

**COVER SHEET TO AMENDMENT 105-A**

**INTERNATIONAL STANDARDS  
AND RECOMMENDED PRACTICES**

# **AIRWORTHINESS OF AIRCRAFT**

**ANNEX 8  
TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION**

**ELEVENTH EDITION — JULY 2010**

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

## Checklist of Amendments to Annex 8

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	<i>Effective date</i>	<i>Date of applicability</i>
Eleventh Edition (incorporates Amendments 1 to 102)	18 November 2010	24 February 2013
Amendment 103 (adopted by the Council on 13 June 2011)	30 October 2011	31 December 2014
Amendment 104 (adopted by the Council on 25 February 2013)	15 July 2013	14 November 2013
Amendment 105-A (adopted by the Council on 2 March 2016) Replacement pages (v), (xxiii), (xxiv) , I-3 to I-5, II-1-1 to II-1-3 II-2-1, II-2-2, and II-4-1 to II-4-3	11 July 2016	10 November 2016

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*Transmittal note*

Amendment 105-A

to the

International Standards  
and Recommended Practices

## AIRWORTHINESS OF AIRCRAFT

(Annex 8 to the Convention on International Civil Aviation)

1. Insert the following replacement pages in Annex 8 (Eleventh Edition) to incorporate Amendment 105-A which becomes applicable on 10 November 2016:
    - a) Page (v) — Table of Contents
    - b) Pages (xxiii) and (xxiv) — Foreword
    - c) Pages I-3 to I-5 — Part I
    - d) Pages II-1-1 to II-1-3 — Part II, Chapter 1
    - e) Pages II-2-1 and II-2-2 — Part II, Chapter 2
    - f) Pages II-4-1 to II-4-3 — Part II, Chapter 4
  2. Record the entry of this amendment on page (iii).
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<i>Amendment(s)</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted Effective Applicable</i>
100 (10th Edition)	First meeting of the Airworthiness Panel	<p>a) New definitions of Category A, Category B, discrete source damage, engine, fireproof, fire resistant and satisfactory evidence, new note to critical power-unit;</p> <p>b) amendment to the definition of repair;</p> <p>c) revision of the provisions of Part II to allow the introduction of new parts in the Annex, amend Chapter 3 to clarify provisions relating to the limiting conditions under which a damaged aircraft is permitted to fly uncommercially to an aerodrome where it can be restored to an airworthy condition, and re-organize Chapter 4 to clarify States' responsibilities;</p> <p>d) revision of provisions in Part IIIA pertaining to applicability and operating limitations, proof of compliance;</p> <p>e) revision of provisions in Part IIIB pertaining to applicability, operating limitations, performance, stability, structure, design and construction, powerplant, operating limitations, crashworthiness and cabin safety, operating environment and Human Factors;</p> <p>f) restructuring of Part IV into Part IVA (same provisions as those contained in Part IV of Annex 8, Ninth Edition including Amendment 99, except for applicability clauses and cross-references) and Part IVB (new);</p> <p>g) introduction of new Part V — <i>Small Aeroplanes</i>, Part VI — <i>Engines</i> and Part VII — <i>Propellers</i>.</p>	13 December 2004 13 April 2005 13 December 2007
101	Secretariat	Amendment concerning the development of harmonized provisions relating to safety management on the implementation and maintenance of a State's safety programme from 18 November 2010 and the requirement for organizations responsible for the type design or manufacture of aircraft to implement a safety management system from 14 November 2013.	4 March 2009 20 July 2009 18 November 2010; 14 November 2013
102 (11th Edition)	Recommendations of the twelfth meeting of the Airworthiness Panel Working Group of the Whole (AIRP/WG/WHL/12); Secretariat proposal to restructure Annex 8	<p>a) Amendment introduces new definitions in order to harmonize the use of terminology between Annexes 6 and 8;</p> <p>b) restructuring of Annex 8 so the format and structure align with other Annexes;</p> <p>c) adopts existing industry best practice, notably, updating aircraft design in order to reflect modern practice and specifies the applicability date of each amended design Standard.</p>	24 February 2010 12 July 2010 18 November 2010; 24 February 2013
103	Secretariat	The amendment requires the design and manufacture of aircraft's fire extinguishing and/or suppression systems for engines, auxiliary power-units (APUs) and lavatories to use alternative fire extinguishing agents to halon.	13 June 2011 30 October 2011 31 December 2014
104	Special Meeting of the Safety Management Panel (SMP/SM/1)	The transfer of safety management provisions to Annex 19.	25 February 2013 15 July 2013 14 November 2013

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<i>Amendment(s)</i>	<i>Source(s)</i>	<i>Subject(s)</i>	<i>Adopted Effective Applicable</i>
105-A	Airworthiness Panel (AIRP); Safety and Information Protection Task Force (SIP TF); First Meeting of the Safety Management Panel (SMP/1)	Provisions to recognize organizations responsible for the type design and manufacture of engines and propellers to support the extension of SMS applicability to these organizations	2 March 2016 11 July 2016 10 November 2016

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**Limit loads.** The maximum loads assumed to occur in the anticipated operating conditions.

**Load factor.** The ratio of a specified load to the weight of the aircraft, the former being expressed in terms of aerodynamic forces, inertia forces, or ground reactions.

**Maintenance.** The performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification, and the embodiment of a modification or repair.

**Organization responsible for the type design.** The organization that holds the type certificate, or equivalent document, for an aircraft, engine or propeller type, issued by a Contracting State.

**Performance Class 1 helicopter.** A helicopter with performance such that, in case of engine failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area.

**Performance Class 2 helicopter.** A helicopter with performance such that, in case of engine failure, it is able to safely continue the flight, except when the failure occurs prior to a defined point after take-off or after a defined point before landing, in which cases a forced landing may be required.

**Performance Class 3 helicopter.** A helicopter with performance such that, in case of engine failure at any point in the flight profile, a forced landing must be performed.

**Powerplant.** The system consisting of all the engines, drive system components (if applicable), and propellers (if installed), their accessories, ancillary parts, and fuel and oil systems installed on an aircraft but excluding the rotors for a helicopter.

**Pressure-altitude.** An atmospheric pressure expressed in terms of altitude which corresponds to that pressure in the Standard Atmosphere.

**Rendering (a Certificate of Airworthiness) valid.** The action taken by a Contracting State, as an alternative to issuing its own Certificate of Airworthiness, in accepting a Certificate of Airworthiness issued by any other Contracting State as the equivalent of its own Certificate of Airworthiness.

**Repair.** The restoration of an aeronautical product to an airworthy condition as defined by the appropriate airworthiness requirements.

**Satisfactory evidence.** A set of documents or activities that a Contracting State accepts as sufficient to show compliance with an airworthiness requirement.

**Standard atmosphere.** An atmosphere defined as follows:

- a) the air is a perfect dry gas;
- b) the physical constants are:
  - Sea level mean molar mass:  
 $M_0 = 28.964\,420 \times 10^{-3} \text{ kg mol}^{-1}$
  - Sea level atmospheric pressure:  
 $P_0 = 1\,013.250 \text{ hPa}$
  - Sea level temperature:  
 $t_0 = 15^\circ\text{C}$   
 $T_0 = 288.15 \text{ K}$

- Sea level atmospheric density:  
 $\rho_0 = 1.225\ 0\ \text{kg m}^{-3}$
- Temperature of the ice point:  
 $T_i = 273.15\ \text{K}$
- Universal gas constant:  
 $R^* = 8.314\ 32\ \text{JK}^{-1}\text{mol}^{-1}$

c) the temperature gradients are:

Geopotential altitude (km)		Temperature gradient (Kelvin per standard geopotential kilometre)
From	To	
–5.0	11.0	–6.5
11.0	20.0	0.0
20.0	32.0	+1.0
32.0	47.0	+2.8
47.0	51.0	0.0
51.0	71.0	–2.8
71.0	80.0	–2.0

Note 1.— The standard geopotential metre has the value  $9.80665\ \text{m}^2\ \text{s}^{-2}$ .

Note 2.— See Doc 7488 for the relationship between the variables and for tables giving the corresponding values of temperature, pressure, density and geopotential.

Note 3.— Doc 7488 also gives the specific weight, dynamic viscosity, kinematic viscosity and speed of sound at various altitudes.

**State of Design.** The State having jurisdiction over the organization responsible for the type design.

**State of Manufacture.** The State having jurisdiction over the organization responsible for the final assembly of the aircraft, engine or propeller.

**State of Registry.** The State on whose register the aircraft is entered.

Note.— In the case of the registration of aircraft of an international operating agency on other than a national basis, the States constituting the agency are jointly and severally bound to assume the obligations which, under the Chicago Convention, attach to a State of Registry. See, in this regard, the Council Resolution of 14 December 1967 on Nationality and Registration of Aircraft Operated by International Operating Agencies which can be found in Policy and Guidance Material on the Economic Regulation of International Air Transport (Doc 9587).

**Take-off surface.** That part of the surface of an aerodrome which the aerodrome authority has declared available for the normal ground or water run of aircraft taking off in a particular direction.

**Type Certificate.** A document issued by a Contracting State to define the design of an aircraft, engine or propeller type and to certify that this design meets the appropriate airworthiness requirements of that State.

*Note.— In some Contracting States a document equivalent to a Type Certificate may be issued for an engine or propeller type.*

**Type design.** The set of data and information necessary to define an aircraft, engine or propeller type for the purpose of airworthiness determination.

**Ultimate load.** The limit load multiplied by the appropriate factor of safety.



## **PART II. PROCEDURES FOR CERTIFICATION AND CONTINUING AIRWORTHINESS**

*Note.— Although the Convention on International Civil Aviation allocates to the State of Registry certain functions which that State is entitled to discharge, or obligated to discharge, as the case may be, the Assembly recognized, in Resolution A23-13, that the State of Registry may be unable to fulfil its responsibilities adequately in instances where aircraft are leased, chartered or interchanged — in particular without crew — by an operator of another State and that the Convention may not adequately specify the rights and obligations of the State of an Operator in such instances until such time as Article 83 bis of the Convention enters into force. Accordingly, the Council urged that if, in the above-mentioned instances, the State of Registry finds itself unable to discharge adequately the functions allocated to it by the Convention, it delegate to the State of the Operator, subject to acceptance by the latter State, those functions of the State of Registry that can more adequately be discharged by the State of the Operator. It was understood that pending entry into force of Article 83 bis of the Convention, the foregoing action would only be a matter of practical convenience and would not affect either the provisions of the Chicago Convention prescribing the duties of the State of Registry or any third State. However, as Article 83 bis entered into force on 20 June 1997, such transfer agreements will have effect in respect of those Contracting States which have ratified the related Protocol (Doc 9318) upon fulfilment of the conditions established in Article 83 bis.*

### **CHAPTER 1. TYPE CERTIFICATION**

#### **1.1 Applicability**

The Standards of this chapter shall be applicable to all aircraft, and to engines and propellers if type certificated separately, for which the application for certification was submitted to a Contracting State on or after 13 June 1960, except that:

- a) the provisions of 1.4 of this part shall only be applicable to an aircraft type for which an application for a Type Certificate is submitted to the State of Design on or after 2 March 2004;
- b) the provisions of 1.4 of this part shall only be applicable to an engine or propeller type for which an application for a Type Certificate is submitted to the State of Design on or after 10 November 2016; and
- c) the provisions of 1.2.5 of this part shall only be applicable to an aircraft type for which an application for a Type Certificate is submitted to the State of Design on or after 31 December 2014.

*Note.— Normally, a request for a Type Certificate is submitted by the manufacturer when the aircraft, engine or propeller is intended for serial production.*

#### **1.2 Design aspects of the appropriate airworthiness requirements**

1.2.1 The design aspects of the appropriate airworthiness requirements, used by a Contracting State for type certification of an aircraft, engine or propeller or for any change to such type certification, shall be such that compliance with

them will ensure compliance with the Standards of Part II of this Annex and, where applicable, with the Standards of Parts III, IV, V, VI or VII of this Annex.

1.2.2 The design shall not have any features or characteristics that render it unsafe under the anticipated operating conditions.

1.2.3 Where the design features of a particular aircraft, engine or propeller render any of the design aspects of the appropriate airworthiness requirements or the Standards in Parts III, IV, V, VI or VII inappropriate, the Contracting State shall apply appropriate requirements that will give at least an equivalent level of safety.

1.2.4 Where the design features of a particular aircraft, engine or propeller render any of the design aspects of the appropriate airworthiness requirements or the Standards in Parts III, IV, V, VI or VII inadequate, additional requirements that are considered by the Contracting State to give at least an equivalent level of safety shall be applied.

*Note.*— An Airworthiness Manual (Doc 9760) containing guidance material has been published by ICAO.

1.2.5 The approved design of an aircraft under Parts IIIB, IVB and V of this Annex shall use extinguishing agents that are not listed in the 1987 *Montreal Protocol on Substances that Deplete the Ozone Layer* as it appears in the Eighth Edition of the *Handbook for the Montreal Protocol on Substances that Deplete the Ozone Layer*, Annex A, Group II, in the aircraft fire suppression or extinguishing systems in the lavatories, engines and auxiliary power unit.

*Note.*— Information concerning extinguishing agents is contained in the UNEP Halons Technical Options Committee Technical Note No. 1 — New Technology Halon Alternatives and FAA Report No. DOT/FAA/AR-99-63, Options to the Use of Halons for Aircraft Fire Suppression Systems.

### **1.3 Proof of compliance with the appropriate airworthiness requirements**

1.3.1 There shall be an approved design consisting of such drawings, specifications, reports and documentary evidence as are necessary to define the design of the aircraft, engine or propeller and to show compliance with the design aspects of the appropriate airworthiness requirements.

*Note.*— The approval of the design is facilitated, in some States, by approving the design organization.

1.3.2 The aircraft, engine or propeller shall be subjected to such inspections and ground and flight tests as are deemed necessary by the State to show compliance with the design aspects of the appropriate airworthiness requirements.

1.3.3 In addition to determining compliance with the design aspects of the appropriate airworthiness requirements for an aircraft, engine or propeller, Contracting States shall take whatever other steps they deem necessary to ensure that the design approval is withheld if the aircraft, engine or propeller is known or suspected to have dangerous features not specifically guarded against by those requirements.

1.3.4 A Contracting State issuing an approval for the design of a modification, of a repair or of a replacement part shall do so on the basis of satisfactory evidence that the aircraft, engine or propeller is in compliance with the airworthiness requirements used for the issuance of the Type Certificate, its amendments or later requirements when determined by the State.

*Note 1.*— While a repair may be completed and shown to be in compliance with the set of requirements that had been selected for the original type certification of the aircraft, engine or propeller, some repairs may need to be shown to comply with the latest applicable certification requirements. In such cases, States may issue a repair design approval against the latest set of requirements for that aircraft, engine or propeller type.

*Note 2.— The approval of the design of a modification to an aircraft, engine or propeller is signified, in some States, by the issuance of a supplemental Type Certificate or amended Type Certificate.*

#### **1.4 Type Certificate**

1.4.1 The State of Design, upon receipt of satisfactory evidence that the aircraft type (or engine type or propeller type, if certificated separately) is in compliance with the design aspects of the appropriate airworthiness requirements, shall issue a Type Certificate to define the type design and to signify its approval.

1.4.2 When a Contracting State, other than the State of Design, issues a Type Certificate for an aircraft, engine or propeller type, it shall do so on the basis of satisfactory evidence that the aircraft, engine or propeller type is in compliance with the design aspects of the appropriate airworthiness requirements.

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## CHAPTER 2. PRODUCTION

### 2.1 Applicability

The Standards of this chapter are applicable to the production of all aircraft, engines, propellers and associated parts.

### 2.2 Aircraft, engine and propeller production

The State of Manufacture shall ensure that each aircraft, engine or propeller, including associated parts manufactured by sub-contractors and/or suppliers, is airworthy at the time of release.

### 2.3 Aircraft parts production

The Contracting State taking responsibility for the production of aircraft parts manufactured under the design approval referred to in 1.3.4 of Part II shall ensure that the aircraft parts are airworthy.

### 2.4 Production approval

2.4.1 When approving production of an aircraft, engine, propeller or associated part, the Contracting State having jurisdiction over the organization responsible for production shall:

- a) examine the supporting data and inspect the production facilities and processes so as to determine that the manufacturing organization is in compliance with the appropriate production requirements; and
- b) ensure that the manufacturing organization has established and can maintain a quality system or a production inspection system such as to guarantee that each aircraft, engine, propeller or associated part produced by the organization or by sub-contractors and/or suppliers is airworthy at the time of release.

*Note 1.— Normally, the oversight of production is facilitated by approving the manufacturing organization.*

*Note 2.— Where the State of Manufacture is a State other than the Contracting State where the associated parts are produced, there may be an agreement or arrangement acceptable to both States to support the oversight responsibilities of the State of Manufacture over the organizations manufacturing the associated parts.*

2.4.2 The manufacturing organization shall hold, for each aircraft, engine, propeller and associated part concerned, a design approval as referred to in 1.3 of Part II or the right of access under an agreement or arrangement to the approved design data relevant for production purposes.

2.4.3 Records shall be maintained such that the origin of each aircraft, engine, propeller and associated part, and its identification with the approved design and production data can be established.

*Note.— The origin of an aircraft, engine, propeller and associated part refers to the manufacturer, the date of manufacture, the serial number or other information that can be tracked to its production record.*

2.4.4 Where the State of Manufacture is other than the State of Design, there shall be an agreement or arrangement acceptable to both States to:

- a) ensure that the manufacturing organization has the right of access to the approved design data relevant for production purposes; and
  - b) address the responsibilities of each State with regard to design, manufacture and continuing airworthiness of the aircraft, engine or propeller.
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## CHAPTER 4. CONTINUING AIRWORTHINESS

### 4.1 Applicability

The Standards of this chapter are applicable to all aircraft, engines, propellers and associated parts.

### 4.2 Responsibilities of Contracting States in respect of continuing airworthiness

*Note.*— *Guidance on continuing airworthiness requirements is contained in the Airworthiness Manual (Doc 9760).*

#### 4.2.1 State of Design

4.2.1.1 The State of Design of an aircraft shall:

- a) transmit to every Contracting State which has in accordance with 4.2.3 a) advised the State of Design of the aircraft that it has entered the aircraft on its register, and to any other Contracting State upon request, any generally applicable information which it has found necessary for the continuing airworthiness and safe operation of the aircraft, including any engines and propellers (hereinafter called mandatory continuing airworthiness information), and notification of the suspension or revocation of a Type Certificate;

*Note 1.*— *The term “mandatory continuing airworthiness information” is intended to include mandatory requirements for modification, replacement of parts or inspection of aircraft and amendment of operating limitations and procedures. Among such information is that issued by Contracting States in the form of airworthiness directives.*

*Note 2.*— *The Continuing Airworthiness of Aircraft in Service (Cir 95) provides the necessary information to assist Contracting States in establishing contact with competent authorities of other Contracting States for the purpose of maintaining continuing airworthiness of aircraft in service.*

*Note 3.*— *If the State of Design of the aircraft is satisfied that mandatory continuing airworthiness information previously issued by the State of Design of the engine or propeller under 4.2.1.2 fully addresses a continuing airworthiness issue, then the State of Design of the aircraft need not retransmit that information to Contracting States that have already been informed.*

- b) ensure that, in respect of aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, there exists a system for:
  - i) receiving information submitted in accordance with 4.2.3 f);
  - ii) deciding if and when airworthiness action is needed;
  - iii) developing the necessary airworthiness actions; and
  - iv) promulgating the information on those actions including that required in 4.2.1.1 a);

- c) ensure that, in respect of aeroplanes over 5 700 kg maximum certificated take-off mass, there exists a continuing structural integrity programme to ensure the airworthiness of the aeroplane. The programme shall include specific information concerning corrosion prevention and control.

4.2.1.2 The State of Design of an engine or a propeller, where it is different from the State of Design of the aircraft, shall:

- a) transmit any continuing airworthiness information to the State of Design of the aircraft and to any other Contracting State upon request.

*Note.— While the overall responsibility for the transmission of mandatory continuing airworthiness information rests with the State of Design of the aircraft, it is recognized that some States of Design of the engine or propeller transmit mandatory continuing airworthiness information directly to States of Registry and other Contracting States. This practice has the benefit of speeding up the availability of mandatory continuing airworthiness information and processing this information in the normal way in accordance with 4.2.3 d). However, if the State of Design of the aircraft subsequently transmits additional mandatory continuing airworthiness information to that of the State of Design of the engine or propeller, then the mandatory continuing airworthiness information originating from the State of Design of the aircraft must take precedence in case of incompatibility.*

- b) ensure that, in respect of engines and propellers installed on aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, there exists a system for:
  - i) receiving information submitted in accordance with 4.2.3 f);
  - ii) deciding if and when airworthiness action is needed; and
  - iii) developing the necessary airworthiness actions.

4.2.1.3 Where the State of Design of a modification is different from the State of Design of the aircraft, engine or propeller being modified, the State of Design of the modification shall transmit the mandatory continuing airworthiness information to all States that have the modified aircraft on their registries.

4.2.1.4 Where, for a given aircraft, engine or propeller, the State of Manufacture is other than the State of Design, then the State of Design shall ensure that there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing information on the design, manufacture and operation of the aircraft, engine or propeller.

#### 4.2.2 State of Manufacture

The State of Manufacture shall ensure that where it is not the State of Design there is an agreement acceptable to both States to ensure that the manufacturing organization cooperates with the organization responsible for the type design in assessing information on the design, manufacture and operation of the aircraft, engine or propeller.

#### 4.2.3 State of Registry

The State of Registry shall:

- a) ensure that, when it first enters on its register an aircraft of a particular type for which it is not the State of Design and issues or validates a Certificate of Airworthiness in accordance with 3.2 of this part, it shall advise the State of Design that it has entered such an aircraft on its register;

- b) determine the continuing airworthiness of an aircraft in relation to the appropriate airworthiness requirements in force for that aircraft;
- c) develop or adopt requirements to ensure the continuing airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft:
  - i) continues to comply with the appropriate airworthiness requirements after a modification, a repair or the installation of a replacement part; and
  - ii) is maintained in an airworthy condition and in compliance with the maintenance requirements of Annex 6, and where applicable, Parts III, IV, V, VI and VII of this Annex;
- d) upon receipt of mandatory continuing airworthiness information from the State of Design, adopt the mandatory information directly or assess the information received and take appropriate action;
- e) ensure that all mandatory continuing airworthiness information which it, as the State of Registry, originated in respect of that aircraft, is transmitted to the appropriate State of Design; and
- f) ensure that, in respect of aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, there exists a system whereby information on faults, malfunctions, defects and other occurrences that cause or might cause adverse effects on the continuing airworthiness of the aircraft is transmitted to the organization responsible for the type design of that aircraft. Whenever this information relates to an engine or propeller, such information shall be transmitted to both the organization responsible for engine or propeller type design and the organization responsible for aircraft type design. Where a continuing airworthiness safety issue is associated with a modification, the State of Registry shall ensure that there exists a system whereby the above information is transmitted to the organization responsible for the design of the modification.

#### 4.2.4 All Contracting States

Each Contracting State shall establish, in respect of aeroplanes over 5 700 kg and helicopters over 3 175 kg maximum certificated take-off mass, the type of information that is to be reported to its airworthiness authority by operators, organizations responsible for type design and maintenance organizations. Procedures for reporting this information shall also be established.

