This Airworthiness Notice is issued in pursuant to Section 24o of the Civil Aviation Act 1969 and Civil Aviation (Amendment) Act 2003. Any person who fails to comply with this Airworthiness Notice, shall be guilty of an offence.

APPROVAL OF PRODUCTION ORGANISATION WITH ALTERNATIVE PROCEDURE TO DEMONSTRATE MANUFACTURING CAPABILITY

1.0 INTRODUCTION

1.1 Civil Aviation Regulation (CAR) 1996, Regulation 38, makes provision for the approval of production organisation and provides the regulatory basis for the Certificate of Approval. Refer to CAR 1996, Regulation 38(1).

1.2 Airworthiness Notice (AN) No. 8201 provides details to supplement the above CAR in respect of Production Organisation Approval (POA). Any organisation responsible for the manufacturing of products, parts and appliances shall demonstrate its capability by holding a POA, issued by the DGCA in accordance with AN No. 8201.

1.3 By way of derogation from AN No. 8201, this Notice provides alternative procedure and means to allow production without POA by requiring the applicant to establish and implement a production inspection system.

1.4 Production without POA is limited to organisation which produces aeronautical parts or appliances that are meeting one or combination of the following criteria:

(a) Simple design and technology;

(b) No flow production; or

(c) Small organisation.

1.5 The main objective of having an approved production inspection system is to ensure that the part or appliance manufactured is in accordance with approved design data and it is in a condition for safe operation.

2.0 SCOPE

2.1 This Notice establishes the procedure for demonstrating the conformity with the applicable design data of an aircraft part and appliance that is intended to be manufactured without a POA as required under AN No. 8201.

2.2 This Notice establishes the rules governing the obligations of the production organisation of an aircraft part or appliance being manufactured under this Notice.

3.0 ELIGIBILITY

3.1 Any organisation may apply to show conformity of individual aircraft part or appliance under this Notice, if;

(a) it holds or has applied for an approval covering the design of that aircraft part or appliance, or

(b) it has ensured satisfactory coordination between production and design, through an appropriate arrangement with the applicant for, or holder of, an approval of such a design.
NOTE: For the purposes of this Notice, "aircraft part or appliance" means any part, instrument, mechanism, equipment, apparatus, appurtenance or accessory fitted to, or installed or provided in, an aircraft including communications equipment that is used or intended to be used in operating or controlling the aircraft in flight. Refer to CAR 1996, Regulation 38(5).

3.2 Approval will not be granted if applicant is located outside of Malaysia, unless the DGCA determines that the location places no undue burden on the DGCA in fulfilling the certificate management responsibilities.

4.0 APPLICATION

4.1 Each application shall be made in a form and manner established by the DGCA, together with the appropriate fee.

4.2 Such application shall contain:

(a) evidence which demonstrate, where applicable, that:

(i) the issuance of a POA under AN No. 8201 would be inappropriate; or

(ii) the certification or approval of an aircraft part or appliance under this Notice is needed pending the issuance of a production organisation approval under AN No. 8201.

(b) draft manual of procedures containing information required by paragraph 5.1(b) of this Notice.

5.0 ISSUE OF APPROVAL

5.1 The applicant shall be entitled to an approval issued by the DGCA approving the showing of conformity of individual aircraft parts and appliances under this Notice, after:

(a) having established a production inspection system that ensures that each part or appliance conforms to the applicable design data and is in condition for safe operation.

(b) providing a manual that contains:

(i) a description of the production inspection system required under paragraph (a),

(ii) a description of the means for making the determinations of the production inspection system,

(iii) a description of any required functional tests of the aircraft part or appliance and the names of persons authorised for the purpose of issuing Statement of Conformity as required by paragraph 11.1 of this Notice.

(c) demonstrating that it is able to provide assistance in accordance with paragraphs 10.1(d), (e) and (f) of this Notice.

6.0 INVESTIGATIONS

6.1 The production organisation shall make arrangement that allow any persons authorised by the DGCA to make any investigations, including investigations of partners and subcontractors, necessary to determine compliance and continued compliance with the applicable requirements of this Notices. Refer to CAR 1996, Regulations 38(3)(a), (b) and (d).
6.2 The production organisation shall allow any persons authorised by the DGCA to review any report and make any inspection and perform or witness any ground test necessary to check the validity of the compliance statements submitted by the applicant. Refer to CAR 1996, Regulation 38(3)(c).

7.0 FINDINGS

7.1 When objective evidence is found showing non-compliance of the production organisation with the applicable requirements of this Notice, the finding shall be classified as follows:

(a) A level one finding is any non-compliance with this Notice which could lead to uncontrolled non-compliances with applicable design data and which could affect the safety of the aircraft.

(b) A level two finding is any non-compliance with this Notice which is not classified as level one.

7.2 A level three finding is any item where it has been identified, by objective evidence, to contain potential problems that could lead to non-compliance under paragraph 7.1 of this Notice.

7.3 After receipt of notification of finding under the applicable administrative procedure established by the DGCA,

(a) In case of a level one finding, the production organisation shall demonstrate immediate corrective action to the satisfaction of the DGCA after written confirmation of the finding;

(b) In case of level two findings, the corrective action period granted by the DGCA shall be appropriate to the nature of the finding but in any case initially shall not be more than three (3) months. In certain circumstances and subject to the nature of the finding the DGCA may extend the three (3) month period subject to a satisfactory corrective action plan agreed by the DGCA.

(c) A level three finding shall not require immediate action by the production organisation.

7.4 In case of level one or level two findings, the approval may be subject to a partial or full limitation, suspension and revocation by the DGCA. The production organisation shall provide confirmation of receipt of the notice of limitation, suspension or revocation of the approval in a timely manner.

8.0 DURATION AND CONTINUED VALIDITY

8.1 The approval certificate shall be issued for a period of one (1) year. It will be renewed upon satisfactory DGCA annual audit and acceptance of annual renewal fee. It shall remain valid as stated in the certificate unless;

(a) The production organisation fails to demonstrate compliance with the applicable requirements of this Notice; or

(b) There is evidence that the production organisation cannot maintain satisfactory control of the manufacture of aircraft parts, or appliances under the approval; or

(c) The production organisation no longer meets the requirements of paragraph 3.0 of this Notice; or

(d) The certificate has been surrendered or revoked under the applicable administrative procedures established by the DGCA, or has expired.

8.2 Upon surrender, revocation or expiry, the certificate shall be returned to the DGCA.
9.0 PRODUCTION INSPECTION SYSTEM

9.1 The production inspection system required under paragraph 5.1(a) of this Notice shall provide means for determining that:

(a) Incoming materials, and bought or subcontracted parts, used in the finished product are as specified in the applicable design data;

(b) Incoming materials, and bought or subcontracted parts, are properly identified;

(c) Processes, manufacturing techniques and methods of assembly affecting the quality and safety of the finished product are accomplished in accordance with specifications accepted by the DGCA; and

(d) Design changes, including material substitutions, have been approved by appropriate design organisation and controlled before being incorporated in the finished product.

9.2 The production inspection system required by paragraph 5.1(a) of this Notice shall also be such as to ensure that:

(a) Parts in process are inspected for conformity with the applicable design data at points in production where accurate determinations can be made;

(b) Materials subject to damage and deterioration are suitably stored and adequately protected;

(c) Current design drawings are readily available to manufacturing and inspection personnel, and used when necessary;

(d) Rejected materials and parts are segregated and identified in a manner that precludes installation in the finished product;

(e) Materials and parts that are withheld because of departures from design data or specifications, and that are to be considered for installation in the finished product, are subjected to an approved engineering and manufacturing review procedure and complete records of action determined by this procedure shall be maintained for at least two years. Those materials and parts determined by this procedure to be serviceable shall be properly identified and re-inspected if rework or repair is necessary. Materials and parts rejected by this procedure shall be marked and disposed of to ensure that they are not incorporated in the final product; and

(f) Records produced under the production inspection system are maintained, identified with the completed product or part where practicable, and retained by the production organisation for at least two years in order to provide the information necessary to ensure the continued airworthiness of the product.

10.0 OBLIGATIONS OF THE PRODUCTION ORGANISATION

10.1 Each production organisation of an aircraft part or appliance being manufactured under this Notice shall:

(a) Make each aircraft part or appliance available for inspection by the DGCA;

(b) Maintain at the place of manufacture the technical data and drawings necessary to determine whether the aircraft part or appliance conforms to the applicable design data;

(c) Maintain the production inspection system that ensures that each aircraft part or appliance conforms to the applicable design data and is in condition for safe operation;
(d) Provide assistance to the holder of the type-certificate, restricted type-certificate or design approval in dealing with any continuing airworthiness actions that are related to aircraft parts or appliances that have been produced;

(e) Establish and maintain an internal occurrence reporting system in the interest of safety, to enable the collection and assessment of occurrence reports in order to identify adverse trends or to address deficiencies, and to extract reportable occurrences. This system shall include evaluation of relevant information relating to occurrences and the promulgation of related information; and

(f) Provide the following reports:

(i) Report to the holder of the type-certificate, or design approval, all cases where aircraft parts or appliances have been released by the production organisation and subsequently identified to have deviations from the applicable design data, and investigate with the holder of the type-certificate or design approval to identify those deviations which could lead to an unsafe condition.

(ii) Report to the DGCA the deviations which could lead to an unsafe condition identified according to paragraph (i). Such reports shall be made in a form and manner under the applicable administrative procedures established by the DGCA.

(iii) Where the production organisation acts as supplier to another production organisation, report also to that other organisation all cases where it has released aircraft parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data.

11.0 STATEMENT OF CONFORMITY

11.1 Each manufacturer of a part or appliance manufactured under this Notice shall raise a Statement of Conformity i.e. DCA Authorised Release Certificate (ARC) in accordance with AN No. 29A. The ARC shall be signed by an authorised person who holds a responsible position in the production organisation.

11.2 The ARC shall certify that each aircraft part or appliance conformed to the approved design data and is in a condition for safe operation.

12.0 CHANGES TO THE APPROVED PRODUCTION ORGANISATION

12.1 After the issue of the Certificate of Approval, each change to the production organisation that is significant to the showing of conformity or to the airworthiness of the aircraft part or appliance, particularly changes to the production inspection system, shall be approved by the DGCA. An application for approval shall be submitted in writing to the DGCA and the organisation shall demonstrate to the DGCA before implementation of the change that it will continue to comply with this Notice.

12.2 The DGCA shall establish the conditions under which a production organisation approved under this Notice may operate during such changes unless the DGCA determines that the approval should be suspended.

13.0 CHANGES OF LOCATION

13.1 A change of the location of the manufacturing facilities of the production organisation shall be deemed of significance and therefore shall comply with paragraph 12.0 of this Notice.

14.0 TRANSFERABILITY

14.1 Except as a result of a change in ownership, which is deemed significant for the purpose of paragraph 12.0 of this Notice, the certificate of approval is not transferable.
15.0 TERMS OF APPROVAL

15.1 The terms of approval shall identify the types of manufacturing work, the aircraft parts and appliances for which the production organisation holds a production approval, and the function and duties that the organisation is approved to perform in regard to the airworthiness and characteristics of noise, fuel venting and exhaust emission of products.

16.0 CHANGES TO THE TERMS OF APPROVAL

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

17.0 PRIVILEGES

17.1 The holder of this approval shall be entitled to perform production activities under this Notice and within its scope of approval.

17.2 The holder of this approval shall be entitled to conduct conformity inspection on the aircraft part and appliance in accordance with approved procedures.

17.3 Subject to paragraph 11 of this Notice, the holder of this approval is allowed to issue the DCA Authorised Release Certificate (ARC) in accordance with AN No. 29A.

18.0 MISCELLANEOUS

18.1 Any expense incurred by reason of anything done during, in or incidental to the investigation mentioned in paragraph 6.0 of this Notice shall be paid by and be recoverable from the holder of the Certificate of Approval. Refer to CAR 1996, Regulation 38(4).

18.2 CAR 1996, Regulation 186 prescribes the regulation for fees and charges. The details of the fees and charges are specified in the Twelfth Schedule, Part B (other charges) paragraph 8.

DIRECTOR GENERAL
DEPARTMENT OF CIVIL AVIATION
MALAYSIA