

Subpart B — Certification Requirements

146.51 Personnel requirements

(a) Each applicant for the grant of a design organisation certificate shall engage, employ, or contract—

- (1) a senior person identified as the Chief Executive who has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements prescribed by this Part; and
- (2) a senior person or group of senior persons who is or are responsible for ensuring that the applicant's organisation complies with the requirements of this Part. Such nominated person or persons shall be ultimately responsible to the Chief Executive for the following functions:
 - (i) design control;
 - (ii) inspection and testing;
 - (iii) internal quality assurance; and
- (3) if design approval functions are required by the organisation, a senior person who holds a delegation to approve design changes in accordance with 21.73; and
- (4) sufficient personnel to plan, perform, supervise, inspect, and certify the design activities listed in the applicant's exposition.

(b) The applicant shall—

- (1) establish a procedure to initially assess, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting, or certifying the design activities performed by the applicant's organisation; and
- (2) provide those personnel with written evidence of the scope of their authorisation.

Subpart B — Certification Requirements

146.51 Personnel requirements

(a) An applicant for the grant of a design organisation certificate must employ, contract, or otherwise engage—

- (1) a senior person identified as the chief executive who has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and
- (2) a senior person or persons who is or are responsible for ensuring that the applicant's organisation complies with the requirements of this Part. Such nominated person or persons must be ultimately responsible to the chief executive for the following functions:
 - (i) design control;
 - (ii) inspection and testing;
 - (iii) the system for safety management; and
- (3) if design approval functions are required by the organisation, a senior person who holds a delegation to approve design changes in accordance with rule 21.73; and
- (4) sufficient personnel to plan, perform, supervise, inspect, and certify the design activities listed in the applicant's exposition.

(aa) The senior person required by paragraph (a)(2)(iii) must be able to demonstrate competency and experience relevant to the management of safety systems and the activities of the certificate holder.

(b) The applicant must—

- (1) establish a procedure for initially assessing, and for maintaining, the competency of personnel involved in planning, performing, supervising, inspecting, or certifying the design activities performed by the applicant's organisation; and
- (2) provide those personnel with written evidence of the scope of their authorisation.

146.65 Internal quality assurance

(a) Each applicant for the grant of a design organisation certificate shall establish an internal quality assurance system to ensure compliance with, and the adequacy of, the procedures required by this Part.

(b) The internal quality assurance system shall include—

- (1) a safety policy and safety policy procedures that are relevant to the applicant's organisational goals and the expectations and needs of its customers; and
- (2) a procedure to ensure quality indicators, including defect and incident reports, and personnel and customer feedback, are monitored to identify existing problems or potential causes of problems within the system; and
- (3) a procedure for corrective action to ensure that existing problems that have been identified within the system are corrected; and
- (4) a procedure for preventive action to ensure that potential causes of problems that have been identified within the system are remedied; and
- (5) an internal audit programme to audit the applicant's organisation for conformity with its safety policy; and
- (6) management review procedures to ensure the continuing suitability and effectiveness of the internal quality assurance system in satisfying the requirements of this Part.

(c) The safety policy procedures shall ensure that the safety policy is understood, implemented, and maintained at all levels of the organisation.

(d) The procedure for corrective action shall specify how—

- (1) existing problems are to be corrected; and
- (2) corrective action are to be followed up to ensure the action is effective; and
- (3) any procedure required for this Part is to be amended as a result of corrective action; and
- (4) management will review the effectiveness of any corrective action taken.

146.65 Safety management

An applicant for the grant of a design organisation certificate must establish, implement and maintain a system for safety management in accordance with rule 100.3.

- (e) The procedure for preventive action shall specify how—
- (1) potential problems are to be corrected; and
 - (2) preventive action is to be followed up to ensure the action is effective; and
 - (3) any procedure required for this Part is to be amended as a result of preventive action; and
 - (4) management will review the effectiveness of any preventive action taken.
- (f) The internal quality audit programme shall—
- (1) specify the frequency and location of the audits taking into account the nature of the activity to be audited; and
 - (2) ensure audits are performed by trained auditing personnel who are independent of those having direct responsibility for the activity being audited; and
 - (3) ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits; and
 - (4) require preventive or corrective action to be taken by the personnel responsible for the activity being audited if problems are found by the audit; and
 - (5) ensure follow up audits to review the effectiveness of any preventive or corrective action taken.
- (g) The procedure for management review shall—
- (1) specify the frequency of management reviews of the quality assurance system taking into account the need for the continuing effectiveness of the system; and
 - (2) identify the responsible manager who shall review the quality assurance system; and
 - (3) ensure the results of the review are evaluated and recorded.
- (h) The senior person who has the responsibility for internal quality assurance shall have direct access to the Chief Executive on matters affecting safety.

146.67 Design organisation exposition

- (a) An applicant for the grant of a design organisation certificate shall provide the Director

146.67 Design organisation exposition

- (a) An applicant for the grant of a design organisation certificate must provide the Director

with an exposition which shall contain:

- (1) a statement signed by the Chief Executive, on behalf of the applicant's organisation, confirming that the exposition and any included manuals—
 - (i) define the design organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
 - (ii) will be complied with at all times; and
- (2) the titles and names of the senior person or persons required by 146.51(a)(1), (2), and (3); and
- (3) the duties and responsibilities of the person or persons specified in paragraph (a)(2), including matters for which they have the responsibility to deal directly with the Director on behalf of the design organisation; and
- (4) an organisation chart showing lines of responsibility of the senior persons specified in paragraph (a)(2); and
- (5) details of all locations where the applicant conducts design activities and testing, and the facilities at those locations; and
- (6) details of the applicant's provision of satisfactory environmental conditions at each of the locations listed under paragraph (a)(5); and
- (7) details of the applicant's staffing structure at each of the locations listed under

with an exposition that contains—

- (1) a statement signed by the chief executive on behalf of the applicant's organisation confirming that the exposition and any included manuals—
 - (i) define the design organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
 - (ii) are to be complied with at all times; and
- (1A) in relation to the system for safety management required by rule 146.65,—
 - (i) all of the documentation required by rule 100.3(b); and
 - (ii) for an applicant that is not applying for a renewal of a design organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and
- (2) the titles and names of the senior person or persons required by rules 146.51(a)(1), (2), and (3); and
- (3) the duties and responsibilities of the senior person or persons required by rules 146.51(a)(1), (2), and (3), including—
 - (i) matters for which the person has the responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
 - (ii) responsibilities for safety management; and
- (4) an organisation chart showing lines of responsibility of the senior person or persons required by rules 146.51(a)(1), (2), and (3); and
- (4A) information identifying the lines of safety responsibility within the organisation; and
- (5) details of all locations where the applicant conducts design activities and testing, and the facilities at those locations; and
- (6) details of the applicant's provision of satisfactory environmental conditions at each of the locations listed under paragraph (a)(5); and
- (7) details of the applicant's staffing structure at each of the locations listed under

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| <p>paragraph (a)(5); and</p> <p>(8) a detailed description of the scope of work to be undertaken by the applicant; and</p> <p>(9) a detailed description of the applicant's design control system; and</p> <p>(10) details of any authorisations made by the organisation to other persons for design work and testing; and</p> <p>(11) details of the organisation's procedures required by—</p> <p>(i) 146.51(b) regarding the competence of personnel; and</p> <p>(ii) 146.51(b) regarding the on-going training of personnel; and</p> <p>(iii) 146.55(2) regarding the control and calibration of tools and test equipment; and</p> <p>(iv) 146.55(2) regarding the confirmation of design data; and</p> <p>(v) 146.59(b) regarding the operation of the design control system; and</p> <p>(vi) 146.61(a) regarding the collecting, investigating, analysing, and distributing of information relating to defects and occurrences; and</p> <p>(vii) 146.61(b) regarding the Instructions for Continued Airworthiness of any type certificated product they design; and</p> <p>(viii) 146.63(a) regarding the identification, collection, indexing, storage, maintenance and disposal of records; and</p> <p>(ix) 146.63(b) regarding the content and retention of records; and</p> <p>(x) 146.65 regarding the internal quality assurance of the applicant's organisation; and</p> <p>(12) procedures to control, amend, and distribute the exposition.</p> <p>(b) The exposition must be acceptable to the Director.</p> | <p>paragraph (a)(5); and</p> <p>(8) a detailed description of the scope of work to be undertaken by the applicant; and</p> <p>(9) a detailed description of the applicant's design control system; and</p> <p>(10) details of any authorisations made by the organisation to other persons for design work and testing; and</p> <p>(11) details of the organisation's procedures required by—</p> <p>(i) rule 146.51(b) regarding the competence of personnel; and</p> <p>(ii) rule 146.51(b) regarding the on-going training of personnel; and</p> <p>(iii) rule 146.55(2) regarding the control and calibration of tools and test equipment; and</p> <p>(iv) rule 146.55(2) regarding the confirmation of design data; and</p> <p>(v) rule 146.59(b) regarding the operation of the design control system; and</p> <p>(vi) rule 146.61(a) regarding the collecting, investigating, analysing, and distributing of information relating to defects and occurrences; and</p> <p>(vii) rule 146.61(b) regarding the Instructions for Continued Airworthiness of any type certificated product they design; and</p> <p>(viii) rule 146.63(a) regarding the identification, collection, indexing, storage, maintenance and disposal of records; and</p> <p>(ix) rule 146.63(b) regarding the content and retention of records; and</p> <p>(x) [revoked]</p> <p>(12) procedures to control, amend, and distribute the exposition.</p> <p>(b) The applicant's exposition must be acceptable to the Director.</p> |
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Subpart C — Operating Requirements

146.105 Changes to certificate holder's organisation

- (a) A holder of a design organisation certificate must ensure that the exposition for the holder's organisation is amended to reflect a current description of the organisation.
- (b) The certificate holder must —
- (1) ensure that any amendment to the exposition for the holder's organisation meets the applicable requirements of this Part; and
 - (2) comply with the amendment procedures contained in the exposition.
- (c) Subject to paragraph (d), the certificate holder must provide the Director with a copy of each amendment to the exposition for the holder's organisation as soon as practicable after the amendment has been incorporated into the exposition.
- (d) Prior notification to, and acceptance by, the Director is required if the certificate holder proposes to make a change to any of the following:
- (1) the chief executive;
 - (2) the listed senior persons;
 - (3) the scope of the design activities the certificate holder undertakes;
 - (4) the location at which work is carried out.
- (e) The Director may specify in writing conditions under which the certificate holder may operate during or following any of the changes specified in paragraph (d) to ensure continued compliance with the requirements of this Part.
- (f) The certificate holder must comply with the conditions specified by the Director under paragraph (e).
- (g) If any change referred to in this rule requires an amendment to the design organisation certificate, the certificate holder must forward the certificate to the Director immediately, for amendment.

Subpart C — Operating Requirements

146.105 Changes to certificate holder's organisation

- (a) A holder of a design organisation certificate must ensure that the exposition for the holder's organisation is amended so that it remains a current description of the holder's organisation.
- (b) The certificate holder must—
- (1) ensure that any amendment made to its exposition meets the applicable requirements of this Part; and
 - (2) complies with the amendment procedures contained in its exposition.
- (c) Subject to paragraph (d), the certificate holder must forward to the Director for retention a copy of each amendment to its exposition as soon as practicable after the amendment is incorporated into its exposition.
- (d) Before a certificate holder changes any of the following, prior acceptance by, the Director is required:
- (1) the chief executive;
 - (2) the listed senior persons;
 - (3) the scope of the design activities the certificate holder undertakes;
 - (4) the location at which work is carried out;
 - (5) the system for safety management, if the change is a material change.
- (e) The Director may impose conditions under which the certificate holder must operate during or following any of the changes specified in paragraph (d).
- (f) The certificate holder must comply with any condition imposed by the Director under paragraph (e).
- (g) If any change referred to in this rule requires an amendment to the design organisation certificate, the certificate holder must forward the certificate to the Director for endorsement of the change as soon as practicable.

(h) The certificate holder must amend the exposition for the holder's organisation as the Director may consider necessary in the interests of aviation safety.

146.107 Safety inspections and audit

(a) The Director may require, in writing, the holder of a design organisation certificate to undergo or carry out such inspections and audits of the holder's design offices, facilities, documents, and records as the Director considers necessary in the interests of aviation safety and security in accordance with section 15 of the Act.

(b) The Director may require from the holder of a design organisation certificate such information as the Director considers relevant to the inspection or audit.

(h) The certificate holder must amend its exposition as the Director may consider necessary in the interests of aviation safety.

146.107 Revoked

Subpart D – Transition Provisions

146.151 Transition for design organisation certificate holders and applicants

- (a) This rule applies to each—
- (1) design organisation certificate holder;
 - (2) design organisation certificate applicant.
- (b) Before 1 February 2021, an organisation to which this rule applies—
- (1) is not required to comply with—
 - (i) rule 146.51(a)(2)(iii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
 - (ii) rule 146.65, if instead of establishing, implementing, and maintaining the system for safety management, the organisation has established an internal quality assurance system that complies with rule 146.153;
 - (iii) rule 146.67(a)(1A);
 - (iv) rule 146.67(a)(3)(ii);
 - (v) rule 146.67(a)(4A); but
 - (2) By 30 July 2018 must submit to the Director with the accompanying completed CAA form an implementation plan that—

- (i) includes a proposed date for implementation of the system for safety management; and
 - (ii) outlines how the organisation plans to implement the system for safety management required under rule 146.65.
- (c) The Director will, if acceptable—
- (1) approve the organisation’s implementation plan; and
 - (2) set the date for implementation of the system for safety management.
- (d) To avoid doubt, the date for implementation is the date the Director approves the system for safety management.
- (e) In setting the date under rule 146.151(c)(2), the Director must have regard to the following:
- (1) the capability of the organisation;
 - (2) the complexity of the organisation;
 - (3) the risks inherent in the activities of the organisation;
 - (4) the date of any certificate renewal;
 - (5) any resource or scheduling impacts on the organisation or the Authority or both;
 - (6) the date for implementation must not be later than 1 February 2021.
- (f) If the organisation is an applicant for a design organisation certificate it must submit its application for such a certificate together with the plan for implementation of the system for safety management.
- (g) This rule expires on 1 February 2021.

146.153 Transitional internal quality assurance for design organisation certificate holders and applicants

- (a) The internal quality assurance system required by rule 146.151(b)(1)(ii) must be established to ensure the organisation’s compliance with, and the adequacy of, the procedures required by this Part.

- (b) The internal quality assurance system must include—
 - (1) a safety policy and safety policy procedures that are relevant to the applicant's organisational goals and the expectations and needs of its customers; and
 - (2) a procedure to ensure quality indicators, including defect and incident reports, and personnel and customer feedback, are monitored to identify existing problems or potential causes of problems within the system; and
 - (3) a procedure for corrective action to ensure that existing problems that have been identified within the system are corrected; and
 - (4) a procedure for preventive action to ensure that potential causes of problems that have been identified within the system are remedied; and
 - (5) an internal audit programme to audit the applicant's organisation for conformity with its safety policy; and
 - (6) management review procedures to ensure the continuing suitability and effectiveness of the internal quality assurance system in satisfying the requirements of this Part.
- (c) The safety policy procedures must ensure that the safety policy is understood, implemented, and maintained at all levels of the organisation.
- (d) The procedure for corrective action must specify how—
 - (1) existing problems are to be corrected; and
 - (2) corrective action are to be followed up to ensure the action is effective; and
 - (3) any procedure required for this Part is to be amended as a result of corrective action; and
 - (4) management will review the effectiveness of any corrective action taken.
- (e) The procedure for preventive action must specify how—
 - (1) potential problems are to be corrected; and
 - (2) preventive action is to be followed up to ensure the action is effective; and
 - (3) any procedure required for this Part is to be amended as a result of preventive

- action; and
- (4) management will review the effectiveness of any preventive action taken.
- (f) The internal quality audit programme must—
 - (1) specify the frequency and location of the audits taking into account the nature of the activity to be audited; and
 - (2) ensure audits are performed by trained auditing personnel who are independent of those having direct responsibility for the activity being audited; and
 - (3) ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits; and
 - (4) require preventive or corrective action to be taken by the personnel responsible for the activity being audited if problems are found by the audit; and
 - (5) ensure follow up audits to review the effectiveness of any preventive or corrective action taken.
- (g) The procedure for management review must—
 - (1) specify the frequency of management reviews of the quality assurance system taking into account the need for the continuing effectiveness of the system; and
 - (2) identify the manager who is responsible for the review of the quality assurance system; and
 - (3) ensure the results of the review are evaluated and recorded.
- (h) The senior person who has the responsibility for internal quality assurance must have direct access to the chief executive on matters affecting safety.
- (i) This rule expires on 1 February 2021.