



**CIVIL AVIATION SAFETY AUTHORITY**

**PNG**

**Civil Aviation Rules**

**Part 146**

**Aircraft Design Organisation –  
Certification**

Applicable 03 November 2022

## DESCRIPTION

Part 146 prescribes rules governing the certification and operation of an aircraft design organisation, and issue of a delegation for the approval of a design change.

Part 146 aligns with:

- Amendment 109 of ICAO Annex 8.

**BULLETIN**

This Part first came into force on 1 January 2004 and now incorporates the following amendments:

<b>Amendment</b>	<b>Effective Date</b>
Amendment 1	01 January 2011
Amendment 2	01 February 2018
Amendment 3	03 November 2022

***Summary of Amendments*****Amendment 3:**

(Docket22/10/CAR146/42)

Rules 146.207(1),(2),(3),(4) new rules – to incorporating requirements for the continuing airworthiness responsibilities.

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## **Subpart A — General**

### **146.1 Purpose**

This Part prescribes rules governing the certification and operation of an aircraft design organisations.

### **146.3 Reserved**

### **146.5 Requirement for certificate**

A person shall not exercise the privileges in 146.11 except under the authority of and in accordance with the provisions of an aircraft design organisation certificate issued under this Part.

### **146.7 Application for certificate**

An applicant for the grant of a design organisation certificate must complete form CA 146/01 and submit it to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act, together with—

- (1) the exposition required by 146.53(b)(2); and
- (2) such further particulars relating to the applicant as may be required by the Director.

### **146.9 Issue of certificate**

- (a) An applicant is entitled to a design organisation certificate if the Director is satisfied that—
  - (1) the applicant meets the requirements of Subparts B or C; and
  - (2) the applicant's senior persons required by 146.53(b)(3) are fit and proper persons; and
  - (3) the granting of the certificate is not contrary to the interests of aviation safety.
- (b) The Director may impose conditions and limitations on a design organisation certificate issued under this Part.

### **146.11 Privileges of certificate holder**

The holder of a design organisation certificate may develop any design which is authorised by the rating(s) specified on the certificate and within the scope defined in the organisation's exposition, according to the following:

- (1) rating D1 for the development of design changes for products and their components:
- (2) rating D2 for the development of designs and design changes for appliances.

**146.13 Duration of certificate**

- (a) A design organisation certificate may be granted or renewed for a period of up to five years.
- (b) A design organisation certificate remains in force until it expires or is suspended or revoked by the Director.
- (c) The holder of a design organisation certificate that expires or is revoked must immediately surrender the certificate to the Director.
- (d) A holder of a design organisation certificate that is suspended must immediately produce the certificate to the Director for appropriate endorsement.

**146.15 Notification of ceasing design**

The holder of a design organisation certificate who ceases to offer design services must notify the Director in writing within 30 days of the date of cessation and request revocation of the design organisation certificate.

**146.17 Renewal of certificate**

- (a) An application for the renewal of a design organisation certificate must be made by the holder of a design organisation certificate on form CA146/01.
- (b) The application must be submitted to the Director by the application renewal date specified on the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

**Subpart B — Acceptance of Foreign Design Organisations****146.51 Purpose**

This Subpart prescribes the rules for the grant of a design organisation certificate to a foreign organisation which the Director finds acceptable on the basis of an approval issued by another ICAO Contracting State.

**146.53 Acceptable foreign certifications**

- (a) Subject to the requirements of paragraphs (b) and (c), a design organisation certificate issued by any of the following authorities will be accepted by the Director for the issue of a design organisation certificate under this Part;
  - (1) the Civil Aviation Safety Authority of Australia:
  - (2) the Civil Aviation Authority of New Zealand:
  - (3) the Civil Aviation Authority of the United Kingdom:
  - (4) the Department of Transport Canada:
  - (5) the European Aviation Safety Agency:

- (6) the Federal Aviation Administration of the United States of America:
- (7) the Civil Aviation Bureau of Japan:

(b) An applicant for a design organisation certificate to be issued under paragraph (a) must provide the Director with:

- (1) a copy of the foreign design organisation certificate; and
- (2) a copy of the exposition required by the foreign Authority; and
- (3) the names of the Chief Executive and those senior persons who have responsibility for dealing directly with the Director on the following matters—
  - (i) design control:
  - (ii) inspection and testing:
  - (iii) internal quality and safety management system.
- (4) any information the Director may require regarding continuing validity of the foreign certificate.

(c) The Director may impose conditions and limitations on a design organisation certificate issued under paragraph (a).

## **Subpart C — Reserved**

## **Subpart D — Operating Requirements**

### **146.201 Continued compliance**

- (a) A holder of a design organisation certificate must—
  - (1) hold at least one complete and current copy of its exposition at each work location specified in its exposition; and
  - (2) comply with all procedures and systems detailed in its exposition; and
  - (3) make each applicable part of the exposition available to personnel who require those parts to carry out their duties; and
  - (4) determine that each design or design change approved complies with the applicable airworthiness requirements, has no unsafe features, and is fit for embodiment; and
  - (5) make records available to the Director upon request; and
  - (6) comply with any limitations or conditions prescribed by the Director on the certificate.

(b) For continued compliance of a design organisation certificate issued under Subpart B, the foreign design certificate accepted by the Director must be valid.

### **146.203 Changes to certificate holder's organisation**

- (a) The certificate holder must provide the Director with a copy of each amendment to its exposition as soon as practicable after it has incorporated into the exposition.
- (b) Where the certificate holder proposes to make a change to any of the following, the Director must be notified in writing as soon as practicable:
- (1) the Chief Executive:
  - (2) the senior persons required by 146.53(b)(3):
  - (3) the design activities the holder undertakes:
  - (4) the locations at which work is carried out.
- (c) The Director may prescribe conditions under which a certificate holder may operate during or following any of the changes specified in paragraph (b).
- (d) A certificate holder must comply with the conditions prescribed under paragraph (c).
- (e) The certificate holder must promulgate in a form acceptable to the Director any information or procedures additional to the material contained in the exposition which the Director may consider necessary.

### **146.205 Safety audits and inspections**

The Director may require the holder of a design organisation certificate to provide copies of reports of audits and inspections carried out by, or on behalf of, a foreign Authority as a condition of continuing validity of a foreign design organisation certification.

### **146.207 Continuing Airworthiness Responsibilities**

The holder of a design organisation certificate, for aeroplanes over 5700kg maximum certified take-off mass and helicopters over 3175 kg maximum certified take-off mass must have procedures

- (1) to obtain and assess mandatory continuing airworthiness information from the State of Design of Modification, where the State of Design of Modification is different from the State of Registry, and implement resulting actions as considered necessary; and
- (2) have procedures to ensure that all mandatory continuing airworthiness information which it, as a Design organisation, originated in respect of that aircraft, major modification or major repair, is transmitted to the State of Registry, and the State of Design of Modification where the State of Design of Modification is different from the State of Design; and



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- (3) have procedures for reporting occurrences that have or may have adverse effects on the continuing airworthiness of the aircraft to the organisation responsible for the type design of the aircraft, the State of Design and the State of Registry; and
  - (4) have procedures for reporting occurrences associated with a major modification or major repair to the State of Design of Modification where the State of Design of Modification is different from the State of Registry.