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PART 57: NTCA DESIGN FACILITY FOR PRODUCTS, PARTS AND APPLIANCES

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SUBPART 1: GENERAL

Applicability

57.01.1 (1) This Part applies to the approval and operation of a NTCA design facility which designs –

(a) products or changes thereto; and
(b) parts and appliances or changes thereto.

(2) Notwithstanding the above, it shall not be mandatory for natural persons or organisations designing NTCA or any of its components to have a NTCA design facility.

(3) The NTCA design facility shall be permitted to implement its designs without the requirement for further verification as referred to in 57.02.9.

Display of NTCA design facility approval

57.01.2 The holder of a NTCA design facility approval shall display the approval in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the approval is displayed, shall produce the original approval to an authorised officer, inspector or authorised person if so requested.

Advertisements

57.01.3 Any advertisement by an organisation indicating that it is a NTCA design facility, shall reflect the number of the NTCA design facility approval issued by the Director or body designated for the purpose as the case may be.

Safety inspections and audits

57.01.4 (1) An applicant for the issuing of a NTCA design facility approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and flight and ground tests which may be necessary to verify the validity of any application made in terms of regulation 57.02.6.

(2) The holder of a NTCA design facility approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits, including safety inspections and audits of its partners or subcontractors, which may be necessary to determine compliance with the appropriate requirements prescribed in this Part.

Register of approvals

57.01.5 (1) The Director or body designated for the purpose in terms of Part 149, as the case may be, shall maintain a register of all NTCA design facility approvals issued in terms of these regulations .

(2) The register shall contain the following particulars:
- (a) the full name of the holder of the approval;
- (b) the physical address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the terms of the approval issued to the holder of the approval; and
- (e) the nationality of the holder of the approval.

(3) The particulars referred to in sub-regulation (2) shall be recorded in the register within seven days from the date on which the approval is issued.

(4) The register shall be kept in a safe place at the office of the Director or body designated for the purpose in terms of Part 149, as the case may be .

(5) A copy of the register shall be furnished by the Director or body designated for the purpose in terms of Part 149, as the case may be, on payment of the appropriate fee as prescribed in Part 187, to any person who requests the copy.

SUBPART 2: APPROVAL OF NTCA DESIGN FACILITY

Requirement for approval

57.02.1

Application for the approval of a NTCA design facility shall be made to the Director or the body designated in terms of Part 149, as the case may be, as per the requirements of 57.02.6.

Manual of procedures

57.02.2 An applicant for the issuing of a NTCA design facility approval shall provide the Director or body designated for the purpose in terms of Part 149, as the case may be with its manual of procedures which shall –

(a) comply with the requirements prescribed in this Subpart; and
(b) contain the information as prescribed in Document SA-CATS 57.

Design control system

57.02.3 (1) The applicant shall establish a design control for the design of products, parts and appliances or changes thereto.

(2) The minimum standards for a design control system shall be as prescribed in Document SA-CATS 57.

Personnel requirements

57.02.4 (1) The applicant shall engage, employ or contract , if applicable –

(a) a person identified as the accountable manager and compliance officer of the facility concerned, to whom contractual authority has been granted to ensure that all activities undertaken by the facility are carried out in accordance with the applicable requirements prescribed in this Subpart, and who shall in addition be vested with the following powers and duties in respect of the compliance with such requirements:
    (i) unrestricted access to work performed or activities undertaken by all other persons as employees of, or other persons rendering service under contract with, the facility
    (ii) full rights of consultation with any such
    (iii) powers to order cessation of any activity affects compliance;
    (iv) a duty to establish liaison mechanisms with the Director or body designated for the purpose as the case may be.; and
    (v) powers to report directly to the management of the facility on their investigations and consultations generally, and in cases contemplated in subparagraph (iii), and with regard to the results of the liaison contemplated in subparagraph (iv);

(b) a competent person who is responsible for quality control, and who has direct access to the accountable manager and compliance officer referred to in paragraph (a) on matters affecting airworthiness and aviation safety; and

(c) adequate personnel to plan, perform, supervise and inspect the design of products, parts and appliances or changes thereto, undertaken by the NTCA design facility.

(2) The applicant shall establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising or inspecting the design of products, parts and appliances or changes thereto, undertaken by the NTCA design facility.

(3) The applicant may apply for a facility where the persons referred to in paragraphs (1) (a) - (c) may be the same person.

Accommodation, facilities and equipment

57.02.5 The applicant shall ensure that the accommodation, facilities and equipment are adequate to enable the personnel to achieve the airworthiness objectives for the product, parts and appliances.

Application for approval or amendment thereof

57.02.6 An application for the issuing of a NTCA design facility approval or an amendment thereof, shall be –

(a) made in the prescribed form and manner ; and
(b) accompanied by –

(i) the appropriate fee as prescribed in Part 187;
(ii) the manual of procedure referred to in regulation 57.02.2; and
(iii) the terms of approval requested to be issued under regulation 57.02.8, for which application is being made.

Issuing of approval

57.02.7 (1) Subject to the provisions of sub-regulation (2), the Director or body designated for the purpose in terms of Part 149, as the case may be, shall issue a NTCA design facility approval to design products, parts and appliances or changes thereto, if the applicant complies with the requirements prescribed in regulations 57.02.2 to 57.02.5 inclusive.

(2) The Director or body designated for the purpose in terms of part 149, as the case may be, may refuse to issue the approval if the application concerned is not appropriate for the purpose.

(3) A NTCA design facility approval shall be issued on the prescribed form.

Terms of approval

57.02.8 The terms of approval shall –

(a) be issued as part of a NTCA design facility approval;
(b) list the types of design work and the categories of products, parts and appliances or changes thereto on the OpSpec, for which the approval is held;

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Privileges

57.02.9 (1) Subject to the provisions of regulation 57.01.4, the Director or body designated for the purpose in terms of Part 149, as the case may be, may accept without further verification, any document submitted in terms of Part 24, by the holder of a NTCA design facility approval to design products, parts and appliances or changes thereto.

(2) The holder of a NTCA design facility approval shall be entitled to:

(a) classify design changes as “major” or “minor” under a procedure approved by the Director or body designated for the purpose in terms of part 149, as the case may be;
(b) notify the Director or body designated for the purpose in terms of part 149, as the case may be, of minor design changes under medication procedures and issue corresponding information or instructions containing a statement that the technical content is approved;
(c) obtain approval when a major change to a type design has been approved by the Director or body designated for the purpose in terms of part 149, as the case may be, and issue corresponding information or instructions containing a statement that the technical content is approved;
(d) obtain approval of documentary changes to the MMEL and to the POH under a procedure approved by the Director or body designated for the purpose in terms of part 149 as the case may be , and issue such changes containing a statement that the changes are approved.

Period of validity

57.02.10 (1) A NTCA design facility approval shall be valid for the period determined by the Director or body designated for the purpose in terms of part 149 as the case may be , which period shall not exceed two years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until it expires or is suspended by an authorised officer, inspector or authorised person, or cancelled by the Director or body designated for the purpose in terms of part 149, as the case may be .

(3) If the holder of an approval applies for the renewal of the approval at least 60 days prior to the expiry of the approval, then approval shall, notwithstanding sub-regulation (2), remain in force until the Director or the body designated for the purpose in terms of Part 149, as the case may be, issues the renewal thereof.

(4) The holder of an approval which expires, shall forthwith surrender the approval to the Director or body designated for the purpose in terms of part 149, as the case may be .

(5) The holder of an approval which is suspended, shall forthwith produce the approval upon suspension thereof, to the authorised officer, inspector or authorised person concerned for the appropriate endorsement.

(6) The holder of an approval which is cancelled, shall, within 30 days from the date on which the approval is cancelled, surrender such approval to the Director or body designated for the purpose in terms of part 149 as the case may be .

Transferability

57.02.11 (1) A NTCA design facility approval issued in terms of this subpart, is not transferable.

Changes in design control system

57.02.12 (1) If the holder of a NTCA design facility approval desires to make any change in the design control system referred to in regulation 57.02.3, which is significant to the showing of compliance with the appropriate requirements prescribed in this Part, or to the airworthiness of the product, part or appliance, such holder shall apply to the Director or body designated for the purpose in terms of part 149, as the case may be, for the approval of such change.

(2) The provisions of regulation 57.02.6 shall apply with the necessary changes to an application for the approval of a change in the design control system.

(3) An application for the approval of a change in the design control system shall be granted by the Director or body designated for the purpose in terms of part 149, as the case may be, if the applicant satisfies the Director or body designated for the purpose in terms of part 149, as the case may be, upon submission of appropriate proposed changes to its manual of procedures, that it will continue to comply with the provisions of regulations 57.02.2 to 57.02.5 inclusive, after the implementation of such approved change.

Changes in terms of approval

57.02.13 (1) If the holder of a NTCA design facility approval desires to make any change in the terms of approval referred to in regulation 57.02.8, such holder shall apply to the Director or body designated for the purpose in terms of part 149 ,as the case may be, for the approval of such change.

(2) The provisions of regulation 57.02.6 shall apply with the necessary changes to an application for the approval of a change in the terms of approval.

(3) An application for the approval of a change in the terms of approval shall be granted by the Director or body designated for the purpose in terms of part 149, as the case may be, if the applicant satisfies the Director or body designated for the

purpose in terms of part 149, as the case may be, that it complies with the appropriate requirements prescribed in this subpart.

Duties of holder of approval

57.02.14 The holder of a NTCA design facility approval shall –

(a) hold at least one complete and current copy of its manual of procedures referred to in regulation 57.02.2, at each work location specified in the manual of procedures;
(b) comply with all procedures detailed in the manual of procedures;
(c) make each applicable part of the manual of procedures available to the personnel who require those parts to carry out their duties;
(d) continue to meet the appropriate requirements prescribed in this Part;
(e) determine that the design of products, parts and appliances or changes thereto, as the case may be, comply with the appropriate requirements prescribed in Part 24 and have no unsafe feature; and
(f) submit to the Director or body designated for the purpose in terms of part 149, as the case may be, statements and supporting documents which confirm compliance with the provisions of paragraph (e).

Renewal of approval

57.02.15 (1) An application for the renewal of a NTCA design facility approval shall be –

(a) made in the prescribed form and manner ; and
(b) accompanied by –
    (i) the appropriate fee as prescribed in Part 187; and
    (ii) the manual of procedures referred to in regulation 57.02.2.

(2) The holder of the approval shall at least 60 days immediately preceding the date on which such approval expires, apply for the renewal of such approval.