropriate, shall investigate the reason for the deficiency and report to BHDCA the results of its investigation and any action it is taking or proposes to take to correct that deficiency.
2. If BHDCA finds that an action is required to correct the deficiency, the holder of the type-certificate, supplemental type-certificate, major repair design approval, or any

other relevant approval deemed to have been issued under this Rulebook, or the manufacturer as appropriate, shall submit the relevant data to BHDCA.

#### **21.A.3B Airworthiness directives and manufacturers' mandatory service bulletins**

- (a) An airworthiness directive means a document issued or adopted by BHDCA which mandates actions to be performed on an aircraft to restore an acceptable level of safety, when evidence shows that the safety level of this aircraft may otherwise be compromised.
- (b) BHDCA shall issue an airworthiness directive when:
  - 1. an unsafe condition has been determined by BHDCA to exist in an aircraft, as a result of a deficiency in the aircraft, or an engine, propeller, part or appliance installed on this aircraft,
  - 2. that condition is likely to exist or develop in other aircraft.
- (c) When an airworthiness directive has to be issued by BHDCA to correct the unsafe condition referred to in point (b), or to require the performance of an inspection, the holder of the type-certificate, supplemental type-certificate, major repair design approval or any other relevant approval deemed to have been issued under this Rulebook, shall:
  - 1. propose the appropriate corrective action or required inspections, or both, and submit details of these proposals to the BHDCA for approval;
  - 2. following the approval by BHDCA of the proposals referred to under point 1), make available to all known operators or owners of the product, part or appliance and, on request, to any person required to comply with the airworthiness directive, appropriate descriptive data and accomplishment instructions.
- (d) The airworthiness directive shall contain:
  - 1. description of the unsafe condition;
  - 2. an identification of the affected aircraft;
  - 3. the actions required;
  - 4. the compliance time for the required actions;
  - 5. the date of entry into force.
- (e) The airworthiness directives issued by the state of design of the aircraft, engine, propeller or equipment shall be deemed mandatory for aircraft registered in Bosnia and Herzegovina.
- (f) For aircraft whose permit to fly has been issued in accordance with point 21.A.173(b) or point 21.A.701(a)(15) of this Rulebook, service bulletins classified as mandatory by manufacturer of aircraft, engine, propeller or equipment shall be deemed mandatory for aircraft registered in Bosnia and Herzegovina.

#### **21.A.4 Coordination between design and production**

Each holder of a type-certificate, supplemental type-certificate, approval of a change to type design or approval of a major repair design, shall collaborate with the production organisation as necessary to ensure:

- (a) the satisfactory coordination of design and production required by point 21.A.122, or point 21.A.130 (b) (3) and (4), point 21.A.133 and point 21.A.165 (c) (2) and (3); and
- (b) the proper support of the continued airworthiness of the product, part or appliance.

### **SUBPART B — TYPE-CERTIFICATE**

#### **21.A.11 Scope**

This Subpart establishes the procedure for issuing type-certificates for products and establishes

the rights and obligations of the applicants for, and holders of, those certificates.

#### **21.A.13 Eligibility**

Any natural or legal person that has demonstrated, or is in the process of demonstrating, its capability in accordance with point 21.A.14 shall be eligible as an applicant for a type-certificate under the conditions laid down in this Subpart.

#### **21.A.14 Demonstration of capability**

- (a) Any organisation applying for a type-certificate shall demonstrate its capability by holding a design organisation approval, issued by BHDCA in accordance with Subpart J.
- (b) By way of derogation from point (a), as a demonstration of its capability is deemed an agreement of BHDCA, given on request of the applicant, for the use of procedures setting out the specific design practices, resources and sequence of activities necessary to comply with Annex I (E7-21).

#### **21.A.15 Application**

- (a) An application for a type-certificate shall be made in a form and manner established by BHDCA.
- (b) An application for an aircraft type-certificate shall be accompanied by a three-view drawing of that aircraft and preliminary basic data, including the proposed operating characteristics and limitations.
- (c) An application for an engine or propeller type-certificate shall be accompanied by a general arrangement drawing, a description of the design features, the operating characteristics, and the proposed operating limitations, of the engine, or propeller.
- (d) An application for acceptance of type-certificate for aircraft designed in other country shall be made in a form and manner established by BHDCA.

#### **21.A.16A Certification Specifications**

For aircraft under Annex II points (c), (e), (f), (g) and (j) of the Rulebook on common rules in the field of civil aviation and responsibilities of the European Aviation Safety Agency the following certification specifications shall be applied:

- a) For aircraft designed in Bosnia and Herzegovina
  - *CAP 482 - British Civil Airworthiness Requirements Section S - Small Light Aeroplanes;*
  - *CAP 750 - British Civil Airworthiness Requirements Section VLH - Small Light Helicopters;*
  - *CAP 643 - Light Gyroplanes;*
  - *CAP 659 - Amateur Built Aircraft.*
- b) For imported aircraft, BHDCA shall accept certification specifications valid in the following states:
  - a state signatory of ECAA Agreement;
  - United States of America
  - Canada
  - Russia

#### **21.A.16B Special conditions**

- (a) BHDCA shall prescribe special detailed technical specifications, named special conditions, for a product, if the related airworthiness code does not contain adequate safety standards for the product, because:
  1. the product has novel or unusual design features relative to the design practices on which the applicable airworthiness code is based; or
  2. the intended use of the product is unconventional; or
  3. experience from other similar products in service or products having similar design

features, has shown that unsafe conditions may develop.

- (b) The special conditions contain such safety standards as BHDCA finds necessary to establish a level of safety equivalent to that established in the applicable airworthiness code.

#### **21.A.17A Type-certification basis**

- (a) Type-certification basis shall consist of:
  - 1. the applicable airworthiness code established by BHDCA that is effective on the date of application for that certificate unless:
    - (i) otherwise specified by BHDCA; or
    - (ii) compliance with certification specifications of later effective amendments is chosen by the applicant or required under points (c) and (d);
  - 2. any special condition prescribed in accordance with point 21.A.16B(a).
- (b) An application for type-certification shall be effective for three years, unless an applicant shows at the time of application that its product requires a longer period of time for design, development, and testing, and BHDCA approves a longer period.
- (c) In the case where a type-certificate has not been issued, or it is clear that it will not be issued, within the time limit established under point (b), the applicant may:
  - 1. file a new application for a type-certificate and comply with all the provisions of point (a) applicable to an original application; or
  - 2. file for an extension of the original application and comply with the applicable airworthiness codes that were effective on a date, to be selected by the applicant, not earlier than the date which precedes the date of issue of the type-certificate by the time limit established under point (b) for the original application.
- (d) If an applicant chooses to comply with a certification specification of an amendment to the airworthiness codes that is effective after the filing of the application for a type-certificate, the applicant shall also comply with any other certification specification that BHDCA finds is directly related.

#### **21.A.18 Environmental protection requirements and certification specifications (CS)**

- (a) The applicable noise requirements for the issue of a type-certificate for an aircraft are prescribed according to the provisions of Chapter 1 of Annex 16, Volume I, Part II to the Chicago Convention.

#### **21.A.19 Changes requiring a new type-certificate**

Any natural or legal person proposing to change a product shall apply for a new type-certificate if BHDCA finds that the change in design, power, thrust, or mass is so extensive that a substantially complete investigation of compliance with the applicable type-certification basis is required.

#### **21.A.20 Compliance with the type-certification basis and environmental protection requirements**

- (a) The applicant for a type-certificate shall demonstrate compliance with the applicable type-certification basis and environmental protection requirements and shall provide BHDCA with the means by which such compliance has been demonstrated.
- (b) The applicant shall provide BHDCA with a certification programme detailing the means for compliance demonstration. This document shall be updated as necessary during the certification process.
- (c) The applicant shall record justification of compliance within compliance documents according to the certification programme established under point (b).

- (d) The applicant shall declare that it has demonstrated compliance with the applicable type-certification basis and environmental protection requirements, according to the certification programme established under point (b).
- (e) Where the applicant holds an appropriate design organisation approval, the declaration of point (b) shall be made according to the provisions of Subpart J.

#### **21.A.20B Recognition of foreign tests of aircraft**

For recognition of foreign tests of aircraft type, or aviation part or appliance that is imported for the first time, and of foreign type certificates and other relevant documents, the applicant shall submit to BHDCA the following:

- a) applied airworthiness codes and status of their amendments,
- b) any deviation from the airworthiness codes approved by the state of design;
- c) any special conditions specified by the state of design;
- d) certificate of state of design that the product meets environmental protection requirements;
- e) Type certificate of the state of design with type certificate data sheet (TCDS);
- f) evidence that manuals, placards and instrument markings, required by applicable airworthiness and noise requirements, (where appropriate) are written in the language required by BHDCA;
- g) flight manual;
- h) master minimum equipment list (MMEL), where applicable;
- i) instructions providing for continuing airworthiness of operational aircraft, including, but not limited to, the following manuals: *Aircraft Maintenance Manual; Aircraft Repair Manual, Aircraft Wiring Diagram, Owner Manual, Aircraft Service Manual, Weight and Balance Manual.*

#### **21.A.21 Issue of a type-certificate**

The applicant shall be entitled to have a product type-certificate issued by BHDCA after:

- (a) demonstrating its capability in accordance with point 21.A.14;
- (b) submitting the declaration referred to in point 21.A.20(d);
- (c) it is shown that:
  1. the product to be certificated meets the applicable type-certification basis and environmental protection requirements designated in accordance with points 21.A.17 and 21.A.18;
  2. any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety;
  3. no feature or characteristic of the product makes it unsafe for the uses for which certification is requested;
  4. the type-certificate applicant has expressly stated that it is prepared to comply with point 21.A.44.
- (d) In the case of an aircraft type-certificate, the engine or propeller, or both, if installed in the aircraft, have a type-certificate already issued.
- (e) In case of recognition of foreign type-certificates, BHDCA shall check the completeness of the submitted documentation specified under point 21.A.20B and without additional investigation issue a type-certificate if the state of design is:

- a state signatory of ECAA Agreement;
- United States of America
- Canada
- Russia

**21.A.23          Reserved**

**21.A.31          Type design**

- (a) The type design shall consist of:
1. the drawings and specifications, and a listing of those drawings and specifications, necessary to define the configuration and the design features of the product shown to comply with the applicable type-certification basis and environmental protection requirements;
  2. information on materials and processes and on methods of manufacture and assembly of the product necessary to ensure the conformity of the product;
  3. an approved airworthiness limitations section of the instructions for continued airworthiness as defined by the applicable airworthiness code;
  4. any other data necessary to allow by comparison, the determination of the airworthiness, the characteristics of noise, fuel venting, and exhaust emissions (where applicable) of later products of the same type.
- (b) Each type design shall be adequately identified.

**21.A.33          Investigation and tests**

- (a) The applicant shall perform all inspections and tests necessary to demonstrate compliance with the applicable type-certification basis and environmental protection requirements.
- (b) Before each test required by point (a) is undertaken, the applicant shall have determined:
1. for the test specimen:
    - (i) that materials and processes adequately conform to the specifications for the proposed type design;
    - (ii) that parts of the products adequately conform to the drawings in the proposed type design;
    - (iii) that the manufacturing processes, construction and assembly adequately conform to those specified in the proposed type design;
  2. that the test equipment and all measuring equipment used for tests are adequate for the test and are appropriately calibrated.
- (c) The applicant shall allow BHDCA to make any inspection necessary to check compliance with point (b).
- (d) The applicant shall allow BHDCA to review any report and make any inspection and to perform or witness any flight and ground test necessary to check the validity of the declaration of compliance submitted by the applicant under point 21.A.20(d) and to determine that no feature or characteristic makes the product unsafe for the uses for which certification is requested.
- (e) For tests performed or witnessed by BHDCA under point (d):
1. the applicant shall submit to BHDCA a statement of compliance with point (b);
  2. no change relating to the test that would affect the statement of compliance may be made to a product, part or appliance between the time compliance with point (b) is shown and the time it is proposed to BHDCA for test.

**21.A.35          Flight tests**

- (a) (a) Flight testing for the purpose of obtaining a type-certificate shall be conducted in



accordance with conditions specified by BHDCA.

- (b) The applicant shall make all flight tests that BHDCA finds necessary:
  1. to determine compliance with the applicable type-certification basis and environmental protection requirements;
  2. to determine whether there is reasonable assurance that the aircraft, its parts and appliances are reliable and function properly.

#### **21.A.41 Type-certificate**

The type-certificate is considered to include the type design, the operating limitations, the type-certificate data sheet for airworthiness and emissions, the applicable type-certification basis and environmental protection requirements with which BHDCA records compliance, and any other conditions or limitations prescribed for the product in the applicable certification specifications and environmental protection requirements.

#### **21.A.44 Obligations of the certificate holder**

Each holder of a type-certificate shall:

- (a) undertake the obligations laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.55, 21.A.57, 21.A.61 and 21.A.62; and, for this purpose, shall continue to meet the qualification requirements for eligibility under point 21.A.14;
- (b) specify the markings in accordance with Subpart Q.

#### **21.A.47 Transferability**

Transfer of a type-certificate may only be made to a natural or legal person that is able to undertake the obligations under point 21.A.44, and, for this purpose, has demonstrated its ability to qualify under the criteria of point 21.A.14.

#### **21.A.51 Validity of the certificate**

- (a) A type-certificate shall be issued for an unlimited duration. It shall remain valid subject to:
  1. the holder remaining in compliance with conditions specified in this Rulebook;
  2. the certificate not being surrendered or revoked under the applicable administrative procedures established by BHDCA.
- (b) Upon surrender or revocation, the type-certificate shall be returned to BHDCA.

#### **21.A.55 Record keeping**

All relevant design information, drawings and test reports, including inspection records for the product tested, shall be held by the type-certificate holder at the disposal of BHDCA and shall be retained in order to provide the information necessary to ensure the continued airworthiness and compliance with applicable environmental protection requirements of the product.

#### **21.A.57 Manuals**

The holder of a type-certificate shall produce, maintain and update all manuals required by the applicable type-certification basis and environmental protection requirements for the product, and provide copies, on request, to BHDCA.

#### **21.A.61 Instructions for continued airworthiness**

- (a) The holder of the type-certificate shall furnish at least one set of complete instructions for continued airworthiness, comprising descriptive data and accomplishment instructions prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine or propeller upon its delivery or upon issue of the first certificate of airworthiness for the affected aircraft, whichever occurs later and thereafter make those instructions available on request to any other person required to comply with any of the terms of those instructions. The availability of some manual or portion of the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may

be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.

- (b) Changes to the instructions for continued airworthiness shall be made available to all known operators of the product and shall be made available on request to any person required to comply with any of those instructions. A programme showing how changes to the instructions for continued airworthiness are distributed shall be submitted to BHDCA.

(SUBPART C — NOT APPLICABLE)

## SUBPART D — CHANGES TO TYPE-CERTIFICATE

### **21.A.90A Scope**

This Subpart establishes the procedure for the approval of changes to type designs and type-certificates, and establishes the rights and obligations of the applicants for, and holders of, those approvals. This Subpart also defines standard changes that are not subject to an approval process under this Subpart.

### **21.A.90B Standard changes**

- (a) Standard changes are changes to a type design:
1. that follow design data included in certification specifications issued by BHDCA, containing acceptable methods, techniques and practices for carrying out and identifying standard changes, including the associated instructions for continuing airworthiness;
  2. that are not in conflict with type-certificate holder's data.
- (b) Points 21.A.91 to 21.A.109 are not applicable to standard changes.
- (c) BHDCA shall, as acceptable manners for execution of standard changes, accept the following documents:
- EASA CS – STAN;
  - FAA AC 43.13-2B.

### **21.A.91 Classification of changes in type design certificate**

Changes in type design are classified as minor and major. A 'minor change' is one that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, noise, fuel venting, exhaust emission, or other characteristics affecting the airworthiness of the product. Without prejudice to point 21.A.19, all other changes are 'major changes' under this Subpart. Major and minor changes shall be approved in accordance with points 21.A.95 or 21.A.97 as appropriate, and shall be adequately identified.

### **21.A.92 Eligibility**

- (a) Only the type-certificate holder may apply for approval of a major change to a type design under this Subpart; all other applicants for a major change to a type design shall apply under Subpart E.
- (b) Any natural or legal person may apply for approval of a minor change to a type design under this Subpart.

### **21.A.93 Application**

An application for approval of a change to a type design shall be made in a form and manner established by BHDCA and shall contain:

- (a) A description of the change identifying:
1. all parts of the type design and the approved manuals affected by the change;

2. the certification specifications (CS) and environmental protection requirements with which the change has been designed to comply in accordance with point 21.A.101;
- (b) Identification of any re-investigations necessary to show compliance of the changed product with the applicable certification specifications and environmental protection requirements.

#### **21.A.95 Minor changes**

Minor changes in a type design shall be classified and approved either:

- (a) by BHDCA; or
- (b) by an appropriately approved design organisation under a procedure agreed with BHDCA.

#### **21.A.97 Major changes**

- (a) An applicant for approval of a major change shall:
1. submit to BHDCA substantiating data together with any necessary descriptive data for inclusion in the type design;
  2. demonstrate that the changed product complies with applicable certification specifications and environmental protection requirements, as specified in point 21.A.101;
  3. comply with points 21.A.20(b), (c) and (d); and
  4. where the applicant holds an appropriate design organisation approval, make the declaration referred to in point 21.A. 20(d) (a) (3) according to the provisions of Subpart J;
  5. comply with point 21.A.33 and, where applicable, point 21.A.35.
- (b) Approval of a major change in a type design is limited to that or those specific configuration(s) in the type design upon which the change is made.

#### **21.A.101 Designation of applicable certification specifications and environmental protection requirements**

- (a) An applicant for a change to a type-certificate shall demonstrate that the changed product complies with the airworthiness code that is applicable to the changed product and that is in effect at the date of the application for the change, unless compliance with certification specifications of later effective amendments is chosen by the applicant or required under points (e) and (f), and with the applicable environmental protection requirements laid down in point 21.A.18.
- (b) By derogation from point (a), an applicant may show that the changed product complies with an earlier amendment of the airworthiness code defined in paragraph (a), and of any other certification specification BHDCA finds is directly related. However, the earlier amended airworthiness code may not precede the corresponding airworthiness code incorporated by reference in the type-certificate. The applicant may show compliance with an earlier amendment of an airworthiness code for any of the following:
1. Changes that BHDCA finds not to be significant. In determining whether a specific change is significant, BHDCA considers the change in context with all previous relevant design changes and all related revisions to the applicable certification specifications incorporated in the type-certificate for the product. Changes that meet one of the following criteria are automatically considered significant:
    - (i) the general configuration or the principles of construction are not retained;
    - (ii) the assumptions used for certification of the product to be changed do not remain valid.
  2. Each area, system, part or appliance that BHDCA finds is not affected by the change.
  3. Each area, system, part or appliance that is affected by the change, for which BHDCA finds that compliance with an airworthiness code described in point (a) would not

contribute materially to the level of safety of the changed product or would be impractical.

- (c) An applicant for a change to an aircraft (other than a helicopter) of 2 722 kg (6 000 lbs) or less maximum weight or to a non-turbine helicopter of 1 361 kg (3 000 lbs) or less maximum weight may show that the changed product complies with the type-certification basis incorporated by reference in the type-certificate. If BHDCA finds that the change is significant in an area, BHDCA may designate compliance with an amendment to the type-certification basis incorporated by reference in the type-certificate, in effect at the date of the application, and any certification specification that BHDCA finds is directly related, unless BHDCA also finds that compliance with that amendment or certification specification would not contribute materially to the level of safety of the changed product or would be impractical.
- (d) If BHDCA finds that the airworthiness code in effect at the date of the application for the change does not provide adequate standards with respect to the proposed change, the applicant shall also comply with any special conditions, and amendments to those special conditions, prescribed under the provisions of point 21.A.16B, to provide a level of safety equivalent to that established in the airworthiness code in effect at the date of the application for the change.
- (e) An application for a change to a type-certificate is effective for three years. In a case where the change has not been approved, or it is clear that it will not be approved under the time limit established under this point, the applicant may:
  - 1. file a new application for a change to the type-certificate and comply with all the provisions of point (a) applicable to an original application for a change; or
  - 2. file for an extension of the original application and comply with the provisions of point (a) for an effective date of application, to be selected by the applicant, not earlier than the date which precedes the date of approval of the change by the time period established under this point for the original application for the change.
- (f) If an applicant chooses to comply with a certification specification of an amendment to the airworthiness codes that is effective after the filing of the application for a change to a type, the applicant shall also comply with any other certification specification that BHDCA finds is directly related.
- (g) Where the application for a change of aircraft type certificate includes, or when after submission of the application, changes of data on operational suitability are added, certification basis of operational suitability data shall be determined in accordance with the above subpoints (a), (b), (c), (d) and (f).

#### **21.A.103 Issue of approval**

- (a) The applicant shall be entitled to have a major change to a type design approved by BHDCA after:
  - 1. submitting the declaration referred to in point 21.A.20(d);
  - 2. it is demonstrated that:
    - (i) the changed product meets the applicable certification specifications and environmental protection requirements, as specified in point 21.A.101;
    - (ii) any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety;
    - (iii) the product is not dangerous for the uses for which approval is requested.
- (b) A minor change to a type design shall only be approved in accordance with point 21.A.95 if it is shown that the changed product meets the applicable certification specifications, as specified in point 21.A.101.

#### **21.A.105 Record keeping**

For each change, all relevant design information, drawings and test reports, including inspection records for the changed product tested, shall be held by the applicant at the disposal of BHDCA and shall be retained in order to provide the information necessary to ensure the continued airworthiness and compliance with applicable environmental protection requirements of the changed product.

#### **21.A.107 Instructions for continued airworthiness**

- (a) The holder of a minor change approval to type design shall furnish at least one set of the associated variations, if any, to the instructions for continued airworthiness of the product on which the minor change is to be installed, prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine, or propeller incorporating the minor change, upon its delivery, or upon issuance of the first certificate of airworthiness for the affected aircraft, whichever occurs later, and thereafter make those variations in instructions available, on request, to any other person required to comply with any of the terms of those instructions.
- (b) In addition, changes to those variations of the instructions for continued airworthiness shall be made available to all known operators of a product incorporating the minor change and shall be made available, on request, to any person required to comply with any of those instructions.

21.A.108 Reserved

### **SUBPART E — SUPPLEMENTAL TYPE-CERTIFICATE**

#### **21.A.111 Scope**

This Subpart establishes the procedure for the approval of major changes to the type design under supplemental type-certificate procedures, and establishes the rights and obligations of the applicants for, and holders of, those certificates.

#### **21.A.112A Eligibility**

Any natural or legal person ('organisation') that has demonstrated, or is in the process of demonstrating, its capability under point 21.A.112B shall be eligible as an applicant for a supplemental type-certificate under the conditions laid down in this Subpart.

#### **21.A.112B Demonstration of capability**

- (a) Any organisation applying for a supplemental type-certificate shall demonstrate its capability by holding a design organisation approval, issued by BHDCA in accordance with Subpart J.
- (b) By way of derogation from point (a), as a demonstration of its capability is deemed an agreement of BHDCA, given on request of the applicant, for the use of procedures setting out the specific design practices, resources and sequence of activities necessary to comply with this Subpart.
- (c) By way of derogation from points (a) and (b), an applicant may choose for demonstration of capability through BHDCA approval of a certification programme detailing the means for compliance demonstration for an STC on an aircraft, engine and propeller defined in point 21.A.14(c).

#### **21.A.113 Application for a supplemental type-certificate**

- (a) An application for a supplemental type-certificate shall be made in a form and manner established by BHDCA.
- (b) An application for a supplemental type-certificate shall include the descriptions, identification and changes of data on operational suitability required by point 21.A.93. In addition, such an application shall include a justification that the information on which those identifications are based is adequate either from the applicant's own resources, or through an arrangement with the type-certificate holder.

- (c) An application for a supplemental type-certificate, approved by other states, shall be made in a form and manner established by BHDCA.

#### **21.A.114 Showing of compliance**

Any applicant for a supplemental type-certificate shall comply with point 21.A.97.

#### **21.A.115 Issue of a supplemental type-certificate**

The applicant shall be entitled to have a supplemental type-certificate issued by BHDCA after:

- (a) submitting the declaration referred to in point 21.A.20(d); and
- (b) it is demonstrated that:
1. the changed product meets the applicable certification specifications and environmental protection requirements, as specified in point 21.A.101;
  2. any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety;
  3. no feature or characteristic makes the product unsafe for the uses for which certification is requested.
- (c) demonstrating its capability in accordance with point 21.A.112B;
- (d) where, under point 21.A.113(b), the applicant has entered into an arrangement with the type-certificate holder, and
1. the type-certificate holder has stated that it has no technical objection to the information submitted under point 21.A.93; and
  2. the type-certificate holder has agreed to collaborate with the supplemental type-certificate holder to ensure discharge of all obligations for continued airworthiness of the changed product through compliance with points 21.A.44 and 21.A.118A.
- (e) In case of recognition of foreign type-certificates, BHDCA shall check the completeness of the submitted documentation specified under point 21.A.113 and without additional investigation issue a supplemental type-certificate if the state of design is:
- a state signatory of ECAA Agreement;
  - United States of America
  - Canada
  - Russia

#### **21.A.116 Transferability**

A supplemental type-certificate shall only be transferred to a natural or legal person that is able to undertake the obligations of point 21.A.118A and for this purpose has demonstrated its ability to qualify under the criteria of point 21.A.112B.

#### **21.A.117 Changes to that part of a product covered by a supplemental type-certificate**

- (a) Minor changes to that part of a product covered by a supplemental type-certificate shall be classified and approved in accordance with Subpart D.
- (b) Each major change to that part of a product covered by a supplemental type-certificate shall be approved as a separate supplemental type-certificate in accordance with this Subpart.
- (c) By way of derogation from point (b), a major change to that part of a product covered by a supplemental type-certificate submitted by the supplemental type-certificate holder itself may be approved as a change to the existing supplemental type-certificate.

#### **21.A.118A Obligations and marking**

Each holder of a supplemental type-certificate shall:

- (a) undertake the obligations:

1. laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.105, 21.A.119 and 21.A.120A, and 21.A.120B;
  2. implicit in the collaboration with the type-certificate holder under point 21.A.115(c)(2); and for this purpose continue to meet the criteria of point 21.A.112B;
- (b) specify the markings in accordance with the point 21.A.804(a).

#### **21.A.118B Validity of the certificate**

- (a) A supplemental type-certificate shall be issued for an unlimited duration. It shall remain valid subject to:
1. the holder remaining in compliance with this Annex I (E7- 21);
  2. the supplemental certificate not being surrendered or revoked under the applicable administrative procedures established by the BHDCA.
- (b) Upon surrender or revocation, the supplemental type-certificate shall be returned to BHDCA.

#### **21.A.119 Manuals**

The holder of a supplemental type-certificate shall produce, maintain, and update master copies of variations in the manuals required by the applicable type-certification basis, applicable basis of certification of data on operational suitability and environmental protection requirements for the product, necessary to cover the changes introduced under the supplemental type-certificate, and furnish copies of these manuals to BHDCA on request.

#### **21.A.120 Instructions for continued airworthiness**

- (a) The holder of the supplemental type-certificate for an aircraft, engine, or propeller, shall furnish at least one set of the associated variations to the instructions for continued airworthiness, prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine, or propeller incorporating the features of the supplemental type-certificate, upon its delivery, or upon issuance of the first certificate of airworthiness for the affected aircraft, whichever occurs later, and thereafter make those variations in instructions available, on request, to any other person required to comply with any of the terms of those instructions. Availability of some manual or portion of the variations to the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.
- (b) In addition, changes to those instructions for continued airworthiness shall be made available to all known operators of a product incorporating the supplemental type-certificate and shall be made available, on request, to any person required to comply with any of those instructions. A programme showing how changes to the instructions for continued airworthiness are distributed shall be submitted to BHDCA.

21.A.120B Reserved

### **SUBPART F - PRODUCTION WITHOUT APPROVAL**

#### **21.A.121 Scope**

This Subpart establishes the procedure for demonstrating the conformity with the applicable design data of a product, part and appliance that is intended to be manufactured without a production organisation approval under Subpart G.

- (b) This Subpart establishes the rules governing the obligations of the manufacturer of a product, part, or appliance being manufactured under this Subpart.

#### **21.A.122 Eligibility**

Any natural or legal person may apply to show conformity of individual products, parts or

appliances under this Subpart, if:

- (a) it holds or has applied for an approval covering the design of that product, part or appliance; or
- (b) it has ensured satisfactory coordination between production and design, through an appropriate arrangement with the applicant for, or holder of, an approval of such a design.

#### **21.A.124 Application**

- (a) Each application for an agreement to the showing of conformity of individual products, parts and appliances under this Subpart shall be made in a form and manner established by BHDCA.
- (b) The application shall contain:
  - 1. evidence which demonstrates, where applicable, that:
    - (i) the issuance of a production organisation approval under Subpart G would be inappropriate; or
    - (ii) the certification or approval of a product, part or appliance under this Subpart is needed pending the issuance of a production organisation approval under Subpart G;
  - 2. an outline of the information required in point 21.A.125A(b).

#### **21.A.125A Issue of a letter of agreement**

The applicant shall be entitled to have a letter of agreement issued by BHDCA agreeing to the showing of conformity of individual products, parts and appliances under this Subpart, after:

- (a) having established a production inspection system that ensures that each product, part or appliance conforms to the applicable design data and is in condition for safe operation;
- (b) having provided a manual that contains:
  - 1. a description of the inspection system required under point (a);
  - 2. a description of the methods used for the inspection system;
  - 3. a description of the tests required in points 21.A.127 and 21.A.128, and the names of persons authorised for the purpose of point 21.A.130(a);
- (c) demonstrating that it is able to provide assistance in accordance with points 21.A.3A and 21.A.129(d).

#### **21.A.125B Findings**

- (a) When objective evidence is found showing non-compliance of the holder of a letter of agreement with the applicable requirements of Annex I (E7 21), the findings shall be classified as follows:
  - 1. a level one finding is any non-compliance with Annex I (E7- 21) which could lead to uncontrolled non-compliances with applicable design data and which could affect the safety of the aircraft;
  - 2. a level two finding is any non-compliance with Annex I (E7- 21) which is not classified as level one.
- (b) A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to a non-compliance under point (a).
- (c) After receipt of notification of findings according to point 21.B.125:
  - 1. in case of a level 1 finding, the holder of the letter of agreement shall demonstrate corrective action to the satisfaction of BHDCA within a period of no more than 21 working days after written confirmation of the finding;
  - 2. in case of level 2 findings, the corrective action period granted by BHDCA shall be appropriate to the nature of the finding but in any case initially shall not be more than



three months. In certain circumstances and subject to the nature of the finding, BHDCA may extend the three months period subject to the provision of a satisfactory corrective action plan agreed by BHDCA.

3. a level 3 finding shall not require immediate action by the holder of the letter of agreement.
- (d) In case of level 1 or level 2 findings, the letter of agreement may be subject to a partial or full limitation, suspension and revocation by BHDCA under point 21.B.145. The holder of the letter of agreement shall immediately provide confirmation of receipt of the notice of limitation, suspension or revocation of the letter of agreement.

#### **21.A.125C Validity of a letter of agreement**

- (a) The letter of agreement shall be issued for a limited duration not exceeding one year. It shall remain valid unless:
  1. the holder of the letter of agreement fails to demonstrate compliance with the applicable requirements of this Subpart;
  2. there is evidence that the holder of the letter of agreement cannot maintain satisfactory control of the manufacture of products, parts, or appliances under the agreement;
  3. the manufacturer no longer meets the requirements of point 21.A.122;
  4. holder of the letter of agreement has surrendered it or it has been revoked under point 21.B.145, or has expired.
- (b) Upon surrender, revocation or expiry, the letter of agreement shall be returned to BHDCA.

#### **21.A.126 Production inspection system**

- (a) The production inspection system required under point 21.A.125A(a) shall provide a means for determining that:
  1. incoming materials, and bought or subcontracted parts, used in the finished product are as specified in the applicable design data;
  2. incoming materials, and bought or subcontracted parts, are properly identified;
  3. processes, manufacturing techniques and methods of assembly affecting the quality and safety of the finished product are accomplished in accordance with specifications accepted by BHDCA.
  4. design changes, including material substitutions, have been approved under Subpart D or E and controlled before being incorporated in the finished product.
- (a) The production inspection system required by point 21.A.125A(a), shall be such as to ensure that:
  1. parts in process are inspected for conformity with the applicable design data at points in production where accurate determinations can be made;
  2. materials subject to damage and deterioration are suitably stored and adequately protected;
  3. current design drawings are readily available to manufacturing and inspection personnel, and used when necessary;
  4. rejected materials and parts are segregated and identified in a manner that precludes installation in the finished product;
  5. materials and parts that are withheld because of departures from design data or specifications, and that are to be considered for installation in the finished product, are subjected to an approved engineering and manufacturing compliance review procedure. Those materials and parts determined by this procedure to be serviceable shall be properly identified and reinspected if rework or repair is necessary. Materials and parts rejected by this procedure shall be marked and disposed of to ensure that they are not incorporated in the final product;

6. records produced under the production inspection system are maintained, identified with the completed product or part where practicable, and retained by the manufacturer in order to provide the information necessary to ensure the continued airworthiness of the product.

#### **21.A.127 Tests: aircraft**

- (a) Each manufacturer of an aircraft manufactured under this Subpart shall establish an approved production ground and flight test procedure and check-off forms, and in accordance with those forms, test each aircraft produced, as a means of establishing relevant aspects of compliance with point 21.A.125A(a).
- (b) Each production test procedure shall include at least the following:
  1. a check on handling characteristics and qualities;
  2. a check on flight performance (using normal aircraft instrumentation);
  3. a check on the proper functioning of all aircraft equipment and systems;
  4. a determination that all instruments are properly marked, and that all placards and required flight manuals are installed after flight test;
  5. a check of the operational characteristics of the aircraft on the ground;
  6. a check on any other items peculiar to the aircraft being tested.

#### **21.A.128 Tests: engines and propellers**

Each manufacturer of engines, or propellers manufactured under this Subpart shall subject each engine, or variable pitch propeller, to an acceptable functional test as specified in the type-certificate holder's documentation, to determine if it operates properly throughout the range of operation for which it is type-certificated, as a means of establishing relevant aspects of compliance with point 21.A.125A(a).

#### **21.A.129 Obligations of the manufacturer**

Each manufacturer of a product, part or appliance being manufactured under this Subpart shall:

- (a) make each product, part or appliance available for inspection by BHDCA;
- (b) maintain at the place of manufacture the technical data and drawings necessary to determine whether the product conforms to the applicable design data;
- (c) maintain the production inspection system that ensures that each product, part or appliance conforms to the applicable design data and is in condition for safe operation;
- (d) provide assistance to the holder of the type-certificate or approved design organisation in dealing with any continuing airworthiness actions that are related to the products, parts or appliances that have been produced;
- (e) establish and maintain an internal occurrence reporting system in the interest of safety, to enable the collection and assessment of occurrence reports in order to identify adverse trends or to address deficiencies, and to extract reportable occurrences. This system shall include evaluation of relevant information relating to occurrences and the promulgation of related information;
  1. report to the holder of the type-certificate or approved design organisation all cases where products, parts or appliances have been released by the manufacturer and subsequently identified to have deviations from the applicable design data, and investigate with the holder of the type-certificate or approved design organisation to identify those deviations which could lead to an unsafe condition;
  2. report to BHDCA the deviations which could lead to an unsafe condition identified according to point (1). Such reports shall be made in a form and manner established by BHDCA under point 21.A.3A(b)(2) or accepted by BHDCA.
  3. where the manufacturer acts as supplier to another production organisation, report also to that other organisation all cases where it has released products, parts or appliances to that organisation and subsequently identified them to have possible

deviations from the applicable design data.

### **21.A.130 Statement of Conformity**

- (a) Each manufacturer of a product, part or appliance manufactured under this Subpart shall issue a statement of conformity on Form 52 (see Appendix VIII), for complete aircraft, or Form 1 (see Appendix I), for other products, parts or appliances. This statement shall be signed by an authorised person who holds a responsible position in the manufacturing organisation.
- (b) Statement of conformity shall include:
  - 1. for each product, part or appliance a statement that the product, part or appliance conforms to the approved design data and is in condition for safe operation;
  - 2. for each aircraft, a statement that the aircraft has been ground and flight checked in accordance with point 21.A.127(a);
  - 3. for each engine, or variable pitch propeller, a statement that the engine or propeller has been subjected by the manufacturer to a final functional test, in accordance with point 21.A.128, and additionally in case of engines, a determination according to data provided by the engine type-certificate holder that each completed engine is in compliance with the applicable emissions requirements current at the date of manufacture of the engine.
- (c) Each manufacturer of such a product, part or appliance shall:
  - 1. upon the initial transfer by it of the ownership of such a product, part or appliance; or
  - 2. upon application for the original issue of an aircraft certificate of airworthiness; or
  - 3. upon application for the original issue of an airworthiness release document for an engine, a propeller, a part or appliance,present a current statement of conformity, for validation by BHDCA.
- (d) BHDCA shall validate by counter-signature the statement of conformity if it finds after inspection that the product, part or appliance conforms to the applicable design data and is in condition for safe operation.

## **SUBPART G - PRODUCTION ORGANISATION APPROVAL**

### **21.A.131 Scope**

This Subpart defines:

- (a) the procedure for the issuance of a production organisation approval for a production organisation showing conformity of products, parts and appliances with the applicable design data;
- (b) rights and obligations of the applicant for, and holders of, such approvals.

### **21.A.133 Eligibility**

Any natural or legal person ('organisation') shall be eligible as an applicant for an approval under this Subpart. The applicant shall:

- (a) justify that, for a defined scope of work, an approval under this Subpart is appropriate for the purpose of showing conformity with a specific design;
- (b) hold or have applied for an approval of that specific design; or
- (c) have ensured, through an appropriate arrangement with the applicant for, or holder of, an approval of that specific design, satisfactory coordination between production and design.

### **21.A.134 Application**

Each application for a production organisation approval shall be made in a form and manner established by BHDCA, and shall include an outline of the information required by point 21.A.143 and the terms of approval requested to be issued under point 21.A.151.

### **21.A.135 Issue of approval**

An organisation shall be entitled to have an approval, and accompanying approval certificate, issued by BHDCA when it has demonstrated compliance with the applicable requirements under this Subpart.

### **21.A.139 Quality System**

- (a) The production organisation shall demonstrate that it has established and is able to maintain a quality system. The quality system shall be documented. It shall be such as to enable the organisation to ensure that each product, part or appliance produced by the organisation or by its partners, or supplied from or subcontracted to outside parties, conforms to the applicable design data and is in condition for safe operation, and thus exercise the privileges set forth in point 21.A.163.
- (b) Quality system shall contain:
1. as applicable within the scope of approval, control procedures for:
    - (i) document issue, approval, or change;
    - (ii) vendor and subcontractor assessment audit and control;
    - (iii) verification that incoming products, parts, materials, and equipment, including items supplied new or used by buyers of products, are as specified in the applicable design data;
    - (iv) identification and traceability;
    - (v) manufacturing processes;
    - (vi) inspection and testing, including production flight tests;
    - (vii) calibration of tools, jigs, and test equipment;
    - (viii) non-conforming item control;
    - (ix) airworthiness coordination with the applicant for, or holder of, the design approval;
    - (x) records completion and retention;
    - (xi) personnel competence and qualification;
    - (xii) issue of airworthiness release documents;
    - (xiii) handling, storage and packing;
    - (xiv) internal quality audits and resulting corrective actions;
    - (xv) work within the terms of approval performed at any location other than the approved facilities;
    - (xvi) work carried out after completion of production but prior to delivery, to maintain the aircraft in a condition for safe operation;
    - (xvii) issue of permit to fly and approval of associated flight conditions.

The control procedures need to include specific provisions for any critical parts.

2. An independent quality assurance function to monitor compliance with, and adequacy of, the documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action.

### **21.A.143 Manual (exposition) of production organisation**

- (a) The organisation shall submit to BHDCA a production organisation exposition (manual) providing the following information:
1. a statement signed by the accountable manager confirming that the production organisation exposition and any associated manuals which define the approved

organisation's compliance with this Subpart will be complied with at all times;

2. the title(s) and names of managers accepted by BHDCA in accordance with point 21.A.145(c)(2);
  3. the duties and responsibilities of the manager(s) as required by point 21.A.145(c)(2) including matters on which they may deal directly with the competent authority on behalf of the organisation;
  4. an organisational chart showing associated chains of responsibility of the managers as required by point 21.A.145(c)(1) and (2);
  5. a list of authorised staff as referred to in point 21.A.145(d);
  6. General description of human resources;
  7. a general description of the facilities located at each address specified in the production organisation's certificate of approval;
  8. a general description of the production organisation's scope of work relevant to the terms of approval;
  9. the procedure for the notification of changes in the production organisation to BHDCA.
  10. the amendment procedure for the production organisation exposition;
  11. a description of the quality system and the procedures as required by point 21.A.139(b)(1);
  12. a list of those outside parties (organisations) referred to in point 21.A.139(a).
- (b) Exposition shall be amended as necessary to remain an up-to-date description of the organisation. Copies of exposition and any of its subsequent amendments shall be supplied to BHDCA for approval.

### **21.A.145 Approval requirements**

The production organisation shall demonstrate, on the basis of the information submitted in accordance with point 21.A.143 that:

- (a) with regard to general approval requirements, facilities, working conditions, equipment and tools, processes and associated materials, number and competence of staff, and general organisation are adequate to discharge obligations under point 21.A.165;
- (b) with regard to all necessary airworthiness, noise, fuel venting and exhaust emissions data:
  1. the production organisation is in receipt of such data from BHDCA, and from the holder of, or applicant for, the type-certificate or design approval, to determine conformity with the applicable design data;
  3. the production organisation has established a procedure to ensure that airworthiness, noise, fuel venting and exhaust emissions data are correctly incorporated in its production data;
  4. such data are kept up to date and made available to all personnel who need access to such data to perform their duties;
- (c) with regard to management and staff:
  1. a manager has been nominated by the production organisation, and is accountable to BHDCA. His responsibility within the organisation shall consist of ensuring that all production is performed to the required standards and that the organisation is continuously in compliance with the data and procedures identified in the exposition referred to in point 21.A.143;
  2. a person or group of persons have been nominated by the production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (E7- 21), and the extent of their authority has been defined. Such persons shall act under the direct authority of the accountable manager referred to in point (1). The persons nominated shall be able to show the appropriate knowledge, background and experience to discharge their responsibilities;

3. staff at all levels have been given appropriate authority to be able to discharge their allocated responsibilities and that there is full and effective compliance within the production organisation with airworthiness, noise, fuel venting and exhaust emission requirements.
- (d) with regard to certifying staff, authorised by the production organisation to sign the documents issued under point 21.A.163 under the scope or terms of approval:
1. the knowledge, background and experience of the certifying staff are appropriate to discharge their allocated responsibilities;
  2. the production organisation maintains a record of all certifying staff which shall include details of the scope of their authorisation;
  3. certifying staff are provided with a document containing the scope of their authorisation.

#### **21.A.147 Changes to the approved production organisation**

- (a) After the issue of a production organisation approval, each change to the approved production organisation that is significant to the showing of conformity or to the airworthiness and characteristics of noise, fuel venting and exhaust emissions of the product, part or appliance, particularly changes to the quality system, shall be approved by BHDCA. An application for approval shall be submitted in writing to BHDCA and the organisation shall demonstrate to BHDCA before implementation of the change that it will continue to comply with this Subpart.
- (b) BHDCA shall establish the conditions under which a production organisation approved under this Subpart may operate during such changes unless it determines that the approval should be suspended.

#### **21.A.148 Changes of location**

A change of the location of the manufacturing facilities of the approved production organisation shall be deemed of significance and therefore the organisation shall comply with point 21.A.147.

#### **21.A.149 Transferability of approval**

Except as a result of a change in ownership, which is deemed significant for the purposes of point 21.A.147, a production organisation approval is not transferable.

#### **21.A.151 Terms of approval**

The terms of approval shall identify the scope of work, the products or the categories of parts and appliances, or both, for which the holder is entitled to exercise the privileges under point 21.A.163. Those terms shall be issued as part of a production organisation approval.

#### **21.A.153 Changes to terms of approval**

Each change to the terms of approval shall be approved by BHDCA. An application for a change to the terms of approval shall be made in a form and manner established by BHDCA. The applicant shall comply with the applicable requirements of this Subpart.

#### **21.A.157 Investigations**

A production organisation shall make arrangements that allow BHDCA to make any investigations, including investigations of partners or subcontractors, necessary to determine compliance and continued compliance with the applicable requirements of this Subpart.

#### **21.A.158 Findings**

- (a) When objective evidence is found showing non-compliance of the holder of a production organisation approval with the applicable requirements of this Annex I (E7-21), the findings shall be classified as follows:

1. a level one finding is any non-compliance with this Annex I (E7-21)) which could lead to uncontrolled deviations from the applicable design data and which could affect the safety of the aircraft;
  2. a level two finding is any non-compliance with Annex I (E7- 21) which is not classified as level one.
- (b) A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to a non-compliance under point (a).
- (c) After receipt of notification of findings according to point 21.B.225:
1. in case of a level one finding, the holder of the production organisation approval shall demonstrate corrective action to the satisfaction of BHDCA within a period of no more than 21 working days after written confirmation of the finding.
  2. in case of level two findings, the corrective action period granted by BHDCA shall be appropriate to the nature of the finding but in any case initially shall not be more than three months. In certain circumstances and subject to the nature of the finding, BHDCA may extend the three months period subject to the provision of a satisfactory corrective action plan agreed by BHDCA.
  3. a level 3 finding shall not require immediate action.
- (d) In case of level 1 or level 2 findings, the production organisation approval may be subject to a partial or full limitation, suspension or revocation by BHDCA under point 21.B.245. The holder of the production organisation approval shall immediately provide confirmation of receipt of the notice of limitation, suspension or revocation of the production organisation approval.

#### **21.A.159 Validity of approval**

- (a) The approval shall be issued for an unlimited duration. It shall remain valid unless:
1. the production organisation fails to demonstrate compliance with the applicable requirements of this Subpart;
  2. BHDCA is prevented by the holder or any of its partners or subcontractors to perform the investigations in accordance with point 21.A.157;
  3. there is evidence that the production organisation cannot maintain satisfactory control of the manufacture of products, parts or appliances under the issued approval;
  4. the production organisation no longer meets the requirements of point 21.A.133;
  5. the certificate has been surrendered or revoked under point 21.B.245.
- (b) Upon surrender or revocation, the certificate shall be returned to BHDCA.

#### **21.A.163 Privileges**

Pursuant to the terms of approval issued under point 21.A.135, the holder of a production organisation approval may:

- (a) perform production activities under this Rulebook;
- (b) in the case of complete aircraft and upon presentation of a statement of conformity (BHDCA Form 52) under point 21.A.174, obtain an aircraft certificate of airworthiness and a noise certificate without further showing;
- (c) in the case of other products, parts or appliances, issue authorised release certificates (BHDCA Form 1) without further showing;
- (d) maintain a new aircraft that it has produced and issue a certificate of release to service (BHDCA Form 53) in respect of that maintenance;
- (e) under procedures agreed with BHDCA, for an aircraft it has produced and when the production organisation itself is controlling under its approval (POA) the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight, issue a permit to fly in accordance with point 21.A.711(c) including approval of the flight conditions

in accordance with point 21.A.710(b).

#### **21.A.165 Obligations of the approval holder**

The holder of a production organisation approval shall:

- (a) guarantee that the production organisation exposition furnished in accordance with point 21.A.143 and the documents to which it refers, are used as basic working documents within the organisation;
- (b) maintain the production organisation in conformity with the data and procedures approved for the production organisation approval;
- (c)
  - 1. determine that each completed aircraft conforms to the type design and is in condition for safe operation prior to submitting statements of conformity to BHDCA; or
  - 2. determine that other products, parts or appliances are complete and conform to the approved design data and are in a condition for safe operation before issuing an BHDCA Form 1 to certify conformity to approved design data and condition for safe operation, and additionally in case of engines, determine according to data provided by the engine type-certificate holder that each completed engine is in compliance with the applicable gas emissions requirements as defined in point 21.A.18(b), current at the date of manufacture of the engine, to certify emissions compliance; or
  - 3. (a) determine that other products, parts or appliances conform to the applicable data before issuing BHDCA Form 1 as a conformity certificate;
- (d) record all details of work carried out;
- (e) establish and maintain an internal occurrence reporting system in the interest of safety, to enable the collection and assessment of occurrence reports in order to identify adverse trends or to address deficiencies, and to extract reportable occurrences. This system shall include evaluation of relevant data relating to occurrences and the promulgation of related information;
- (f)
  - 1. report to the holder of the type-certificate or design approval, cases where products, parts or appliances have been released by the production organisation and subsequently identified to have possible deviations from the applicable design data, and investigate them in order to identify those deviations which could lead to an unsafe condition;
  - 2. report to BHDCA and the competent authority of the Member State the deviations which could lead to an unsafe condition identified according to point (1). Such reports shall be made in a form and manner established by BHDCA under point 21.A.3A(b)(2) or accepted by BHDCA;
  - 3. where the holder of the production organisation approval is acting as a supplier to another production organisation, report also to that other organisation all cases where it has released parts or appliances and subsequently identified them to have possible deviations from the data;
- (g) provide assistance to the holder of the type-certificate or design approval in dealing with any continuing airworthiness actions that are related to the products parts or appliances that have been produced;
- (h) establish an archiving system incorporating requirements imposed on its partners, suppliers and subcontractors, ensuring conservation of the data used to justify conformity of the products, parts or appliances. Such data shall be held at the disposal of BHDCA and be retained in order to provide the information necessary to ensure the continuing airworthiness of the products, parts or appliances;
- (i) where, under its terms of approval, the holder issues a certificate of release to service,



determine that each completed aircraft has been subjected to necessary maintenance and is in condition for safe operation, prior to issuing the certificate;

- (j) where applicable, under the privilege of point 21.A.163(e), determine the conditions under which a permit to fly can be issued;
- (k) where applicable, under the privilege of point 21.A.163(e), establish compliance with points 21.A.711(c) and (e) before issuing a permit to fly to an aircraft.

## SUBPART H — AIRWORTHINESS CERTIFICATE

### **21.A.171 Scope**

This Subpart establishes the procedure for issuing airworthiness certificates.

### **21.A.172 Eligibility**

Any natural or legal person under whose name an aircraft is registered or will be registered in BiH, or its representative, shall be eligible as an applicant for an airworthiness certificate for that aircraft under this Subpart.

#### 21.A.173 Types of airworthiness certificates

Airworthiness certificates shall be classified as follows:

- (a) certificates of airworthiness shall be issued to aircraft which conform to a type-certificate that has been issued in accordance with ICAO Annex 8;
- (b) permit to fly shall be issued to aircraft without type-certificate issued in accordance with ICAO Annex 8. Aircraft with a permit to fly shall be subject to operational limitations within Bosnia and Herzegovina and shall not perform international flights unless with special approval of those states.

### **21.A.174 Application**

- (a) An application for an airworthiness certificate under point 21.A.172 shall be made in a form and manner established by BHDCA.
- (b) Each application for a certificate of airworthiness shall include:
  - 1. the class of airworthiness certificate applied for;
  - 2. with regard to new aircraft:
    - (i) a statement of conformity
      - issued in accordance with the point 21.A.163(b), or
      - issued in accordance with the point 21.A.130 validated by BHDCA, or
      - for an imported aircraft, a statement of conformity issued by the exporting authority that the aircraft conforms to certification requirements acceptable for BHDCA.
    - (ii) a weight and balance report with a loading schedule;
    - (iii) the flight manual, when required by the applicable airworthiness code for the particular aircraft;
  - 3. with regard to used aircraft:
    - a statement by the competent authority of the State where the aircraft is, or was, registered, reflecting the airworthiness status of the aircraft in the register at time of transfer or airworthiness certificate for export to Bosnia and Herzegovina;
    - a weight and balance report with a loading schedule;
    - the flight manual, when required by the applicable rules and airworthiness code for the particular aircraft;

- historical records to establish the production, modification, and maintenance standard of the aircraft, including all limitations associated with a restricted certificate of airworthiness under point 21.B.327(c);
- (c) Unless otherwise agreed, the statements referred to in points (b)(2)(i) and (b)(2)(ii) shall be issued no more than 60 days before presentation of the aircraft to the BHDCA.

**21.A.175 Language**

The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications may be presented in one or more of the official languages of Bosnia and Herzegovina, in English or bilingually.

**21.A.177 Amendment or modification**

An airworthiness certificate may be amended or modified only by BHDCA.

**21.A.179 Transferability and re-issuance**

Where ownership of an aircraft has changed and it remains on the same register, the certificate of airworthiness shall be transferred together with the aircraft.

**21.A.180 Inspections**

The holder of the airworthiness certificate shall provide access to the aircraft for which that airworthiness certificate has been issued upon request by BHDCA.

**21.A.181 Validity of the certificate**

- (a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid subject to:
1. compliance with the applicable type-design and continuing airworthiness requirements; and
  2. the aircraft remaining on the same register; and
  3. the type-certificate under which it is issued not being previously invalidated under point 21.A.51;
  4. the certificate not being surrendered by the holder of the certificate or revoked under point 21.B.330.
- (b) Upon surrender or revocation, the certificate shall be returned to BHDCA.

**21.A.182 Aircraft identification**

Each applicant for an airworthiness certificate under this Subpart shall demonstrate that its aircraft is identified in accordance with Subpart Q.

**SUBPART I - NOISE CERTIFICATE**

**21.A.201 Scope**

This Subpart establishes the procedure for issuing noise certificates.

**21.A.203 Eligibility**

Any natural or legal person under whose name an aircraft is registered or will be registered in Bosnia and Herzegovina, or its representative, shall be eligible as an applicant for a noise certificate for that aircraft under this Subpart.

**21.A.204 Application**

- (a) An application for a noise certificate under point 21.A.203 shall be made in a form and manner established by BHDCA.

- (b) Each application for a noise certificate shall include:
1. with regard to new aircraft:
    - (i) a statement of conformity
      - issued in accordance with the point 21.A.163(b), or
      - issued in accordance with the point 21.A.130 and validated by BHDCA, or
      - for an imported aircraft, a statement, signed by the exporting authority that the aircraft conforms to a design approved by BHDCA;
    - (ii) the noise information determined in accordance with the applicable noise requirements; This information shall be included in the flight manual, if required by applicable requirements and airworthiness regulations;
  2. with regard to used aircraft:
    - (i) the noise information determined in accordance with the applicable noise requirements. This information shall be included in the flight manual, if required by applicable requirements and airworthiness regulations;
    - (ii) historical records to establish the production, modification, and maintenance standard of the aircraft.
- (c) Unless otherwise agreed, the statements referred to in points (b)1 shall be issued no more than 60 days before presentation of the aircraft to BHDCA.

**21.A.207 Amendments or modifications**

A noise certificate may be amended or modified only by BHDCA.

**21.A.209 Transferability and re-issuance within Member States**

Where ownership of an aircraft has changed and it remains on the same register, the noise certificate shall be transferred together with the aircraft.

**21.A.210 Inspections**

The holder of the noise certificate shall provide access to the aircraft for which that noise certificate has been issued upon request by BHDCA.

**21.A.211 Validity of the certificate**

- (a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:
1. compliance with the applicable type-design and environmental and requirements for continuing airworthiness;
  2. the aircraft remaining on the same register; and
  3. the type-certificate under which it is issued not being previously invalidated under point 21.A.51;
  4. the certificate not being surrendered by the holder of the certificate or revoked under point 21.B.430.
- (b) Upon surrender or revocation, the certificate shall be returned to BHDCA.

**SUBPART J - DESIGN ORGANISATION APPROVAL**

**21.A.231 Scope**

This Subpart establishes the procedure for the approval of design organisations and rules governing the rights and obligations of applicants for, and holders of, such approvals.

**21.A.233 Eligibility**

Any natural or legal person ('organisation') shall be eligible as an applicant for an approval under this Subpart:

- (a) in accordance with points 21.A.14, 21.A.112B, 21.A.432B or 21.A.602B; or
- (b) for approval of minor changes or minor repair design, when necessary for the purpose of obtaining privileges under point 21.A.263.

#### **21.A.234 Application**

Each application for a design organisation approval shall be made in a form and manner established by BHDCA and shall include an outline of the information required by point 21.A.243, and the terms of approval requested to be issued under point 21.A.251.

#### **21.A.235 Issue of approval**

An organisation shall be entitled to have an approval, and accompanying approval certificate, issued by BHDCA when it has demonstrated compliance with the applicable requirements under this Subpart.

#### **21.A.239 Design Assurance System**

- (a) The organisation shall demonstrate that it has established and is able to maintain a design assurance system for the control and supervision of the design, and of design changes, of products, parts and appliances covered by the application. Design assurance system shall enable the organisation:
  - 1. to ensure that the design of the products, parts and appliances or the design change thereof, comply with the applicable certification basis, applicable data of type certification basis of operational suitability and environmental protection requirements; and
  - 2. to ensure that its responsibilities are properly discharged in accordance with:
    - (i) appropriate provisions of this Rulebook;
    - (ii) the terms of approval issued under point 21.A.135;
  - 3. to independently monitor the compliance with, and adequacy of, the documented procedures of the system. This monitoring shall include a feed-back system to a person or a group of persons having the responsibility to ensure corrective actions.
- (b) The design assurance system shall include an independent checking function of the showings of compliance on the basis of which the organisation submits compliance statements and associated documentation to BHDCA.
- (c) The design organisation shall specify the manner in which the design assurance system accounts for the acceptability of the parts or appliances designed or the tasks performed by partners or subcontractors according to methods which are the subject of written procedures.

#### **21.A.243 Data**

- (a) The design organisation shall furnish a handbook to BHDCA describing, directly or by cross-reference, the organisation, the relevant procedures and the products or changes to products to be designed.
- (b) Where any parts or appliances or any changes to the products are designed by partner organisations or subcontractors, the handbook shall include a statement of how the design organisation is able to give, for all parts and appliances, the assurance of compliance required by point 21.A.239(b), and shall contain, directly or by cross-reference, descriptions and information on the design activities and organisation of those partners or subcontractors.
- (c) The handbook shall be amended as necessary to remain an up-to-date description of the organisation. Copies of amendments shall be supplied to BHDCA.
- (d) The design organisation shall furnish a statement of the qualifications and experience of the management staff and other persons responsible for making decisions affecting airworthiness and environmental protection in the organisation.

#### **21.A.245 Approval requirements**

The design organisation shall demonstrate, on the basis of the information submitted in accordance with point 21.A.243 that, in addition to complying with point 21.A.239:

- (a) the staff in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities and these, together with the accommodation, facilities and equipment, are adequate to enable the staff to achieve the airworthiness and environmental protection objectives for the product;
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness, operational suitability and environmental protection matters.

#### **21.A.247 Changes in design assurance system**

After the issue of a design organisation approval, each change to the design assurance system that is significant to the showing of compliance or to the airworthiness, operational suitability and environmental protection of the product, shall be approved by BHDCA. An application for approval of a change shall be submitted in writing to BHDCA and the design organisation shall demonstrate to BHDCA, on the basis of submission of proposed changes to the handbook, and before implementation of the change, that it will continue to comply with this Subpart after implementation.

#### **21.A.249 Transferability**

Except as a result of a change in ownership, which is deemed significant for the purposes of point 21.A.247, a design organisation approval is not transferable.

#### **21.A.251 Terms of approval**

The terms of approval shall identify the types of design work, the categories of products, parts and appliances for which the design organisation holds an approval, and the functions and duties that the organisation is approved to perform in regard to the airworthiness, operational suitability and characteristics of noise, fuel venting and exhaust emissions of products. For design organisation approval covering type-certification, the terms of approval shall contain in addition the list of products or auxiliary power units. Those terms shall be issued as part of a design organisation approval.

#### **21.A.153 Changes to terms of approval**

Each change to the terms of approval shall be approved by BHDCA. An application for a change to the terms of approval shall be made in a form and manner established by BHDCA. The design organisation shall comply with the applicable requirements of this Subpart.

#### **21.A.257 Investigations**

- (a) A design organisation shall make arrangements that allow BHDCA to make any investigations, including investigations of partners or subcontractors, necessary to determine compliance and continued compliance with the applicable requirements of this Subpart.
- (b) The design organisation shall allow BHDCA to review any report and make any inspection and to perform or witness any test flight and ground test necessary to check the validity of the declaration of compliance submitted by the applicant under point 21.A.239(b).

#### **21.A.258 Findings**

- (a) When objective evidence is found showing non-compliance of the holder of a design organisation approval with the applicable requirements of this Rulebook, the findings shall be classified as follows:
  1. a level one finding is any non-compliance with this Rulebook which could lead to uncontrolled non-compliances with applicable requirements and which could affect the safety of the aircraft;
  2. a level two finding is any non-compliance with this Rulebook which is not classified as

level one.

- (b) A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to non-compliance under point (a).
- (c) After receipt of notification of findings under the applicable administrative procedures established by BHDCA:
  - 1. in case of a level one finding, the holder of the design organisation approval shall demonstrate corrective action to the satisfaction of BHDCA within a period of no more than 21 working days after written confirmation of the finding.
  - 2. in case of level two findings, the corrective action period granted by BHDCA shall be appropriate to the nature of the finding but in any case initially shall not be more than three months. In certain circumstances and subject to the nature of the finding, BHDCA may extend the three months period subject to the provision of a satisfactory corrective action plan agreed by BHDCA.
  - 3. a level 3 finding shall not require immediate action.
- (d) In case of level one or level two findings, the design organisation approval may be subject to a partial or full suspension or revocation under the applicable administrative procedures established by BHDCA. The holder of the design organisation approval shall immediately provide confirmation of receipt of the notice of suspension or revocation of the approval.

#### **21.A.259 Validity of approval**

- (a) The approval shall be issued for an unlimited duration. It shall remain valid unless:
  - 1. the design organisation fails to demonstrate compliance with the applicable requirements of this Subpart;
  - 2. BHDCA is prevented by the holder or any of its partners or subcontractors to perform the investigations in accordance with point 21.A.257;
  - 3. there is evidence that the design assurance system cannot maintain satisfactory control and supervision of the design of products or changes thereof under the approval;
  - 4. the certificate has been surrendered or revoked under the applicable administrative procedures established by BHDCA.
- (b) Upon surrender or revocation of the certificate, the certificate of capability shall be returned to BHDCA.

#### **21.A.263 Privileges of the approval holder**

- (a) The holder of a design organisation approval shall be entitled to perform design activities under this Annex I (E7-21), and within its scope of approval.
- (b) Subject to point 21.A.257(b), BHDCA shall accept without further verification the following compliance documents submitted by the applicant for the purpose of obtaining:
  - 1. the approval of flight conditions required for a permit to fly; or
  - 2. a type-certificate or approval of a major change to a type design; or
  - 3. a supplemental type-certificate;
  - 4. a major repair design approval.
- (c) The holder of a design organisation approval shall be entitled, within its terms of approval and under the relevant procedures of the design assurance system:
  - 1. to classify changes to type design and repairs as 'major' or 'minor';
  - 2. to approve minor changes to type design and minor repairs;
  - 3. to issue information or instructions containing the following statement: 'The technical content of this document is approved under the authority of design organisation approval (DOA) ref. BHDCA.21J.[XXXX].';
  - 4. to approve minor revisions to the aircraft flight manual, and issue such revisions

containing the following statement: 'Change ref. [YY] in the aircraft flight manual, ref. [ZZ] is approved under the authority of design organisation approval (DOA) ref. BHDCA.21J.[XXXX].';

5. to approve the design of major repairs to products or auxiliary power units for which it holds the type-certificate or the supplemental type-certificate;
6. to approve the conditions under which a permit to fly can be issued in accordance with point 21.A.710(a)(2), except for permits to fly to be issued for the purpose of point 21.A.701(a)(15);
7. to issue a permit to fly in accordance with point 21.A.711(b) for an aircraft it has designed or modified, or for which it has approved under point 21.A.263(c)(6) the conditions under which the permit to fly can be issued, and when the design organisation itself is controlling under its design organisation approval (DOA) the configuration of the aircraft and is attesting conformity with the design conditions approved for the flight.

#### **21.A.265 Obligations of the approval holder**

The holder of a design organisation approval shall:

- (a) maintain the handbook in conformity with the design assurance system;
- (b) ensure that this handbook is used as a basic working document within the organisation;
- (c) determine that the design of products, or changes or repairs thereof, as applicable, comply with applicable requirements and have no unsafe feature;
- (d) except for minor changes or repairs approved under the privilege of point 21.A.263, provide to BHDCA statements and associated documentation confirming compliance with point (c);
- (e) provide to BHDCA information or instructions related to required actions under point 21.A.3B;
- (f) where applicable, under the privilege of point 21.A.163(e), determine the conditions under which a permit to fly can be issued;
- (g) where applicable, under the privilege of point 21.A.263(c)(7), before issuing a permit to fly to an aircraft establish compliance with points 21.A.711(b) and (d).

### SUBPART K - PARTS AND APPLIANCES

#### **21.A.301 Scope**

This Subpart establishes the procedure for issuing approval of parts and appliances.

#### **21.A.303 Compliance with applicable requirements**

The showing of compliance of parts and appliances to be installed in a type-certificated product shall be made:

- (a) in conjunction with the type-certification procedures of Subpart B, D or E for the product in which it is to be installed; or
- (b) for standard parts, in accordance with officially recognised standards.

#### **21.A.305 Approval of parts and appliances**

Where the approval of a part or appliance is explicitly required by regulations or BHDCA measures, they shall comply with the applicable specifications recognised by BHDCA as equivalent in the particular case.

#### **21.A.307 Release of parts and appliances for installation**

A part or appliance shall be installed in a type-certificated product when it is in a condition for

safe operation, and it is:

- (a) accompanied by an authorised release certificate (BHDCA Form 1), certifying that the item is in conformity to approved design data and is marked in accordance with Subpart Q; or
- (b) a standard part; or
- (c) in the case of BHLA1 or BHLA2 aircraft, a part or appliance that is:
  - 1. not life-limited, nor part of the primary structure, nor part of the flight controls;
  - 2. manufactured in conformity to applicable design;
  - 3. marked in accordance with Subpart Q;
  - 4. identified for installation in the specific aircraft;
  - 5. to be installed in an aircraft for which the owner has verified compliance with the conditions 1 through 4 and has accepted responsibility for this compliance.

(SUBPART L — NOT APPLICABLE)

## SUBPART M - REPAIRS

### **21.A.431A Scope**

- (a) This Subpart establishes the procedure for the approval of repair design, and establishes the rights and obligations of the applicants for, and holders of, those approvals.
- (b) This Subpart defines standard repairs that are not in accordance with the approval process under this Subpart.
- (c) A 'repair' means elimination of damage and/or restoration to an airworthy condition following initial release into service by the manufacturer of any product, part or appliance.
- (d) Elimination of damage by replacement of parts or appliances without the necessity for design activity shall be considered as a maintenance task and shall therefore require no approval under this Subpart.

### **21.A.431B Standard repairs**

- (a) Standard repairs are repairs:
  - (1) in relation to:
    - (i) aeroplanes of 5 700 kg Maximum Take-Off Mass (MTOM) or less;
    - (ii) rotorcraft of 3 175 kg MTOM or less;
    - (iii) sailplanes and powered sailplanes, balloons and airships as defined in BHLA1 or BHLA2.
  - 2. that follow design data included in certification specifications issued by BHDCA, containing acceptable methods, techniques and practices for carrying out and identifying standard repairs, including the associated instructions for continuing airworthiness;
  - 3. that are not in conflict with type-certificate holders data.
- (b) Points 21.A.432A to 21.A.451 are not applicable to standard repairs.

### **21.A.432A Eligibility**

- (a) Any natural or legal person that has demonstrated, or is in the process of demonstrating, its capability under point 21.A.432B shall be eligible as an applicant for a major repair design approval under the conditions laid down in this Subpart.
- (b) Any natural or legal person shall be eligible to apply for approval of a minor repair design.

### **21.A.432B Demonstration of capability**

- (a) An applicant for a major repair design approval shall demonstrate its capability by holding a



design organisation approval, issued by BHDCA in accordance with Subpart J.

- (b) By way of derogation from point (a), as a demonstration of its capability is deemed an agreement of BHDCA, given on request of the applicant, for the use of procedures setting out the specific design practices, resources and sequence of activities necessary to comply with this Subpart.
- (c) By way of derogation from points (a) and (b), an applicant may seek the agreement of BHDCA for the approval of a certification programme setting out the specific design practices, resources and sequence of activities necessary to comply with this Annex I (E7-21) for a repair on a product defined in point 21.A.14(c).

#### **21.A.433 Repair design**

- (a) The applicant for approval of a repair design shall:
  - 1. demonstrate compliance with the type-certification basis and environmental protection requirements incorporated by reference in the type-certificate or supplemental type-certificate or those in effect on the date of application (for repair design approval), plus any amendments to those certification specifications or special conditions BHDCA finds necessary to establish a level of safety equal to that established by the type-certification basis incorporated by reference in the type-certificate or supplemental type-certificate;
  - 2. submit all necessary substantiation data, when requested by BHDCA;
  - 3. declare compliance with the certification specifications and environmental protection requirements of point (a)(1).
- (b) Where the applicant is not the type-certificate or supplemental type-certificate holder, the applicant may comply with the requirements of point (a) through the use of its own resources or through an arrangement with the type-certificate or supplemental type-certificate holder as applicable.

#### **21.A.435 Classification of repairs**

- (a) A repair may be 'major' or 'minor'. The classification shall be made in accordance with the criteria of point 21.A.91 for a change in the type certificate.
- (b) A repair shall be classified 'major' or 'minor' under point (a) either:
  - 1. by BHDCA; or
  - 2. by an appropriately approved design organisation in accordance with a procedure agreed with BHDCA.

#### **21.A.437 Issue of repair design approval**

When it has been declared and has been shown that the repair design meets the applicable certification specifications and environmental protection requirements of point 21.A.433(a)(1), it shall be approved:

- (a) by BHDCA; or
- (b) by an appropriately approved organisation that is also the type-certificate or the supplemental type-certificate holder, under a procedure agreed with BHDCA; or
- (c) by an appropriately approved design organisation in accordance with a procedure agreed with BHDCA -for minor repairs only.

#### **21.A.439 Production of repair parts**

Parts and appliances to be used for the repair shall be manufactured in accordance with production data based upon all the necessary design data as provided by the repair design approval holder:

- (a) under Subpart F; or
- (b) by an organisation appropriately approved in accordance with Subpart G; or

- (c) by an appropriately approved maintenance organisation.

#### **21.A.441 Repair embodiment**

- (a) The embodiment of a repair shall be made in accordance with Part-M or Part-145 as appropriate, or by a production organisation appropriately approved in accordance with Subpart G, under the point 21.A.163(d) privilege.
- (b) The design organisation shall transmit to the organisation performing the repair all the necessary installation instructions.

#### **21.A.443 Limitations**

A repair design may be approved subject to limitations, in which case the repair design approval shall include all necessary instructions and limitations. These instructions and limitations shall be transmitted by the repair design approval holder to the operator in accordance with a procedure agreed with BHDCA.

#### **21.A.445 Unrepaired damage**

- (a) When a damaged product, part or appliance, is left unrepaired, and is not covered by previously approved data, the evaluation of the damage for its airworthiness consequences may only be made:
  1. BHDCA; or
  2. by an appropriately approved design organisation in accordance with a procedure agreed with BHDCA. Any necessary limitations shall be processed in accordance with the procedures of point 21.A.443.
- (b) Where the organisation evaluating the damage under point (a) is neither BHDCA nor the type-certificate or supplemental type-certificate holder, this organisation shall justify that the information on which the evaluation is based is adequate either from its organisation's own resources or through an arrangement with the type-certificate or supplemental type-certificate holder, or manufacturer, as applicable.

#### **21.A.447 Record keeping**

For each repair, all relevant design information, drawings, test reports, instructions and limitations possibly issued in accordance with point 21.A.443, justification for classification and evidence of the design approval, shall:

- (a) be held by the repair design approval holder at the disposal of BHDCA;
- (b) be retained by the repair design approval holder in order to provide the information necessary to ensure the continued airworthiness of the repaired products, parts or appliances.

#### **21.A.449 Instructions for continued airworthiness**

- (a) The holder of the repair design approval shall furnish at least one complete set of those changes to the instructions for continued airworthiness which result from the design of the repair, comprising descriptive data and accomplishment instructions prepared in accordance with the applicable requirements, to each operator of aircraft incorporating the repair. The repaired product, part or appliance may be released into service before the changes to those instructions have been completed, but this shall be for a limited service period, and in agreement with BHDCA. Those changes to the instructions shall be made available on request to any other person required to comply with any of the terms of those changes to the instructions. The availability of some manual or portion of the changes to the instructions for continued airworthiness, dealing with overhaul or other forms of heavy maintenance, may be delayed until after the product has entered into service, but shall be available before any of the products reaches the relevant age or flight-hours/cycles.
- (b) If updates to those changes to the instructions for continued airworthiness are issued by the holder of the repair design approval after the repair has been first approved, these updates shall be furnished to each operator and shall be made available on request to any other

person required to comply with any of the terms of those changes to the instructions. A programme showing how updated changes to the instructions for continued airworthiness are distributed shall be submitted to BHDCA.

**21.A.451      Reserved**

(SUBPART N — NOT APPLICABLE)

SUBPART O - Reserved

SUBPART P - PERMITS TO FLY

**21.A.701      Scope**

- (a) Permits to fly shall be issued in accordance with this Subpart to aircraft that do not meet, or have not been shown to meet, applicable airworthiness requirements but are capable of safe flight under defined conditions and for the following purposes:
1. development;
  2. showing compliance with regulations or certification specifications; (CS)
  3. design organisations or production organisations crew training;
  4. production flight testing of new production aircraft;
  5. flying aircraft under production between production facilities;
  6. flying the aircraft for customer acceptance;
  7. delivering or exporting the aircraft;
  8. flying the aircraft for authority acceptance;
  9. market survey, including customer's crew training;
  10. exhibition and air show;
  11. flying the aircraft to a location where maintenance or airworthiness review are to be performed, or to a place of storage;
  12. flying an aircraft at a weight in excess of its maximum certificated takeoff weight for flight beyond the normal range over water, or over land areas where adequate landing facilities or appropriate fuel is not available;
  13. record breaking, air racing or similar competition;
  14. flying aircraft meeting the applicable airworthiness requirements before conformity to the environmental requirements has been found;
  15. for non-commercial flying activity on individual non-complex aircraft or types for which a certificate of airworthiness is not appropriate.
- (b) This Subpart establishes the procedure for issuing permits to fly and approving associated flight conditions, and establishes the rights and obligations of the applicants for, and holders of, those permits and approvals of flight conditions.

**21.A.703      Eligibility**

- (a) Any natural or legal person shall be eligible as an applicant for a permit to fly except for a permit to fly requested for the purpose of point 21.A.701(a)(15) where the applicant shall be the owner.
- (b) Any natural or legal person shall be eligible to apply for approval of flight conditions.

**21.A.705      Reserved**

### **21.A.707 Application for permit to fly**

- (a) Pursuant to point 21.A.703 and when the applicant has not been granted the privilege to issue a permit to fly, an application for a permit to fly shall be made in a form and manner established by BHDCA.
- (b) An application for a permit to fly shall include:
  - 1. the purpose of the flight, in accordance with point 21.A.701;
  - 2. the ways in which the aircraft does not comply with the applicable airworthiness requirements;
  - 3. the flight conditions approved in accordance with point 21.A.710.
- (c) Where the flight conditions are not approved at the time of application for a permit to fly, an application for approval of the flight conditions shall be made in accordance with point 21.A.709.

### **21.A.708 Flight conditions**

Flight conditions include:

- (a) the configuration for which the permit to fly is requested;
- (b) any condition or restriction necessary for safe operation of the aircraft, including:
  - 1. the conditions or restrictions put on itineraries/airspace, required for the flight;
  - 2. the conditions and restrictions put on the flight crew to fly the aircraft;
  - 3. the restrictions regarding carriage of persons other than flight crew;
  - 4. the operating limitations, specific procedures or technical conditions to be met;
  - 5. the specific flight test programme (if applicable);
  - 6. the specific continuing airworthiness arrangements including maintenance instructions and regime under which they will be performed;
- (c) the substantiation that the aircraft is capable of safe flight under the conditions or restrictions of point (b);
- (d) the method used for the control of the aircraft configuration, in order to remain within the established conditions.

### **21.A.709 Application for approval of flight conditions**

- (a) Pursuant to point 21.A.707(c) and when the applicant has not been granted the privilege to approve the flight conditions, an application for approval of the flight conditions shall be made to BHDCA.
- (b) Application for approval of flight conditions shall include:
  - 1. the proposed flight conditions;
  - 2. the documentation supporting these conditions; and
  - 3. a declaration that the aircraft is capable of safe flight under the conditions or restrictions of point 21.A.708(b).

### **21.A.710 Approval of flight conditions**

- (a) When approval of the flight conditions is related to the safety of the design, the flight conditions shall be approved by:
  - 1. BHDCA; or
  - 2. by an appropriately approved design organisation under the privileges of point 21.A.263(c) (6).
- (b) When approval of the flight conditions is not related to the safety of the design, the flight conditions shall be approved by BHDCA, or the appropriately approved organisation that is

also entitled to issue the permit to fly.

- (c) Before approving the flight conditions, BHDCA or the approved organisation must be satisfied that the aircraft is capable of safe flight under the specified conditions and restrictions. BHDCA may make or require the applicant to make any necessary inspections or tests for that purpose.

#### **21.A.711 Issue of a permit to fly**

- (a) BHDCA shall issue a permit to fly on BHDCA Form 20b under the conditions specified in point 21.B.525.
- (b) An appropriately approved design organisation may issue a permit to fly on BHDCA Form 20b under the privilege granted under point 21.A.263(c)(7), when the flight conditions referred to in point 21.A.708 have been approved in accordance with point 21.A.710.
- (c) An appropriately approved production organisation may issue a permit to fly on BHDCA Form 20b under the privilege granted under point 21.A.163(e), when the flight conditions referred to in point 21.A.708 have been approved in accordance with point 21.A.710.
- (d) An appropriately approved continuing airworthiness management organisation may issue a permit to fly on BHDCA Form 20b under the privilege arising under point M.A.711 of Annex I (Part E7-M) of the Rulebook on continued airworthiness of aircraft and aeronautical products, parts and appliances and on approval of organisations and staff involved in those tasks when the flight conditions referred to in point 21.A.708 have been approved in accordance with point 21.A.710.
- (e) The permit to fly shall specify the purpose and any conditions and restrictions which have been approved in accordance with point 21.A.710.
- (f) For permits issued under points (b), (c) or (d), a copy of the permit to fly and associated flight conditions shall be submitted to BHDCA at the earliest opportunity but not later than within 3 days.
- (g) Upon evidence that any of the conditions specified in point 21.A.723(a) are not met for a permit to fly that an organisation has issued pursuant to points (b), (c) or (d), that organisation shall immediately revoke that permit to fly and inform BHDCA without delay.

#### **21.A.713 Changes**

- (a) Any change that invalidates the flight conditions or associated substantiation established for the permit to fly shall be approved in accordance with point 21.A.710. When relevant, an application shall be made in accordance with point 21.A.709.
- (b) A change affecting the content of the permit to fly requires the issuance of a new permit to fly in accordance with point 21.A.711.

#### **21.A.715 Language**

The manuals, placards, listings, and instrument markings and other necessary information required by applicable certification specifications shall be presented in one or more of the official languages of Bosnia and Herzegovina, in English or bilingually.

#### **21.A.719 Transferability**

- (a) A permit to fly is not transferable.

#### **21.A.721 Inspections**

The holder of, or applicant for the permit to fly shall provide access to the aircraft upon request by BHDCA.

#### **21.A.723 Validity**

- (a) A permit to fly shall be issued for a maximum of 12 months. It shall remain valid subject to:
  1. compliance with the conditions and restrictions of point 21.A.711(e) associated with the

- permit to fly;
- 2. the permit to fly not being surrendered or revoked;
- 2. the aircraft remaining on the Bosnia and Herzegovina register.
- (b) Notwithstanding point (a), a permit to fly issued for the purpose of point 21.A.701(a)(15) may be issued for unlimited duration.
- (c) Upon surrender or revocation, the permit to fly shall be returned to BHDCA.

#### **21.A.725      Renewal of permit to fly**

Renewal of the permit to fly shall be processed as a change in accordance with point 21.A.713.

#### **21.A.727      Obligations of the holder of a permit to fly**

The holder of a permit to fly shall ensure that all the conditions and restrictions associated with the permit to fly are satisfied and maintained.

#### **21.A.729      Record keeping**

- (a) All documents produced to establish and justify the flight conditions shall be held by the holder of the approval of the flight conditions at the disposal of BHDCA and competent authority and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.
- (b) All documents associated with the issue of permits to fly under the privilege of approved organisations, including inspection records, documents supporting the approval of flight conditions and the permit to fly itself, shall be held by the related approved organisation at the disposal of BHDCA or the competent authority and shall be retained in order to provide the information necessary to ensure the continued airworthiness of the aircraft.

### **SUBPART Q - IDENTIFICATION OF PRODUCTS, PARTS AND APPLIANCES**

#### **21.A.801      Identification of products**

- (a) The identification of products shall include the following information:
  - 1. name of the manufacturer
  - 2. product designation;
  - 3. manufacturer's serial number;
  - 4. other information that BHDCA finds necessary.
- (b) Any natural or legal person that manufactures an aircraft or engine under Subpart G or Subpart F shall identify that aircraft or engine by means of a fireproof plate that has the information specified in point (a) marked on it by etching, stamping, engraving, or other approved method of fireproof marking. The identification plate shall be secured in such a manner that it is accessible and legible, and will not likely be defaced or removed during normal service, or lost or destroyed in an accident.
- (c) Any natural or legal person that manufactures a propeller (propeller blade) or propeller hub under Subpart G or Subpart F shall identify it by means of a plate, stamping, engraving, etching or other approved method of fireproof identification that is placed on it on a non-critical surface, contains the information specified in point (a), and will not likely be defaced or removed during normal service or lost or destroyed in an accident.
- (d) For manned free balloons, the identification plate prescribed in point (b) shall be secured to the balloon envelope and shall be located, if practicable, where it is legible to the operator when the balloon is inflated. In addition, the basket, load frame assembly and any heater assembly shall be permanently and legibly marked with the manufacturer's name, part number, or equivalent, and serial number, or equivalent.

#### **21.A.803      Handling of identification data**

- (a) No person shall remove, change, or place identification information referred to in point 21.A.801(a) on any aircraft, engine, propeller, propeller blade, or propeller hub, or in point 21.A.807(a) on an auxiliary power unit, without the approval of the BHDCA.
- (b) No person shall remove or install any identification plate referred to in point 21.A.801, or in point 21.A.807 for an auxiliary power unit without the approval of the BHDCA.
- (c) By way of derogation from points (a) and (b), any natural or legal person performing maintenance work under the applicable associated implementing rules may, in accordance with methods, techniques and practices established by BHDCA:
  - 1. remove, change, or place identification information referred to in point 21.A.801(a) on any aircraft, engine, propeller, propeller blade, or propeller hub, or in point 21.A.807(a) on an auxiliary power unit, or
  - 2. remove the identification plate referred to in point 21.A.801, or in point 21.A.807 for an auxiliary power unit when necessary during maintenance operations.
- (d) No person shall install an identification plate removed in accordance with point (c)(2) on any aircraft, engine, propeller, propeller blade, or propeller hub other than the one from which it was removed.

**21.A.804 Identification of parts and appliances**

- (a) Each part or appliance shall be marked permanently and legibly with:
  - 1. a name, trademark, or symbol identifying the manufacturer in a manner identified by the applicable design data; and
  - 2. the part number, as defined in the applicable design data.
- (b) By way of derogation from point (a), if BHDCA agrees that a part or appliance is too small or that it is otherwise impractical to mark a part or appliance with any of the information required by point (a), the release certificate, accompanying the part or appliance or its container, shall include the information that could not be marked on the part.

**21.A.805 Identification of critical parts**

In addition to the requirements of point 21.A.804, each manufacturer of a part to be fitted on a type-certificated product which has been identified as a critical part shall permanently and legibly mark that part with a part number and a serial number.

**21.A.807 Reserved**

**SECTION A**  
**PROCEDURE FOR COMPETENT AUTHORITIES**

SUBPART A- GENERAL PROVISIONS

**21.B.5            Scope**

- (a) This Section establishes the procedure for BHDCA when exercising its tasks and responsibilities concerned with the issuance, maintenance, amendment, suspension and revocation of certificates, approvals and authorisations referred to in Annex I (E7-21).

**21.B.20            Reserved**

**21.B.25            Requirements for the organisation of the competent authority**

- (a) General:

Pursuant to the Aviation Law of Bosnia and Herzegovina, BHDCA shall be authorised for implementation of this Rulebook and shall have documented procedures, organisation structure and staff.

- (b) Resources:

1. the number of staff shall be sufficient to perform the allocated tasks;
2. BHDCA shall appoint a manager, or managers, who are responsible for the execution of the related tasks, including the communication with the other national authorities as appropriate

- (c) Qualification and training:

All staff shall be appropriately qualified and have sufficient knowledge, experience and training.

**21.B.30            Documented procedures**

BHDCA shall establish documented procedures to describe its organisation, means and methods to fulfil the requirements of Annex I (E7-21). The procedures shall be kept up to date and serve as the basic working documents within all related activities of BHDCA.

**21.B.35            Changes in organisation and procedures**

- (a) BHDCA shall update its documented procedures relating to any change to regulations in a timely manner to ensure their effective implementation.

**21.B.40            Reserved**

**21.B.45            Reserved**

**21.B.55            Record keeping**

BHDCA shall keep the appropriate records related to the certificates, approvals and authorisations it has granted in accordance with the national regulations.

**21.B.60            Reserved**

SUBPART B — TYPE-CERTIFICATE

(SUBPART C — NOT APPLICABLE)



## SUBPART D — CHANGES TO TYPE-CERTIFICATE

## SUBPART E — SUPPLEMENTAL TYPE-CERTIFICATE

## SUBPART F - PRODUCTION WITHOUT APPROVAL

### **21.B.120 Investigation**

- (a) BHDCA shall appoint an investigation team for each applicant for, or holder of, a letter of agreement to conduct all relevant tasks related to this letter of agreement, consisting of a team-leader to manage and lead the investigation team and, if required, one or more team members. The team-leader shall report to the manager responsible for these tasks, as defined in point 21.B.25 (b)(2).
- (b) BHDCA shall perform sufficient investigation activities for an applicant for, or holder of, a letter of agreement to justify recommendations for the issuance, maintenance, amendment, suspension or revocation of the letter of agreement.
- (c) BHDCA shall prepare procedures for the investigation of applicants for, or holders of, a letter of agreement as part of the documented procedures covering at least the following elements:
  - 1. evaluation of applications;
  - 2. determination of investigation team;
  - 3. investigation preparation and planning;
  - 4. evaluation of the documentation (manual, procedures, etc.);
  - 5. audits and inspections;
  - 6. follow up of corrective actions;
  - 7. recommendations for the issuance, amendment, suspension or revocation of the letter of agreement.

### **21.B.125 Findings**

- (a) When during audits or by other means BHDCA finds objective evidence, showing non-compliance of the holder of a letter of agreement with the applicable requirements of Section A of this Annex, these findings shall be classified in accordance with point 21.A.125B(a).
- (b) BHDCA shall take the following actions:
  - 1. for level 1 findings, immediate action shall be taken by BHDCA to limit, suspend or revoke the letter of agreement in whole or in part, depending upon the extent of the finding, until successful corrective action has been completed by the organisation;
  - 2. for level 2 findings, BHDCA shall grant a corrective action period appropriate to the nature of the finding that shall not be more than 3 months. In certain circumstances, at the end of this period and subject to the nature of the finding, BHDCA can extend the 3 months period subject to a satisfactory corrective action plan provided by the organisation.
- (c) BHDCA shall suspend the letter of agreement in whole or in part in case that the organisation fails to comply within the granted timescale.

### **21.B.130 Issue of a letter of agreement**

- (a) When satisfied that the manufacturer is in compliance with the applicable requirements of Section A, Subpart F, BHDCA shall issue a letter of agreement showing conformity of individual products, parts or appliances (BHDCA Form 65).
- (b) The letter of agreement shall contain the scope of the agreement, a termination date and,

where applicable, the appropriate limitations relating to the authorisation.

- (c) The letter of agreement shall be issued for a limited duration not exceeding one year.

#### **21.B.135 Maintenance of the letter of agreement**

BHDCA shall maintain the letter of agreement as long as:

- (a) the manufacturer is properly using BHDCA Form 52 as a statement of conformity for complete aircraft, and the BHDCA Form 1 for products other than complete aircraft and parts and appliances;
- (b) inspections performed by BHDCA before validation of BHDCA Form 52 or BHDCA Form 1 as per point 21.A.130(c) did not reveal any findings of non-compliance with the requirements or the procedures as contained in the manual provided by the manufacturer, or any non-conformity of the respective products, parts or appliances. These inspections shall check at least that:
  - 1. the agreement covers the product, part or appliance being validated, and remains valid;
  - 2. the manual described in point 21.A.125A(b) and its changes referred in the letter of agreement is used as basic working document by the manufacturer. Otherwise, the inspection shall not continue and therefore the release certificates shall not be validated;
  - 3. production has been carried out under the conditions prescribed in the letter of agreement and satisfactorily performed;
  - 4. inspections and tests (including flight tests, if appropriate), as per points 21.A.130(b)(2) and/or (b)(3), have been carried out under the condition prescribed in the letter of agreement and satisfactorily performed;
  - 5. the inspections by BHDCA described or addressed in the letter of agreement have been performed and found acceptable;
  - 6. the statement of conformity complies with point 21.A.130, and the information provided by it does not prevent its validation;
- (c) The letter of agreement shall be issued for a limited duration not exceeding one year.

#### **21.B.140 Amendment of a letter of agreement**

- (a) BHDCA shall investigate, as appropriate, in accordance with point 21.B.120 any amendment of the letter of agreement.
- (b) When BHDCA is satisfied that the requirements of Section A, Subpart F continue to be complied with, it shall amend the letter of agreement accordingly.

#### **21.B.145 Limitation, suspension and revocation of a letter of agreement**

- (a) The limitation, suspension or revocation of the letter of agreement shall be communicated in writing to the holder of the letter of agreement. BHDCA shall state the reasons for the limitation, suspension or revocation and inform the holder of the letter of agreement on its right to appeal.
- (b) When a letter of agreement has been suspended, it shall only be reinstated (the suspension will be terminated) after compliance with Section A Subpart F has been re-established.

#### **21.B.150 Record keeping**

- (a) BHDCA shall establish a system of record-keeping that allows adequate traceability of the process to issue, maintain, amend, suspend or revoke each individual letter of agreement.
- (b) The records shall at least contain:
  - 1. the documents provided by the applicant for, or holder of, a letter of agreement;
  - 2. documents established during investigation and inspection, in which the activities and the final results of the elements defined in point 21.B.120 are stated;

3. the letter of agreement, including its changes;
  4. minutes of the meetings with the manufacturer.
- (c) The records shall be archived for a minimum retention period of six years after termination of the letter of agreement.
- (d) BHDCA shall also maintain records of all statements of conformity (BHDCA Form 52) and authorised release certificates (BHDCA Form 1) that it has validated.

## SUBPART G - PRODUCTION ORGANISATION APPROVAL

### **21.B.220 Investigation**

- (a) BHDCA shall appoint a production organisation approval team for each applicant, or holder of, a production organisation approval to conduct all relevant tasks related to this production organisation approval, consisting of a team leader to manage and lead the approval team and, if required, one or more team members. The team-leader shall report to the manager responsible for these tasks, as defined in point 21.B.25(b)(2).
- (b) BHDCA shall perform sufficient investigation activities for an applicant for, or holder of, a production organisation approval to justify recommendations for the issuance, maintenance, amendment, suspension or revocation of the approval.
- (c) BHDCA shall prepare procedures for the investigation of a production organisation approval as part of the documented procedures covering at least the following elements:
1. evaluation of applications;
  2. determination of investigation team;
  3. investigation preparation and planning;
  4. evaluation of the documentation (manual, procedures, etc.);
  5. audit;
  6. follow up of corrective actions;
  7. recommendation for issuance, amendment, suspension or revocation of production organisation approval;
  8. continued surveillance

### **21.B.225 Findings**

- (a) When during audits or by other means BHDCA finds objective evidence, that the holder of production organisation does not meet the requirements of Section A, the findings shall be classified in accordance with point 21.A.158(a).
- (b) BHDCA shall take the following actions:
1. for level 1 findings, immediate action shall be taken by BHDCA to limit, suspend or revoke the production organisation approval in whole or in part, depending upon the extent of the finding, until successful corrective action has been completed by the organisation;
  2. for level 2 findings, BHDCA shall grant a corrective action period appropriate to the nature of the finding that shall not be more than 3 months. In certain circumstances, at the end of this period and subject to the nature of the finding, BHDCA can extend the 3 months period subject to a satisfactory corrective action plan provided by that organisation.
- (c) BHDCA shall suspend the approval, in whole or in part, in case the organisation fails to comply within the timescale granted.

### **21.B.230 Issue of approval**

- (a) When satisfied that the production organisation is in compliance with the applicable

requirements of Section A, Subpart G, BHDCA shall issue the approval and accompanying production organisation certificate of capability (BHDCA Form 55).

- (b) The reference number shall be included on BHDCA Form 55 in a manner specified by BHDCA.

#### **21.B.235 Continued surveillance**

- (a) In order to justify the maintenance of the production organisation approval, BHDCA shall perform continued surveillance:
1. to verify that the production organisation approval holder's quality system complies with Section A Subpart G;
  2. to verify that the approved organisation operates in accordance with its exposition;
  3. to verify the effectiveness of the production organisation exposition procedures;
  4. to verify by sample the standards of the product, part or appliance.
- (b) Continued surveillance shall be performed in accordance with point 21.B.220.
- (c) BHDCA shall provide through planned continued surveillance that a production organisation approval is completely reviewed for compliance with this Annex I (E7-21)) during a period of 24 months. The continued surveillance may be made up of several investigation activities during this period. BHDCA shall determine the number of audits depending upon the complexity of the organisation, the number of sites and the criticality of the production. As a minimum the holder of a production organisation approval shall be subject to continued surveillance activity by BHDCA at least once every year.

#### **21.B.240 Amendment of a production organisation approval**

- (a) BHDCA shall monitor any minor change through the continued surveillance activities.
- (b) BHDCA shall investigate, in accordance with point 21.B.220, any significant change of a production organisation approval or application by the holder of a production organisation approval for an amendment of the scope and terms of approval.
- (c) When BHDCA is satisfied that the requirements of Section A, Subpart G continue to be complied with, it shall amend the production organisation approval accordingly.

#### **21.B.245 Suspension and revocation of the approval**

- (a) In case of a level one or level two finding, BHDCA shall partly or fully limit, suspend or revoke a production organisation approval as follows:
1. In case of a level one finding, the production organisation approval shall be immediately limited or suspended by BHDCA. If the holder of the production organisation approval fails to comply with point 21.A.158(c)(1), the production organisation approval shall be revoked.
  2. in case of a level two finding, BHDCA shall decide on any restriction to the scope of approval by temporary suspension of the production organisation approval or parts thereof. If the holder of the production organisation approval fails to comply with point 21.A.158(c)(2), the production organisation approval shall be revoked.
- (b) The limitation, suspension or revocation of the production organisation approval shall be communicated in writing to the holder of the production organisation approval. BHDCA shall state the reasons for the limitation, suspension or revocation and inform the holder of the production organisation approval on its right to appeal.
- (c) When production organisation approval has been suspended, it shall only be reinstated (the suspension will be terminated) after compliance with Section A Subpart G has been re-established.

#### **21.B.260 Record keeping**

- (a) BHDCA shall establish a system of record-keeping that allows adequate traceability of the process to issue, maintain, amend, suspend or revoke each individual production

organisation approval.

- (b) The records shall at least contain:
  - 1. the documents provided by the applicant for, or holder of, a production organisation approval;
  - 2. documents established during the investigation, in which the activities and the final results of the elements defined in point 21.B.220 are stated, including findings established in accordance with point 21.B.225;
  - 3. the continued surveillance programme, including records of investigations performed;
  - 4. the production organisation approval certificate, including changes;
  - 5. minutes of the meetings with the holder of the production organisation approval.
- (c) The records shall be archived for a minimum retention period of six years after termination of the production organisation approval.

## SUBPART H — AIRWORTHINESS CERTIFICATE

### **21.B.320 Investigation**

- (b) BHDCA shall perform sufficient investigation activities for an applicant for, or holder of, an airworthiness certificate to justify the issuance, maintenance, amendment, suspension or revocation of the certificate.
- (b) BHDCA shall prepare evaluation procedures covering at least the following elements:
  - 1. evaluation of eligibility of the applicant;
  - 2. evaluation of eligibility of the application;
  - 3. classification of airworthiness certificates;
  - 4. evaluation of the documentation received with the application;
  - 5. inspection of aircraft;
  - 6. determination of necessary conditions, restrictions or limitations to the airworthiness certificates.

### **21.B.325 Issue of airworthiness certificates**

- (a) BHDCA shall issue or change a certificate of airworthiness when it is satisfied that the requirements of point 21.B.326 and the applicable requirements of Section A of Subpart H of this Annex I (E7-21) are met.

### **21.B.326 Airworthiness certificate**

BHDCA shall issue an airworthiness certificate:

- (a) for new aircraft:
  - 1. upon presentation of the documentation required by point 21.A.174(b)(2);
  - 2. when BHDCA is satisfied that the aircraft conforms to an approved design and is in a condition for safe operation. This may include inspections by BHDCA.
- (b) for used aircraft:
  - 1. upon presentation of the documentation required by point 21.A.174(b)(3) demonstrating that:
    - (i) the aircraft conforms to a type design approved under a type-certificate and any supplemental type-certificate, change or repair approved in accordance with this Annex I (E7-21);
    - (ii) the applicable airworthiness directives have been complied with; and
    - (iii) the aircraft has been inspected in accordance with the applicable provisions of

Annex I (Part E7-M) of the Rulebook on continued airworthiness of aircraft and aeronautical products, parts and appliances and on approval of organisations and staff involved in those tasks;

2. when BHDCA is satisfied that the aircraft conforms to an approved design and is in a condition for safe operation. This may include inspections by BHDCA.

**21.B.327      Reserved**

**21.B.330      Suspension and revocation of certificates of airworthiness**

- (a) Upon evidence that any of the conditions specified in point 21.A.181(a) is not met, BHDCA shall suspend or revoke an airworthiness certificate.
- (b) Upon issuance of the notice of suspension and revocation of a certificate of airworthiness BHDCA shall state the reasons for the suspension or revocation and inform the holder of the certificate of its right to appeal.

**21.B.345      Record keeping**

- (a) BHDCA shall establish a system of record-keeping that allows adequate traceability of the process to issue, maintain, amend, suspend or revoke each individual airworthiness certificate.
- (b) The records shall at least contain:
  1. the documents provided by the applicant ;
  2. documents established during the investigation, in which the activities and the final results of the elements defined in point 21.B.320(b) are stated;
  3. a copy of the certificate or permit, including amendments.
- (c) The records shall be archived for a minimum retention period of six years after deletion of the aircraft from national register.

**SUBPART I - NOISE CERTIFICATE**

**21.B.420      Investigation**

- (b) BHDCA shall perform sufficient investigation activities for an applicant for, or holder of, a noise certificate to justify the issuance, maintenance, amendment, suspension or revocation of the noise certificate.
- (b) BHDCA shall prepare evaluation procedures as part of the documented procedures covering at least the following elements:
  1. evaluation of eligibility;
  2. evaluation of the documentation received with the application;
  5. inspection of aircraft;

**21.B.425      Issue of a noise certificate**

- (a) BHDCA shall issue or change a noise certificate when it is satisfied that the requirements of Section A of Subpart I are met.

**21.B.430      Suspension and revocation of noise certificates**

- (a) Upon evidence that any of the conditions specified in point 21.A.211(a) is not met, BHDCA shall suspend or revoke the noise certificate.
- (b) Upon issuance of the notice of suspension and revocation of a noise certificate, BHDCA shall state the reasons for the suspension or revocation and inform the holder of the certificate of its right to appeal.

#### **21.B.445 Record keeping**

- (a) BHDCA shall establish a system of record-keeping that allows adequate traceability of the process to issue, maintain, amend, suspend or revoke each individual noise certificate.
- (b) The records shall at least contain:
  - 1. the documents provided by the applicant;
  - 2. documents established during the investigation, in which the activities and the final results of the elements defined in point 21.B.420(b) are stated;
  - 3. a copy of the certificate, including amendments.
- (c) The records shall be archived for a minimum retention period of six years after deletion of the aircraft from national register.

SUBPART J - DESIGN ORGANISATION APPROVAL

SUBPART K - PARTS AND APPLIANCES

(SUBPART L — NOT APPLICABLE)

SUBPART M - REPAIRS

(SUBPART N — NOT APPLICABLE)

SUBPART O - Reserved

SUBPART P - PERMITS TO FLY

#### **21.B.520 Investigation**

- (a) BHDCA shall perform sufficient investigation activities to justify the issuance, or revocation of the permit to fly.
- (b) BHDCA shall prepare evaluation procedures covering at least the following elements:
  - 1. evaluation of eligibility of the applicant;
  - 2. evaluation of eligibility of the application;
  - 3. evaluation of the documentation received with the application;
  - 4. inspection of aircraft;
  - 5. approval of the flight conditions in accordance with point 21.A.710(b).

#### **21.B.525 Issue of a permit to fly**

BHDCA shall issue a permit to fly:

- (a) upon presentation of the data required by point 21.A.707; and
- (b) when the flight conditions referred to in point 21.A.708 have been approved in accordance with point 21.A.710; and
- (c) when BHDCA, through its own investigations, which may include inspections, or through procedures agreed with the applicant, is satisfied that the aircraft conforms to the design defined under point 21.A.708 before flight.

#### **21.B.530 Suspension and revocation of a permit to fly**

- (a) Upon evidence that any of the conditions specified in point 21.A.723(a) is not met, BHDCA shall suspend or revoke the permit to fly.
- (b) BHDCA shall state the reasons for the limitation, suspension or revocation of the permit to fly and inform the holder of the permit to fly on its right to appeal.

**21.B.545 Record keeping**

- (a) BHDCA shall establish a system of record-keeping that allows adequate traceability of the process of issuance and revocation of each individual permit to fly.
- (b) The records shall at least contain:
  - 1. the documents provided by the applicant;
  - 2. documents established during the investigation, in which the activities and the final results of the elements defined in point 21.B.520(b) are stated;
  - 3. a copy of a permit to fly
- (c) The records shall be archived for a minimum retention period of six years after the permit to fly ceases to be valid.