Australian Government
Civil Aviation Safety Authority

PRINCIPLE

(DEL.01) Appointing aircraft design approval-related authorised persons

March 2026

Acknowledgement of Country

The Civil Aviation Safety Authority (CASA) respectfully acknowledges the Traditional Custodians of the lands on which our offices are located and the places to which we travel for work. We also acknowledge the Traditional Custodians' continuing connection to land, water and community. We pay our respects to Elders, past and present.

Artwork: James Baban.

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Table 1. List of acronyms and abbreviations

Acronym/abbreviation	Description
AAT	Administrative Appeals Tribunal
AELP	aviation English language proficiency
AC	advisory circular
AD	airworthiness directive
ADO	approved design organisation
AEB	Airworthiness and Engineering Branch
AFM	aircraft flight manual
APMA	Australian parts manufacturer approval
ATSO	Australian technical standard order
CAAP	civil aviation advisory publication
CAO	Civil Aviation Order
CAR	*Civil Aviation Regulations 1988*
CASA	Civil Aviation Safety Authority
CASR	*Civil Aviation Safety Regulations 1998*
CE	certification engineer
CST	Capability Support Team
DA	design advice
DAPM	design approval procedures manual
DMO	Design and Manufacturing Oversight
EAP	Enterprise Aviation Processing (system)
ECC	Entry Control Coordination
EDAP	external delegate/authorised persons
EO	engineering order
FAR	Federal Aviation Regulation
FMS	flight manual supplement

Acronym/abbreviation	Description
HMI	human-machine interface
ICA	instructions for continuing airworthiness
ICAO	International Civil Aviation Organization
ICC	Industry Complaints Commissioner
IOA	instrument of appointment
MDMO	manager design and manufacturing oversight
MEL	minimum equipment list
NAA	National Aviation Authority
NSSP	National Surveillance Selection Process
PM	project manager (certification engineer)
PMA	parts manufacturer approval
PU	permissible unserviceabilities
RBU	responsible business unit
RMS	Record Management System
RSO	regulatory services officer
RTO	recognised training organisation
SFR	standard form of recommendation
STC	supplemental type certificate
STO	surveillance technical officer
TC	type certificate
TCDS	type certificate data sheet
TSO	technical standard order

Definitions

Table 2. List of definitions

Term	Definition
acquittal	Decision by CASA accepting that the remedial and corrective actions taken by the authorisation holder have satisfactorily addressed the breach.
action plan	A plan developed by the responsible business units (RBUs) to address the identified gaps and needs. The action plan outlines what resources are required, who is responsible for each aspect of the plan and the timeline for implementation.
applicant	A person who applies to CASA for: a. a delegation under CASR 11.260 (1A), or b. an appointment as an authorised person under CASR 201.001.
appointing delegate	The CASA delegate who may delegate to a person a power of CASA under CASR 11.260 (1A) or who may appoint a person to be an authorised person under CASR 201.001. The appointing delegate for this principle document is the manager, design and manufacturing oversight (MDMO).
authorised persons	A person, or the persons included in a class of persons, who has been appointed by CASA under regulation 201.001 to be an authorised person in relation to one or more of the following: a. CASR b. a particular provision of CASR c. CAR d. a particular provision of CAR.' An authorised person's appointment is subject to the conditions stated in an instrument of appointment (IOA).
AviationWorx	CASA's online learning and interactive management system for eLearning and seminars.
bi-annual review	A formal evaluation of the management of CASA's external delegates and authorised persons, conducted by the DMO section twice a year. It provides an opportunity to perform an analysis of the external delegate/authorised persons' (EDAP) lifecycle, conduct a needs and risk assessment, quality assurance review and report on findings.
Capability Support Team (CST)	The CASA team responsible for the centralised support and coordination (governance) of specific activities related to CASA's management of the EDAP lifecycle.
CASA delegate	A CASA officer who has been delegated a power of CASA under: a. section 94(1) or 94(2) of the CAA Act; or b. CASR 11.260(1).
External delegate and authorised person (EDAP) module	The mandatory training module that covers the roles and responsibilities, obligations and legislative requirements of an external delegate or authorised person. The EDAP module must be completed by an EDAP prior to exercising any CASA powers under a new delegation or appointment and must be repeated for any renewal of a delegation or appointment.

Term	Definition
individuals	Natural persons (human beings including operating as sole traders).
instrument holder	A person, or the persons included in a class of persons, that holds either an IOA or an IOD.
misconduct	When an authorised person deliberately contravenes the regulations or exercises their powers with reckless disregard for safety.
modification	A change to the design of an aircraft or aeronautical product which is not a repair. May be any one or a combination of a physical design change, or a change to an operating envelope, performance, operating characteristics, limitations or instructions for continuing airworthiness (ICA).
National Surveillance Selection Process (NSSP)	A systematic, national approach to prioritising and scheduling planned surveillance events across a financial year. The NSSP uses data from CASA systems and input from operational areas to prioritise external delegates and authorised persons by classifying them into one of 3 groups (A, B or C). This determines the appropriate oversight strategy for each authorisation holder. Inspectors from the Regulatory Oversight Division (ROD) concentrate on identified key focus areas when conducting oversight activities.
needs assessment	An analysis conducted by the DMO section that identifies and evaluates the specific requirements, gaps or challenges to ensure the needs of the DMO reflect their current EDAP resources.
permissible unserviceability	Defects in Australian aircraft that have been assessed and approved as being acceptable for safe operation. Both the CAR and CASR regulatory suites may provide for the approval of a defect as a PU.
quality assurance review	An internal quality assurance check conducted by the CST into the DMO section's compliance with the requirements under Section 12 in Principle (DEL.01) Managing aircraft design approval-related authorised persons.
repair	In the context of this principle, a design change to an aircraft or aeronautical product intended to restore it to an airworthy condition after it has suffered a defect.
responsible business units (RBUs)	CASA business units (e.g. DMO section) that are responsible for their respective EDAP approval and management activities under the EDAP management framework.
risk assessment	Provides the identification, evaluation and prioritisation of potential risks in order to make informed decisions on how to manage or mitigate them. Conducted by the DMO section (and supported by the ROS) as part of its bi-annual review of its EDAP approval and management activities under the EDAP management framework.
supplemental type certificate (STC)	In the Dictionary (Part 1 – Definitions) of CASR 1998: 'means a supplemental type certificate issued under regulation 21.113A.'
technical data	The data that describes and shows compliance of a design. Also refer to meaning of technical data (for design authorised persons) in regulation 21.008 of CASR.

Revision history

Amendments/revisions for this principle are recorded below in order of the most recent first.

Table 3. Revision history table

Version No.	Date	Parts / Sections	Details
1.2	March 2026	5.3.2	Amended paragraph
1.1	November 2025	5.3.2	Added updated training requirements to new sub-section 5.3.2
1.0	October 2024	All	First issue

1. Using this document

1.1 General

This principle document expands on the underlying concepts and principles in Protocol (DEL.01) Appointing and managing aircraft design approval-related authorised persons and provides guidance on the CASA functions, processes, activities and systems to be applied when considering an authorisation for individuals[1] as aircraft design approval-related authorised persons.

This document provides a level of detail that would enable a:

- common understanding of the associated principles and elements
- consistent and standardised approach to all actions undertaken.

1.2 An explanation of terms

Must

When this document states a requirement as a 'must', the term will reference a mandatory compliance with that requirement. The requirement may only be departed from in circumstances where the departure is:

- in relation to a legislative requirement, where the legislation provides an exemption, or the legislation in question is varied to allow for the departure; and
- in all other circumstances, after seeking advice or consultation with a relevant supervisor or CASA stakeholder, determined to be reasonable and justified.

Should

The use of the term 'should' reflects a requirement that CASA considers is best practice and should be satisfied to grant an appointment. Other terms that denote compliance as being discretionary include 'should' and 'have regard to'. For example, some legislative provisions do not express criteria to be met for the issue of an appointment. In such a case, it is open to CASA to identify what requirements should be met. Any actions taken under this Principle that departs from a mandatory or discretionary requirement should be recorded in writing.

May

The term 'may' will signify something that is permitted but not required through legislation or deemed important for approval. The term is used to provide options, alternate methods or examples.

1.3 Amendments

This principle document is owned and maintained by the manager, design and manufacturing oversight (MDMO). While it is formally reviewed every 3 years, interim updates may be required through continuous improvement activities. The responsibility for the:

- aircraft design approval-related operational processes in this principle resides with the manager airworthiness and engineering branch (AEB) and manager, design and manufacturing oversight (MDMO).
- support and coordination (governance) processes in this principle document resides with the national manager, transformation and manager transformation delivery and capability support.

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[1] 'Individuals' (i.e. 'natural persons' (human beings including operating as sole traders) apply to CASA for appointment to exercise CASA's powers or powers specified in the legislation). On appointment, they are referred to as an 'authorised person'. The term 'aircraft design approval-related authorised person' is used throughout this document for consistency.

2. Introduction

2.1 Overview

CASA appoints individuals who are not CASA officers to exercise CASA's aircraft design approval-related powers or powers specified in the legislation. These individuals are appointed by way of an instrument of appointment (IOA) and are then referred to as authorised persons. This principle:

- describes the integrated elements and activities associated with the assessment and appointment of CASA's aircraft design approval-related authorised persons
- lists the powers and functions CASA grants to individuals as authorised persons under subregulation 201.001(2), Part 21 and Subpart 21.M of the *Civil Aviation Safety Regulations 1998 (CASR)*
- defines the authority and ongoing responsibilities of authorised persons in exercising CASA's aircraft design approval-related powers or powers specified in the legislation
- applies to the Design and Manufacturing Oversight (DMO) section as the responsible business unit (RBU).

Refer to Principle (DEL.01) Managing aircraft design approval-related authorised persons for details of the integrated elements and activities associated with the ongoing oversight and management of CASA's aircraft design approval-related authorised persons after they have been appointed.

2.2 Appointing authorised persons

2.2.1 Regulatory basis

When appointing individuals as authorised persons to perform design approval-related activities for aircraft or aeronautical products or alterations to aircraft or aeronautical products, CASA may do so subject to conditions and appointment criteria. These requirements impose limitations on the manner in which the authorised person may exercise the particular power or function being given to them. The conditions are imposed under subregulation 201.001(2), Part 21 and Subpart 21.M of CASR.

Part 21 of CASR sets out the certification and airworthiness requirements for aircraft and aircraft parts and also covers the approval of aircraft engines, propellers, and certain materials and parts. Design changes to Australian aircraft must be approved under Part 21 (excluding certain aircraft that are exempt from the regulations). Design changes may be modifications or repairs for reasons such as to rectify defects, change or improve parts or equipment, comply with enhanced safety requirements, provide for different aircraft utilisation or address operators' commercial requirements.

Subpart 21.M of CASR provides the regulatory means to approve modifications and repair designs for aircraft, aircraft engines, propellers and appliances.

Note: Persons formally appointed by the CASA Director of Aviation Safety (DAS) (or their delegate) under regulation 201.001 of CASR to do certain things under the regulations generally or, more commonly, in relation to a particular provision of CASR or CAR, are appointed as authorised persons. Authorised persons are not delegates.

2.2.2 Key principles

When individuals apply to CASA for appointment to exercise aircraft design approval-related powers and they are appointed as an authorised person, they are subject to regulations, CASA standards and ongoing supervision and review. There are subsequently key principles that need to be understood and considered by the DMO section when appointing aircraft design approval-related authorised persons.

2.2.2.1 Appointments

CASA may appoint individuals who are not CASA officers to exercise CASA's aircraft design approval-related powers or powers specified in the legislation, who satisfy the specific competencies required and meet the relevant appointment criteria. Once the conditions for the appointment of an authorised person have been satisfied, and there remains an operational requirement for appointing that authorised person within that RBU (needs analysis, resources to manage etc.), the RBU must:

- ensure that systems are in place to monitor and evaluate the quality of decision-making, and identify particular cases where corrective action may be required
- ensure that adequate information related to the specific design approval-related powers is available to the authorised person (e.g. relevant CASA ACs)
- identify any appropriate conditions or limitations to be included in the IOA
- oversight the exercise of the specific design approval-related powers and provide specific contact details (airworthiness@casa.gov.au) to the authorised person to assist with any queries etc. The authorised person can also submit a design advice for certain types of queries in accordance with their procedures.
- ensure the authorised person has appropriate written procedures to ensure they can exercise the specific design approval-related powers properly and lawfully.

When an authorised person is appointed:

- CASA must be satisfied the person is competent and has the commensurate knowledge, skills, experience and attitude
- the powers are expressly given by specific reference to a regulation, and by omission, powers not expressly given are outside the scope of the authorised person's empowerment
- it is critical that an authorised person is intimately familiar with the scope, limits and conditions stated on the specific IOA.

Note:

It is an applicant's responsibility to apply for CASA appointment only if they:

- have an operational requirement for the approval
- can demonstrate compliance with all the relevant regulatory requirements and appointment criteria.

2.2.2.2 Exercising powers

When exercising CASA's aircraft design approval-related powers or powers specified in the legislation, all authorised persons:

- must be familiar with and have ready access to all appropriate CASA publications and documents and should not exercise any power until the necessary access has been obtained
- must uphold their obligations and most importantly
  - act within the law
  - operate within jurisdiction
  - provide procedural fairness
  - exercise power reasonably
  - form reasonable opinions
  - be accountable for decisions
  - be transparent in process.
- are responsible in the same way as CASA officers are
- have a duty to perform their regulatory functions with reasonable care and diligence

- must ensure they are entitled to do so under the terms of the authorisation
- must ensure they make any decision in a manner that will stand up to administrative or judicial review.

> **Note:** There may be serious legal ramifications if an aircraft design approval-related authorised person involves themselves in a decision or process that is outside the scope of their IOA. Authorised persons are only empowered to exercise the powers that have been expressly conferred on them and they exercise the powers conferred on them in their own name. They do not act on behalf of CASA or as an agent of CASA.

Anyone, to whom CASA powers have been delegated cannot sub-delegate those powers any further.

2.2.3 External delegate/authorised persons' management framework

The External delegate/authorised persons' (EDAP) management framework provides all RBUs with the requirements for the management and oversight of activities related to all of CASA's EDAP. These activities are implemented through a sequence of consistent process stages, in what the framework describes as the EDAP lifecycle.

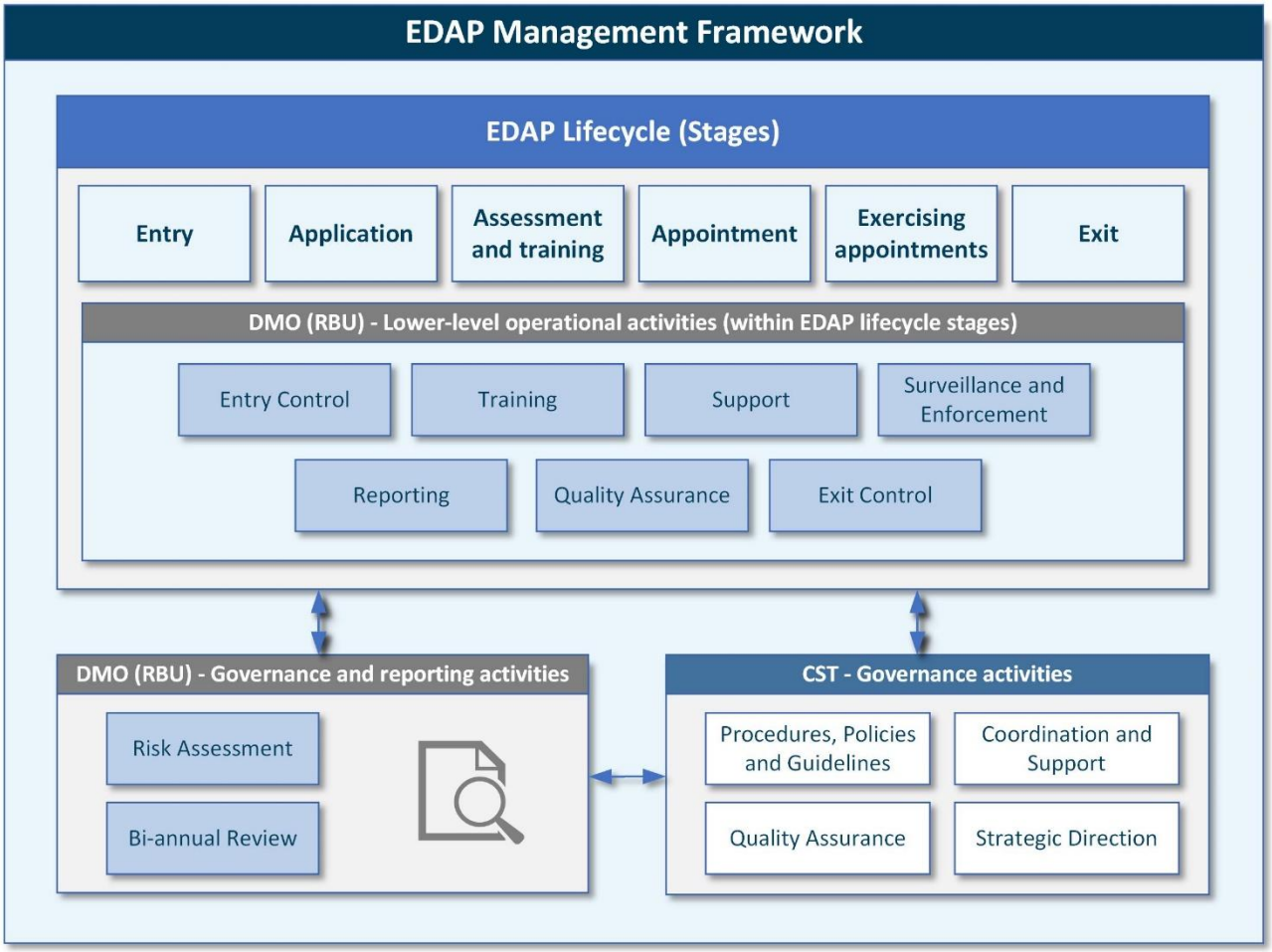

Figure 1. Lifecycle stages and activities in the EDAP Management Framework

For the DMO section, the stages of the EDAP lifecycle include the standard set of RBU lower-level operational activities (at Figure 1) that all aircraft design approval-related authorised persons move through, from the time of application, assessment and granting of an authorisation (entry) until such time as the authorised person ceases to hold such authorisations and exits the lifecycle (exit).

For information on the:

- EDAP management framework and CASA officer responsibilities and activities, refer to Principle (ORG.004) Capability support for CASA's external delegates and authorised persons
- DMO section's ongoing, lower-level operational activities within the EDAP management framework, related to the management and oversight of aircraft design-related authorised persons, refer to Principle (DEL.01) Managing aircraft design approval-related authorised persons.

2.2.4 Design and Manufacturing Oversight section activities

Through each of the EDAP lifecycle stages, as an RBU, the DMO section performs:

- lower-level operational
  - assessment and appointment activities (at Table 3) such as entry control, related to the submission and assessment of an initial application and appointment of aircraft design approval-related authorised persons
  - management and oversight activities (at Table 4) such as surveillance and enforcement, related to the management and oversight of aircraft design approval-related authorised persons.

For example, through the entry stage of the EDAP lifecycle, the DMO section conducts entry control activities related to an individual being considered by CASA for the purpose of exercising CASA's aircraft design approval-related powers. These activities primarily include managing the initial application, reviewing the criteria for appointment, assessing the suitability of applicants and granting an aircraft design approval-related authorisation.

- other activities (at Table 5) such as risk assessments, which are not directly associated with the EDAP lifecycle but are required to support the lifecycle-associated governance and reporting activities.

For example, to support the EDAP lifecycle-associated governance and reporting activities, the DMO section also conducts bowtie risk assessments to manage operational-level risks associated with the various functions and activities for their aircraft design approval-related authorised persons.

The specific operational policies and procedures for the DMO section's implementation of these standard activities, are detailed in:

- this principle document in the relevant sections listed at Table 3.
- Principle (DEL.01) Managing aircraft design approval-related authorised persons (as per Tables 4 and 5).

2.2.4.1 Assessment and appointment activities

The DMO section's operational (RBU) functions, activities and supporting systems, standards and resources associated with the assessment and appointment of CASA's aircraft design approval-related authorised persons are described in this principle document in the relevant sections listed at Table 3.

Table 4. The DMO section's operational assessment and appointment activities

Activity	Description	Section
Entry Control	Activities related to CASA considering an individual for the purpose of exercising CASA's powers, including the initial application, criteria for appointment, assessment process and granting an authorisation.	5

Activity	Description	Section
Training	Activities related to competency requirements and the pre-application training in the CASA External delegate and authorised person (EDAP) module, undertaken by the applicant in support of CASA's determination to issue or not issue the instruments being sought.	8

2.2.4.2 Management and oversight activities

The DMO section's operational (RBU) functions, activities and supporting systems, standards and resources associated with the oversight and management of CASA's aircraft design approval-related authorised persons are listed at Table 4 and described in Principle (DEL.01) Managing aircraft design approval-related authorised persons.

Table 5. The DMO's operational management and oversight activities

Activity	Description
Training	Activities related to competency requirements and CASA renewal/recurrent training in the EDAP module, undertaken by the applicant in support and continuation of CASA's determination to re-issue or not re-issue the instruments being sought.
Surveillance and Enforcement	Activities related to oversight and surveillance of authorised persons, including enforcement and monitoring and measuring performance to ensure legislative obligations are being met.
Reporting	Activities for ensuring that design approval-specific data is collected on authorised persons, and then transformed by the CST into actionable insights to facilitate accountability, improvement and communication.
Quality Assurance	Activities (managed through the CST bi-annual review process) for ensuring that obligations are met in relation to CASA's Quality Assurance (QA) system and standards (e.g. record keeping).
Exit Control	Activities related to the cessation of an authorised persons' appointments—whether by choice, circumstance, or CASA's direction to do so.

2.2.4.3 Governance and reporting activities

The other DMO section activities, such as risk assessments, which are not directly associated with the EDAP lifecycle but are required to support the lifecycle-associated governance and reporting activities, are listed at Table 5 and described in Principle (DEL.01) Managing aircraft design approval-related authorised persons.

Table 6. The DMO's activities that support EDAP lifecycle governance and reporting activities

Activity	Description
Risk Assessment	The DMO section owns and manages operational-level risks associated with managing aircraft design approval-related authorised persons. The DMO section undertakes risk assessments, with support and guidance from the Risk Oversight Section (ROS), to manage these risks.
Bi-annual review	The DMO section is required to conduct a bi-annual review, which is a formal evaluation of the DMO's management of authorised persons conducted every 6 months. The review provides an opportunity to perform an analysis of the EDAP lifecycle, conduct a needs and risk assessment and report on findings.

2.2.5 Capability Support Team activities

The Capability Support team (CST) in the Air Navigation, Transformation and Risk (ANTR) Division provides the centralised support and coordination (governance) function for the DMO section as the section authorises and manages aircraft design approval-related authorised persons through the stages of the EDAP lifecycle. The CST's governance function aims to complement established DMO operations and enables the section to focus on their operational activities such as entry control, surveillance and enforcement.

A description of the CST's specific roles and responsibilities and the guidance and support they provide to the DMO section and other RBUs is detailed in:

- Protocol (ORG.004) Capability support and guidelines for managing and overseeing CASA's external delegates and authorised persons
- Principle (ORG.004) Capability support for CASA's external delegates and authorised persons.

2.3 Further advice and support

2.3.1 Capability Support Team

Contact the CST for further advice and support or to submit an enquiry or continuous improvement related to the EDAP management framework, lifecycle and supporting elements. Key areas include:

- CST guidelines, policies and procedures
- the EDAP consolidated register and reporting
- quality assurance, risk management and record keeping
- the bi-annual review process
- the CASA EDAP module.

Note: To submit an enquiry or continuous improvement to the CST, use the Submit an Enquiry to the Capability Support Team link on the Air Navigation, Transformation and Risk Division page in Horace.

2.3.2 Design and Manufacturing Oversight section

To obtain further assistance with any of the DMO section aircraft design-related operational processes and information detailed in this principle document, contact the manager, design and manufacturing oversight (MDMO) (appointing delegate).

Note: The DMO section remains the primary contact for all matters relating to their aircraft design approval-related authorised persons.

3. Aircraft design approval-related authorisations

3.1 Instruments of Appointment – Summary table

An individual may apply to CASA for appointment to exercise CASA's aircraft design approval-related powers as an authorised person for the purpose of any of the following provisions of CASR listed at Table 6. An authorised person may perform the following design activities for aircraft or aeronautical products or alterations to aircraft or aeronautical products.

> **Note:** The specific purpose, scope and appointment criteria (qualifications, knowledge and experience) for each of the provisions at Table 6 are described in this principle document at the relevant sections listed.

Table 7. Authorised persons - Provisions of CASR that may be included in an IOA

Reference	Title	Section
Subpart 21.M of CASR	Approval of design of a modification or repair	5.4.1
Regulation 21.009 of CASR	Approval of technical data	5.4.2
Regulation 21.006A of CASR	Approval of changes to aircraft flight manual	5.4.3
Regulation 21.007 of CASR	Approval of defect as a permissible unserviceability	5.4.4
Regulation 21.007A of CASR	Advice about major damage	5.4.5
Regulation 21.095 of CASR	Approval of minor changes in type design	5.4.6
Regulation 21.120B of CASR	Variations of supplemental type certificates	5.4.7

3.2 Engineering speciality authorisations

When an individual applies to CASA for appointment to exercise CASA's aircraft design approval-related powers as an authorised person, the applicant must demonstrate relevant experience and knowledge in line with the authorisation scope they are seeking. They can satisfy this requirement by providing samples of work (as per Section 6.2.5) and attending a CASA interview (as per Section 6.2.4). The authorisation scope covers both aircraft types (as per Section 6.2.5.1) and technical (engineering) specialities listed in this section.

CASA provides the applicant with all engineering speciality definitions (listed at Table 7), and these must be included in the approved section of the applicant's design approval procedure manual (DAPM).

3.2.1 Engineering speciality authorisations definitions – Summary table

> **Note:** The specific engineering specialities and definitions at Table 7 are described in this principle document at the relevant sections listed. Also refer to Section 6.2.5.2 for details on assessment for engineering specialities and sub-specialties.

Table 8. Design engineering speciality authorisations

Engineering specialty authorisation	Section
Structures	3.2.2.1
Systems and equipment (mechanical)	3.2.2.2
Systems and equipment (cabin)	3.2.2.3
Systems and equipment (electrical)	3.2.2.4
Systems and equipment (electrical – limited)	3.2.2.5
Systems and equipment (instrument)	3.2.2.6
Systems and equipment (instrument – limited)	3.2.2.7
Systems and equipment (radio)	3.2.2.8
Systems and equipment (radio – limited)	3.2.2.9
Systems safety (general)	3.2.2.10
Systems safety (software)	3.2.2.11
Systems safety (complex electronic hardware)	3.2.2.12
Engine	3.2.2.13
Propeller	3.2.2.14
Flight analyst	3.2.2.15
Flight analyst (limited to performance)	3.2.2.16
Flight analyst (limited to stability and control)	3.2.2.17
Flight test pilot	3.2.2.18
Flight test pilot (limited to flying qualities)	3.2.2.19
Flight test pilot (limited to human factors)	3.2.2.20
Material and process	3.2.2.21

3.2.2 Engineering speciality authorisations definitions – Details

3.2.2.1 Structures

A structures speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft structures, including materials and processes used.

Includes the airframe fixed structure and structural aspects of moveable control surfaces, landing gear, doors, covers, fairings, aeroelasticity and equipment mounting.

3.2.2.2 Systems and equipment (mechanical)

A systems and equipment (mechanical) speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft mechanical systems and equipment, including materials and processes used.

Includes wheels, tyres, brakes, landing gear, hydraulics, pneumatics, mechanical control systems, fuel systems, pressurisation, air-conditioning, oxygen, anti-ice, and mechanical aspects of powerplant installations not covered by the engine or propeller design standards (e.g. Federal Aviation Regulation (FAR) 33 or FAR 35).

Note: Mechanical aspects of power plant installation relate to the engine, auxiliary power unit (APU) and thrust reversers which are part of the aircraft design requirements and include powerplant installation and mechanical systems relate to powerplants and nacelles, quick engine change (QEC) equipment, pneumatic ducts, hydraulic lines to airframe, starters and oil coolers.

3.2.2.3 Systems and equipment (cabin)

A systems and equipment (cabin) speciality authorisation is to make findings of compliance for personnel and cargo accommodation, emergency provisions and fire protection.

Includes requirements for crew and passenger compartments, cargo compartments, doors, seats, berths, safety belts and harnesses, stowage compartments, galleys, signs and placards, emergency exits, passenger cabin layout, material flammability, safety equipment and structural/mechanical aspects of equipment installations. Specialty does not include the cabin air ventilation system.

3.2.2.4 Systems and equipment (electrical)

An electrical speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft electrical systems, including materials and processes used.

Includes electrical power generation, storage, distribution and protection systems; lighting systems; mission-specific additions or modifications (night sun, night vision compatible lighting, provision of power to role equipment etc.); fire/smoke detection systems; combustion heaters; aircraft electrical bonding; data busses and multiplexing systems associated with the functioning of electrical systems; warning indicators/annunciator panels.

3.2.2.5 Systems and equipment (electrical – limited)

An electrical – limited speciality authorisation is to make finding of compliance for the following tasks:

1. The repair, temporary/permanent removal and subsequent re-installation of existing equipment or simple systems.
2. The design of new equipment or system installations provided that any integration to other existing aircraft systems is done in accordance with the equipment manufacturer's installation instructions.
3. The modification of existing equipment or system installations providing any integration to other existing aircraft systems is done in accordance with the equipment manufacturer's installation instructions.

3.2.2.6 Systems and equipment (instrument)

An instrument speciality authorisation is to make findings of compliance and approve engineering reports,

drawings and data relating to the design of aircraft instrument systems, including materials and processes used.

Includes all indicating system instruments, composite indicators, multi-function displays and associated plumbing/wiring but excluding radio system indicating equipment and electrical meters; automatic flight control systems; integrated flight systems; flight performance management systems; pitot static systems; air data systems; oxygen systems; inertial navigation/inertial reference systems; data busses and multiplexing systems associated with instrument systems; data recording systems including flight data recorder systems, health monitoring systems, engine parameter recording systems etc; terrain awareness and warning system (TAWS) (including ground proximity warning systems but excluding radio inputs); stall warning/indicating systems; electronically displayed check lists (including some EFB — excluding radar displays); head-up displays; synthetic vision systems; enhanced vision systems; infra-red systems; active noise and vibration cancelling systems; mission-specific additions or modifications (instrument pods, camera systems etc.).

3.2.2.7 Systems and equipment (instrument – limited)

An instrument – limited speciality authorisation is to make finding of compliance for the following tasks:

1. The repair, temporary/permanent removal and subsequent re-installation of existing equipment or simple systems.
2. The design of new equipment or system installations provided that any integration to other existing aircraft systems is done in accordance with the equipment manufacturer's installation instructions.
3. The modification of existing equipment or system installations providing any integration to other existing aircraft systems is done in accordance with the equipment manufacturer's installation instructions.

3.2.2.8 Systems and equipment (radio)

A radio speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft radio systems, including materials and processes used.

Includes communication systems (including emergency transmitters); navigation systems (terrestrial and satellite); composite indicators—excluding indicators containing gyroscopes; audio distribution systems; cockpit voice recorder systems; data busses and multiplex systems associated with radio systems; in-flight entertainment systems; radar systems (including weather radar, radio altimeter and associated TAWS inputs); transponders; collision avoidance systems; mission-specific additions or modifications (telemetric systems, role equipment using active transmitters etc.); securing the radio unit within its case/rack, the interwiring of radio components and the bonding of all components of the radio system to the aircraft structure.

3.2.2.9 Systems and equipment (radio – limited)

A radio – limited speciality authorisation is to make finding of compliance for the following tasks:

1. The repair, temporary/permanent removal and subsequent re-installation of existing equipment or simple systems.
2. The design of new equipment or system installations provided that any integration to other existing aircraft systems is done in accordance with the equipment manufacturer's installation instructions.
3. The modification of existing equipment or system installations providing any integration to other existing aircraft systems is done in accordance with the equipment manufacturer's installation instructions.

Note: **Electrical, instrument and radio specialities**: The instrument system wiring to the electrical power supply terminates at the distribution bus and includes the circuit breaker or fuse. The instrument system wiring supplying data signals to the radio system terminates at the connection to the radio system equipment or junction box. The radio wiring to the power supply of the electrical system terminates at the radio distribution bus and includes the circuit breaker or fuse.

3.2.2.10 Systems safety (general)

Reserved.

3.2.2.11 Systems safety (software)

A software speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft software.

Includes discrete software applications and operating systems installed in airborne electronic systems; and the airborne electronic hardware systems fitted with custom micro-coded (programmable) components (e.g. application specific integrated circuits (ASIC) or programmable logic devices (PLDs)).

There are 3 categories:

1. Flight critical (Software Level A and B and Hardware Level A and B).
2. Flight non-critical (Software Level C and D and Hardware Level C and D).
3. Non-flight-related (IFE) (Software Level E and Hardware Level E).

The levels identified above are those described in RTCA DO-178B[2] Paragraph 2.2.2 and DO-254[3] Table 2-1.

3.2.2.12 Systems safety (complex electronic hardware)

Reserved.

3.2.2.13 Engine

An engine speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft engines, including materials and processes employed in engine design, operation and maintenance.

Includes engine inlet, compressor, combustion chamber, turbine, exhaust, fan blade repairs, oil system/tank re-design, hydro-mechanical components, combustors, gearbox, bearing, compressor/turbine disc/blade changes. For piston engines, it includes camshaft, connecting rods, crankshaft, crankcase, reduction gearing, pistons, carburettor, cylinders, valves, exhaust and oil system.

Note: This speciality does not include mechanical aspects of powerplant installation.

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[2] *Software Considerations in Airborne Systems and Equipment Certification*, is a software certification standard for airborne systems on commercial aircraft.

[3] *Design Assurance Guidance for Airborne Electronic Hardware*, is a document providing guidance for the development of airborne electronic hardware.

3.2.2.14 Propeller

A propeller speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to the design of aircraft propellers, including materials and processes employed in propeller design, operation and maintenance.

Note: This speciality does not include mechanical aspects of powerplant installation.

3.2.2.15 Flight analyst

A flight analyst speciality authorisation is to make findings of compliance with applicable aircraft flight requirements including performance, handling, stability and control. A flight analyst is responsible for ensuring that adequate flight tests are carried out and for the proper review and analysis of flight test data necessary to make findings of compliance.

Flight analysts may approve, within the limits of their appointment, compliance of aircraft performance flight test data, flight characteristics data and aircraft operating data.

3.2.2.16 Flight analyst (performance – limited)

Reserved.

3.2.2.17 Flight analyst (stability and control – limited)

Reserved.

3.2.2.18 Flight test pilot

Reserved.

3.2.2.19 Flight test pilot (flying qualities – limited)

A flight test pilot (flying qualities – limited) speciality authorisation is to make findings of compliance with any requirement, or applicable part of any requirement, requiring a subjective assessment of level of skill, consistent operation, ease of operation, crew procedure, crew workload, continued safe flight and landing, and any other aspect requiring pilot judgement related to aircraft flying qualities.

The flight test pilot is responsible for the proper conduct of all flight tests necessary to make these findings of compliance. In addition, they are responsible for evaluating and recommending approval of procedures related to flight operations included in the AFM.

3.2.2.20 Flight test pilot (human factors – limited)

A flight test pilot (human factors – limited) speciality authorisation is to make findings of compliance with any requirement, or applicable part of any requirement, requiring a subjective assessment of level of skill, consistent operation, ease of operation, crew procedure, crew workload and type of operations, inadvertent operation, and any other aspect requiring pilot judgement relating to human-machine interface (HMI).

The flight test pilot is responsible for the proper conduct of all flight tests necessary to make these findings of compliance. In addition, they are responsible for evaluating and recommending approval of procedures related to HMI included in the AFM.

3.2.2.21 Material and process

A material and process speciality authorisation is to make findings of compliance and approve engineering reports, drawings and data relating to material and process specifications including metallic or composite materials, fasteners, fluids, resins and consumables.

4. CASA roles and responsibilities

4.1 Overview – Assessment and appointment functions

This section includes details of the specific roles and responsibilities of the DMO section and other supporting CASA staff performing activities through the EDAP lifecycle related to the initial assessment and appointment of aircraft design approval-related authorised persons.

> Refer to Principle (DEL.01) Managing aircraft design approval-related authorised persons for details of the specific roles and responsibilities of the DMO section and supporting CASA staff involved in performing activities through the EDAP lifecycle related to the ongoing management and oversight of authorised persons after they are appointed.

4.2 Design and Manufacturing Oversight section

The Design and Manufacturing Oversight (DMO) section is responsible for the oversight of all design and production approval holders, including:

- approving, certificate management of approved design organisations and design IOA (authorised persons)
- approving, certificate management of production organisations including:
  - Australian parts manufacturer approval (APMA)
  - Australian technical standard order (ATSO) authorisation
  - process approvals and production certificates.
- providing expertise to certification projects and other investigations in relation to design and manufacturing, including conformity inspections
- liaising with foreign national aviation authorities (NAA) including, but not exclusively, close involvement with the negotiation of international agreements for mutual acceptance of design and manufacturing approvals
- managing and overseeing aircraft-design-related operational activities conducted by applicants for appointment as authorised persons as they participate in the EDAP lifecycle
- ensuring these DMO section-specific operational assessment and appointment activities are conducted in accordance with:
  - the regulations, CASA policies, and any guidelines that have been published by the CST
  - any aircraft design approval-specific policies, guidelines, and procedures.
- identifying and implementing aircraft design approval-specific policies and guidelines for the assessment and appointment of authorised persons, if needed
- documenting the relevant policies, guidelines, and procedures to adequately describe the how, whom, what, why, where, and when associated with managing the aircraft design approval-related activities conducted by authorised persons as they participate in the EDAP lifecycle.

4.3 Manager, design and manufacturing oversight (appointing delegate)

Also known as the appointing delegate, the manager, design and manufacturing oversight (MDMO) is responsible for:

- managing the whole EDAP lifecycle associated with design approvals

- consulting with the branch manager AEB on IOA processing for assessment and appointment
- assigning a certification engineer (CE) as project manager (PM)
- authorising the initial issuing of an IOA and executing the IOA as the appointing delegate
- implementing the assessment and appointment processes set out in this principle document.

4.4 Regulatory services officer

Note: Administrative support is provided from the pool of regulatory services officers (RSO) from the Regulatory Oversight Division (ROD). RSO's are not part of the AEB organisation structure, however they contribute to AEB's function with critical business support activities. While the same RSO is typically assigned and dedicated to AEB for consistency and familiarity, the broader RSO pool may be accessed for peak workload or RSO absence.

The regulatory services officer (RSO) is responsible for:

- creating new EAP cases for initial appointment and recording (entry control) applications for authorised persons in the Records Management System (RMS) and EAP
- assigning initial applications (EAP cases) to the MDMO to review and authorise
- sending acknowledgement notifications and requests to applicants regarding their initial application
- sending notifications of application rejections to applicants and recording rejection details (in RMS, EAP and the Regulatory Fee Estimator)
- sending application (fee) cost estimates to applicants and recording payments and cost recovery
- sending notifications to applicants to issue IOA, notifying the surveillance technical officer (STO) and finalising entry control

4.5 Certification engineer (project manager)

For each of the IOA processing tasks, a designated certification engineer (CE) is nominated as the project manager (PM) and is responsible for:

- meeting CASA service delivery expectations
- ensuring that cost recovery regulations are complied with for each task
- providing initial application (fee) cost estimates to the RSO
- assessing initial applications (experience and documentation) and consulting the MDMO as required
- conducting application interviews
- finalising assessments and recommending the initial issue of the IOA to the MDMO (appointing delegate)
- recommending subsequent renewals of the IOA
- generating the draft IOA in EAP
- assigning EAP cases for initial appointment to the MDMO to review and authorise.

4.6 Training Branch

The Training Branch is responsible for recording and processing course enrolments for applicant's in CLASS and AviationWorx for the CASA EDAP module.

5. Entry control – Criteria for appointment

5.1 Overview

This section includes entry control appointment criteria related to the DMO section's consideration of an individual's initial application for appointment to exercise CASA's aircraft design approval-related powers as an authorised person.

Refer to Principle (DEL.01) Managing aircraft design approval-related authorised persons for details of the DMO section's activities related to managing any subsequent variations, cancellations and renewals of appointments to exercise aircraft design approval-related powers.

5.2 Appointment criteria and categories – Summary tables

When appointing individuals to exercise CASA's aircraft design approval-related powers as an authorised person, the DMO section must ensure that an applicant meets the required:

- minimum appointment criteria that apply before any aircraft design approval-related authorisations are approved and the instruments issued
- specific (IOA) appointment criteria that also apply before particular aircraft design approval-related authorisations are approved and the instruments issued.

For details of the:

- minimum appointment criteria, refer to Sections 5.2.1 and 5.3 in this principle document
- specific appointment criteria, refer to Sections 5.2.2 and 5.4 in this principle document.

5.2.1 Minimum appointment criteria – Any aircraft design-related authorisations

The appointment criteria (minimum conditions) at Table 8 contribute to determining an applicant's eligibility for appointment to exercise any aircraft design approval-related authorisations and are described further in this principle document at the relevant sections listed.

Note: Should an applicant already hold an authorisation for common areas of scope (or previously held an authorisation within the last 4 years), the samples or work, qualifications, experience, and knowledge elements may not need to be reassessed.

Table 9. Summary of minimum appointment criteria to exercise any aircraft design approval-related authorisations

Criteria	Description	Section
CASA EDAP module	Applicants must undertake the CASA External delegate and authorised person (EDAP) module before appointment and on renewal (every 2 years).	5.3.1
Design approval procedures manual (DAPM)	All applicants must submit a copy of the design approval procedures manual containing the procedures the authorised person will follow when exercising the delegated power(s).	5.3.2
Samples of work	All applicants must submit an appropriate number of relevant samples of work (for each speciality and design standard).	5.3.4
Acceptance and payment of cost estimate	All applicants must: • accept the cost estimate (fee) for their application • forward the prescribed payment to CASA.	5.3.5

5.2.2 Categories of appointment criteria – Specific aircraft design-related authorisations

The categories of appointment criteria listed at Table 9 assist in determining the applicant's eligibility for appointment as an authorised person to exercise specific aircraft design-related authorisations and are used to group and clarify the requirements for each provision of the IOA.

Note: Should an applicant already hold an authorisation for common areas of scope (or previously held an authorisation within the last 4 years), the samples or work, qualifications, experience, and knowledge elements may not need to be reassessed.

Table 10. Categories of appointment criteria for aircraft design approval-related authorisations

Criteria category	Description
Qualifications	Applicants must: • have requirements to provide evidence for the following, subject to the specific authorisation being sought: – specific technical, professional and tertiary qualifications and certifications – to be eligible for Graduate membership of Engineers Australia. – successful completion of specific CASA or external training courses, as described in Section 5.3.1.
Experience	Applicants must: • have proven extensive experience that is relevant to the authorisation being sought. • provide an appropriate number of samples of work (for each speciality and design standard) where the applicant has been involved in finding of compliance to the certification design standards.

Criteria category	Description
Knowledge	Applicants: • must have proven extensive knowledge that is relevant to the authorisation being sought • may be asked to demonstrate and apply, describe, identify, locate, and interpret specific relevant information, processes, methods, materials, publications, facilities, equipment, service, standards, policies and procedures to confirm: – a general or in-depth understanding – sound knowledge – a working, practical knowledge – current technical knowledge • will normally be required to attend an interview to ensure they can demonstrate they meet specific appointment criteria • may also be required to undertake a test of knowledge, skill or competence relevant to the application (that can include a written, oral or on-line examination and a practical assessment) • may also be required to obtain a written declaration (of competence) from an authorised person or person from a recognised representative organisation, to confirm they have suitable underpinning and specific knowledge.

Note: It is critical that an authorised person is intimately familiar with the scope, limits and conditions stated on the IOA and has appropriate qualifications, knowledge and experience. For specific details of the qualifications, knowledge and experience required as appointment criteria for specific IOA provisions being sought, refer to Section 5.3 and Appendix A –(when conducting applicant interviews).

5.3 Minimum appointment criteria – Any aircraft design-related authorisations

This section describes the standard (minimum) set of appointment criteria (listed in Section 5.2.1) that apply to all applicants before any aircraft design approval-related authorisation is approved and issued to them.

5.3.1 External delegate and authorised person (EDAP) module

The CASA External delegate and authorised person (EDAP) module for EDAP has been developed by the CST and is a mandatory training requirement for all authorised persons. The module is designed to provide all applicants with an overview of the legal and general requirements that are relevant to EDAP.

As at the time of application and assessment, (initial and renewal) an applicant must have completed the training module and satisfied any relevant recurrency requirements that are applicable to the training.

Note: When granting aircraft design approval-related authorisations, you must check to ensure the applicant has completed the EDAP module.

5.3.2 Authorised Persons – Specific Training

Competency Requirements

- **General Training:**
  Airworthiness and Engineering Branch conducts a bi- annual Design and Manufacturing Workshop that will be recorded in CASA's LMS and is available for any EDAP to attend for interest purposes

5.3.3 Design approval procedures manual

All applicants must submit a copy of the design approval procedures manual (DAPM) containing the procedures to be followed by the authorised person when exercising the authorised power(s). The DMO section assesses the applicant's submitted DAPM against the relevant document criteria.

> For more information on specific document criteria and assessment requirements for the DAPM, refer to Section 6.2.4 and Appendix B – and Appendix C – in this principle document.

5.3.4 Samples of work

All applicants must submit samples of work (for each speciality and design standard) where they have been involved in finding of compliance to the certification design standards. This submission must contain samples of work that clearly demonstrate that the applicant has sufficient experience with the breadth of design requirements included in the applicant's authorisation scope.

> For more information on specific criteria for samples of work and assessment requirements, refer to Section 6.2.5 in this principle document.

5.3.5 Acceptance and payment of cost estimate

CASA collects fees for the regulatory services it provides and needs to recover the costs of providing services to process an application. The legal authority for CASA's cost recovery arrangements for regulatory services is provided by sections 98(3)(u) and (v) of the *Civil Aviation Act 1988* which authorise the *Civil Aviation (Fees) Regulations 1995 (the Fee Regulations)*, which prescribe fees for CASA's regulatory services. The current Fee Regulations are a mixture of fixed fees and hourly rates.

The cost estimate is calculated using an hourly rate charge for the initial and final number of hours allocated for processing an application. The hourly rate is based on a set schedule of rates related to how complex a service is and what CASA experience is required.

After receiving a cost estimate for their application from CASA, the applicant must pay the estimated amount within 30 days for CASA to progress their application. If a payment is not made within 30 days, the applicant's EAP case is closed, and the applicant will need to re-apply should they wish to do so. If the applicant is a current CASA account holder, the RSO requests a purchase order to initiate the payment.

> For more information on acceptance and payment of the cost estimate and cost recovery, refer to Section 6.2.7.3, CASA's Cost Recovery Instructions and the Fees and charges page on the CASA website.

5.4 Appointment criteria – Specific aircraft design-related authorisations

When appointing an individual as an authorised person, the DMO section must ensure an applicant meets the necessary appointment criteria that apply to the specific aircraft design approval-related authorisations being sought. This section details the criteria an applicant is expected to meet for specific aircraft design approval-related appointments. Each authorised power details the scope of the authorisation and the specific criteria for appointment, including the required qualifications, experience and knowledge.

5.4.1 Subpart 21.M of CASR – Approval of design of a modification or repair

5.4.1.1 Scope

These criteria relate to applications for a person to be delegated CASA's powers and functions to approve modification and repair designs for aircraft, aircraft engines, propellers and appliances. The scope will be based on an interview and assessment of the applicant's qualifications, knowledge and experience.

5.4.1.2 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess at least the minimum engineering and academic qualifications appropriate for the function (as listed in Section 6.2.1).

5.4.1.3 Experience

Each applicant must have:

a. not less than 6 years of postgraduate professional engineering experience, including

b. not less than one year of professional engineering experience in a civil aviation environment in an engineering discipline relevant to authorisation requested and

c. experience carrying out certification processes relevant to authorisation requested and

d. experience working with other persons working in other engineering specialities and

e. familiarity with the CASA approved procedures for issuing design approvals.

Also refer to experience and interview areas listed at Appendix A.4 for the authorisation.

5.4.1.4 Knowledge

Each applicant will be asked to demonstrate at an interview, the knowledge in each interview area listed at Appendix A.4.

Note: An interview of the applicant will normally be required to ensure they can demonstrate they meet these criteria. Also refer to Section 6.2.4 for general interview requirements.

5.4.2 Regulation 21.009 of CASR – Approval of technical data

Note: For more information on the specific assessment process for paragraph 21.009(1)(ca) of CASR, also refer to Section 6.3.2.

5.4.2.1 Scope

These criteria relate to applications for a person to be authorised to exercise CASA's powers and functions to approve the technical data for a modification/repair design. The technical data for a modification/repair

design must demonstrate compliance with the applicable airworthiness design requirements and be of a standard that is appropriate for the scope and complexity. Technical data must be approved by an individual who holds the necessary authorisation in the applicable engineering speciality.

As per subregulation 21.009(1) of CASR, this authorisation applies if technical data for a design is submitted to an authorised person or a relevant approved design organisation in connection with an application for:

a. a type certificate; or

b. approval of a change in type design; or

c. a supplemental type certificate; or

   ca. a variation of a supplemental type certificate; or

   cb. approval of the product design of a Class II or Class III product; or

d. a letter of ATSO design approval; or

e. an ATSO authorisation; or

f. a modification/repair design approval; or

g. an APMA.

5.4.2.2 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess at least the minimum engineering and academic qualifications appropriate for the function, as listed in Section 6.2.1.

5.4.2.3 Experience

Each applicant must have:

a. not less than 4 years of postgraduate professional engineering experience in the discipline that is relevant to approving the technical data (per regulation 21.008 of CASR) for aircraft designs, modifications or repairs, including:

b. not less than one year of professional engineering experience in a civil aviation environment in an engineering discipline that is relevant to approving technical data, including preparation of certification documents (showing of compliance) for aircraft designs, modifications or repairs, and

c. familiarity with the CASA approved procedures for issuing design approvals.

Also refer to experience and interview areas listed at Appendix A.2, A.3 and A.6 for the authorisation.

At the discretion of the appointing delegate (MDMO), in lieu of, or in addition to, the formal engineering qualifications outlined above, an applicant for appointment to the flight analyst speciality may be a graduate of a recognised test pilot school (as either a test pilot or flight test engineer).

Criteria (a) and (b) are typically demonstrated by submitting samples of work to CASA.

> For more information on specific criteria for samples of work and assessment requirements, refer to Section 6.2.5.

Flight analyst minimum specialist training requirements

- Recommended training:
  - Courses relating to aeroplane or rotorcraft performance and flight characteristics provided by a reputable training institution or university.
  - Flight test engineer course provided by the National Test Pilot School (NTPS) in the United States of America (USA) or equivalent.
  - CASA Certification flight test course.

Additional minimum specialist qualifications and experience for test pilot

- Recommended training:
  - Courses relating to aeroplane or rotorcraft performance and flight characteristics provided by a reputable training institution or university.
  - Test pilot course provided by the NTPS in the USA or equivalent.

5.4.2.4 Knowledge

Each applicant will be asked to demonstrate at an interview, the knowledge in each interview area listed at Appendix A.4, including in the following areas:

Regulatory structure

- a good understanding of the regulatory structure comprising:
  - ICAO
  - the *Civil Aviation Act 1988* (the Act)
  - the *Civil Aviation Safety Regulations 1998* (CASR)
  - *Civil Aviation Regulations 1988* (CAR)
  - the *Manuals of Standards (MOS)*
  - *Civil Aviation Orders* (CAO)
  - Advisory material etc.
- concepts of ‘head of power’ and the lines of responsibility and obligations of an authorised person.

Certification basis

- an understanding of design standards and concept of airworthiness.
- familiarity with:
  - the process of identifying the certification standards
  - the concept of type design
  - type certificate (TC), supplemental type certificate (STC), technical standard order (TSO), Australian technical standard order (ATSO), Australian parts manufacturer approval (APMA) modifications and repairs
  - the type certificate data sheet (TCDS), special conditions, exemption and equivalent level of safety
  - Part 90 of CASR requirements
  - certification and operational categories of aircraft, airworthiness directives, minimum equipment lists (MELs), operational requirements and approved data.
- distinction between:
  - the design
  - showing compliance
  - finding of compliance.

Major and minor classification

Applicants must demonstrate a good understanding of major and minor classification including AC 21-12 – Classification of design changes with respect to their engineering specialities.

Finding of compliance

Applicants must demonstrate:

- an understanding of:
  - the technical data
  - compliance matrix
  - advisory materials
  - the changed product rule.
- familiarity with CASA Form 979 – Statement of compliance
- a good understanding of regulations 21.033 (Inspection and tests) and 21.053 (Statement of conformity) of CASR.

Case studies of compliance

> **Note:** Samples of design work carried out by the applicant are to be reviewed and compliance requirements explored. For more information on specific criteria for samples of work and assessment requirements, refer to Section 6.2.5.

Applicants should demonstrate adequate engineering knowledge of the specialities considered to make an assessment of data presented. Adequacy of compliance finding to be explored in the samples.

> **Note:** An interview of the applicant will normally be required to ensure they can demonstrate they meet these criteria. Also refer to Section 6.2.4 for general interview requirements.

5.4.3 Regulation 21.006A of CASR – Approval of changes to aircraft flight manuals

5.4.3.1 Scope

As per paragraph 21.006A(1) of CASR, the authorised person may approve applications to make changes to a flight manual for an aircraft for any of the following persons:

a. the registered operator of the aircraft

aa. if the aircraft is a Part 103 aircraft—the owner of the aircraft

b. an applicant for any of the following:

i. approval of a change in the type design for the aircraft

ii. a supplemental type certificate for the aircraft

iii. a modification/repair design approval for the aircraft

iv. an approval mentioned in regulation 21.475.

5.4.3.2 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess at least the minimum engineering and academic qualifications appropriate for the function, as listed in Section 6.2.1.

5.4.3.3 Experience

Each applicant must have:

a. not less than 6 years of postgraduate professional engineering experience, including

b. not less than one year of professional engineering experience in a civil aviation environment in an engineering discipline relevant to authorisation requested and

c. experience carrying out certification processes relevant to authorisation requested and

d. experience working with other persons working in other engineering specialities and

e. familiarity with the CASA approved procedures for issuing design approvals.

Also refer to experience and interview areas listed at Appendix A.4 for the authorisation.

5.4.3.4 Knowledge

Each applicant will be asked to demonstrate at an interview, the knowledge in each interview area listed at Appendix A.4.

Note: An interview of the applicant will normally be required to ensure they can demonstrate they meet these criteria. Also refer to Section 6.2.4 for general interview requirements.

5.4.4 Regulation 21.007 of CASR – Approval of defect as a permissible unserviceability

Note: For more information on the specific assessment process for regulation 21.007 of CASR, also refer to Section 6.3.2.

5.4.4.1 Scope

These criteria relate to applications for a person to be authorised CASA's powers and functions to approve an unrepaired defect in an aircraft as a permissible unserviceability under regulation 21.007 of CASR. Such approvals are intended for situations where the defect cannot be deferred via other provisions of the regulations, such as instructions for continuing airworthiness (ICA), minimum equipment lists (MEL) or configuration deviation lists (CDL).

5.4.4.2 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess at least the minimum engineering and academic qualifications appropriate for the function, as listed in Section 6.2.1.

5.4.4.3 Experience

Each applicant must have:

a. not less than 8 years of progressively responsible experience in an engineering discipline that is relevant to the scope for which the individual is seeking regulation 21.007 of CASR authorisation including

b. at least 2 years current or previous experience as an individual authorised to carry out design activities, either under Subpart 21.J of CASR or a CASA IOA, with a scope of authorisation similar to the regulation 21.007 of CASR scope of authorisation being sought and

c. experience in certification processes relevant to regulation 21.007 of CASR approvals and

d. experience working with other technical disciplines.

The above criteria are typically demonstrated by submitting samples of work to CASA.

Also refer to experience and interview areas listed in Section 6.3.2 and Appendix A.5 for the authorisation.

5.4.4.4 Knowledge

Each applicant will be asked to demonstrate at an interview, the knowledge in each interview area listed at Appendix A.5.

> **Note:** An interview of the applicant will normally be required to ensure they can demonstrate they meet these criteria. Also refer to Section 6.2.4 for general interview requirements.

5.4.5 Regulation 21.007A of CASR – Advice about whether damage is major damage

> **Note:** Subpart 21.M of CASR authorised persons, at the discretion of the MDMO (appointing delegate) can be appointed for regulation 21.007A of CASR authorisation without any further assessment (in addition to having been already assessed and appointed under subpart 21.M).

5.4.6 Regulation 21.095 of CASR – Approval of minor changes to type design

> **Note:** For more information on the specific assessment process for regulation 21.095 of CASR, also refer to Section 6.3.3.

5.4.6.1 Scope

These criteria relate to applications for a person to be authorised CASA's powers and functions to approve minor changes in the type design of the aircraft, aircraft engine or propeller.

5.4.6.2 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess at least the minimum engineering and academic qualifications appropriate for the function, as listed in Section 6.2.1.

5.4.6.3 Experience

Each applicant must have:

a. not less than 6 years of postgraduate professional engineering experience, including

b. not less than one year of professional engineering experience in a civil aviation environment in an engineering discipline relevant to authorisation requested and

c. experience carrying out certification processes relevant to authorisation requested and

d. experience working with other persons working in other engineering specialities and

e. familiarity with the CASA approved procedures for issuing design approvals.

Also refer to experience and interview areas listed in Section 6.3.3 and Appendix A.6 for the authorisation.

5.4.6.4 Knowledge

Each applicant will be asked to demonstrate at an interview, the knowledge in each interview area listed in Appendix A.6.

Note: An interview of the applicant will normally be required to ensure they can demonstrate they meet these criteria. Also refer to Section 6.2.4 for general interview requirements.

5.4.7 Regulation 21.120B of CASR – Variations of supplemental type certificates

5.4.7.1 Scope

These criteria relate to applications for a person to be delegated CASA's powers and functions to approve a variation of the certificate for the approval of the design of a change to an aircraft, aircraft engine or propeller.

5.4.7.2 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess at least the minimum engineering and academic qualifications appropriate for the function, as listed in Section 6.2.1.

5.4.7.3 Experience

Each applicant must have:

a. not less than 6 years of postgraduate professional engineering experience, including

b. not less than one year of professional engineering experience in a civil aviation environment in an engineering discipline relevant to authorisation requested and

c. experience carrying out certification processes relevant to authorisation requested and

d. experience working with other persons working in other engineering specialities and

e. familiarity with the CASA approved procedures for issuing design approvals.

Also refer to experience and interview areas listed in Section 6.3.2 and Appendix A.2 for the authorisation.

5.4.7.4 Knowledge

Each applicant will be asked to demonstrate at an interview, the knowledge in each interview area listed at Appendix A.2.

Note: An interview of the applicant will normally be required to ensure they can demonstrate they meet these criteria. Also refer to Section 6.2.4 for general interview requirements.

6. Entry control – Assessment guidelines and process

6.1 Overview

This section describes the DMO section's assessment guidelines, considerations and supporting process followed when assessing an application for an initial appointment to exercise aircraft design approval-related powers as an authorised person.

6.2 Assessment guidelines

6.2.1 Qualifications

For applicants to be considered for an appointment as an authorised person they must possess engineering qualifications and experience appropriate to the specific design authorised power. The appointment criteria for all authorised powers listed in Section 5.4 represent a minimum that applicants must meet before their application is accepted.

In terms of minimum requirements for qualifications:

- all applicants must have a tertiary qualification in an engineering discipline that is at least equivalent to a 4-year Bachelor of Engineering degree under an Australian accredited or recognised program.

> **Note:** The engineering qualifications recognised by Engineers Australia for Graduate membership are also acceptable.

- the academic qualifications that are typically required by applicants are:
  - an engineering degree or equivalent in mechanical or aeronautical discipline for structures, and systems and equipment (mechanical), systems and equipment (cabin) augmented by training and experience for propellers and engine specialities
  - for systems and equipment (electrical, instrument and radio), electrical or electronics-related academic qualifications.

> **Note:** Both of the above educational backgrounds are adequate for flight analyst and software specialities. The materials speciality requires an educational background in metallurgy or material sciences.

6.2.2 Granting an authorisation

6.2.2.1 Authorisation scope

An applicant for an IOA to conduct design approval functions may apply for appointment in one or more of the engineering specialities listed in Section 3.2 of this principle document.

The scope of the IOA issued:

- will depend on the applicant's qualifications, experience, and in certain cases, employment arrangements
- may be limited to designs to one or more airworthiness standards (e.g. Federal Aviation Regulations (FAR) Part 23 or equivalent) or a category of aeronautical products (e.g. piston engines) or a category of systems (e.g. cabin systems).

Note: Applicants who only meet the minimum requirements will typically be granted an initial authorisation for regulation 21.009(1)(f) of CASR. Regulation 21.009(1)(f) of CASR is the most common initial authorisation.

In each case, this decision will depend on individual circumstances and is at the discretion of the MDMO (appointing delegate).

The IOA will limit approvals to those engineering specialities for which the candidate has been assessed as holding appropriate engineering qualifications and experience. All IOAs should typically include speciality and scope specifications for the authorised persons.

Note: While specialisation scope is always included, other conditions or limitations are described as 'Nil', unless otherwise stated.

Refer to Section 3.2 for details and definitions of all engineering specialities and Section 6.2.5.2 for details of engineering specialties and sub-specialisations.

The issue of an IOA is at the discretion of CASA and will be considered on a case-by-case basis. The outcome of the process is the appointment of an authorised person or the rejection of an application.

As far as practicable, all authorisations noted in Section 3.1 should be combined into one IOA to ensure ease of re-issues.

In some cases, the applicant may hold an IOA under one organisation and move over to another, in which case formal assessment may not be required, provided there is no change in the scope of authorised functions. However, a written confirmation that the applicant is familiar with the DAPM of the new organisation, is required.

The procedures for the inclusion of a new person to an existing IOA should not include review of the organisation's DAPM, as long as there is no change to the IOA applicability (as per Section 3.1).

6.2.2.2 Recommendations

The PM (certification engineer):

- completes relevant sections of Worksheet (DEL.01) Appointing and managing aircraft design approval-related authorised persons to assess an application
- uses a Standard form of recommendation (SFR) to prepare the recommendation for the MDMO, to grant or refuse an application. If the recommendation is to grant the authorisation, then the SFR references a suitable DAPM submitted by the applicant (as per Section 6.2.4).

Note: The PM advises the applicant in writing of the outcome. If the application is refused, then the applicant must be provided with the reasons for the outcome. The IOA is valid for not more than 2 years.

Note:

If it is determined at any stage during the review and assessment that the applicant does not meet the necessary requirements to hold the:

- requested power or function, the assessment should cease, and it should be recommended that the application is refused.
- full scope of the power or function requested but may meet the requirements if limitations were to be placed on the authorised powers or functions, the applicant should be contacted to discuss whether or not they wish the application to proceed on this basis prior to continuing with the assessment.

6.2.3 Applications

Applicants must send formal applications for appointment to exercise CASA's aircraft design approval-related powers to: airworthiness@casa.gov.au.

The application for IOA should identify the regulations for which authorisations are being requested, the engineering specialities and any other appropriate limitations.

Where possible, all applicants should obtain and prepare the following required information before applying:

- organisation details (if applicable)
- agent's details (if applicant is using one)
- a proposed DAPM, or draft amendment, should their organisation already have an approved DAPM (if they cannot provide one, they should advise when they will be able to)
- aviation reference number (ARN) or they should advise when they requested an ARN
- proposed scope including:
  - specialisations and limitations
  - the design activities applicant wants to perform.
- sufficient samples for each specialisation or sub-specialisation they want to include in their scope.

Applicants should ensure they have satisfied the appointment criteria listed at the following sections in this principle document:

- Section 5.2.1 for minimum appointment criteria for any aircraft design approval-related IOA
- Section 5.4 and Appendix A – for appointment criteria for specific aircraft design approval-related IOA.

Note: Formal assessment of the submitted documentation will commence only after the completion of the required cost recovery actions per the relevant regulations. Cost recovery is for assessment of the application and does not guarantee appointment will be granted. A PM (CE) is appointed by the MDMO for each IOA processing task.

6.2.4 Design approval procedures manual

All applicants must prepare a design approval procedures manual (DAPM) to become an aircraft design approval-related authorised person. Alternatively, the applicant may work for or contract to an organisation that is developing a DAPM or has one that is already approved. In the latter case, the DAPM may need amendments to reflect the addition of another authorised person. An organisation's DAPM for design approval must comprise of 2 sections:

1. Approved section
2. Accepted section.

6.2.4.1 Approved section

The Approved section of the DAPM requires prior approval from CASA before changes can be made to it. However, the Accepted section can be changed by the authorised person and sent to CASA within 30 days of making the change and is deemed 'accepted' if no contrary information from CASA is received within the next 30 days.

The Approved section will elaborate on the IOA requirements and specify the process to be followed for making a design approval. This section of the DAPM, linked to an IOA, must include:

a. procedures for revising the manual
b. data retention procedures
c. procedures for the major/minor classification of design changes
d. design approval coordination procedures for approvals involving multiple IOA holders
e. definitions of the engineering specialities and limitations contained in the IOA
f. procedures for peer review of the approval documentation
g. conditions under which CASA has to be consulted prior to approvals (e.g. design advice)
h. documentation requirements to find and certify compliance to the relevant regulations and or design standards.

6.2.4.2 Accepted section

The Accepted section of the DAPM will detail how the requirements of the Approved section must be met and will include the organisation's own forms and documentation formats/templates.

DAPM guidelines applicable to specific regulations are detailed in Appendix B – and Appendix C –.

6.2.5 Samples of work

The applicant must demonstrate relevant experience and knowledge in line with the authorisation scope they are seeking. They can satisfy this requirement by providing samples of work and attending a CASA interview. The authorisation scope covers both aircraft types and technical (engineering) specialities.

6.2.5.1 Aircraft types

Aircraft types are defined around FAR/certification specifications (CS) 23, 25, 27 and 29 and are stated as the following within the scope of authorisation:

- transport category/ non transport category
- fixed-wing/ rotary-wing.

6.2.5.2 Engineering specialties and sub-specialisations

Engineering speciality is defined as either structures, systems and equipment, engines, etc.

Note: Refer to Section 3.2 for details and definitions of all engineering speciality authorisations.

However, some of these specialities cover a broad range of areas and therefore, sub-specialities will need to be specified.

For example, systems and equipment (mechanical) is broad, and applicants need to demonstrate experience across all the sub-specialisations that exist, such as hydraulics, fuel systems, cabin systems, control systems, etc.

When this is the case, the demonstration of relevant experience and knowledge is required at the sub-specialisation level. Therefore, samples of work will be required for each sub-specialisation. Additionally, samples of work will need to demonstrate experience with a wide scope of the applicable design requirements for a particular sub-specialisation.

> **For example**, a work sample covering a change to a fuel drain may only demonstrate compliance with FAR 25.971 and FAR 25.999. It doesn't present any demonstrated experience with any of the other requirements of FAR 25 Subpart E – Fuel System (25.951 to 25.981) and Fuel System Components (25.991 to 25.1001). To be included in an applicant's scope, multiple work samples may therefore be required to demonstrate sufficient experience for fuel systems.

The CASA interview process will be used to further assess the knowledge of an applicant, and it remains imperative that the samples of work provided present an accurate and good representation of the applicant's experience. An example of an experience summary that can be submitted with an application is provided at Table 10.

Table 11. An example of an experience summary that can be submitted with application

e.g. 21.009 Specialty	Total projects	Part 23	Part 25	Part 27	Part 29
Structures		☐ Applying	☐ Applying	☐ Applying	☐ Applying
System and equipment (mechanical)		☐ Applying	☐ Applying	☐ Applying	☐ Applying
Cabin systems/interiors		☐ Applying	☐ Applying	☐ Applying	☐ Applying
System and equipment (electrical - limited)		☐ Applying	☐ Applying	☐ Applying	☐ Applying
System and equipment (instrument - limited)		☐ Applying	☐ Applying	☐ Applying	☐ Applying
System and equipment (radio - limited)		☐ Applying	☐ Applying	☐ Applying	☐ Applying
Engines		☐ Applying	☐ Applying	☐ Applying	☐ Applying
Propeller		☐ Applying	☐ Applying	☐ Applying	☐ Applying

6.2.6 Interviews

6.2.6.1 Requirement

The applicant must be interviewed only if the initial evaluation of the required documents indicates a basis for further considerations. CASA may request additional documentation as required to support the assessment. The DMO section interview panel also interviews applicants to assess knowledge of the CASR and the specialities included in the requested scope.

6.2.6.2 Interview panel

An interview panel consists of the PM (who chairs the interview) and at least one other AEB engineer. The panel members should collectively possess expertise covering all of the engineering specialities being sought by the applicant.

6.2.6.3 Conducting an interview

The general interview format in Appendix A should be followed and used as a reference at the interview. The interview topics will be similar to those provided in the appendix.

Note: Before the interview, the DMO section must provide the applicant with written notice of the interview and a copy of the general interview format (in Appendix A –).

The interview must be conducted and recorded by adding comments to the interview format.

The original (or certified true copy) degree certificate should be sighted and recorded on the interview record.

The PM should collate input from the panel members into one document. The interview record should include a recommendation to the MDMO (appointing delegate), and the reasons given.

6.2.7 Application administration and processing

All application requests for appointment as an aircraft design approval-related authorised person are received, assigned, tracked and processed by regulatory services officers (RSOs) in the Entry Control and Coordination (ECC) team from the Regulatory Oversight Division (ROD) (acting as AEB administrative support through the IOA application process). To ensure consistency, all CASA personnel involved in the application process follow standard administrative processes through a regulatory services (regservices) task workflow in the EAP system.

Note: Although initial contact can be received through a variety of CASA communication channels, the ECC team provides a single point of contact to receipt, check, prioritise and triage aircraft design approval-related applications and enquiries to the DMO section.

6.2.7.1 Regulatory services task workflow

When an initial application is received, the RSO creates an EAP case in the EAP system. All IOAs should have a dedicated EAP certificate number, which must be assigned before the task (EAP case) is allocated to the PM (certification engineer).

The **RSO**:

- sends an acknowledgement email to the applicant with a request for any additional required information (if their application is incomplete or supporting documents were not provided, as processing will not continue if incomplete)
- assigns new EAP cases to the MDMO (appointing delegate) for review
- sends cost estimates to applicants and processes recovery and payment
- assigns EAP cases to the PM to assess the application and interview the applicant
- notifies Surveillance for update to the National Surveillance Selection Process (NSSP)
- prepares the final documentation
- sends the IOA (generated through EAP as a PDF) to the authorised person if they are appointed
- records the relevant entries in the EAP system and finalises entry control.

Note: For detailed EAP procedures, refer to the EAP OAS Case Management - Airworthiness and Engineering Branch (AEB) Handbook. If there is conflict between EAP procedures and the administrative procedures described in this principle document, EAP procedures will take precedence.

6.2.7.2 Record keeping

All relevant communications (supporting documents and emails) through the application process (regservices task workflow) are to be stored in the CASA Records Management System (RMS). How we manage information and records in Horace outlines this process. All subsequent documents and emails are filed and referenced using the EAP Case reference in the subject line.

All communications between CASA personnel and industry are stored in RMS, whether a regservices task or a general enquiry. If contact with industry was verbal, an email summarising the discussion should be forwarded to the contact person's email address and recorded in RMS. Any phone calls made by any CASA officer to the applicant or other parties pertinent to the application may also be logged as a file note in the EAP case. The following details may be recorded:

- nature of call
- to whom the call was made or received
- actions resulting from the call
- staff member who handled the call
- time and date of call.

Note:

All CASA staff involved in application administration and processing must:

- keep adequate, accurate, authentic and reliable records of their work-related activities within the RMS
- contribute to effective and efficient use and management of records, information and data
- be familiar with and follow the information management rules and instructions contained the CASA Information Management Manual.

6.2.7.3 Cost recovery

Note: Formal assessment of the submitted IOA application documentation will commence only after the completion of the required cost recovery actions (per the relevant regulations).

The PM (certification engineer) provides the cost estimate to the RSO for further processing as required. This includes supporting the cost recovery aspects of IOA processing. CASA Accounts Receivable and ECC staff working for AEB are responsible for ensuring that payment of the cost estimate (fee) is received from the applicant for the requested regulatory service.

Note: Authorised persons are not remunerated by CASA for exercising CASA's aircraft design approval-related powers. Under section 97AB of the Act, an authorised person (as an external service provider) may set and charge a person their own fees based on the proper application of the scheme for charging fees under the Act (i.e. which permits an external service provider to charge a commercial rate that must not amount to taxation.).

For more information on cost recovery, refer to CASA's Cost Recovery Instructions and the Fees and charges page on the CASA website.

6.3 Assessment steps and considerations for specific regulations

6.3.1 Overview

The DMO section's assessment process includes the sequence of activities performed to review and evaluate an application for CASA appointment to exercise CASA aircraft design approval-related powers. The process enables the DMO section to review and compare the applicant's qualifications to the appointment criteria and supports CASA's determination to recommend appointment or refusal.

This section describes specific lower-level steps and considerations in the assessment process that:

- support the entry control – initial application process at Section 7 in this principle document
- apply to the evaluation of appointment for paragraph 21.009(1)(ca) and regulations 21.120B, 21.007, 21.095 and 21.007A of CASR.

6.3.2 Paragraph 21.009(1)(ca) and regulations 21.120B and 21.007 of CASR

Note: For paragraph 21.009(1)(ca) and regulation 21.120B of CASR only: The applicant is the supplemental type certificate (STC) holder or has an agreement with the STC holder.

The assigned project manager (PM) performs the following steps to assess the application.

Step	Action
1.	Assess the qualifications and experience claimed by the applicant against the minimum criteria.
2.	Confirm if minimum criteria met. If the applicant's claims: • do not meet the minimum criteria, inform the applicant in writing: – that their application is unsuccessful – the reasons given for the outcome. • meet the minimum criteria, request samples of work covering the engineering specialities for which the authorisation is being sought. For regulation 21.007 of CASR only: The samples should include documents demonstrating compliance with applicable airworthiness standards. Sufficient samples that establish the applicant's demonstrated experience should be provided for each engineering speciality (as per Section 6.2.5).
3.	Review the samples of work for technical and procedural quality. CASA technical specialists may be requested to assist by conducting a technical review of the samples. If the samples are found to be unsatisfactory, inform the applicant in writing: • that their application is unsuccessful • the reasons given for the outcome.
4.	Review a copy of the applicant's draft procedures for subregulation 21.120B of CASR. This is typically an amendment to an existing DAPM (subregulation 21.120B of CASR). For regulation 21.007 of CASR only: If the applicant's organisation does not already have CASA-approved procedures for regulation 21.007 of CASR, request a copy of the applicant's draft procedures. This would typically be an amendment to an existing DAPM. If the draft procedures manual is found to be unsatisfactory: • inform the applicant of the deficiencies in writing

Step	Action
	• request an amendment. • review any amendments and repeat the process until the draft procedures are found to be satisfactory.
5.	In consultation with the MDMO, determine if an interview is necessary. It may not be considered necessary in cases where the applicant is already an experienced authorised person for regulations 21.009, 21.437 or 21.095 of CASR. If an interview is required: • arrange to interview the applicant • organise the interview panel. For more information on interviews, refer to: • Section 6.2.4 for details on interview panels and conducting an interview • Appendix A – for the general format to be followed at an interview.
6.	The interview should be conducted and recorded by adding comments to the interview format in Appendix A –. Sight the original (or certified true copy) degree certificate and record on the interview record, unless CASA records show that it has been previously sighted. Collate input from the interview panel members into a single document. The record must include a recommendation to the appointing delegate (MDMO) and the reasons given.
7.	Prepare the recommendation to the MDMO to grant or refuse the application using the SFR process. If the recommendation is to grant the authorisation, the SFR must include a draft IOA. If draft IOA is generated in EAP, the SFR need not include the draft IOA.
8.	Advise the applicant of the outcome in writing. If their application is rejected, the reasons for the outcome must be given to them. For paragraph 21.009(1)(ca) and subregulation 21.120B of CASR only: If the applicant does not have prior authorisation in paragraph 21.009(1)(ca) and, subregulation 21.120B of CASR, authorisation will usually be granted simultaneously.

6.3.3 Regulation 21.095 of CASR

The qualification and experience requirements for the applicants requesting appointment for regulation 21.095 of CASR are based on the applicant's exposure to other design approval activities as an authorised person. The applicant is expected to have significant experience in finding compliance to airworthiness standards and will typically be a current Subpart 21.M, regulation 21.006A, and paragraph 21.009(1)(f) of CASR IOA holder in the relevant speciality. This requirement may be waived for persons working in aircraft manufacturing organisations.

As part of the assessment of an application, CASA will review the surveillance findings of each applicant and/or the related organisation. The assessment of the surveillance finding is to establish:

- if the applicant understands the surveillance process
- how cooperative the applicant has been in rectifying surveillance findings
- whether the issuing of the authorisation will increase CASA's workload.

It is necessary for the authorised person to have a written agreement with each type certificate holder that will allow the authorised person to act on their behalf and for access to the required technical data that defines the type design of the type certificate.

Note: A copy of each written agreement that relates to the authorisation application must be submitted when the applicant is not an employee of the type certificate holder.

The applicant for paragraph 21.009(1)(b) and regulation 21.095 of CASR authorisation must have adequate facilities to carry out the function. These facilities must have at least:

a. access to the appropriate technical data, reference materials, regulations, etc.

b. suitable storage facility

c. required equipment that is appropriately controlled and calibrated.

A certification engineer (CE) must be appointed as PM by the MDMO for each IOA processing task.

CASA may request additional documentation as required to support the assessment.

If the evaluation establishes the suitability of the candidate to hold the IOA, the PM will make a recommendation to the MDMO (appointing delegate) to issue the IOA, provided a suitable DAPM referenced in the IOA has been prepared by the candidate (as per Section 6.2.4).

In case the applicant is found unsuitable, the PM must discuss with the MDMO and then inform the applicant the reasons for such a decision.

6.3.4 Regulation 21.007A of CASR

Note: Subpart 21.M of CASR authorised persons, at the discretion of the MDMO (appointing delegate), can be appointed for regulation 21.007A of CASR authorisation without any further assessment.

7. Entry control – Initial application process

7.1 Overview

This section describes the DMO section's entry control activities related to an individual (applicant) applying for and being considered and assessed by CASA for an initial appointment to exercise aircraft design approval-related powers as an authorised person. These entry control activities comprise processes for the initial application, review, assessment and recommendation of an appointment.

Refer to Principle (DEL.01) Managing aircraft design approval-related authorised persons for details of the DMO section's activities related to managing any subsequent renewals of aircraft design-related IOA.

Initial application process

The initial application process includes the following sequence of lower-level operational activities (at Figure 2) that incorporate the key steps the DMO section performs to record, review and assess an initial application and approve an appointment to exercise CASA's aircraft design approval-related powers.

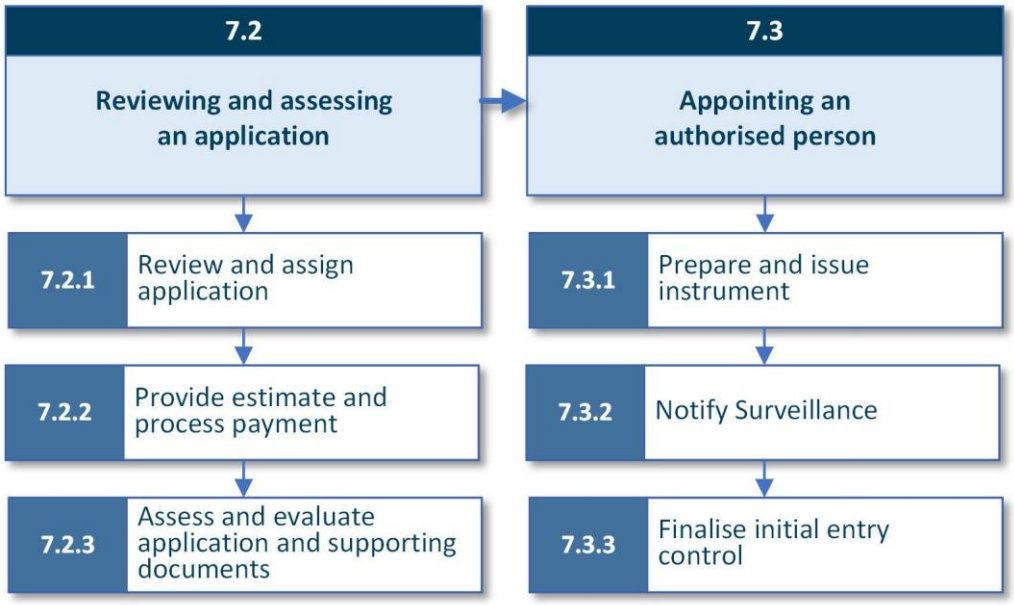

Figure 2. Initial application process for appointment as an authorised person

The initial application process for appointment to exercise an aircraft design approval-related authorisation incorporates:

- 7.2 – Reviewing and assessing an application: The review and assessment process the DMO section performs to evaluate an initial application in support of CASA's determination to issue, limit or not issue the design approval-related authorisation being sought.
- 7.3 – Appointing an authorised person: The process the DMO section performs to manage the approval or rejection, issue the IOA certificate to the applicant and inform CASA Surveillance.

7.2 Reviewing and assessing an application

When an initial application is received, the RSO creates a new EAP case and assigns the application to the manager, design and manufacturing oversight (MDMO) for a preliminary review.

Note: For detailed EAP procedures, refer to the EAP OAS Case Management - Airworthiness and Engineering Branch (AEB) Handbook and Section 6.2.7 in this principle document.

The review and assessment process includes the sequence of activities performed to review and evaluate an application for appointment to exercise CASA's aircraft design approval-related powers as an authorised person. The process enables the DMO section to review and compare the applicant's qualifications and experience to the appointment criteria and supports CASA's determination to recommend appointment or refusal. The review and assessment process incorporates:

- 7.2.1 – Review and assign application: The steps performed to review the application and supplied supporting documentation to ensure that all necessary information has been provided to CASA.
- 7.2.2 – Provide estimate and process payment: The steps performed to confirm the cost estimate, advise the applicant and process and record the applicant's payment.
- 7.2.3 – Assess and evaluate application and supporting documents: The steps performed to assess and evaluate the application and supporting documentation and suitability of the applicant to determine if there is a need for the requested IOA.

7.2.1 Review and assign application

The project manager (PM) (certification engineer) performs the following steps when they receive an EAP case notification from the RSO to review an initial application.

Step	Action
1.	Conduct a preliminary review of the application to confirm: • if the applicant has provided all required information and supporting documents. • the applicant's qualifications and experience. If the applicant is not qualified to hold an IOA, refuse the application and inform applicant (as per Section 7.2.3.1, step 3).

7.2.2 Provide estimate and process payment

The PM performs the following steps to determine an initial cost estimate for an initial application.

Step	Action
1.	Based on the information provided in the application form and supporting documentation, determine an initial estimate of the costs (fee) of processing the application for an IOA. The cost estimate is based on the time required to process the application at the hourly rate prescribed in the *Civil Aviation (Fees) Regulations*.

Step	Action
2.	Forward the final cost estimate (as hours) to the RSO.

The RSO sends the cost estimate to the applicant and processes payment as per Section 6.2.7.3 and the EAP OAS Case Management - Airworthiness and Engineering Branch (AEB) Handbook. When payment (or a purchase order) is received, the RSO assigns the case to the PM (certification engineer).

7.2.3 Assess and evaluate application and supporting documents

7.2.3.1 Assess application

The PM performs the following steps to assess an initial application and supporting documents.

Step	Action
1.	Review the application for general qualifications, experience and training to ensure the applicant has the appropriate qualifications, knowledge and experience, as detailed in the appointment criteria for the specific IOA. Request the draft DAPM and samples of work from the applicant.
2.	Assess the applicant's submitted DAPM and samples of work against the relevant document criteria. Request specialist input as required. If the samples of work are: • not acceptable, proceed to step 3 to prepare a standard form of recommendation (SFR) for the MDMO to advise and discuss if refusal of the application is warranted. • acceptable, proceed to Section 7.2.3.2 to prepare for an interview.
3.	Prepare an SFR for the MDMO regarding the assessment of the samples of work to confirm a possible recommendation to refuse the application.
4.	Discuss the SFR and options with the MDMO to confirm appropriate actions.
5.	If the appropriate action is: • to refuse the application: – inform the applicant of the decision by email (cc. RSO) – advise the RSO by email to close the EAP case (task) and refund balance for cost estimate. • accept the application, proceed to Section 7.2.3.2 to prepare for an interview. The MDMO can also perform this step.

The RSO finalises the EAP case and processes the pro rata refund of the cost estimate as per Section 6.2.7.3 and the EAP OAS Case Management - Airworthiness and Engineering Branch (AEB) Handbook.

7.2.3.2 Prepare for and conduct interview

The PM performs the following steps to prepare for and conduct an interview with the applicant.

Step	Action
6.	Discuss selection of the interview panel with the MDMO.
7.	Liaise with the applicant and interview panel to determine a date for the interview.
8.	Send the interview questions to the applicant prior to the interview.

Step	Action
9.	Advise applicant of any required changes to their DAPM.
10.	Conduct the interview with the applicant by: • following the interview format at Appendix A – and guidelines in Section 6.2.6 • recording comments and assessments. **Note:** It is critical that an authorised person is familiar with the scope, limits and conditions stated on the IOA and has appropriate qualifications, knowledge and experience.
11.	Advise the applicant of required changes to DAPM, if not done previously.

7.2.3.3 Finalise assessment and prepare recommendation

The PM performs the following steps to finalise the assessment and prepare a recommendation.

Step	Action
12.	Prepare a report (interview record) with a final recommendation for the application in consultation with the interview panel (and MDMO).
13.	Prepare the final standard form of recommendation (SFR) using the standard format.
14.	Draft the IOA in EAP if the recommendation is to issue the instrument.
15.	Upload the following documents to RMS: • the report • SFR. Assign the EAP case to the MDMO (appointing delegate) for review with the RMS reference.

7.2.3.4 Approve recommendation

The MDMO (appointing delegate) performs the following steps to review and approve the PM's recommendation.

Step	Action
16.	Review the PM's recommendation report, SFR and draft IOA in EAP.
17.	Consult with the PM if edits are required, and subsequently incorporated.
18.	Approve recommendation, sign the SFR and upload the documents to RMS.
19.	If application for IOA is • approved: – approve the IOA in EAP – assign the activity in EAP to the RSO with instructions to finalise cost recovery and issue the instrument – proceed to Section 7.2.3.5. • refused, proceed to step 18.

The PM performs the following steps to refuse the application.

Step	Action
20.	Send letter/email to applicant advising them of refusal to issue an IOA.

7.2.3.5 Finalise the EAP case

The PM performs the following steps to finalise the EAP case.

Step	Action
21.	Enter the total PM/MDMO hour estimates in the RSO spreadsheet (provided by the RSO) and provide to the RSO.

The RSO finalises the EAP case and reconciles the final cost estimate as per procedures in the EAP OAS Case Management - Airworthiness and Engineering Branch (AEB) Handbook and Section 6.2.7.3 in this principle document (i.e. If there is a difference between the actual costs incurred in assessing the application against the initial estimated costs). The RSO also sends a letter/email to the applicant advising them of refusal to issue an IOA.

7.3 Appointing an authorised person

The final appointment process includes the sequence of activities the DMO section performs to prepare and issue the IOA to the applicant and manage their initial appointment as an aircraft design approval-related authorised person. The process for appointment to exercise aircraft design approval-related powers as an authorised person incorporates:

- 7.3.1 – Prepare and issue instrument: The steps performed to prepare and issue the final IOA to the applicant.
- 7.3.2 – Notify Surveillance: The steps performed to notify Surveillance and add the authorised person's details to the National Surveillance Selection Process (NSSP) to manage ongoing surveillance events.
- 7.3.3 – Finalise entry control: The steps performed to finalise the initial entry control, application process and close the EAP case for the application.

7.3.1 Prepare and issue instrument

The RSO performs the following steps to prepare and issue the final IOA.

Step	Action
1.	Prepare the final IOA for the EAP case file, incorporating any changes recommended by the MDMO/PM during their final assessment of the application. The instrument serves as the official statutory appointment under the CASRs and should include all relevant details and conditions for each respective appointment (e.g. relevant CASA powers, authorised person's obligations, limitations and expiration).
2.	Send an email to the applicant with: • the final IOA (PDF certificate from EAP) • a statement of reason(s) for any variation to the original application.

7.3.2 Notify Surveillance

The RSO performs the following steps to notify Surveillance when the IOA has been issued and the authorised person appointed.

Step	Action
1.	Notify Surveillance if an IOA has been issued.

Step	Action
	Send an e-mail to surveillance@casa.gov.au with the case number, job type, RMS reference and (if applicable) safety finding number.

The surveillance technical officer (STO) performs the following steps when they are notified that a new IOA has been issued and authorised person appointed.

Step	Action
2.	Access the Sky Sentinel system and enter details of the authorised person and the relevant IOA (and any specific conditions or limitations). **Note:** Sky Sentinel does not record individuals when they are listed on an IOA addressed to an organisation. In this situation, Surveillance will only need to add an organisation (in the case of an entirely new IOA) or update the IOA revision number (in the case of a revised IOA) due to a new individual being added to it. New surveillance events can then be initiated for an authorised person based on planning in the NSSP annual planned surveillance schedule and planning meetings. For more information, refer to the National Surveillance Selection Process (NSSP) Manual and CASA Surveillance Manual.

7.3.3 Finalise initial entry control

The RSO performs the following steps to finalise the appointment process.

Step	Action
1.	Update the CASA web delegate search engine to include the new authorised person or design organisation that they work for (subject to agreement from the authorised person/ADO).
2.	Finalise the EAP case as per procedures in the EAP OAS Case Management - Airworthiness and Engineering Branch (AEB) Handbook.

8. Entry control – Pre-application training

8.1 Overview

This section describes the DMO section's activities and requirements related to initial (mandatory) pre-application training in the EDAP module undertaken by individuals to support their initial application for appointment to exercise CASA aircraft design approval-related powers.

8.2 External delegate and authorised person module

Individuals applying to CASA for initial appointment to exercise aircraft design approval-related powers as an authorised person must complete and show evidence that they have completed the CASA EDAP module in AviationWorx.

The CST developed the training module for all CASA EDAP and the training is designed to provide some foundational information to persons undertaking the role of an EDAP, through a self-paced learning experience. The module provides potential EDAP with an overview of the legal and legislative requirements when applying to become an EDAP and aims to provide these applicants with awareness of the scope, obligations, and limitations of their delegation/authorisation.

As well as navigating through the relevant regulations and supporting resources, the module provides a series of 'action items' to help with considering what is needed in exercising the powers of an EDAP. As the module is a self-paced learning experience that can be conducted at a pace that suits each learner, there is no specific duration given for completion of the module.

Note: Legislation and resources that are specific to the aircraft design approval-related powers that are being exercised as an authorised person, are not covered by this training module.

The LIRA Division is responsible for the legal content and ongoing management of the training module.

The CASA Training Operations team is responsible for general training enquiries, accessibility and assistance at training.admin@casa.gov.au.

Note: At the time of application/assessment, (initial and renewal) an applicant must have completed the CASA EDAP module and satisfied any relevant recurrency requirements that are applicable to the training. The applicant must complete the training module prior to attending any required interviews.

8.3 Pre-application training process

8.3.1 Overview

This section describes the DMO section's initial pre-application training activities related to an individual completing the mandatory CASA EDAP module training to support their application for appointment to exercise aircraft design approval-related powers as an authorised person.

For more information, refer to Section 3 in Principle (DEL.01) Managing aircraft design approval-related authorised persons, for details of the recurrent training requirements.

The pre-application training process includes the following sequence of lower-level operational activities (at Figure 3) that incorporate the key steps the:

- certification engineer (PM) performs to:
  - invite an applicant to complete the CASA EDAP module
  - record training details
- applicant performs to enrol and complete the module
- Training Branch performs to process applications for training.

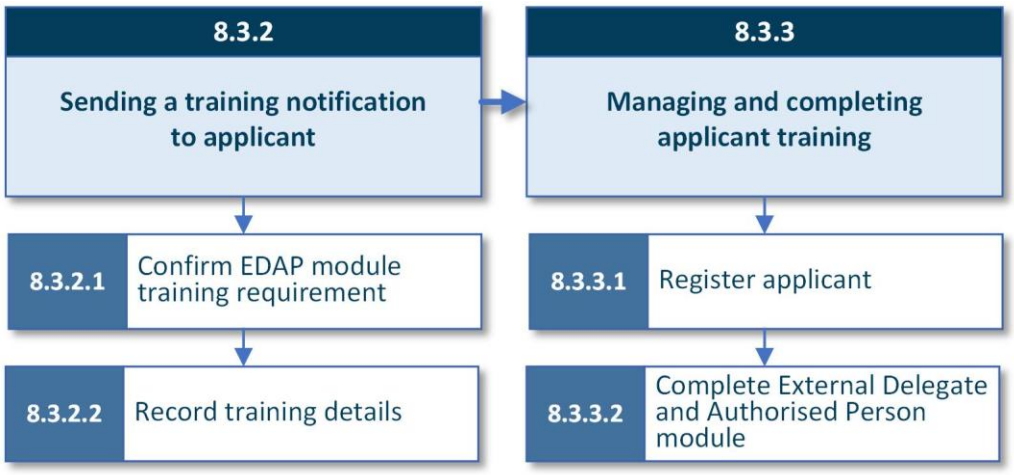

Figure 3. Pre-application training process for appointment as an authorised person

The pre-application training process incorporates:

- 8.3.2 – Sending a training notification to applicant: The steps performed to send a notification to the applicant confirming the requirement for CASA EDAP module.
- 8.3.3 – Managing applicant training: The steps the Training Branch performs to set up the applicant and register them in the module and the applicant performs to complete the CASA EDAP module in AviationWorx.

When an initial application for initial appointment to exercise aircraft design approval-related powers as an authorised person is received, the RSO creates a new EAP case in the EAP system and assigns the application to the MDMO for an initial review. The MDMO then assigns the application to a PM (certification engineer).

8.3.2 Sending training notification to applicant

8.3.2.1 Confirm EDAP module training requirement

The PM performs the following steps when they receive an EAP case notification from the MDMO to review a new application.

Step	Action
1.	Conduct a review of the application and the applicant's qualifications and experience and process the application as per Section 7.2.1.
2.	Send a notification email to the applicant (cc. the Training Branch at training.admin@casa.gov.au) with: • a link to the EDAP module in AviationWorx • instructions for setup and access and completion of the training module **Note:** Applicants will need to have a myCASA account and aviation reference number (ARN) to access AviationWorx. They will also need to link their accounts and ARN within myCASA. • confirmation of the next steps in the application process when the applicant has completed the training module.

8.3.2.2 Record training details

The PM performs the following steps to record the training details for the applicant.

Step	Action
3.	Add the relevant training details when preparing the SFR (including the date the training notification email was sent to the applicant).
4.	Upload a copy of the notification email to RMS (for the relevant organisation).

8.3.3 Managing and completing applicant training

8.3.3.1 Register applicant

The Training Branch performs the following steps to register and set up applicants to support their application for CASA appointment to exercise CASA aircraft design approval-related powers.

Step	Action
1.	Access the CLASS system and: • register the applicant's details • set up a new account in AviationWorx • enrol the applicant in the EDAP module.
2.	Send an acknowledgement email to the applicant with: • confirmation of their course registration details • AviationWorx account and access details to commence the training.

8.3.3.2 Complete External delegate and authorised person module

All applicants perform the following steps to complete the EDAP module to support their application for CASA appointment to exercise CASA aircraft design approval-related powers.

Step	Action
1.	Access AviationWorx using the new account details and complete the mandatory EDAP module. **Note:** Each applicant will have their own account and be able to track their progress.
2.	On successful completion of the training, the applicant receives a formal certificate of completion (they can print as a PDF) and provides this to the PM to support their application.

9. Responsibilities of an authorised person

9.1 Overview

This section describes the responsibilities and obligations of aircraft design approval-related authorised persons when exercising CASA's powers, including:

- mandatory responsibilities
- liability for the conduct of authorised persons
- fit and proper person requirements
- managing conflicts and questions.

9.2 Mandatory responsibilities

9.2.1 Understanding the application process

The application process for appointment as an authorised person requires the applicant to:

- complete and submit an application through the CASA application process, along with any relevant supporting evidence (i.e. appointment criteria).
- complete the relevant generic training requirements (i.e. the EDAP module) prior to the application process and appointment
- be subject to an assessment and if necessary, interview by CASA
- consider and declare any CASA delegations and/or authorisations previously held by the applicant (if any), including the activities undertaken by the applicant in exercising any such powers.

Note: The assessment process may also involve an interview. CASA must provide written notice if such is required.

9.2.2 Exercising CASA powers

Critically, there are 3 key conditions that an authorised person must observe once they are appointed.

Authorised persons:

- are responsible in the same way as CASA officers are when exercising powers
- have a duty to perform their regulatory functions with reasonable care and diligence
- must ensure that the functions they perform are in accordance with the law.

Note: The obligations and prerogatives of authorised persons in the exercise of their aircraft design approval-related powers and the performance of their functions are governed by law. It is critically important that CASA and authorised persons understand the nature and implications of the laws and statutory obligations (such as the *Freedom of Information Act*, the *Archives Act*, etc.) governing their activities.

An authorised person should also:

- act in a manner that positively reflects CASA at all times.
- conduct only those activities within the scope of the instrument, knowing there may be serious ramifications if an authorised person involves themselves in a decision or process that is outside the scope of their instrument
- follow all requirements found in the regulations and guidance related to the functions they perform
- maintain technical skills and knowledge specific to the authorisation held
- exhibit a high degree of integrity, responsibility and professionalism.

All authorised persons must be familiar with and have ready access to all appropriate CASA publications and documentation and should not exercise any power until the necessary access has been obtained.

Once appointed, the authorised person must uphold their obligations when exercising their powers, which includes:

- act within the law
- operate within jurisdiction
- provide procedural fairness
- exercise power reasonably
- form reasonable opinions
- be accountable for decisions
- be transparent in process.

Hence, when exercising conferred powers, authorised persons should consider the following points to make a lawful and transparent decision:

- Do I have the power to make the decision I'm asked to make?
- What are the limits of my powers?
- What are the applicable statutory criteria?
- Are there any applicable CASA guidelines/policies?
- What are the relevant written conditions and directions?
- What are the relevant considerations when making this decision?
- I will independently exercise my authorisations with discretion and without interference
- Safety will be my primary consideration
- I will document my reasons for all decisions
- I will seek advice and/or peer review if I have any doubts with my decision making
- Is the use of my authorisation required for making this decision?

Note: A person that has been appointed as an authorised person is responsible to ensure that any actions they take are undertaken strictly in accordance with the terms of the authorisation and do not exceed the legislative power delegated to them or conferred upon them. Further information on authorisations and exercise of powers by authorised persons is available in the CASA Enforcement Manual.

9.2.3 Oversight

During the term of their appointment, an authorised person must be subject to monitoring by the DMO section. This is to ensure that assigned authorised functions are being performed in accordance with the appropriate regulations, policies, and procedures. In performing oversight functions, the DMO section uses the tools listed at Section 5.2.2 in Principle (DEL.01) Managing aircraft design approval-related authorised persons, to assure that the authorised person properly exercises their power.

9.2.4 Compliance with the rules

CASA conducts surveillance to monitor the ongoing safety of organisations or individuals who hold an authorisation. In the event of a breach of the rules, CASA must use the most appropriate enforcement option to manage the non-compliance. Enforcement options are exercised in accordance with CASA's Enforcement Manual, Surveillance Manual and Regulatory Philosophy.

9.2.5 CASA's Regulatory Philosophy

The philosophy sets out the principles underpinning the way CASA performs its functions, exercises its power and engages with the aviation community.

Consistent with CASA's obligation to comply with the laws governing its regulatory activities, CASA's Regulatory Philosophy sets out the principles that guide and direct CASA's approach and the approach of its authorised persons to the performance of its regulatory functions and the exercise of its regulatory powers. Fidelity to these principles will be reflected in CASA's regulatory policies and practices and will extend to the fullest extent possible to all aspects of CASA's engagement with the wider aviation community.

9.2.6 Renewal of an authorisation

As the expiration of an IOA approaches, the authorised person may apply for a renewal of the authorisation. In such cases, the application is subject to the processes as prescribed by CASA, namely the DMO section as the RBU that is responsible for making such appointments.

When assessing an application for renewal, CASA may consider the following:

- Renewal of an authorisation is also subject to CASA's determination of the continued need for and ability to manage the authorised person.
- CASA may revoke an authorisation if it determines that the appointment is not warranted.
- Authorised persons who have authorisations revoked based on misconduct will in general not be reappointed.
- Whether the authorised person's DAPM continues to meet the current requirements.

> For more information, refer to Section 7 in Principle (DEL.01) Managing aircraft design approval-related authorised persons.

9.2.7 Revocation of an authorisation

The powers appointed to an authorised person may be revoked (cancelled) due to a variety of reasons. The following are some of the circumstances which may warrant the revocation of, or refusal to reissue, an authorisation:

- The authorised person may decide they no longer wish to exercise the powers with which they have been appointed and/or may decide not to renew their instrument once expired.
- CASA may revoke powers, for a variety of reasons including legislative changes, changes to industry needs, as an outcome of enforcement processes.
- Unforeseen circumstances such as long-term illness.
- The holder is deceased.

- Retired / change of employment—typically applies to an authorised person who works for a company and their instrument is tied with that company.
- By the request of the authorised person or their employer.
- Lapse of qualifications—when CASA finds the authorised person's qualifications for a specific activity have lapsed.
- Associated approval suspension, revocation, or cancellation—when another approval is required as a basis for the appointment of the authorisation and that approval is suspended, cancelled or revoked.
- Lack of care, judgement, or integrity—when CASA finds the authorised person has not demonstrated the care, judgement, or integrity necessary to exercise the authorisation properly.
- Lack of CASA need or ability to manage—CASA no longer needs the services of the authorised person or no longer has the resources to manage the authorised person.
- Unsatisfactory performance—when CASA finds that the authorised person has not properly exercised or satisfactorily performed the duties of the appointment.
- For misconduct—when an authorised person deliberately contravenes the regulations or exercises their powers with reckless disregard for safety or when an unrelated CASA appointment has been revoked due to misconduct
- Any other appropriate reason—any other reason considered appropriate by CASA.

When determining whether to revoke (or recommend revocation of) an authorisation based on performance-related issues, the DMO section may want to consider options to aid in improving the authorised person's performance to a satisfactory level. These options include counselling, providing training, recommending additional training, closely monitoring the authorised person's work activities for a determined amount of time, and reducing the authorised areas/functions.

If the DMO section determines that the authorised person has not improved to CASA's satisfaction, then the authorisation will be revoked (or a recommendation made for revocation).

In any case, the DMO section will be accountable for managing the cessation of an authorised person's powers, in accordance with their subject matter-specific processes.

For more information, refer to Section 9 in Principle (DEL.01) Managing aircraft design approval-related authorised persons.

9.3 Liability for the conduct of authorised persons

Note: While authorised persons are individually liable for their acts and omissions, CASA has undertaken to indemnify them for claims arising out of the performance of their authorised duties and limited to negligent conduct. However, this indemnity does not extend to conduct that is wilful, deliberate, reckless, or grossly negligent.

For more information, refer to the CASA Enforcement Manual.

9.4 Conflicts and questions

9.4.1 Seeking a remedy

A person who considers that they have been the victim of an unfair decision may seek a remedy under various Commonwealth Acts, such as:

- *Administrative Appeals Tribunal Act 1975*
- *Administrative Decisions (Judicial Review) Act 1977* (ADJR Act) or *Judiciary Act 1903* section 39B.

Other avenues for remedy are:

- review of decisions by the Commonwealth Ombudsman
- review of decisions by CASA's Industry Complaints Commissioner
- request for information under the Freedom of Information
- reliance on anti-discrimination legislation
- a civil action for damages resulting from unlawful or improper decision-making.

9.4.2 Remedies under Commonwealth Acts

9.4.2.1 Merits Review under the Administrative Appeals Tribunal Act 1975

In most circumstances, an authorised person's action may be reviewed by the *Administrative Appeals Tribunal (AAT)* under the *Administrative Appeals Tribunal Act 1975*. This is a review of the decision on the merits of the case, or 'merits review', and the AAT decides what is the correct or preferable decision in the circumstances. The AAT's jurisdiction in relation to decisions of CASA is set out in subregulation 297A(31) of CAR and regulation 201.004 of CASR, as well as section 31 of the *Civil Aviation Act 1988* (the Act).

9.4.2.2 Judicial Review in the Federal Court

A person affected by a particular decision may seek a 'judicial review' (a review by the Federal Court) of that decision. A person may institute proceedings in the Federal Court for a review of the legality of an authorised person's decision under the *Administrative Decisions (Judicial Review) Act 1977* (ADJR Act) or *Judiciary Act 1903* section 39B. A person may also appeal to the Federal Court on a question of law from a decision made by the AAT.

The court looks at the legality of the decision which it is called upon to review, and most often the process for making the decision, without considering whether the decision was the correct or preferable decision in the circumstances. All decisions made, or claimed to be made, by an authorised person under the Act, CAR and CASR and under the *Civil Aviation Orders (CAO)* are subject to judicial review. In judicial review there is no consideration of the merits of the case, only whether the decision was lawfully made.

9.4.3 Review by the Commonwealth Ombudsman

Under the *Ombudsman Act 1976*, the Commonwealth Ombudsman functions as a watchdog over administrative decision-making, by investigating complaints and making recommendations to the agency whose actions are being investigated. The Ombudsman has wide-ranging powers to obtain information.

The types of administrative actions that may be investigated include the making of a decision, the making of a recommendation, the formulation of a proposal, and the failure or refusal to do any of these things.

The Ombudsman has no power to set aside an administrative decision, or to substitute their own decision. They must determine if there has been any defect in the administrative action and to report that fact, along with recommendations to the appropriate agency (CASA).

The Ombudsman may consider that an administrative decision was defective for a number of reasons including that it:

- appears to be contrary to law
- was unreasonable, unjust, oppressive or improperly discriminatory
- was in accordance with a rule of law, a provision of an enactment or a practice, but the rule, provision or practice may be unreasonable, unjust, oppressive or improperly discriminatory
- was based either wholly or partly on a mistake of law or of fact
- was otherwise, in all the circumstances, wrong.

If, after reporting to CASA any instance of defective administration, no appropriate action is taken, the Ombudsman may bring the matter to the attention of the responsible Minister and the Parliament.

9.4.4 Industry Complaints Commissioner (ICC)

The primary role of the ICC is to provide members of the industry, the wider aviation community and the public with a way to make a complaint about the behaviour of CASA personnel and industry authorised persons, and to ensure that legitimate complaints are objectively considered, effectively addressed and fairly resolved in a timely fashion.

The ICC operates independently of CASA's technical and operational line management, under the guidance and, where necessary, the direction of CASA's Ethics and Conduct Committee.

The ICC's functions complement but do not replace or supersede those of the Commonwealth Ombudsman, the Administrative Appeals Tribunal or the Federal Court.

The ICC has no power to set aside decisions or to issue orders to persons administering legislation but can express an opinion about whether or not any decision under consideration has been arrived at properly. In general, the ICC does not investigate decisions which are amenable to AAT or Federal Court review.

9.4.5 Discrimination

If an authorised person takes into account such things as a person's race or gender when making a decision, he or she may expose the action to judicial review under the ADJR Act, where such matters are 'irrelevant considerations'. In addition, the authorised person who makes such a decision may have breached relevant provisions of the Commonwealth's racial discrimination or sex discrimination legislation. These provisions must be borne in mind when authorised person exercises any powers under the Act and CAR.

The *Racial Discrimination Act (1975)* outlaws racial discrimination. The act aims to ensure that everyone enjoys human rights and fundamental freedoms regardless of race, colour, descent, place of origin, ethnic origin or, in some cases, immigrant status.

The *Racial Hatred Act (1995)* extends the coverage of the *Racial Discrimination Act* to allow people to complain to the Australian Human Rights Commission about offensive, insulting, humiliating or intimidating behaviour based on race, colour, or national or ethnic origin.

The *Sex Discrimination Act (1984)* makes it unlawful to discriminate against a person because of their sex, marital status, pregnancy or potential to become pregnant; or to dismiss a person from their job because of their family responsibilities; or to sexually harass a person.

The *Disability Discrimination Act 1992*, which prohibits a person from treating another less favourably because of that person's disability.

9.4.6 Civil Liability—Actions against CASA or authorised persons

A person may be so dissatisfied with actions of CASA that they may decide to sue CASA for negligence or for breach of a legally recognised right. Advice regarding the law relating to negligence or the circumstances under which CASA (and in some cases a delegate) may be found liable for damages as a result of a failure to observe the rules and principles of administrative law should be sought from LIRA as necessary. Where it can be shown that, in the process of exercising the decision-making powers under legislation, authorised person has acted negligently, CASA may be held liable to pay the costs associated with any harm or injury a person may have suffered as a direct and proximate result of that action or, as the case may be, a failure to act.

9.4.7 Protection of authorised persons

Authorised persons may be personally liable for their actions as authorised persons. They can be sued in a civil court or in a criminal court. CASA will indemnify authorised persons against any liability or loss arising from the exercise of powers or the performance of functions carried out on behalf of CASA, where those powers or functions are within the scope of the authorisation.

CASA will not indemnify authorised persons against liabilities or losses arising from the exercise of powers or the performance of functions which are outside the scope of the authorisation, or which are exercised or performed with reckless disregard. Authorised persons will need to advise CASA of legal claims for damages against the authorised person, which may require CASA to make a claim against CASA's insurance.

Appendix A – Interview formats

A.1 Introduction

The following sub-sections in Appendix A contain the general interview formats to be followed when interviewing applicants for appointment to exercise the following CASA aircraft design approval-related IOA:

- Subpart 21.M of CASR
- regulation 21.009 of CASR
- subregulation 21.120B of CASR
- subregulation 21.006A of CASR
- regulation 21.007 of CASR
- subregulation 21.007A of CASR
- regulation 21.095 of CASR.

The substantive elements of the interview may be varied for other IOA, noting that all design approvals involve finding of compliance to design requirements. A reasonable understanding of the manufacturing-related regulations is required for Australian parts manufacturer approval (APMA)-linked design approvals.

Note: Each applicant for an authorisation to approve changes in type design must attend an interview with the appropriate CASA DMO section staff to confirm their qualification, knowledge, and experience for the authorisation.

The interview will involve 2 components:

- The first component is to establish an applicant's understanding of the Australian civil aviation regulatory framework, especially in relation to certification.
- The second component is confirmation of an applicant's technical experience with an emphasis on major/minor determinations and the design approval process.

This will involve the applicant answering questions to demonstrate their knowledge of the subject.

Note: Refer to Section 6.2.6 for general interview requirements.

A.2 Subregulation 21.009(2) for paragraph 21.009(1)(ca) and regulation 21.120B of CASR

A.2.1 Interview details

Applicant

Applicant	Details
Applicant name:	
Applicant ARN:	
Date of interview:	

Interview Panel

Interview conducted by:

Panel members	Details
1. Chair:	
2. Member:	
3. Member:	

Required applicant documentation

Original (or certified true copy) of engineering degree certificate sighted (for candidates not holding another design approval authorisation) ☐ Yes ☐ No

> **Note:** If the applicant already has authorisation for subregulation 21.009(2) and Subpart 21.M of CASR, the Interview Panel may only require the applicant to undertake a partial interview.

Interview objectives

To assess the applicant's technical and regulatory knowledge with respect to approving changes to STCs pursuant to subregulation 21.009(2) of CASR for the purpose of paragraph 21.009(1)(ca) and regulation 21.120B of CASR.

A.2.2 Interview areas

Regulatory structure

Applicants should demonstrate a good understanding of the regulatory structure comprising ICAO, the *Civil Aviation Act 1988* (the Act), *Civil Aviation Safety Regulations 1998 (CASR)*, *Civil Aviation Regulations 1988 (CAR)*, Manuals of Standards (MOS), *Civil Aviation Orders (CAO)*, and advisory material etc. Also concepts of 'head of power' and the lines of responsibility and obligations of an IOA holder.

Record and comments	Details
Comments:	
Assessment:	

Certification basis

Design standards and concept of airworthiness. Applicants should demonstrate familiarity with the process of identifying the certification standards, the concept of type design, familiarity with TC, STC, TSO, ATSO, APMA, modifications and repairs. Familiarity with the TCDS, special conditions, exemption and equivalent level of safety. Part 90 of CASR requirements. Familiarity with certification and operational categories of aircraft, airworthiness directives, MELs, operational requirements and approved data. Distinction between the design, showing compliance and finding of compliance is to be explored.

Record and comments	Details
Comments:	
Assessment:	

Major and minor classification

Applicants must demonstrate a good understanding of major/minor classification including AC 21-12 – Classification of design changes with respect to their engineering specialities.

Record and comments	Details
Comments:	
Assessment:	

Finding of compliance

Applicants must demonstrate an understanding of the technical data, compliance matrix, advisory materials, and the changed product rule. Familiarity with CASA Form 979 - Statement of compliance and a good understanding of regulations 21.033 and 21.053 of CASR.

Record and comments	Details
Comments:	
Assessment:	

Case studies of compliance

Samples of design work carried out by the applicant are to be reviewed and compliance requirements explored. Applicants should demonstrate adequate engineering knowledge of the specialities considered to make an assessment of data presented. Adequacy of compliance finding to be explored in the samples.

Record and comments	Details
Comments:	
Assessment:	

Paragraph 21.009(1)(ca), subregulation 21.009(2) and regulation 21.120B of CASR approved procedures

Applicants must demonstrate familiarity with CASA approved procedures for exercising the authorisation.

Record and comments	Details
Comments:	
Assessment:	

Instrument of appointment

Identify the scope of the IOA (conditions and limitations). Discuss regulations 201.001 and 11.56 of CASR requirements. Review of IOA, period of validity of the IOA, privileges, etc.

Note: If the applicant is unlikely to be successful, indicate at this stage the deficient area and suggest corrective actions.

Record and comments	Details
Comments:	
Assessment:	

Surveillance of the instrument of appointment activities

Discuss the surveillance program with the applicant covering risk-based surveillance, special surveillance, approval activity report. Safety findings and response to safety findings and safety observations.

Record and comments	Details
Comments:	
Assessment:	

A.2.3 Feedback and recommendations

Feedback

1. Summarise the interview conclusions
2. Identify the areas for further improvement and/or training as applicable.

Record	Details
Feedback:	

Final recommendation

Make a recommendation to the regulation 201.001 of CASR appointing delegate (MDMO) on the scope and speciality for the applicant.

Record	Details
Recommendation:	

A.3 Subregulation 21.009(2) for paragraph 21.009(1)(f) of CASR

For paragraph 21.009(1)(f) of CASR instrument of appointment (new or alteration).

A.3.1 Interview details

Applicant

Applicant	Details
Applicant name:	
Applicant ARN:	
Date of interview:	

Interview Panel

Interview conducted by:

Panel members	Details
1. Chair:	
2. Member:	
3. Member:	

Required applicant documentation

The following documentation must be produced at the interview:

1. Original and copy of engineering degree certificate (for new applicants)
2. CASA to review the earlier interview record (for IOA alterations).

Interview objectives

Noting that the applicants have already demonstrated extensive industry experience in designing modifications and repairs, the focus of the interview will be on assessing their capability in finding regulatory compliance of the designs. This task will require an understanding of the regulatory structure, the relevant design standards, what they may be authorised to approve, and the likely scope of their IOA.

The emphasis in the following interview areas varies depending on whether the applicant interview is for a new IOA or for an alteration.

A.3.2 Interview areas

Regulatory structure

1. Applicants should demonstrate an understanding of the regulatory structure comprising ICAO, the *Civil Aviation Act 1988* (the Act), *Civil Aviation Safety Regulations 1998 (CASR), Civil Aviation Regulations 1988 (CAR)*, Manuals of Standards (MOS), *Civil Aviation Orders (CAO)*, and advisory material etc.
2. Concept of 'head of power'

3. Familiarity with significant regulatory instruments such as current exemptions affecting design approval functions
4. Concept of ‘approved data’
5. Applicants should also demonstrate a thorough understanding of the lines of responsibility and obligations of an IOA holder.

Record and comments	Details
Comments:	
Assessment:	

Certification basis

This section deals with the general concepts. Specific issues related to regulation 21.405 of CASR etc. are dealt with later.

1. Familiarity with concepts of technical data (regulation 21.008 of CASR)
2. Design standards and concept of safety as enshrined in design standards. Design standard basis for maintenance manuals and flight manuals
3. Applicants should demonstrate familiarity with the process of identifying the certification standards, the concept of type design, familiarity with TC, STC, TSO, ATSO, APMA, modifications and repairs
4. Familiarity with the TCDS, significant elements of the TCDS such as special conditions, exemption, equivalent safety, in the context of the scope considered
5. CASA procedures for these to be discussed
6. Part 90 of CASR requirements
7. Design change approval procedures for PMA, APMA and TSO items are to be explored
8. Familiarity with certification and operational categories of aircraft, airworthiness directives, MELs, operational requirements approved data etc.
9. Distinction between the design and the finding of compliance is to be emphasised.

Record and comments	Details
Comments:	
Assessment:	

Regulations for the design approval of modifications and repairs

1. Concept of applicant and proposed airworthiness standard and applicable airworthiness standard. Subregulations 21.405(3) and (4) of CASR
2. Familiarity with CASA Form 442 - Application for modification or repair design approval
3. Discuss regulation 21.414 of CASR and exercise of this authorisation by the authorised person
4. Discuss regulation 21.416 of CASR and its exercise
5. Implications of subregulation CASR 21.425(2)
6. Discuss exercise of subregulation 21.430(1) authorisation by the authorised person
7. Knowledge of Subpart 21.M of CASR, equivalent safety determination

8. Discuss regulation 21.445 of CASR and its impact of revisions to engineering orders (EOs).

Record and comments	Details
Comments:	
Assessment:	

Major and minor determination

1. This aspect will be central for the IOA holders as they will be allowed to do minor modifications and repairs without consulting CASA
2. Applicants must demonstrate a thorough understanding of CASA guidelines on major/minor classification including familiarisation with AC 21-12 – Classification of design changes
3. Applicants must also demonstrate an understanding of regulation 21.093 of CASR.

Record and comments	Details
Comments:	
Assessment:	

Finding of compliance

1. Applicants must demonstrate an understanding of the compliance matrix, advisory materials, and the changed product rule
2. Recording of finding of compliance per paragraph 21.009(1)(f) of CASR. Approvals involving multiple authorised persons, and the role of the regulation 21.437 of CASR authorised person
3. Familiarity with CASA Form 979 - Statement of compliance
4. Familiarity with requirements of submitting a design advice (DA) (Form 655 – Design advice)
5. Continuing airworthiness information. Regulation 37 and subregulation 2A of CAR and Parts 39, 42 and 145 of CASR interactions
6. Familiarity with regulations 21.007 and 21.007A of CASR
7. Structure of the EO and essential data requirements.

Record and comments	Details
Comments:	
Assessment:	

FAR XX.1309 Equipment, systems, and installations

1. Purpose of xx.1309 analysis
2. Different failure classifications and consequences
3. Failure probability / likelihood, and its relation to the severity of failure classification

4. Severity of a single failure condition
5. Guidance material to support a finding of compliance against 1309
6. Function hazard assessment
7. Consideration of various aspects for conducting failure mode and effects analysis.

Record and comments	Details
Comments:	
Assessment:	

Case studies of compliance

1. Samples of design work carried out by the applicant are to be reviewed and compliance requirements explored
2. Applicants should demonstrate adequate engineering knowledge of the specialities considered to make an assessment of data presented
3. Adequacy of compliance finding to be explored in the samples
4. Documentation requirements before exercising of the authorisation.

Record and comments	Details
Comments:	
Assessment:	

Instrument of appointment

1. If the applicant is unlikely to be successful, indicate the deficient area and suggest corrective actions
2. Discussions on the interview so far and the comments noted earlier to identify the scope of the IOA. Data access arrangements are to be discussed
3. Speciality and limitations are to be discussed as appropriate
4. Discuss regulations 201.001 requirements.
5. Review of instrument, period of validity of the instrument, privileges, etc.
6. Structure of instrument.

Record and comments	Details
Comments:	
Assessment:	

Surveillance of the instrument of appointment activities

1. Discuss the surveillance program with the applicant covering risk-based surveillance, special surveillance, design approval activity report
2. Safety findings and response to safety findings
3. Safety observations.

Record and comments	Details
Comments:	
Assessment:	

A.3.3 Feedback and recommendations

Feedback

1. Summarise the interview conclusions
2. Identify the areas for further improvement
3. Suggest training and future focus areas and inform that these areas will be explored in the next interview.

Record	Details
Feedback:	

Final recommendation

Make a recommendation to the regulation 201.001 of CASR appointing delegate (MDMO) on the scope and speciality for the applicant.

Record	Details
Recommendation:	

A.4 Subpart 21.M (regulation 21.437) and regulation 21.006A of CASR

For Subpart 21.M (regulation 21.437) and regulation 21.006A of CASR instrument of appointment (new or alteration).

A.4.1 Interview details

Applicant

Applicant	Details
Applicant name:	
Applicant ARN:	
Date of interview:	

Interview Panel

Interview conducted by:

Panel members	Details
1. Chair:	
2. Member:	
3. Member:	

Required applicant documentation

The following documentation must be produced at the interview:

1. CASA to review the earlier interview record of paragraph 21.009(1)(f) of CASR authorisation
2. CASA to review any surveillance findings related to the applicant.

Interview objectives

The interview and evaluation for regulation 21.437 and 21.006A of CASR authorisations are to be viewed as part of a continuum of assessment process for design approval-related authorisations. The applicant typically already holds paragraph 21.009(1)(f) of CASR authorisation and there has to be documented evidence that the obligations under this authorisation have been diligently discharged.

Noting that the applicant already holds authorisation, the interview should demonstrate knowledge about regulations. Hence the interview format does not include CASA citing the regulations, but CASA asking the applicant to identify the relevant regulation.

The emphasis in the following interview areas varies depending on whether the applicant interview is for new IOA or for alteration.

A.4.2 Interview areas

Review of earlier approvals

1. A detailed review of earlier approvals is to be carried out
2. This review should document that the samples selected have met the standards of compliance finding in the speciality areas identified
3. This should also document that all of the applicable design requirements have been identified
4. Review any surveillance findings and acquittal of any safety findings by the authorised person.

Record and comments	Details
Comments:	
Assessment:	

Certification basis

1. Concept of proposed design standard and applicable design standard. Their links to TCDS data
2. Special conditions and changes to certification basis
3. Operational categories with special reference to restricted and limited category approvals
4. Approvals for experimental category aircraft
5. Australian unique additional airworthiness requirements
6. Alteration approval procedures for PMA, APMA and TSO items are to be explored.

Record and comments	Details
Comments:	
Assessment:	

Regulations for the design approval of modifications and repairs

1. Discuss conditions to be met prior to a regulation 21.437 of CASR approval
2. Discuss regulations related to conformity inspection, test witnessing and calibration
3. Discuss regulations related to equivalent safety determination
4. Conditions under which a design requirement can be exempted.

Record and comments	Details
Comments:	
Assessment:	

Major and minor classifications

1. This aspect will be central for the IOA holders as they will be allowed to do minor modifications and repairs without consulting CASA
2. Applicants must demonstrate a thorough understanding of CASA guidelines on major / minor classification (CASA AC 21-12 - Classification of design changes)
3. Regulatory basis for design advice condition and structure of design advice. CASA regulation related to major/minor definition
4. Major/minor classification involving multiple specialities.

Record and comments	Details
Comments:	
Assessment:	

Finding of compliance

1. Review procedure of compliance finding carried out by paragraph 21.009(1)(f) of CASR authorised person
2. Role of regulation 21.437 of CASR AP on approvals involving multiple specialities
3. Continuing airworthiness information, Regulation 37 and subregulation 2A of CAR and Parts 39, 42 and 145 of CASR interactions
4. Familiarity with approvals related to unrepaired damage
5. Structure of the EO and essential data requirements.

Record and comments	Details
Comments:	
Assessment:	

FAR XX.1309 Equipment, systems, and installations

1. Purpose of xx.1309 analysis
2. Different failure classifications and consequences
3. Failure probability / likelihood, and its relation to the severity of failure classification
4. Severity of a single failure condition
5. Guidance material to support a finding of compliance against 1309
6. Function hazard assessment
7. Consideration of various aspects for conducting failure mode and effects analysis.

Record and comments	Details
Comments:	

Record and comments	Details
Assessment:	

Flight manual supplements

1. Basis for FMS under design requirements (FAR 23 etc.)
2. FMS as basis for compliance finding.
3. FMS formatting requirements, mandatory part of the FMS.
4. FMS and placard linkages.

Record and comments	Details
Comments:	
Assessment:	

Design documentation

1. Recording of final design approval, structure of the engineering order
2. Approval of drawings
3. Regulatory basis for instructions for continued airworthiness
4. Changing the mandatory part (Chapter 4 or 5 of maintenance manual) of ICA
5. Mandatory requirements such as inspections related to alterations
6. ‘Authority to mandate’ issues.

Record and comments	Details
Comments:	
Assessment:	

Instrument of appointment

1. If the applicant is unlikely to be successful, indicate the deficient area and suggest corrective actions
2. Discussions on the interview so far and the comments noted earlier to identify the scope of the IOA. Data access arrangements are to be discussed
3. Speciality and limitations are to be discussed as appropriate
4. Discuss regulation 201.001 requirements
5. Review of instrument, period of validity of the instrument (life), privileges, etc.
5. Structure of instrument.

Record and comments	Details
Comments:	
Assessment:	

Surveillance of the instrument of appointment

1. Discuss the surveillance program with the applicant covering risk-based surveillance, special surveillance and design approval activity report
2. Safety findings and response to safety findings.
3. Safety observations.

Record and comments	Details
Comments:	
Assessment:	

A.4.3 Feedback and recommendations

Feedback

1. Summarise the interview conclusions
2. Identify the areas for further improvement
3. Suggest training and future focus areas and inform that these areas will be explored in the next interview.

Record	Details
Feedback:	

Final recommendation

Make a recommendation to the regulation 201.001 of CASR appointing delegate (MDMO) on the scope and speciality for the applicant.

Record	Details
Recommendation:	

A.5 Regulation 21.007 of CASR

A.5.1 Interview details

Applicant

Applicant	Details
Applicant name:	
Applicant ARN:	
Date of interview:	

Interview Panel

Interview conducted by:

Panel members	Details
1. Chair:	
2. Member:	
3. Member:	

Required applicant documentation

Original (or certified true copy) of engineering degree certificate sighted (for applicants not holding another design approval authorisation) ☐ Yes ☐ No

> If the applicant already has authorisation for subregulation 21.009(2) and Subpart 21.M of CASR, the Interview Panel may exempt them from some of the elements of this interview format.

Interview objectives

To assess the applicant's technical and regulatory knowledge with respect to approving permissible unserviceability pursuant to regulation 21.007 of CASR.

A.5.2 Interview areas

Regulatory structure

Applicants should demonstrate a good understanding of the regulatory structure comprising ICAO, the *Civil Aviation Act* (the Act), *Civil Aviation Safety Regulations 1998* (CASR), *Civil Aviation Regulations 1988 (CAR)*, Manuals of Standards (MOS), *Civil Aviation Orders (CAO)*, and advisory material etc. Also concepts of 'head of power' and the lines of responsibility and obligations of an IOA holder.

Record and comments	Details
Comments:	
Assessment:	

Certification basis

Design standards and concept of airworthiness. Applicants should demonstrate familiarity with the process of identifying the certification standards, the concept of type design, familiarity with TC, STC, TSO, ATSO, APMA, modifications and repairs. Familiarity with the TCDS, special conditions, exemption and equivalent level of safety. Part 90 of CASR requirements. Familiarity with certification and operational categories of aircraft, airworthiness directives, MELs, operational requirements and approved data. Distinction between the design, showing compliance and finding of compliance is to be explored.

Record and comments	Details
Comments:	
Assessment:	

Major and minor classification

Applicants must demonstrate a good understanding of major/minor classification including AC 21-12 - Classification of design changes with respect to their engineering specialities and CASA guidance material.

Record and comments	Details
Comments:	
Assessment:	

Finding of compliance and safety assessments

Applicants must demonstrate an understanding of the compliance matrix, advisory materials, and the changed product rule. Familiarity with CASA Form 979 – Statement of compliance. Familiarity with safety assessment processes relevant to their engineering speciality with reference to CASA guidance material.

Record and comments	Details
Comments:	
Assessment:	

Case studies of compliance

Samples of design work carried out by the applicant are to be reviewed and compliance requirements explored. Applicants should demonstrate adequate engineering knowledge of the specialities considered to make an assessment of data presented. Adequacy of compliance demonstrations and safety assessments to be explored in the samples.

Record and comments	Details
Comments:	
Assessment:	

Regulation 21.007 of CASR approval procedures

Applicants must demonstrate familiarity with CASA approved procedures for exercising the authorisation.

Record and comments	Details
Comments:	
Assessment:	

Instrument of appointment

Identify the scope of the IOA (conditions and limitations). Discuss regulations 201.001 requirements. Review of instrument, period of validity of the instrument, privileges, etc.

> **Note:** If the applicant is unlikely to be successful, indicate at this stage the deficient area and suggest corrective actions.

Record and comments	Details
Comments:	
Assessment:	

Surveillance of the instrument of appointment activities

Discuss the surveillance program with the applicant covering risk-based surveillance, special surveillance, approval activity report. Safety findings and response to safety findings and safety observations.

Record and comments	Details
Comments:	
Assessment:	

A.5.3 Feedback and recommendations

Feedback

1. Summarise the interview conclusions
2. Identify the areas for further improvement
3. Suggest training and future focus areas and inform that these areas will be explored in the next interview.

Record	Details
Feedback:	

Final recommendation

Make a recommendation to the regulation 201.001 of CASR appointing delegate (MDMO) on the scope and speciality for the applicant.

Record	Details
Recommendation:	

A.6 Regulation 21.009 for paragraph 21.009(1)(b) and regulation 21.095 of CASR

A.6.1 Interview details

Applicant

Applicant	Details
Applicant name:	
Applicant ARN:	
Date of interview:	

Interview Panel

Interview conducted by:

Panel members	Details
1. Chair:	
2. Member:	
3. Member:	

Required applicant documentation

The following documentation must be produced at the interview:

1. CASA to review the earlier interview record of regulation 21.009 of CASR authorisation (if applicable)
2. CASA to review any surveillance findings related to the applicant (if applicable)
3. For applicants who do not hold any prior authorisation, original of degree certificate will be sighted at interview.

Interview objectives

Noting that the applicants have extensive industry experience in designing modifications and repairs, the focus of the interview will be on assessing their capability in finding regulatory compliance to the change in type designs. To be an authorised person for change in type design, the applicant will require an understanding of the regulatory structure, the relevant design standards and an understanding of what they are authorised to approve, that is the scope of their proposed IOA.

Note: The emphasis in the following interview areas varies depending on whether the applicant already holds subregulation 21.009(2) and/or Subpart 21.M of CASR authorisation.

A.6.2 Interview areas

Regulatory structure

1. Applicants should demonstrate a good understanding of the regulatory structure comprising ICAO, the *Civil Aviation Act* (the Act), *Civil Aviation Safety Regulations 1998* (CASR), *Civil Aviation Regulations 1988 (CAR)*, Manuals of Standards (MOS), *Civil Aviation Orders (CAO)*, and advisory material etc.

2. Concept of ‘head of power’
3. Familiarity with CASA exemptions
4. Concept of technical data (regulation 21.008 of CASR)
5. Concept of ‘Approved Data’
6. Applicants should also demonstrate a thorough understanding of the lines of responsibility and obligations of an IOA holder.

Record and comments	Details
Comments:	
Assessment:	

Certification basis

1. Concept of proposed design standard and applicable design standard. Their links to TCDS data
2. Special conditions and changes to certification basis
3. Operational categories with special reference to restricted and limited category approvals
4. Approvals for experimental category aircraft
5. Australian unique additional airworthiness requirements
6. Alteration approval procedures for PMA, APMA and TSO, ATSO items are to be explored.

Record and comments	Details
Comments:	
Assessment:	

Regulations for change to type design

1. Discuss regulation 21.095 of CASR approval and conditions to be met prior to a regulation 21.095 of CASR approval
2. Discuss regulations related to equivalent level of safety determination
3. Conditions under which a design requirement can be exempted
4. Familiarity with regulation 21.007A of CASR.

Record and comments	Details
Comments:	
Assessment:	

Major and minor determination

This aspect will be central for the IOA holders as they will be allowed to do minor changes to type design without consulting CASA.

1. Applicants must demonstrate a thorough understanding of CASA guidelines on major/minor classification including AC 21-12 - Classification of design changes
2. Familiarity with CASA design advice process.

Record and comments	Details
Comments:	
Assessment:	

Finding of compliance

1. Review procedure of compliance finding carried out by paragraph 21.009(1)(b) of CASR authorised person
2. Role of regulation 21.095 of CASR on approvals requiring multiple specialities
3. Form 979 – Statement of compliance or equivalent.

Record and comments	Details
Comments:	
Assessment:	

Design documentation

1. Recording of final design approval, structure of the approval document
2. Approval of drawings
3. Regulatory basis for instructions for continued airworthiness.

Record and comments	Details
Comments:	
Assessment:	

Instrument of appointment

> **Note:** If the applicant is unlikely to be successful, indicate the deficient area and suggest corrective actions.

1. Discussions on the interview so far and the comments noted earlier to identify the scope of the IOA. Data access arrangements are to be discussed

2. Speciality and limitations are to be discussed as appropriate
3. Discuss regulations 201.001 requirements
4. Review of instrument, period of validity of the instrument (life), privileges, etc.
5. Structure of instrument.

Record and comments	Details
Comments:	
Assessment:	

Surveillance of the instrument of appointment activities

1. Discuss the surveillance program with the applicant covering risk-based surveillance, special surveillance and design approval activity report
2. Safety findings and response to safety findings
3. Safety observations.

Record and comments	Details
Comments:	
Assessment:	

A.6.3 Feedback and recommendations

Feedback

1. Summarise the interview conclusions
2. Identify the areas for further improvement
3. Suggest training and future focus areas and inform that these areas will be explored in the next interview.

Record	Details
Feedback:	

Final recommendation

Make a recommendation to the regulation 201.001 of CASR appointing delegate (MDMO) on the scope and speciality for the applicant.

Record	Details
Recommendation:	

Appendix B – Design approval procedures manual – Requirements

Note: All applicants must submit a copy of the design approval procedures manual (DAPM) containing the procedures to be followed by the authorised person when exercising the authorised power(s). The DMO section uses the Compliance checklist at Appendix B.5 to assess the applicant's submitted DAPM against the relevant document criteria. Appendix C – contains DAPM guidelines for subregulation 21.009(2), regulation 21.006A and Subpart 21.M of CASR authorised persons.

B.1 Introduction

The CASRs require authorisations to be issued for subregulation 21.009(2), regulation 21.006A and Subpart 21.M of CASR to cover the functions respectively of approval of technical data based on finding of compliance, approval for flight manual changes and approval of design. In addition, 3 entities are defined, the applicant who submits the data package to the authorised person, the authorised person to whom CASA has issued the instrument of appointment (IOA) and the approval holder who is responsible for the continuing airworthiness of the design change after the approval. Once the design change has been approved, generally the applicant becomes the approval holder. However, in some cases, the approval holder may not be the same as the applicant.

Note: This document deals only with the authorised person functions covered by the IOA, even though in some circumstances the authorised person may be the applicant and the approval holder.

B.2 Preamble

1. The *Civil Aviation Act 1988* (the Act), CASR and IOA must have precedence over the DAPM in that order.
2. For the sake of brevity, where appropriate, only the regulation numbers are used hereafter where it relates to a CASR.
3. Subregulation 21.009(2) and regulation 21.430 of CASR authorised persons are limited to the engineering speciality and other limitations detailed in the IOA and described in their DAPM.
4. Subpart 21.M of CASR authorised person is the coordinator for all design approvals and is not constrained by any engineering speciality in the IOA. Similarly, a regulation 21.006A of CASR authorised person is also not constrained by any engineering speciality. There may be some limitations related to the scope, such as FAR 23, FAR 29 etc.
5. Approval of any document by a subregulation 21.009(2) of CASR authorised person outside the scope of the IOA renders the document unapproved.
6. Subpart 21.M of CASR authorisation includes regulations 21.437 and 21.414 of CASR, which may be typically used during the course of design approval.
7. It is possible to issue only subregulation 21.009(2) of CASR (and in some cases regulation 21.006A) authorisation initially to new applicants, to be progressed to Subpart 21.M of CASR authorisations based on experience. Hence, the tasks to be performed by the different authorised persons are separated in the DAPM guidelines.
8. Specification of relevant CASA form numbers is only indicative and can be changed subject to CASA approval.
9. Approvals under regulation 21.437 of CASR may be any one or a combination of a physical change, or a change to an operating envelope, performance, operating characteristics, limitations or ICA, to an

aircraft, aircraft engine, propeller or appliance (for further details refer to CASA AC 21-08 - Design approval of modifications and repairs under CASR Subpart 21.M).

B.3 Approval procedures

The regulations relevant to the DAPM range from regulation 21.006A to regulation 21.460 of CASR, while the following guidelines provide a reasonable approval procedure sequence that integrates the regulatory requirements.

The DAPM must be divided into 2 sections:

1. Approved section
2. Accepted section.

Approved section

The approved section sets out the process to be followed during the design approval, and is usually specified in broad terms, so that the actions to be taken to comply with them can be adapted to the specific requirements. The approved section of the DAPM must be changed only after receiving prior approval from CASA.

Accepted section

The accepted section of the DAPM provides specific details (business practices) about how the conditions set out in the IOA and the process requirements of the approved section of the DAPM are complied with. The reasons for any changes to the accepted section of the DAPM are to be documented, with the changes made without prior acceptance from CASA to ensure that the IOA holder has the flexibility to make changes to the operational aspects of their business.

A revised copy, which includes the changes to the accepted section of the manual, is to be sent to CASA within 30 days of making the change and is deemed 'accepted' if no contrary information is received within the next 30 days.

Note: Guidance for the accepted section is in *italics*. The following procedures must apply to the approved section of the DAPM. Anything shown in italics must apply to the accepted section of the DAPM.

1. The data package received from the applicant must be reviewed to ensure that it includes the:
   a. applicant's name and address
   b. make, model and serial number of aircraft, engine, propeller, appliance / aeronautical product
   c. registration mark of aircraft if applicable
   d. proposed airworthiness standard and means of compliance, along with a description of the modification
   e. technical data related to the design, instructions for continuing airworthiness (ICA), inspection and test reports
   f. flight manual changes
   g. any additional details as required from time-to-time.

Note: CASA Form 442 - Application for modification or repair design approval (available on the CASA website), should be used for the application. Alternatively, a suitable form that includes the data noted above may be part of the accepted section. CASA approval is required if any of the above data is not included in the form. In such cases where applicant, approver and approval holder are the same, the requirement of completing Form 442 is optional. However, DAPM should reflect such a deviation.

2. The engineering speciality definitions must be followed by all subregulation 21.009(2) of CASR authorised persons. The Subpart 21.M of CASR authorised person must ensure that all relevant design

requirements across all specialities are complied with and have the appropriate subregulation 21.009(2) of CASR approvals of the technical data (as defined in regulation 21.008 of CASR) before making any approvals under regulation 21.437 of CASR.

Engineering speciality definitions will be provided by CASA and must be included in the approved section of the DAPM.

In general terms, the Subpart 21.M of CASR authorised person is responsible for ensuring compliance with all the requirements in that subpart. Subregulation 21.009(2) of CASR authorised person responsibility is to approve the technical data based on a finding of compliance to the design requirements (applicable design standards) within their speciality.

Similarly, the regulation 21.006A of CASR authorised person responsibility is to approve any flight manual changes, including approval of flight manual supplements (FMS) within the scope of their IOA.

3. The Subpart 21.M of CASR authorised person must review all the data submitted by the applicant to ensure suitability for further processing.
4. The proposed design standard must be reviewed to ensure that it provides an adequate level of safety for regulation 21.414 of CASR. The authorised person may change the standards as required and may impose additional conditions, and design requirements subject to CASA response to the design advice (DA). All such changes must be determined under the regulation 21.414 of CASR authorisation which are to be included as part of regulation 21.437 of CASR authorisations.

   CASA advice through a DA must be sought for any major modifications including novel features that may require additional design requirements or special conditions. There should be provision in the documentation system to record the basis for changes, as it is an exercise of the regulation 21.414 of CASR authorisation.
5. If the modification is related to results in an aircraft to be operated in the restricted category, then a DA must be submitted to CASA for a determination under regulation 21.416 of CASR, if any design requirement in addition to what is already approved is deemed to be inappropriate for the special purpose for which the aircraft is to be used. The Subpart 21.M of CASR authorised person must record such a determination per paragraph 10.
6. For all modifications, Subpart 21.M of CASR authorised persons must review the design requirements against the modification details to identify whether any special conditions are to be included, or design requirements modified to address any unsafe aspects. A statement to that effect must be recorded in the approval documentation.

   Subpart 21M of CASR authorised person must assess the design to ensure that no feature or characteristic of the design makes it unsafe for its intended use as required per paragraph 21.437(4)(d) of CASR and certify for its compliance per the procedure in the accepted section.

   The authorised person may rely on previous experience with similar modifications, an assessment of any novel features in the modifications, an evaluation of the unique operational role for the aircraft, technology change compared to the certification year, the special conditions in the type certificate data sheet of the aeronautical product being modified etc. to make a determination on the need to have special conditions and altered design requirements. As this is a regulatory requirement of significance, a suitable form is to be included in the accepted section to document compliance.
7. A major/minor classification of the proposed modification must be made per CASA AC 21-12 - Classification of design changes. This determination must be carried out by all subregulation 21.009(2) of CASR authorised persons involved and if any individual authorised person determines their part of the modification to be major then the whole modification must be classified as major. The regulation 21.437 of CASR authorised person must coordinate the classification determination. If the modification is major, a DA must be submitted to CASA, unless the authorised person is authorised to approve the major modification without submitting the DA. Advice from the OEM must be considered.

   A suitable form based on the AC 21-12 guidelines may be prepared and included in the accepted section to document the basis for the classification.
8. If the major/minor classification is inconclusive, DA must be submitted to CASA for a determination.
9. In all cases CASA response to the DA must be complied with and recorded per paragraph 10.
10. The Subpart 21.M of CASR authorised person must consolidate the design requirement changes per paragraphs 4, 5, 6, 7, 8 and 9 above to the proposed design requirement. Identify the changed design

requirements as the 'applicable airworthiness standard' and record it on Form 979 – Statement of compliance or an equivalent form approved by CASA.

11. The subregulation 21.009(2) of CASR authorised person must review the technical data and compliance data submitted by the applicant, taking into account any changes per paragraphs 12 and 13 below. The authorised person must approve the technical data including the ICA, based on finding of compliance to the applicable airworthiness standard per paragraph 10 above, subject to the specialities and limitations in the IOA. Advice from the OEM must be considered, as appropriate. Requirements where equivalent level of safety determinations are required must be identified for further action, per paragraph 15.
12. Subregulation 21.009(2) of CASR authorised persons must ensure that, if their speciality involvement in the design approval involves tests, conformity inspection for the dimensions and processes are to be carried out and recorded in CASA Form 724 – Statement of conformity. All the instruments used for the tests must be calibrated and records of the tests and details of the test equipment kept, including the calibration records for the instruments.
13. Subregulation 21.009(2) of CASR authorised persons must make an assessment of the tests required to be witnessed by the authorised person. The authorised person may issue a notice to the applicant detailing the witnessing requirement. Such a notice must be signed under subregulation 21.430(1) of CASR, the authorisation to do so being included in the subregulation 21.009(2) of CASR IOA. The authorised person should ensure that the configuration of the test article is consistent with the data established per paragraph 9 above.

    A suitable form must be developed to address the regulatory requirements associated with flight tests to document compliance to the regulatory requirements noted in above paragraphs 12 and 13.
14. Regulation 21.006A of CASR authorised persons may approve the changes to the flight manual only if the relevant technical data is also approved by the same authorised person per paragraph 11 above. If the approval involves multiple specialities or the subregulation 21.009(2) of CASR authorised person does not have authorisation for regulation 21.006A of CASR, the Subpart 21.M of CASR authorised person must make the determination on which subregulation 21.009(2) of CASR authorised person must make the approval.

    The format of the changes to the flight manual should match the original format (i.e. appropriate section numbering, page size etc.). The applicable make and model of the aircraft along with the relevant design approval number must be on the top right-hand corner of each affected page.
15. Subpart 21.M of CASR authorised persons must assess the design to ensure that no feature or characteristic of the design makes it unsafe for its intended use as required per paragraph 21.437(4)(d) of CASR and certify for its compliance per the procedure in the accepted section.
16. Subpart 21.M of CASR authorised persons must review the finding of compliance by the subregulation 21.009(2) of CASR authorised person and refer to CASA those design requirements where an equivalent level of safety determination is required. DA must be used for this purpose and the CASA response must be complied with. Form 979 must be updated to ensure that all applicable design requirements are addressed through exemption (regulation 21.416 of CASR), equivalent safety determination (paragraph 21.437(6)(b) of CASR) or finding of compliance (regulation 21.009 of CASR) or a combination of them.

    As this is a critical part of the approval process, the accepted section should include suitable documentation procedures to show compliance to the review.
17. Subpart 21.M of CASR authorised persons must issue the approved design data package including the ICA and flight manual changes identifying the holder of the approval, along with details of the aircraft, or the aeronautical product, as contained in the application. All design documentation must be reviewed by another person of suitable competence prior to such approval.

    The person reviewing the data need not be another authorised person. However, they should have adequate competency to do the task. The qualification and experience requirements must be documented, and names of the persons listed in the accepted section.
18. Design approval activity reports must be submitted in January every year, or after one hundred approvals, whichever occurs first, or as otherwise agreed by CASA.

    A suitable format of the design approval activity report must be included in the accepted section.
19. Implications of approved modifications on other regulations such as Part 39 of CASR, regulation 37 and paragraph 42ZS of CAR, regulation 21.197 of CASR must be addressed as appropriate. Applicability of Part 90 of CASR must be reviewed.

The design approvals per Subpart 21.M of CASR can potentially affect airworthiness directives, minimum equipment lists etc. Suitable prompts should be included in the procedures to alert the authorised person to such interactions.

20. An approval granted for a foreign or state aircraft, aircraft engine, propeller or appliance should include the following statement (or similar): '*This approval is granted under Subpart 21.M of the Australian CASR. It is the responsibility of the owner/operator to determine whether this approval requires additional approval under their relevant regulations*.'

    For further guidance, refer to CASA AC 21-08 – Approval of modification and repair designs under Subpart 21.M.

21. Adequate facilities must be provided to retain the data generated and used for the approval process.

    Documentation storage and back-up procedures must be detailed in the accepted section.

22. All advisory material from CASA related to the design approval process must be reviewed and any actions taken, pursuant to the advice, recorded.

    For organisations with multiple authorised persons, the person responsible for this task shall be identified in the accepted section and records of such review kept.

23. All documents issued following a CASA surveillance must be acquitted as per CASA policy guidelines.

    For organisations with multiple authorised persons, the person responsible to acquit the surveillance findings must be identified in the accepted section.

24. Where there is an exemption, the conditions of the exemption must be complied with, and the document approved quoting the exemption.

B.4 Engineering speciality definitions

Note: Engineering speciality definitions are provided by CASA and must be included in the approved section of the DAPM. Refer to Section 3.2 for a complete list of all engineering speciality authorisation definitions.

B.5 Compliance checklist

The DMO section uses the following compliance checklist to assess an applicant's submitted DAPM against relevant document criteria.

Table 12. Compliance checklist

Requirement	Manual ref.	Status (RAG)	Comments
IOA section included			
CASA approved section identified • revised only after prior approval from CASA • person(s) responsible • CASA approval docs included (in appendix?) • DAPM to be read in conjunction with the IOA			
Procedure to review data package from applicant • inclusion of mod/repair application form approved by CASA			

Requirement	Manual ref.	Status (RAG)	Comments
FMS approval procedure			
FMS - general format requirements			
FMS - Procedure for approving FMS in case of multiple 21.009 IOAH involvement			
DA procedure for restricted category			
Procedure for identifying special conditions			
Major/Minor classification to AC21-12 guidelines • DA if unresolved			
DA for major modifications			
List of major modifications for which DA need not be sent (if any)			
DA response must be complied with • person(s) responsible			
Procedure for changing design requirements and recording on Form 979			
Requirement of ICA as part of technical data			
Procedure for tests • conformity inspection • calibration of instruments • witness of tests			
ESD procedures			
Procedures for reviewing design documentation • design document reviewers - criteria			
Statements of compliance • basis of major/minor classification • specific reg to which compliance has been found • certification • equivalent Form 979 (if any)			
Regular review of CASA advisory material • persons responsible			
DAAR to be submitted at regular intervals • persons responsible			
Safety finding must be acquitted • persons responsible			

Requirement	Manual ref.	Status (RAG)	Comments
Implications of repairs/mods on other regs			
Adequate facilities to retain design and approved data			
Procedure for approval under exemption			
CASA accepted section identified • CASA to be notified of changes			
Ordinary place of business • ABN • contact details			
Reviewer names			
Forms/format for: • mod/repair application • engineering orders • engineering drawings • design change notices • compliance statements (e.g. CASA 979) • basis for major/minor classification • special conditions and altering design requirements • regulatory requirements associated with flight tests • equivalent safety determination • design approval activity report			
Procedures giving guidance for EO, ED, DCN, etc.			
Document control proc - revision, distribution			
Doc control when approving other org docs			
Procedure for handling deficiencies in approved data			
Reg data access and control			

Appendix C – Design approval procedures manual – Guidelines for specific regulations

DAPM guidelines for regulations 21.007 and 21.007A, regulation 21.120B and paragraphs 21.009(1)(c) and 21.009(1)(ca) and regulation 21.095 of CASR.

C.1 Regulations 21.007 and 21.007A of CASR

CASR 21.007 – Approval of defect as a permissible unserviceability

Regulation 21.007 of CASR is applicable for defects generally, including damage (for the purpose of regulation 21.007, damage is a subset of defect). The configuration of the aircraft with the unrepaired defect must be shown to be compliant with the applicable airworthiness standard for the aircraft.

Regulation 21.007 of CASR authorisations are to be limited to engineering specialities appropriate to the qualifications and experience of the authorised person. Eligible specialities for regulation 21.007 of CASR are limited to structures, mechanical systems, cabin systems, electrical systems, engines and propellers.

Engineering speciality definitions are provided at Section 3.2.

CASR 21.007 – Permissible Unserviceability (PU) – Unrepaired defect (including damage) approval process guidelines

The authorised person design approval procedures manual (DAPM) must contain documented processes for issuing an approval pursuant to regulation 21.007 of CASR. The procedures manual and subsequent amendments must be approved by CASA. The manual may be divided into a CASA:

- Approved section (containing the high-level process)
- Accepted section (containing the detailed procedures and forms).

The CASA Approved section is not to be changed without prior approval from CASA. The CASA Accepted section may be changed to suit operational requirements and a copy sent to CASA within 30 days of the change being made. CASA will notify the authorised person within the next 30 days if it does not accept the change. The following elements of the regulation 21.007 of CASA approval process (at Figure 4) must be included in the CASA Approved section of the authorised person's DAPM:

1. The application for the approval shall document:
    a. The applicant's name and contact details
    b. The operator of the aircraft
    c. The date of the application
    d. The aircraft make, model and serial number and/or registration number
    e. A description of the defect including the date it was discovered, the type of defect, location, size and aircraft components affected
    f. The cause of the defect, if known
    g. The reason for requesting the defect be approved as a PU
    h. The applicable airworthiness standards for the aircraft and the design requirements relevant to the defect
    i. The demonstration of compliance of the configuration with the defect to the applicable airworthiness standards. (This is typically a table listing the relevant design requirements and the means of compliance applicable to each requirement)
    j. A safety assessment, if applicable, carried out in accordance with the guidance provided in AC 21-28 - Permissible unserviceabilities - unrepaired defects (r. 21.007).

2. The authorised person must ensure that all the required information is included in the application before proceeding with the approval.
3. The authorised person must determine whether the defect is a major defect as defined by the CASR Dictionary. In addition, an unrepaired defect not shown to comply with the applicable airworthiness standards for the aircraft shall be classified as major. A major defect must not be approved as a permissible unserviceability.
4. The authorised person must determine whether a major repair is required. If the defect is damage to aircraft structure, system, engine or propeller elements/components, the authorised person must carry out major/minor classification of the likely repair configuration in accordance with AC 21-12 - Classification of design changes. Major damage or any defect that would otherwise require a major repair cannot be approved as a permissible unserviceability.
5. The authorised person must review the safety assessment against the guidance provided in AC 21-28. The process of the safety assessment is briefly outlined below. Additional detail is provided in Section 4.2 and 4.3 of AC 21-28: Classify the defect as damage to aircraft structure, aircraft system, engine or propeller elements/components, or as a system defect or as an exceedance of an operational limitation.
6. Identify the airworthiness standards and design requirements applicable to the defect.
7. Perform the applicable system safety assessment.
8. Determine the potential failure condition of the defect. Hazardous and catastrophic failure conditions must not be approved as a permissible unserviceability.
9. Conduct an aircraft performance assessment to determine if any operational limits are required, or performance deficiencies are expected.
10. Justify why the damage may be approved in regard to the airworthiness and design requirements using the outcome of the system safety assessment.
11. If the relevant requirements are outside the scope of the authorisation for the authorised person, as defined by the conditions and limitations of the IOA, then the authorised person will not proceed with the approval.
12. If the authorised person has been involved in preparing the compliance documents including the safety assessment, these shall be checked by an independent person with appropriate engineering experience. The check shall be certified, identifying the checker and date.
13. The authorised person must approve the PU if they are satisfied that the showing of compliance demonstrates that the configuration with the defect complies with the relevant requirements of the applicable airworthiness standards. The approval must be certified pursuant to subregulation 21.007(2) of CASR on a CASA Form 979 or equivalent.
14. The approval process should be conducted in accordance with Section 4.4 of AC 21-28. The approval must also be granted in writing and must contain the following:
    a. The registration mark of the aircraft
    b. A description of the defect
    c. The limit at which the approval ceases (see Section 3.7 of AC 21-28)
    d. Any conditions associated with the approval (see Section 3.8 of AC 21-28)
    e. The name of the individual and ADO (if applicable) granting the approval.
    f. The signature of the individual granting the approval
    g. The provision under which the approval is granted (i.e. subregulation 21.007(2) of CASR)
    h. The date the approval is granted.
15. An approval activity report must be sent to CASA at a defined interval listing all approvals made. The reporting interval is to be agreed with CASA and specified in the procedures manual. It is typically defined as monthly but may be longer depending on the anticipated level of activity. The following information must be included for each approval:
    a. The date of the approval
    b. The operator of the aircraft
    c. The aircraft make, model and serial number and/or registration number
    d. A brief description of the defect
    e. The authorised person making the approval.

If no approvals are made over a reporting period, a report should still be submitted indicating no activity.

16. Procedures for amending the authorised person procedures manual must be specified.

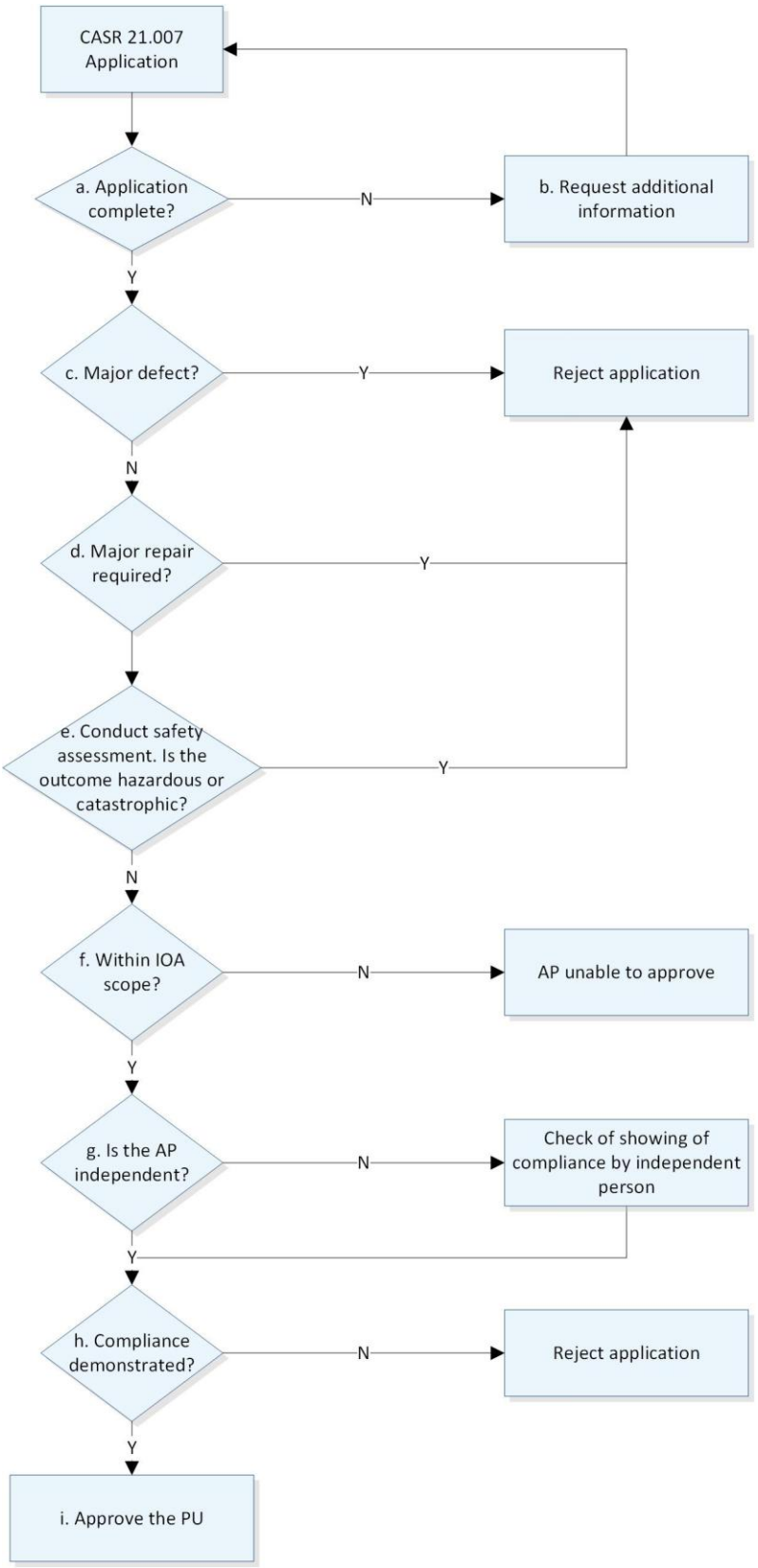

Figure 4. CASR 21.007 approval process

21.007A – Major damage advice guidelines

The authorised person's DAPM must contain procedures for making a major/minor determination pursuant to regulation 21.007A of CASR. The following elements of the process must be included in the CASA approved section of the manual.

17. The application for the regulation 21.007A of CASR determination must document:
    a. The applicant's name and contact details
    b. The operator of the aircraft
    c. The date of the application
    d. The aircraft make, model and serial number and/or registration number
    e. A description of the damage including the date it was discovered, the type of damage, location, size and aircraft components affected
    f. The cause of the damage, if known.
18. The authorised person must ensure that all the required information is included in the application before proceeding with the approval.
19. The authorised person must only classify damage that is within the conditions and limitations of the IOA.
20. The authorised person must classify the damage in terms of major/minor. The basis for the classification must be documented.
21. The authorised person will advise the applicant in writing of the determination. The form of the advice must:
    a. Record the date the advice is given
    b. Identify the person to whom it is given
    c. Identify the aircraft by make, model and serial number and/or registration number
    d. Describe or otherwise identify the damage
    e. Clearly indicate whether or not the damage is classified as major
    f. Identify the authorised person giving the advice.
    g. Certify the advice pursuant to regulation 21.007A of CASR.
22. A regulation 21.007A of CASR advice activity report must be sent to CASA (at airworthiness@casa.gov.au) at a defined interval listing all advice given. The following information must be included for each advice.
    a. The date of the advice
    b. The operator of the aircraft
    c. The aircraft make, model and serial number and/or registration number
    d. A brief description of the damage
    e. The classification (major or minor)
    f. The authorised person making the approval
    g. If no advice is given over a reporting period, a report should still be submitted indicating no activity.

C.2 Paragraphs 21.009(1)(ca) and 21.009(1)(c) and regulation 21.120B of CASR

CASR 21.009(1)(ca) and 21.120B – Variations to supplemental type certificates process guidelines.

The following elements of the regulation 21.120B of CASR approval process must be included in the CASA approved section of the authorised person's DAPM. The elements have been divided into requirements for the applicant's submission and the authorised person approval process (also shown at Figure 5 - CASR 120B approval process).

The application for a change in a supplemental type design must be made in writing and include:

    a. the applicant's name and contact details
    b. the date of the application

c. the applicable STC
d. reasons for the change in supplemental type design including if it is as a result of a defect, malfunction or failure per regulation 21.003 of CASR.

The authorised person approval process must include:

1. The authorised person must ensure that all the required information is included in the application before proceeding with the approval.
2. The authorised person must classify the change in terms of major/minor in accordance with CASA AC 21-12. The basis for the classification must be documented. Major changes must not be approved.
3. The authorised person must identify the applicable airworthiness standard for the STC and the design requirements relevant to the change.
4. If the relevant requirements are outside the scope of the authorisation for the authorised person, as defined by the conditions and limitations of the IOA, then the authorised person will not proceed with the approval.
5. The authorised person must ensure that compliance to the relevant requirements is demonstrated and that the means of compliance is documented. If the authorised person has been involved in preparing the compliance documents, these must be checked by an independent person with appropriate engineering experience. The check must be certified, identifying the checker and date.
6. The authorised person must approve the changed technical data if he is satisfied that the showing of compliance demonstrates that the change configuration complies with the relevant requirements of the applicable airworthiness standard. The approval must be certified pursuant to subregulation 21.009(2) of CASR on a CASA Form 979 or equivalent.
7. The authorised person must certify that no feature or characteristic of the change makes the altered aircraft, aircraft engine or propeller unsafe for its intended use.
8. The change must be approved by the authorised person pursuant to paragraph 21.120B(4) of CASR. The form of the approval must:
    a. record the date the approval is granted
    b. identify the person to whom it is granted
    c. identify the applicable STC
    d. describe or otherwise identify the change
    e. identify the authorised person making the approval
    f. certify the approval pursuant to paragraph 21.120B(4) of CASR.
9. The authorised person must identify if the minor change requires a revision to the STC certificate. For example, an approval of a change in a document that is referenced on the STC certificate by its identification and revision numbers, without an indication that any subsequent approved revision of that document is acceptable, will require a reissue of the STC certificate. If so, an application to CASA to up-issue the STC certificate must be made. The application must include a copy of the authorised person finding of compliance pursuant to subregulation 21.009(2) of CASR.
10. An approval activity report must be sent to CASA at a defined interval listing all approvals made. The reporting interval is to be agreed with CASA and specified in the procedures manual. It is typically defined as monthly but may be longer depending on the anticipated level of activity. The following information must be included for each approval:
    a. The date of the approval
    b. The applicable STC
    c. A brief description of the change and reason for the change including if it is a result of a defect, malfunction or failure per regulation 21.003 of CASR
    d. The authorised person making the approval
    e. If no approvals are made over a reporting period, a report should still be submitted indicating no activity.
11. Procedures for amending the authorised person DAPM must be specified.

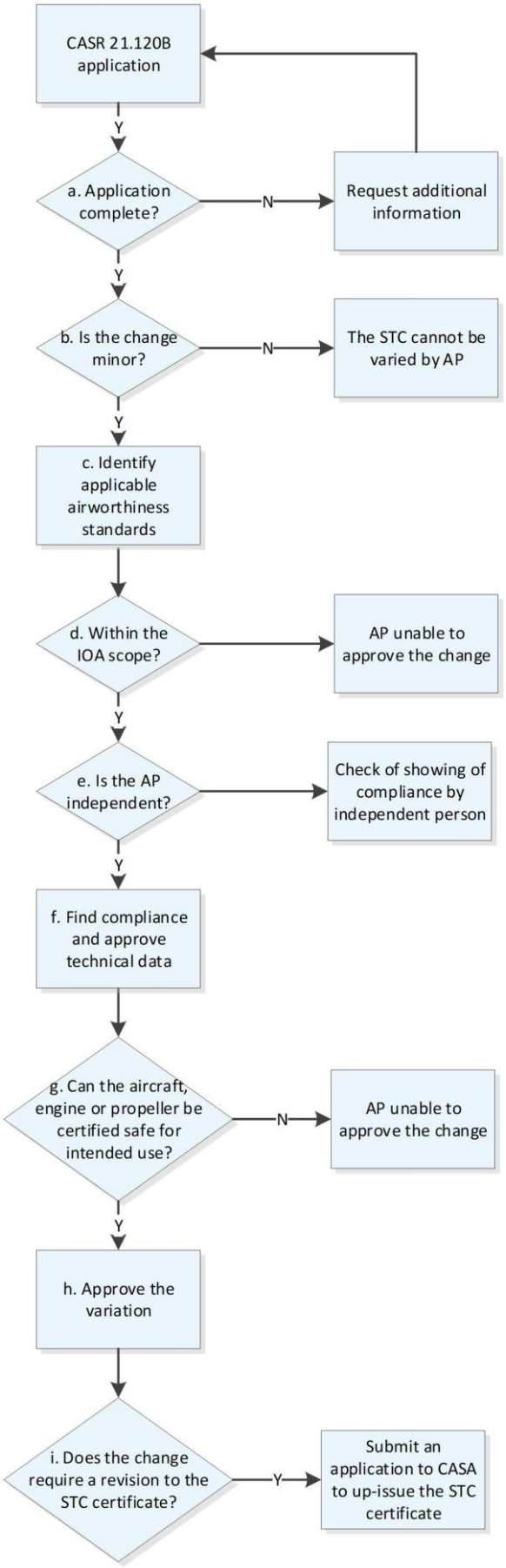

Figure 5. CASR 120B approval process

CASR 21.009(1)(c) – supplemental type certificates technical data approval process guidelines

The following elements of the paragraph 21.009(1)(c) of CASR approval process must be included in the CASA approved section of the authorised person DAPM.

The application for a change in a supplemental type design must be made in writing and include the:

a. applicant's name and contact details
b. date of the application
c. proposed STC

The authorised person approval process must include:

1. The authorised person must ensure that all the required information is included in the application before proceeding with the approval.
2. The authorised person must identify the applicable airworthiness standard for the STC and the design requirements relevant to the change.
3. If the relevant requirements are outside the scope of the authorisation for the authorised person, as defined by the conditions and limitations of the IOA, then the authorised person will not proceed with the approval.
4. Where the CASA response to a DA advises an STC is required, or where the Subpart 21.M of CASR authorised person determines an STC is required, a certification plan will be submitted to CASA for assessment.
5. The certification plan will outline the project and propose a design standard and means of compliance. The CASA response will define the applicable design standard and may detail specific design standards and means of compliance through issue papers.
6. The authorised person must ensure that compliance to the relevant requirements is demonstrated and that the means of compliance is documented. If the authorised person has been involved in preparing the compliance documents, these must be checked by an independent person with appropriate engineering experience. The check must be certified, identifying the checker and date.
7. The authorised person must approve the technical data if they are satisfied that the showing of compliance demonstrates that the change configuration complies with the relevant requirements of the applicable airworthiness standard. The approval must be certified pursuant to subregulation 21.009(2) of CASR on CASA Form 979 or equivalent.
8. The authorised person must certify that no feature or characteristic of the STC makes the altered aircraft, aircraft engine or propeller unsafe for its intended use.
9. An approval activity report must be sent to CASA at a defined interval listing all approvals made. The reporting interval is to be agreed with CASA and specified in the DAPM. It is typically defined as monthly but may be longer depending on the anticipated level of activity.
10. Procedures for amending the authorised person's DAPM must be specified.

C.3 Regulations 21.091 to 21.099 of CASR

21.009(1)(b) / 21.095 – Changes to type certificates guidelines

Each applicant for an authorisation to approve changes to the type design of a type certificate or approval of technical data pursuant to subregulation 21.009(2) of CASR for the purpose of paragraph 21.009(1)(b) of CASR must submit a procedures manual or amendment which can either be a separate chapter or a supplemental section to their currently approved DAPM for their paragraph 21.009(1)(f) or regulation 21.437 of CASR authorisation.

It is acceptable to have separate procedures for separate type certificate holders.

Regulations 21.091 to 21.099 of CASR

The procedures manual or amendment/supplement must meet the requirements outlined below covering regulations 21.091 to 21.099 of CASR.

This procedures manual or amendments must be approved by CASA.

Regulation 21.091 – Applicability

The procedures manual or amendment/supplement must state that the section is for approval of changes in type design related to type certificates for which the authorised person has a written agreement with the relevant type certificate holders.

The applicant must list each type certificate holders they have agreements with that this authorisation applies to.

Regulation 21.093 – Classification of changes in type design

The applicant must develop procedures for determining the classification of minor or major changes in type design.

The determination of major or minor must be made by all the engineering specialists involved in the design change and authorised under the paragraph 21.009(1)(b) of CASR.

Regulation 21.093 of CASR states '*Changes in type design are classified as minor or major. A minor change is one that has no appreciable effect on the weight, balance, structural strength, reliability, operational characteristics, or other characteristics affecting the airworthiness of an aircraft, aircraft engine or propeller. All other changes are major changes*.'

The following list should automatically be considered major changes in type design but is not exhaustive.

1. Change to any information contained in the type certificate data sheet for the aircraft, engine or propeller
2. The issue of an amendment to an approved section of a flight manual
3. Changes to primary structure, primary structural elements or any critical structure
4. Changes in any aircraft system configuration
5. Effects aircraft handling and stability
6. Changes to the airworthiness limitations
7. Changes in maintenance inspection requirements
8. Changes to certification maintenance requirements.

In developing the necessary procedures, it is important to understand that there will be changes in type design that are clearly minor or major and others that will require some form of analysis to classify them. CASA AC 21-12 should be utilised to make the major/minor determination.

If it is not clear if a change is major or minor, then CASA is to be contacted for a determination. CASA will use CASA AC 21-12 guidance material to make the determination

Any determination of major or minor is to be documented.

The procedure should also cover any major change that is sufficient to warrant the issue of a type certificate as defined by regulation 21.019 of CASR.

Regulation 21.095 – Approval of minor changes in type design

The applicant is to develop procedures for approval of a minor change in type design. These procedures must cover:

1. application requirements from the type certificate holder, which must be in writing
2. reason for the change in type design. If it is as a result of a defect, malfunction or failure per regulation 21.003 of CASR, then CASA is to be notified
3. data to be submitted by the applicant to the authorised person. This must include the compliance statement that meets the requirements of regulation 21.101 of CASR, any substantiation and descriptive data
4. written confirmation of how the minor determination was made
5. approval procedures that the paragraph 21.009(1)(b) and regulation 21.095 of CASR will follow when making the appropriate approval

6. submission of the minor design change documentation to CASA for inclusion in the type design as required by regulation 21.095 of CASR at required intervals agreed to by CASA
7. retention of minor change approval and related documentation
8. approval of any changes to technical data must be under paragraph 21.009(1)(b) of CASR by all paragraph 21.009(1)(b) of CASR authorised persons involved in the minor change and must be done on a CASA Form 979
9. overall approval for the minor change must be done by the regulation 21.095 of CASR authorised person
10. if testing is required to demonstrate and or find compliance, the procedures must cover compliance with regulations 21.033, 21.035, 21.039 and 21.053 of CASR, and validation of the conformity inspections and test witnessing by the paragraph 21.009(1)(b) of CASR specialist requesting the testing
11. if other CASRs are affected as a result of the change, such as Part 90 of CASR, then the appropriate approvals must be sought also
12. reference should be made to CASA Type certification procedures manual and CASA AC 21-13 and 21-15 when developing these procedures.

Regulation 21.097 – Eligibility for approval of major changes in type design

If the authorised person is involved in the submission of data for approval on behalf of the type certificate holder, then procedures may be included in this section that will ensure all the required information/data is sent to CASA for approval. The reason that CASA is involved in the approval of a major change in type design of a type certificate is that it may be necessary to reissue the type certificate. These procedures must include:

1. written application from the type certificate holder
2. reasons for the change in type design. If it is as a result of a defect, malfunction or failure per regulation 21.003 of CASR, then CASA is to be notified
3. a project-specific certification plan needs to be raised and submitted to CASA for agreement before proceeding with the development of the major change in type design
4. reference needs to be made to CASA's Type certification procedures manual, and CASA AC 21-13 and 21-15
5. substantiating data
6. descriptive data for inclusion in the type design
7. compliance statement demonstrating that the change in type design complies with the applicable airworthiness standard as required by regulation 21.101 of CASR
8. if testing is required to demonstrate and or find compliance, the procedures must cover compliance with regulations 21.033, 21.035, 21.039 and 21.053 of CASR.

Note: Approval of a major change in the type design of an aircraft engine is limited to the specific engine configuration upon which the change is made unless the applicant identifies in the necessary descriptive data for inclusion in the type design the other configurations of the same engine type for which approval is requested and shows that the change is compatible with the other configurations.

Regulation 21.098 – Issue of approval of major change in type design

This section of the procedures manual must state that all major changes in type design will be sent to CASA for approval.

The procedures should also include the following:

1. written application from the type certificate holder
2. reason for the change in type design. If it is as a result of a defect, malfunction or failure per regulation 21.003 of CASR, then CASA is to be notified

3. substantiating data
4. the project specific certification plan
5. descriptive data for inclusion in the type design
6. compliance statement demonstrating that the change in type design complies with the applicable airworthiness standard as required by regulation 21.101 of CASR
7. written application to CASA requesting approval of the major change in type design
8. if compliance finding testing was required to demonstrate and or find compliance the data that covers regulations 21.033, 21.035, 21.039 and 21.053 of CASR must be included in the submission.

Regulation 21.099 – Required design changes

Procedures will need to be included to cover the following.

1. If an airworthiness directive is issued for an aircraft, aircraft engine or propeller, and CASA considers that design changes are necessary to correct the unsafe condition of the aircraft, aircraft engine or propeller, the holder of the type certificate for the aircraft, aircraft engine or propeller must, on CASAs request, submit appropriate design changes for approval to CASA.
2. If approval is granted for design changes mentioned in (1.) (above), the holder of the type certificate for the aircraft, aircraft engine or propeller must, on request by the operator of an affected aircraft, aircraft engine or propeller previously certificated under the type certificate, give to that operator the descriptive data covering the design changes.
3. In a case where there are no current unsafe conditions, but CASA or the holder of the type certificate is satisfied through service experience that changes in type design will contribute to the safety of the aircraft, aircraft engine or propeller, the holder of the type certificate may submit appropriate design changes for approval. Upon approval of the changes, and on request by an operator of the same type of aircraft, aircraft engine or propeller, the manufacturer must give information on the design changes to the operator.

Issuing the instrument of appointment

An initial application for an IOA may only result in an authorisation to approve technical data pursuant to subregulation 21.009(2) of CASR for the purpose of paragraph 21.009(1)(b) of CASR. The instrument will follow the current template that is being used and will only cover the specialities that have been requested by the applicant and have been found to be supported by the evidence submitted.

An IOA to approve the minor change in type design of a type certificate under regulation 21.095 of CASR will be issued after the applicant has provided the appropriate evidence. The instrument will follow the current template that is being used.