

TECHNICAL IMPLEMENTATION PROCEDURES

FOR

AIRWORTHINESS AND ENVIRONMENTAL

CERTIFICATION

Between

The Civil Aviation Authority of the United Kingdom

And

The European Union Aviation Safety Agency

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1 GENERAL

These Technical Implementation Procedures (TIP) have been developed pursuant to Article 6, Annex 30 'Airworthiness and environmental certification' of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, signed in Brussels and London on 30 December 2020, hereinafter referred to as "the Agreement".

1.1 Purpose and scope

1.1.1 This TIP will provide specific procedures to facilitate the implementation of Annex 30: Airworthiness and Environment Certification for matters covered in Article 1(a), (b) and (c), Annex 30 of the Agreement, namely:

- airworthiness certificates and monitoring of civil aeronautical products;
- environmental certificates and testing of civil aeronautical products;
- design and production certificates; and
- monitoring of design and production organisations.

1.1.2 In particular, the TIP will address:

- how the Parties' competent authorities will interact with one another; and
- how any differences between the Parties' civil aviation standards, rules, practices, procedures and systems related to the implementation of Annex 30 of the Agreement will be handled.

1.2 Governance

Annex 30 includes provisions for the establishment of a Certification Oversight Board (COB) under the co-chairmanship of the Technical Agents. The COB will develop and adopt its own Rules of Procedure, pursuant to Article 3, Annex 30 of the Agreement (Section B) and is responsible for developing, adopting and revising this TIP.

1.3 Commencement, revisions and termination, and recognition of technical investigations

- 1.3.1 This TIP will enter into force on the date of the last signature of the duly authorised representatives of each Technical Agent (i.e. the COB co-chairs). It will remain in force until terminated by either Technical Agent.
- 1.3.2 The TIP may be revised by a decision of the COB. Any revision will come into force upon the date of the last signature of the COB co-chairs.
- 1.3.3 Either Technical Agent may terminate this TIP upon sixty (60) days written notice to the other Technical Agent, unless the said notice has been withdrawn by mutual consent of the Technical Agents before the expiry of this period.
- 1.3.4 Termination of this TIP will not affect the validity of the certificates granted by the competent authorities or the Approved Organisations or the activities conducted under this TIP prior to its termination.

1.4 Publication of the TIP

The Technical Agents will publish this TIP, and all subsequent revisions in their respective Official Publications.

1.5 Definitions

For the purposes of this TIP the following definitions apply:

Acceptance: means the recognition of certificates, approvals, changes, repairs, documents and data of one Party by the other Party without any validation activities and without issuing a corresponding certificate.

Approved Organisation: means any legal person certified by the Competent Authority of either Party to exercise privileges related to the scope of this TIP.

Authorised Release Certificate: means a certificate issued by an Approved Organisation or a Competent Authority of the exporting Party as a form of recognition that a new civil aeronautical

product, other than an aircraft, conforms to a design approved by the exporting Party and is in a condition for safe operation.

Category of civil aeronautical products: means a set of products sharing common characteristics on the basis of EASA and UK CAA Certification Specifications.

Certificate: means any approval, licence or other document issued as a form of recognition of compliance that a civil aeronautical product, an organisation or a legal or natural person complies with the applicable requirements set out in laws and regulations of a Party.

Certificating Authority (CA): means the Technical Agent of the exporting Party that issues a Design Certificate for a civil aeronautical product in its capacity as an authority carrying out the State of Design responsibilities set out in Annex 8 to the Convention on International Civil Aviation (hereinafter referred to as "Chicago Convention"). When a design certificate is issued by an Approved Organisation of the exporting Party, the Technical Agent of the exporting Party is considered as the CA.

Civil aeronautical product, or product: means any civil aircraft, aircraft engine, or aircraft propeller; or sub-assembly, appliance, part or component, installed or to be installed thereon.

Competent Authority: means a Union or government agency or a government entity responsible for civil aviation safety that is designated by a Party for the purposes of the Agreement to perform the following functions:

- 1) to assess the compliance of civil aeronautical products, organisations, facilities, operations and services subject to its oversight with applicable requirements set out in laws, regulations and administrative provisions of that Party;
- 2) to conduct monitoring of their continued compliance with those requirements; and
- 3) to take enforcement action to ensure their compliance with those requirements.

Design certificate: means a form of recognition issued by the Technical Agent or an Approved Organisation of a Party confirming that the design or change to a design of a civil aeronautical product complies with airworthiness requirements, as applicable, and environmental protection requirements, in particular concerning environmental characteristics set out in laws, regulations and administrative provisions of that Party.

Design-related operational requirements: means the operational, including environmental protection, requirements affecting either the design features of the civil aeronautical product

or data on the design relating to the operations, or the maintenance of that product, which make it eligible for a particular kind of operation.

Export: means the process by which a civil aeronautical product is released from the regulatory system for civil aviation safety of a Party to that of the other Party.

Exporting Party: means the Party from whose regulatory system for civil aviation safety a civil aeronautical product is released.

Findings of compliance: means a determination of compliance with the applicable requirements set out in laws and regulations of a Party as the result of actions such as testing, inspections, qualifications, approvals and monitoring.

Import: means the process by which an exported civil aeronautical product from the regulatory system for civil aviation safety of a Party is introduced into that of the other Party.

Importing Party: means the Party into whose regulatory system for civil aviation safety a civil aeronautical product is introduced.

Major change: means all changes in type design other than “minor change”.

Minor change: means a change in type design that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics or other characteristics affecting the airworthiness of the civil aeronautical product or its environmental characteristics.

Operational Suitability Data (OSD): means the required set of data to support and allow the type-specific operational aspects of certain types of aircraft that are regulated under the regulatory system for civil aviation safety of the European Union or of the United Kingdom. It must be designed by the type certificate (TC) applicant or holder for the aircraft and be part of the TC. Under the regulatory system for civil aviation safety of the European Union or of the United Kingdom, an initial application for a TC or restricted TC shall include, or be subsequently supplemented by, the application for approval of operational suitability data, as applicable to the aircraft type.

Party: means a Party to the Agreement.

Production Approval: means a certificate issued by the Competent Authority of a Party to a manufacturer which produces civil aeronautical products, as a form of recognition that the manufacturer complies with applicable requirements set out in laws, regulations and administrative provisions of that Party for the production of the particular civil aeronautical products.

State of Design (SoD): means the State having jurisdiction over the organisation responsible for the type design and continued airworthiness of the civil aeronautical product.

State of Manufacture (SoM): means the State having jurisdiction over the organisation responsible for the final assembly of the aircraft, engine or propeller.

State of Registry (SoR): means the State on whose register the aircraft is entered.

Technical Agent: means for the European Union, EASA or its successor, and for the United Kingdom, UK CAA or its successor. Although EASA and UK CAA are competent authorities within

the meaning of Title Two on Aviation Safety to the Agreement, they are referred to in this TIP as “Technical Agent”, where applicable.

UK Part 21: means the requirements and procedures for the certification of aircraft and related products, parts and appliances, and of design and production organisations laid down in Annex I to Commission Regulation (EU) No 748/2012 in force and effective in UK law pursuant to the European Union (Withdrawal) Act 2018 and amended by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019.

Validating Authority (VA): means the Technical Agent of the importing Party that accepts or validates a Design Certificate issued by the Certifying Authority.

Validation Work Plan (VWP): means the document used for validations that outlines and documents the VA level of involvement as outlined in paragraph 2.4.4.10.

1.6 Continued Qualification of the competent authorities

[Placeholder for process to be developed].

1.7 Communications

1.7.1 Changes in certification and oversight systems

The Technical Agents will keep each other informed of significant changes affecting one of the fundamental components of their civil aviation certification and oversight systems as defined in Article 28, Annex 30 of the Agreement (Section G).

A revision by any of the Parties or Technical Agents of its civil aviation certification and oversight system may affect the basis, the content or the scope of this TIP. If this takes place, upon notice of such a revision, the Technical Agents may hold a meeting to decide whether to amend the TIP. If an amendment is required it will be proposed to and endorsed by the COB.

1.7.2 Language of communications

Data and documents exchanged under the TIP between the Competent Authorities or between an Applicant and a Competent Authority will be in the English language.

Some certification compliance data may not be required by the Validating Authority during a validation process. Related documents may therefore not need to be available in the English language if agreed between the Technical Agents.

The Technical Agents may agree to additional exceptions on a case-by-case basis.

1.7.3 Technical Consultations

The Technical Agents should, on a regular basis, consult each other on new or proposed changes to the civil aviation regulations, standards or specifications, guidance or interpretative material, practices and procedures for civil aeronautical products.

The Technical Agents agree to consult each other as necessary to provide input when requested on technical issues. The frequency of these consultations will depend on the number and significance of the issues to be discussed as well as on resource considerations.

As provided for in Article 31, Annex 30 of the Agreement (Section H), the Technical Agents agree to consult each other as necessary to address issues associated with implementation of the Annex 30 of the Agreement.

These technical consultations will not be chargeable.

1.7.4 Communications Regarding Approved Organisations

The Technical Agents understand that there may be situations where either Technical Agent may need to interact directly with an accredited person or organisation or an Approved Organisation or certificate holder within the safety oversight system of the other Technical Agent.

In such cases, the Technical Authority undertaking direct interaction should notify the other Technical Agent as soon as possible. The Technical Agents should always consult one another on significant decisions affecting validation activities.

1.8 Interpretations and Resolution of Conflicts

- 1.8.1 The Technical Agents recognise that in case of conflict between the provisions of Title Two on Aviation Safety to the Agreement, including its implementation procedures, and domestic laws,

regulations, standards or procedures of one Party, the provisions of Title Two on Aviation Safety to the Agreement will prevail.

- 1.8.2 In the case of conflicting interpretations by the Technical Agents of the laws, airworthiness or environmental protection regulations/standards, requirements, or acceptable means of compliance pertaining to approval activities under this TIP, the interpretation of the civil aviation authority whose law, regulation, standard, requirement, or acceptable means of compliance is being interpreted will prevail.
- 1.8.3 Every effort should be made to resolve issues at the lowest possible level through consultation. Issues that cannot be satisfactorily resolved at the operational level should be expeditiously and progressively raised to the respective managements of the Technical Agents until an agreement or compromise is reached.
- 1.8.4 Issues that cannot be satisfactorily resolved between the Technical Agents under the escalation mechanism described above may be raised to the COB.
- 1.8.5 Issues that cannot be resolved by the COB will be referred to the Specialised Committee on Aviation Safety of the Parties established under the Agreement.

1.9 Points of contact

1.9.1 EASA

Mailing Address	Physical Location
European Union Aviation Safety Agency Postfach 10 12 53 50452 Köln Germany	European Union Aviation Safety Agency Konrad-Adenauer-Ufer 3 50668 Köln Germany
EASA Point of Contact for Implementation of this TIP	
Certification Director's Office European Union Aviation Safety Agency Postfach 10 12 53 50452 Köln Germany	
EASA Point of Contact for Applications	
E-mail addresses:	
TCs:	tc@easa.europa.eu
STCs:	stc@easa.europa.eu
Major changes/ repair designs:	MajorChange-MajorRepair@easa.europa.eu
ETSO:	etsoa@easa.europa.eu

Application Forms available on EASA website:

<https://www.easa.europa.eu/document-library/application-forms>

EASA Point of Contact for Airworthiness Directives (AD)

E-mail addresses: ads@easa.europa.eu

1.9.2 UK Civil Aviation Authority

Mailing Address	Physical Location
Safety and Business Delivery	Safety and Business Delivery
Safety and Airspace Regulation Group	Safety and Airspace Regulation Group
Civil Aviation Authority	Civil Aviation Authority
Aviation House	Aviation House
Beehive Ring Road	Beehive Ring Road
Crawley	Crawley
West Sussex	West Sussex
RH6 0YR	RH6 0YR
United Kingdom	United Kingdom

UK CAA Point of Contact for Implementation of this TIP

BilateralSafetyArrangements BilateralSafetyArrangements@caa.co.uk

UK CAA Point of Contact for Applications

Applications apply@caa.co.uk

Application Forms available on CAA website:

<https://www.caa.co.uk/Commercial-Industry/Aircraft/Airworthiness/>

UK CAA Point of Contact for Airworthiness Directives (AD)

adunit@caa.co.uk

2 APPROVAL PROCEDURES FOR DESIGN CERTIFICATES

2.1 Guidelines on acceptance and validation processes

- 2.1.1 The following guidelines apply to Design Certificates that have been, or are in the process of being, issued by either Party's Technical Agent as CA.
- 2.1.2 Certain Design Certificates are subject to validation and others are accepted, as described in Articles 10 and 13, Annex 30 of the Agreement. For Design Certificates subject to validation, the validation process will be based to the maximum extent practicable on the technical evaluations, tests, inspections, and compliance certifications made by the other Technical Agent as CA. It is generally intended that each Party relies on and has confidence in the other Party's certification oversight system.
- 2.1.3 Principles of involvement for validation.

The level of involvement of the VA during validation processes is outlined in Article 12, Annex 30 of the Agreement and due consideration will be given to the following:

- the experience of the Competent Authority of the other Party as CA; the more one Competent Authority has experience as CA, the more the other Competent Authority, when acting as VA, is expected to rely on the CA;
- the overall experience gained by the VA during previous validation exercises of similar product categories with the CA;
- the nature and complexity of the design to be validated;
- the performance and experience of the applicant with the VA; and
- the outcome of initial and continued qualification requirements assessments outlined in Articles 28 and 29, Annex 30 of the Agreement. The higher the continued confidence of the VA in the CA, the more the VA will reduce its level of involvement. The aforementioned assessments are outlined in more detail at paragraph 1.6 of this TIP.

2.2 Acceptance of Design Certificates

In accordance with Article 13, Annex 30 of the Agreement certain Design Certificates can benefit from acceptance and are therefore not subject to a validation process. In these cases, the Design Certificate shall be recognised by the VA as equivalent to a certificate issued in accordance with its own laws, regulations and administrative provisions. The VA shall not issue a corresponding certificate.

In accordance with Article 13, Annex 30 of the Agreement, the scope of acceptance is as follows:

2.2.1 Non-significant supplemental type certificates and non-significant major changes to a type certificate approved within the European Union regulatory system;

2.2.1.1 Non-significant supplemental type certificates and non-significant major changes issued by EASA as CA or by an Approved Organisation under Union law (EU DOA) for a civil aeronautical product certificated or validated by the UK CAA shall be accepted by the CAA UK as VA without any validation activities. These design changes are considered approved by the UK CAA and are included in the TC holder or STC holder's validated type design data. This process does not require an application to the UK CAA.

2.2.1.2 In case an accepted non-significant major change requires an update to the UK CAA's validated Type Certificate (VTC) or its data sheet (VTCDS), a further application for an administrative update of the VTC/VTCDS shall be made by the TC holder to the UK CAA and the necessary data shall be provided to the UK CAA;

2.2.1.3. For design changes outlined in paragraph 2.2.1.2 above where the UK CAA's validated type certification basis of the product is modified due to the following features:

- (i) the product has novel or unusual design features relative to the design practices on which the applicable certification specifications are based;
- (ii) the intended use of the product is unconventional; or
- (iii) experience from other similar products in service or products having similar design features or newly identified hazards have shown that unsafe conditions may develop; or
- (iv) the type certification basis has been amended to introduce a deviation or an equivalent safety finding,

the design change approval holder shall submit to the UK CAA the data detailing this modification of the type certification basis.

2.2.2 Design changes classified as minor in accordance with UK Part 21 or EASA Part 21.A.91:

- Where a design change is approved by a CA for a civil aeronautical product previously certified or validated by the other Party's Technical Agent and that design change would be classified as minor pursuant to either UK Part 21.A.91, EASA Part 21.A.91, UK Part

21.A.611 or EASA Part 21.A.611 it shall be accepted by the VA without any validation activities. These design changes are considered approved by the VA and are included in the Design Approval Holder type design data where applicable. This process does not require an application to the CA.

- If a minor design change to a Part or Appliance requires the update of the EASA validated certificate (for instance to add a part-number), a further application for administrative update of the validated ETSOA shall be made by the approval holder to EASA and the necessary data shall be provided to EASA.

2.2.3 Design data for a repair approved within the European Union regulatory system:

The UK CAA will accept EASA-approved design data produced under EASA Part 21 Subpart M used in support of major or minor repairs regardless of the SoD of the civil aeronautical product, if:

- The UK CAA has certified or validated the product;
- EASA is the CA for the repair design data; and
- the EASA repair design data approval is substantiated via a repair design approval letter or a repair design approval issued under a DOA.

In these circumstances, repair design data approved by EASA are considered approved by UK CAA without any validation activities. This process does not require an application to the UK CAA.

2.2.4 Design data for a minor repair within the United Kingdom regulatory system:

EASA will accept UK CAA-approved design data produced under UK Part 21 Subpart M used in support of minor repairs regardless of the SoD of the civil aeronautical product, if:

- EASA has certificated or validated the product;
- the UK CAA is the CA for the repair design data; and
- the UK CAA repair design data approval is substantiated via a repair design approval letter or a repair design approval issued under a DOA.

In these circumstances, repair design data approved by UK CAA are considered approved by EASA without any validation activities. This process does not require an application to EASA.

Design data approved under the United Kingdom regulatory system in support of major repairs will undergo one of the validation processes described in paragraph 2.3.

2.2.5 Technical standard order authorisations approved within the European Union regulatory system:

Technical Standard Order Authorisations issued by EASA under EASA Part 21 Subpart O are considered approved by CAA UK without any validation activities and are equivalent to a TSOA issued by UK CAA under UK Part 21 Subpart O. This process does not require an application to UK CAA.

2.3 Validation of Design Certificates

For Design Certificates that are not eligible for acceptance as established in paragraph 2.2, the Technical Agents have established two paths for validation:

- Streamlined validation; or
- validation in line with level of involvement principles.

2.3.1 Streamlined validation

This validation path is conducted in line with subparagraph 2.4.3 and is applicable:

- as a matter of principle, to design certificates referred to in Article 10(2), Annex 30 of the Agreement (i.e. significant supplemental type certificates and approvals for significant major changes issued by the Technical Agent of the European Union as Certifying Authority); and
- when decided by both Technical Agents on a case by case basis, to design certificates referred to in Article 10(4), Annex 30 of the Agreement (i.e supplemental type certificates, approvals for major changes, major repairs and technical standard order authorisations issued by the Technical Agent of the United Kingdom as CA or by an approved organisation under laws and regulations of the United Kingdom).

The significant/non-significant distinction is made by the Certifying Authority in accordance with the criteria outlined in EASA Part 21.A.101 and UK Part 21.A.101, respectively, and interpreted in accordance with the applicable rules and procedures of the Certifying Authority.

2.3.2 Validation in line with level of involvement principles

A Validation in line with level of involvement principles is conducted in accordance with subparagraph 2.4.4 and is applicable to:

- Design certificates referred to in Articles 10(1) and (3), Annex 30 of the Agreement (i.e. type certificates and restricted type certificates issued by the European Union or United Kingdom Technical Agents as Certifying Authority); and
- Design certificates referred to in Article 10(4), Annex 30 of the Agreement (supplemental type certificates, approvals for major changes, major repairs and technical standard order authorisations issued by the Technical Agent of the United Kingdom or by an approved organisation under laws and regulations of the United Kingdom), unless otherwise decided by the Technical Agents on a case-by-case basis.

2.4 Procedures for streamlined validation and validation in line with level of involvement principles

This section describes how an applicant obtains a Design certificate from the VA using the streamlined validation or the validation in line with level of involvement principles procedures. Both procedures begin with an application to the VA through the CA and both require a statement from the CA confirming that the design complies with the VA's certification basis. Both procedures conclude with the award of a Design Certificate by the VA. However, the interim steps for each procedure differ.

2.4.1 Application process

2.4.1.1 CA application responsibilities

An application for the validation of a Design Certificate will be made to the VA through the CA. Upon receipt of an application for a validation, the CA will:

- 1) Ensure that the civil aeronautical product or design change is within the scope of the Agreement;
- 2) ensure that a Design Certificate has been issued for the civil aeronautical product or design change by the CA, or an application has been made to the CA for a Design Certificate;
- 3) verify that the applicant's classification for validation is in line with subparagraph 2.3.1 or 2.3.2; and
- 4) verify that the data package to be transmitted to the VA described in subparagraph 2.4.1.2 is complete.

2.4.1.2 Data package

The data package will be submitted to the appropriate VA office (as listed in paragraph 1.9: Points of contact) by the applicant. The CA will check that the data package contains adequate information.

NOTE: For certain projects, some elements of the data package will not be available at the time of application; the data package for such projects will include all known data at the time of application. This does not prevent the validation process from being started and missing information will be provided to the VA as it becomes available during the course of the project.

A validation data package is comprised of:

- 1) A description of the product.
 - a) If the application concerns a TC :
 - i) the descriptive data provided for in UK Part 21.A.15 for applications to the UK CAA or EASA Part 21.A.15 for applications to EASA;
 - ii) a list of any applicable CA mandatory continuing airworthiness information (MCAI) such as ADs;
 - iii) a statement confirming that changes to correct any unsafe condition identified in the MCAI have been incorporated into the type design presented for validation; and
 - iv) a copy of any approved manuals and approved instructions for continued airworthiness (ICA).
 - b) If the application concerns a design change, including an STC:
 - i) a high-level description of the change, together with the make and model of the product being changed;
 - ii) if affected, a copy of changes to the Airworthiness Limitations Section (ALS) of the ICA;
 - iii) if affected, a copy of changes to other Operating Limitations (e.g. Aircraft Flight Manual); and

- iv) if affected, of copy of changes to the OSD.

The VA needs to be aware of any such changes to ensure it is able to release updated information, or to perform any necessary mandatory airworthiness activity as required by its system, or to address crew-training requirements to support the operational introduction of the design change. Any additional information the VA needs to fulfil such responsibilities will be requested by the VA within the timeframe specified in subparagraph 2.4.2.

- 2) The date of the application to the CA.
- 3) A statement confirming that the CA has determined the process applicable for validation in line with subparagraph 2.3.1 or 2.3.2.
- 4) A copy of the CA's TC and TCDS, TCDSN or STC that identifies the certification basis upon which the CA's Design Certificate was issued. In the absence of a TCDS, the CA should submit the document that defines the CA's certification basis.

The CA should also provide the reference date used to establish the CA certification basis.

- 5) A statement from the CA confirming that the product complies with:
 - a) The applicable airworthiness, noise, fuel venting and emissions requirements of the VA; or
 - b) the CA's airworthiness requirements and the VA's Significant Standard Differences (SSDs), special conditions, equivalent safety findings and deviations the VA has prescribed to enable the same level of safety as the VA's airworthiness requirements to be achieved; and
 - c) the CA's noise, fuel venting and emissions requirements, plus any other requirements prescribed by the VA to provide noise, fuel venting and emissions requirements equivalent to those provided in the applicable VA standards.
 - d) In the case of technical standard order authorisation, the applicable ETSO with the applicable limitations and deviations compensated for by factors or design