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<th><strong>Title:</strong></th>
<th>Airworthiness</th>
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<td><strong>Number:</strong></td>
<td>OMP 13</td>
</tr>
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<td><strong>Date:</strong></td>
<td>09/06/15</td>
</tr>
<tr>
<td><strong>Computer Ref:</strong></td>
<td>OMP Airworthiness_issue1_20150609</td>
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<td><strong>Current status:</strong></td>
<td>Issue 1</td>
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<tr>
<td><strong>Contact address:</strong></td>
<td>Central Office, OCCAR-EA Bonn</td>
</tr>
<tr>
<td><strong>Email:</strong></td>
<td><a href="mailto:questions@occar.int">questions@occar.int</a></td>
</tr>
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**Approved for issue:**

**OCCAR File Ref:**

1SAFI

This document replaces: - New document issue.
Record of changes

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<td>09/06/15</td>
<td>Issue 1</td>
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<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>CB</td>
<td>(Type) Certification Basis</td>
</tr>
<tr>
<td>CDR</td>
<td>Critical Design Review</td>
</tr>
<tr>
<td>CoC</td>
<td>Certificate of Conformity</td>
</tr>
<tr>
<td>CoD</td>
<td>Certificate of Design</td>
</tr>
<tr>
<td>COC</td>
<td>Certification &amp; Qualification Committee</td>
</tr>
<tr>
<td>CQO</td>
<td>Certification &amp; Qualification Organisation</td>
</tr>
<tr>
<td>CQP</td>
<td>Certification &amp; Qualification Panel</td>
</tr>
<tr>
<td>CQPP</td>
<td>Certification &amp; Qualification Programme Plan</td>
</tr>
<tr>
<td>Def-Std</td>
<td>Defence Standard</td>
</tr>
<tr>
<td>EASA</td>
<td>European Aviation Safety Agency</td>
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<tr>
<td>EC</td>
<td>European Commission</td>
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<td>EDA</td>
<td>European Defence Agency</td>
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<tr>
<td>EMAR</td>
<td>European Military Airworthiness Requirements</td>
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<tr>
<td>FCA</td>
<td>Functional Configuration Audit</td>
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<tr>
<td>HLO</td>
<td>High Level Objective</td>
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<tr>
<td>ITT</td>
<td>Invitation To Tender</td>
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<tr>
<td>JSSG</td>
<td>Joint Service Specification Guides</td>
</tr>
<tr>
<td>MDOA</td>
<td>Military Design Organisation Approval</td>
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<tr>
<td>MFTP</td>
<td>Military Flight Test Permit</td>
</tr>
<tr>
<td>MIL-HDBK</td>
<td>US Department of Defence Military Handbook</td>
</tr>
<tr>
<td>MoC</td>
<td>Means of Compliance</td>
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<tr>
<td>MPOA</td>
<td>Military Production Organisation Approval</td>
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<tr>
<td>MTC</td>
<td>Military Type Certificate</td>
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<tr>
<td>NMCA</td>
<td>National Military Certification Authority</td>
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<tr>
<td>OCCAR</td>
<td>Organisation Conjointe de Cooperation en matiere d'ARMement</td>
</tr>
<tr>
<td>OCCAR-EA</td>
<td>Organisation Conjointe de Cooperation en matiere d'ARMement - Executive Administration</td>
</tr>
<tr>
<td>PC</td>
<td>OCCAR Programme Committee</td>
</tr>
<tr>
<td>PD</td>
<td>OCCAR-EA Programme Division</td>
</tr>
<tr>
<td>PCA</td>
<td>Physical Configuration Audit</td>
</tr>
<tr>
<td>PDR</td>
<td>Preliminary Design Review</td>
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<tr>
<td>PID</td>
<td>Programme Information Document</td>
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<tr>
<td>SME</td>
<td>Subject Matter Expert</td>
</tr>
<tr>
<td>STC</td>
<td>Supplemental Type Certificate</td>
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<tr>
<td>TC</td>
<td>Type Certificate</td>
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<tr>
<td><strong>List of definitions/explanations</strong></td>
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<td>--------------------------------------</td>
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<tr>
<td><strong>Aircraft or Air Vehicle</strong></td>
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<tr>
<td>Any vehicle that is capable of atmospheric flight and can be equipped with fixed or launchable weapons that form part of it. An air vehicle includes the installed equipment (hardware and software) for airframe, propulsion, air vehicle applications software, air vehicle system software communications / identification, navigation / guidance, central computer, fire control, data display and controls, survivability, reconnaissance, automatic flight control, central integrated checkout, antisubmarine warfare, armament, weapons delivery, auxiliary equipment, and all other installed equipment. Includes Unmanned Aerial Vehicle (UAV) system. A UAV system comprises individual UAV System elements consisting of the unmanned aerial vehicle (UAV), the UAV control station and any other UAV System elements necessary to enable flight such as a command and control data link, communication system and take-off and landing element. There may be multiple UAV, UAV control station, or take-off and landing elements within a UAV System.</td>
<td></td>
</tr>
<tr>
<td><strong>Airworthiness</strong></td>
<td></td>
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<tr>
<td>The ability of an aircraft or other airborne equipment or system to operate in flight and on the ground without significant hazard to aircrew, ground crew, passengers (where relevant), other airspace users or to other third parties.</td>
<td></td>
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<tr>
<td><strong>Certificate</strong></td>
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<tr>
<td>Any approval, licence or other document issued as the result of certification as well as the issuance of the relevant certificate attesting such compliance.</td>
<td></td>
</tr>
<tr>
<td><strong>Certificate of Conformity</strong></td>
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<tr>
<td>A document signed by the contractor (supplier), which states that the contracted item conforms with the requirements.</td>
<td></td>
</tr>
<tr>
<td><strong>Certificate of Design</strong></td>
<td></td>
</tr>
<tr>
<td>Is the certificate signed by the contractor declaring that the type complies with the Technical Specification of the aircraft and the respective (Type) Certification Basis.</td>
<td></td>
</tr>
<tr>
<td><strong>Certification</strong></td>
<td></td>
</tr>
<tr>
<td>The process of recognition that a product, part or appliance, organisation or person complies with the applicable airworthiness requirements followed by the declaration of compliance.</td>
<td></td>
</tr>
<tr>
<td><strong>(Type) Certification Basis</strong></td>
<td></td>
</tr>
<tr>
<td>The Aircraft Type Design airworthiness requirements.</td>
<td></td>
</tr>
<tr>
<td><strong>Certification &amp; Qualification Organisation</strong></td>
<td></td>
</tr>
<tr>
<td>Is the body for successfully certifying and qualifying OCCAR aeronautical programmes in an efficient and effective manner for their intended use. It consists of the Certification &amp; Qualification Committee (CQC), the Certification &amp; Qualification Team (CQ Team), the Military Design Organisation Approval Team (MDOA Team) and the Military Production Organisation Approval Team (MPOA Team).</td>
<td></td>
</tr>
<tr>
<td><strong>Certification &amp; Qualification Committee</strong></td>
<td></td>
</tr>
<tr>
<td>Is responsible for ensuring that the necessary certification and qualification activities are satisfactorily carried out to ensure that the Type Acceptance can be declared.</td>
<td></td>
</tr>
<tr>
<td>Certification &amp; Qualification Panel</td>
<td>Is formed by Subject Matter Experts of certain technical disciplines and supports the Certification &amp; Qualification Team Manager.</td>
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</tbody>
</table>
| Certification & Qualification Programme Plan | The Certification & Qualification Programme Plan is a document that:  
• Provides a clear description of the product type to be certified;  
• Describes the contractor organisation involved in the CQ activities for the specific programme, the respective roles and responsibilities and how it fits to the CQO;  
• Defines the Means of Compliance for each of the requirements of the Technical Specification and Certification Basis;  
• Defines all equipment, facilities and information required to undertake the demonstrations, eg. Test samples, GFX requirements, test facilities;  
• Describes the CQO involvement with respect to compliance demonstrations, test witnessing;  
• Defines the time schedule for achieving compliance including the major milestones ie. Preliminary Design Review (PDR), Critical Design Review (CDR), Functional Configuration Audit (FCA), Physical Configuration Audit (PCA);  
• Defines the documents that are planned to show compliance with the applicable requirements and their scheduled date of availability. |
<p>| Compliance Demonstration | The demonstration by the contractor to show compliance with the stated technical requirements of the contract. |
| Continuing Airworthiness (of Individual Aircraft) | All the processes ensuring that, at any time in its operating life, an individual aircraft complies with the airworthiness requirements in force and is in a condition for safe operation. |
| Continued Airworthiness (of Type Design) | All the tasks to be conducted to verify that the conditions under which a type certificate has been granted are still valid to ensure the safety of the product at any time. Any required corrective measure shall be taken without undue delay and applicable instruction(s) issued. |
| CQ Team | It consists of the Certification &amp; Qualification Team Manager (including Deputy and Assistant if required) and the Certification &amp; Qualification Panels. |
| Payload | Any item of equipment integrated onto the aircraft that has an effect on its aerodynamics and/or is to be released from the aircraft either routinely or in emergency. |
| Programme Information Document | Programme Information Document (PID) describes the organisational structure, CQ processes and procedures to be applied within the respective programme in order to support the successful execution of the programme. |
| Qualification | The process of verifying and declaring conformance with each specification requirements at all levels. It is the entire process of demonstrating that the design of the aircraft meets the specified performance and airworthiness requirements. It results in a declaration of performance and a declaration of airworthiness (both called Certificate of Design). |</p>
<table>
<thead>
<tr>
<th>Safety Case</th>
<th>A structured argument, supported by a body of evidence that provides a compelling, comprehensible and valid case that a system is safe for a given application in a given operating environment.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety Target (Safety HLO)</td>
<td>Baseline criteria for the safety and airworthiness of aircraft, equipment and systems.</td>
</tr>
<tr>
<td>Safety Management Plan</td>
<td>A plan describing the strategy, resources, organisation, management and technical tasks to be employed to ensure satisfactory levels of safety.</td>
</tr>
<tr>
<td>Safety Management System</td>
<td>A management system providing a focus for activities that are particularly concerned with safety performance and legal compliance, as well as loss control considered more widely. Within the Safety Management System the development and maintenance of a Safety Case provides a focus and a clear organisational goal.</td>
</tr>
<tr>
<td>Shall</td>
<td>Used to express a mandatory requirement.</td>
</tr>
<tr>
<td>Should</td>
<td>Used to express a preferred, but not mandatory method of accomplishment.</td>
</tr>
<tr>
<td>Special Condition</td>
<td>Contains such safety standards as the Certification and Qualification Organisation (CQO) finds necessary to establish a level of safety equivalent to that established in the applicable airworthiness requirement.</td>
</tr>
</tbody>
</table>
| Type Design                                                               | Means the Type Design definition presented by the contractor and for which compliance is demonstrated with the aircraft (Type) Certification Basis. The Type Design Definition shall consist of:  
  • the drawings and specifications, and a listing of those drawings and specifications, necessary to define the configuration and the design features of the product shown to comply with the applicable certification specification and the environmental protection requirement;  
  • information on material and process and on methods of manufacture and assembly of the product necessary to ensure the conformity of the product;  
  • the airworthiness limitations section of the Instructions for Continued Airworthiness as required by the applicable certification specifications; and  
  • any other data necessary to allow by comparison, the determination of the airworthiness, the characteristic of noise, fuel venting and exhaust emissions (where applicable) of later product of the same type. |
1. **Purpose**

The purpose of this OMP is to ensure that for aeronautical programmes OCCAR is prepared to contract for airworthiness in an appropriate manner thus ensuring the efficient and effective conduct of certification activities and the interface with the qualification process. It defines the fundamental airworthiness principles, the roles and responsibilities of the parties and the relevant processes and procedures under which airworthiness is to be managed by OCCAR-EA.

The National Military Certification Authority (NMCA), of the appropriate Programme Participating State, with the contributions from OCCAR-EA personnel will execute the processes and procedures.

2. **Scope**

This document describes the Airworthiness Management procedures to be employed by OCCAR-EA and Programme Participating States for all OCCAR aeronautical programmes in which they participate.

For all new programmes the airworthiness requirements shall be based upon a through life approach, especially the setting of the safety requirements, which will drive the contractor to design innovation and improvements into the system. This will result in a theoretical reduction in the loss of aircraft throughout the life cycle of the programme.

For all new programmes the safety and certification requirements shall be on the assumption that they do not include the hazards associated with hostile (enemy) action.

This document does not currently address all aspects of continuing airworthiness, which will be inserted at a later date. Furthermore, this document and its supporting annexes will need further review once the full suit of European Military Airworthiness documents has been published by the European Defence Agency (EDA).

It may also be used as a basis of separate arrangements with any Other State when necessary.

Note: where conflict is identified between this document set and the EMARs, the EMARs will take precedence.

3. **Related documentation**

- European Commission Regulation (EC) No 748/2012 (and amendments) laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisation

- European Commission Regulation (EC) No 2042/2003 (and amendments) on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks

- Applicable European Military Airworthiness Requirements (EMARs): In case a conflict between the EMARs and this OMP, the EMARs will take precedence over this OMP.

- UK Def-Stan 00-56 - Safety Management Requirements for Defence Systems

• RTCA-DO178 - Software considerations in airborne systems & equipment certification

• OCCAR Member States’ / Programme Participating States’ National military airworthiness requirements and procedures compliant with its national legislation

• OMP 7 - Government Quality Assurance Policy

4. **Related Forms and Templates**

| Form OMP 7-2 | Certificate of Conformity (CoC) |
| Form OMP 13-1 | Aircraft Statement of Conformity (EASA Form 52 or equivalent) |
| Form OMP 13-2 | Certificate of Release to Service (EASA Form 53 or equivalent) |
| Form OMP 13-3 | Authorised Release Certificate (EASA Form 1 or equivalent) |
| Form OMP 13-4 | Airworthiness Review Certificate (EASA Form 15b or equivalent) |

5. **Fundamental Airworthiness Principles**

Each Nation is responsible for the regulation of its own aircraft. As a result all military airworthiness activities within OCCAR Programme Participating States are conducted and regulated on a national basis. To minimise the time, cost and any associated delay risks, it is essential that Programme Participating States reach agreement on the fundamental airworthiness principles.

For OCCAR aeronautical programmes these principles are:

• All essential requirements for airworthiness applicable to military aircraft shall be met;

• Safety is paramount and therefore all the aircraft materiel shall be safe for its intended use;

• All Programme Participating States shall rely on civil certification organisations eg. European Aviation and Safety Agency (EASA) or an equivalent civilian body for certification activities to the maximum extent whenever possible;

• All Programme Participating States shall provide personnel who are competent\(^1\) to undertake their assigned tasks and shall therefore recognise, uphold and accept the output of the certification activities performed by the Certification & Qualification Organisation (CQO) without the routine need for further investigation;

• The CQO will provide recommendation to the NMCAs concerning the issue of Military Type Certification (MTC) or equivalent and the approval of any modifications under their respective processes;

• All Programme Participating States shall commit to exchange all relevant information (including that of a classified or sensitive nature) in order to allow the Programme Participating States to fulfil their national airworthiness obligations;

• Common ways of working shall be agreed to ensure that the programme is carried out efficiently and effectively;

• Any weapon or other payload to be used on the aircraft shall be defined.

\(^1\) According to national available human resources, Programme Participating States shall provide suitably qualified, experienced and empowered technical personnel.
Programme Participating States shall commit to the above principles in the Programme Decision.

6. **Airworthiness Management Processes**

6.1 **Introduction**

The management process consists of the certification and qualification activities. Certification deals with flight safety, as measured by compliance with airworthiness requirements described in the Type Certification Basis (CB). Qualification deals with the technical requirements, as measured by compliance with the performance oriented Technical Specification described in the contract.

The processes of certification and of qualification are based on the same body of evidence: studies, simulations and ground and flight tests.

To increase the efficiency of the programme, certification and qualification shall be integrated as much as possible to find synergies between the programme development, certification and qualification activities. These activities shall be performed as complementary functions, or in parallel, in order to minimise effort and avoid duplication of resources and activities.

For every OCCAR aeronautical programme it is essential that OCCAR-EA and the Programme Participating States shall create a unique and collaborative Certification and Qualification Organisation (CQO).

6.2 **Certification and Qualification Organisation**

The CQO may consist of the following elements:

- Certification and Qualification Committee (CQC);
- Certification and Qualification Team (CQ Team);
- Military Design Organisation Approval Team (MDOA Team);
- Military Production Organisation Approval Team (MPOA Team).

The CQO shall be tailored to suit the needs of the programme but its structure and Terms of Reference (ToRs) shall be agreed by the Programme Board prior to start of contract preparation.

6.3 **Certification and Qualification Management Processes**

The certification and qualification management processes shall be defined by OCCAR-EA, the National Military Certification Authorities (NMCAs), the CQO (if formed) and the contractor prior to agreement between OCCAR-EA and the contractor. The processes may be tailored to suit the needs of the programme.

The NMCAs are responsible for the certification following a recommendation from the CQC. The CQC involvement does not modify the rights and legal responsibilities of the civil certification organisations or/and NMCAs or affect national certification regulations.

Where a civil certification organisation eg EASA is required to contribute to the overall certification process, the CQO, civil certification organisation and the
contractor should discuss and agree the process in order to establish an effective cooperation to the greatest extent for verifying that the military certification requirements are met.

The OCCAR-EA Programme Division is responsible for the qualification based on the recommendations provided by the CQO. The management of the qualification compliance process is delegated to the CQO. After successful achievement of the qualification activities, the CQC provides recommendation to the OCCAR-EA Programme Division to accept the qualification.

7. **Principal roles and responsibilities**

The successful execution of the airworthiness principles requires the involvement of the following parties:

7.1 **Programme Board**

The Programme Board:

- Ensures the early engagement of the National Military Certification Authorities (NMCAs) prior to signature of the Programme Decision;
- Ensures that the fundamental airworthiness principles are reflected in the relevant Programme Decision(s);
- Approve the organisational structure and ToRs for the Certification and Qualification Organisation (CQO); and
- Appoints the CQC Chairman\(^2\) based on a recommendation from the NMCAs.

7.2 **Programme Committee**

The Programme Committee shall:

- Act on behalf of the Programme Board to ensure that the fundamental airworthiness principles (as stated in paragraph 5 above) are applied; and
- Oversee the CQO management.

7.3 **National Military Certification Authorities**

The NMCAs of the Programme Participating States shall:

- Propose and approve the Safety High Level Objectives (HLOs) to be included as HLOs in the Programme Decision.
- Endorse the organisational structure and the ToRs for the CQO;
- Provide competent\(^3\) personnel to the CQO;

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2 The CQC Chairman will be appointed by NMCAs of the Programme Participating States where no Programme Board is established.
3 According to national available human resources, Programme Participating States shall provide suitably qualified, experienced and empowered technical personnel.
• Recognise, uphold and accept, without the routine need for further investigation, all airworthiness decisions made by, or information, data etc provided by the CQO;

• Issue the Military Flight Test Permit (see EMAR 21 Sub Part P) based upon the approval of the flight test conditions and recommendation from the CQC;

• Issue the Military Type Certificate or equivalent document, if any, according to National regulations based on the recommendation from the CQC;

• Issue the Military Certificate of Airworthiness or equivalent document, if any, according to National regulations based on the issue of the Certificate of Conformity and the Aircraft Statement of Conformity;

• Commit to providing all information including accident, incident and occurrence data to the other NMCAs of Programme Participating States and Industry in order to fulfil their national airworthiness obligations;

• Contribute to the overall identification of airworthiness risks, assessments and mitigation plans;

• Delegate to the CQC to the maximum extent possible the following activities:
  o Ensure that Airworthiness requirements for the programme meet the essential requirements for airworthiness applicable to military aircraft;
  o Establish and approve the airworthiness requirements to be included in the contract and ensure their completeness;
  o Define and propose to the NMCAs the Safety High Level Objectives to be included in the Programme Decision.
  o Define the overall structure of the CQO (including the number, type and composition of the CQ Panels) and establish ToRs;
  o Establish and approve all the Safety Requirements to be included in the Technical Specification and the contract. Approve the CB, including any amendments, for inclusion in the contract;
  o Approve flight test conditions, including any amendments, as a prerequisite for issue of a Military Flight Test Permit (MFTP) in accordance with EMAR 21 Sub Part P.

4 In some Participating States an “Aircraft Statement of Conformity” can also be issued by the Operator.
5 The commitment includes the exchange of all relevant information regarding airworthiness, including that of a classified or sensitive nature, in order to allow Programme Participating States to fulfil their national obligation(s).
6 It should be noted that the initial (Type) Certification Basis may need to be changed along the course of the certification process due to new applied technologies, introduction of design changes, discovery of unsafe conditions or compliance demonstration results.
7 NMA approval maybe required before initial CB finalisation.
o Define the organisational requirements for design, production and maintenance organisations (for Industry) throughout the whole life of the programme and ensure that they are reflected within the relevant contract(s);

o Appoint the Military Design Organisation and Military Production Organisation and issue the associated Terms of Approval;

o Provide oversight for the “compliance demonstration” being undertaken by the contractor;

o Approve the Programme Information Document (PID) describing the organisational structure, CQ processes and procedures to be applied within the respective programme in order to support the successful execution of the programme;

o Verify the procedure(s) for the recognition and surveillance of the Design, Production and / or Maintenance Organisation and determine the privileges to be granted, if any;

o Approve appropriate forms and templates as required.

7.4 Certification and Qualification Organisation

The CQO of the OCCAR aeronautical programme is responsible to ensure that the necessary certification and qualification activities are satisfactorily carried out in accordance with Annex OMP 13-A so that the type certification by the NMCAs and the Type Acceptance by OCCAR-EA can be declared. The CQO shall work in close cooperation with the OCCAR-EA Programme Division, the NMCAs of the Programme Participating States, the contractor and the relevant civil certification organisation.

The role and responsibilities of the CQO for OCCAR aeronautical programmes is described in Annex OMP 13-B.

7.5 OCCAR-EA Programme Division

The OCCAR-EA Programme Division shall:

• Manage the efficient and effective execution of the Programme Decision(s);

• Ensure that the airworthiness requirements are addressed during the contracting process and reflected within the terms and conditions of the contract(s);

• Consult the NMCAs and / or the CQO during the preparation and execution of the contract(s) to ensure the necessary requirements are adequately addressed;

• Conduct regular risk assessments against the achievements of the airworthiness requirements and related HLOs.

8. Inputs to Programme Decision

To ensure that the airworthiness decision making process is simplified and that the risk of programme cost overrun and time delay is minimised, it is essential that the following
aspects with regard to airworthiness are reflected in the Programme Decision(s) for all aeronautical programmes:

- A commitment from the NMCAs of the Programme Participating States to involve only persons with airworthiness tasks within the CQO who are competent. As a consequence, all airworthiness decisions made by, or information, data etc. provided by the CQO shall be recognised, upheld and accepted by the Programme Participating States’ NMCA(s) without the routine need for further investigation;

- A commitment from the Programme Participating States that the resources necessary to form a CQO shall be provided and agreement of the organisational structure, ToRs and management processes. The formation of the CQO shall occur at the earliest opportunity but no later than before the start of contract preparation. For aeronautical programmes, the formation of a dedicated CQO is a prerequisite for the efficient and effective Qualification (Technical Specification compliance) including Certification (Airworthiness compliance);

- An agreement from the Programme Participating States that the CQ Team Manager (if required) belongs to OCCAR-EA and is located at or near the Design Organisation (See Annex OMP 13-B). This will ensure that the effectiveness of the management of the CQO is maximised;

- A statement that the relevant authorities of the Programme Participating States have defined the certification and qualification decision making process of the CQO to suit the needs of the programme;

- A commitment from the NMCAs of the Programme Participating States to provide all relevant information including accident, incident and occurrence data to the other NMCAs of Programme Participating States and Industry in order to fulfil their National airworthiness obligations;

- An agreement from the NMCAs of the Programme Participating States to the Safety HLOs, to be included as HLOs;

- Any weapon or other payload to be used on the aircraft shall be defined.

9. **Inputs to Aeronautical Contracts**

9.1 **General**

It is essential that the contractor is provided with details of the organisational structure of the CQO, at the earliest opportunity, in order to define and setup a similar structure. Details of the structure of the CQO shall be included in the contract.

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8 According to national available human resources, Programme Participating States shall provide suitably qualified, experienced and empowered technical personnel.
9 According to national available resources, Programme Participating States shall provide suitably qualified, experienced and empowered technical personnel to the CQO.
10 The CQO at this early stage will most likely be the minimum required to assist OCCAR-EA in the contract preparation.
11 The National Authorities for Certification and Qualification may be different.
12 The commitment includes the exchange of all relevant information regarding airworthiness, including that of a classified or sensitive nature.
9.2 **Technical Requirements in Contracts**

The technical requirements in the contract shall be structured in two parts:

- **PART I**: the Technical Specification shall be defined with the full set of technical, performance and safety requirements;
- **PART II**: the CB shall include all the applicable airworthiness requirements to be fulfilled.

Note: The Technical Specification and CB shall be developed simultaneously to ensure that there is no conflict between them\(^{13}\).

9.3 **Design / Development Contracts**

The contract shall require the contractor to:

- Meet the organisation requirements (EMAR Part 21 Sub-Part J or equivalent) defined by the CQO (See Annex OMP 13-B);
- Implement and/or maintain a procedure to coordinate and manage incident / accident and occurrence data from all users in accordance with Regulation EMAR 21 paragraph 21A.3 or equivalent regulation accepted by the Programme Participating States;
- Accept the proposed certification process. Where the contractor disagrees with the proposed certification process they shall offer an alternative proposal which must be agreed by the CQO. The agreed certification process shall be included in the contract;
- Respond to the draft CB (including any weapon safe carriage and release requirements) provided by the CQO. Where the contractor disagrees with the proposed draft CB they shall offer an alternative proposal which must be agreed by the CQO. The agreed CB and the process by which it shall be revised shall be included in the contract;
- Produce a draft Certification & Qualification Programme Plan\(^{14}\) (CQPP) including the proposed Means of Compliance (MoC), agreed by the CQC. The contractor's initial CQPP shall be agreed by the CQO before the contract is let. The requirement for the contractor to refine the CQPP to the satisfaction of the CQO shall be included in the contract.
- Produce a Safety Management Plan and implement a Safety Management System (eg. In accordance with UK DEF-STAN 00-56, MIL-STD-882 or equivalent);
- Produce a Software Management Plan (eg. In accordance with RTCA-DO-178 or equivalent);
- Meet the Safety HLOs (Safety Targets) stated in the Technical Specification and / or CB;

\(^{13}\) The CQO shall be involved in these processes.

\(^{14}\) In some programmes it may be necessary to have separate plans for the Certification Programme and the Qualification Programme.
• Provide to the satisfaction of the CQO:
  o Full access to observe at any time the work being performed on the contracted item, participate in inspections or tests, and perform all controls and inspections required;
  o All contracted item records on request;
  o A final CQPP\textsuperscript{15};
  o The type design definition;
  o Evidence to show compliance against the Technical Specification and the CB and produce the Certification Verification Matrix and Qualification Verification Matrix;
  o The Declaration of Compliance against the agreed Technical Specification and CB, including the Safety HLOs (Safety Targets).

9.4 Production Contracts

The contract shall require the contractor to:

• Meet the organisation requirements (EMAR 21 Sub-Part F or G or equivalent) defined by the CQC (See Annex OMP 13-B);

• Implement and/or maintain a procedure to coordinate and manage incident / accident and occurrence data from all users in accordance with Regulation EMAR Part 21 paragraph 21A.3 or equivalent regulation accepted by the Programme Participating States;

• Provide the delegated Government Representative\textsuperscript{16} (GR) with:
  o Full access to observe at any time the work being performed on the contracted item, participate in inspections or tests, and perform all controls and inspections required;
  o All contracted item records on request;
  o Certificate of Conformity (C of C – Form OMP 7-2);
  o Authorised Release Certificate for products (Except aircraft), parts and appliances (EASA Form 1 or equivalent), if required;
  o Aircraft Statement of Conformity (S of C) (EASA Form 52 or equivalent), if required;
  o List of appropriately approved Deviations and Waivers in all cases.

9.5 Maintenance Contracts

The contract shall require the contractor to:

\textsuperscript{15} In some programmes it may be necessary to have separate plans for the Certification Programme and the Qualification Programme.

\textsuperscript{16} The delegated Government Representative can be from the NMCA, the Operator or Government Quality Assurance Authority.
• Meet the organisation requirements (EC 2042/2003 Part M – Continuing Airworthiness Management Organisation and/or EMAR 145 – Maintenance Organisation Approvals or equivalent) defined by the CQC (See Annex OMP 13-B);

• Ensure that any maintenance proposals (major repair design) affecting the Type Certificate requiring approval are managed in accordance with the EMAR Part 21, Sub-Part J or equivalent as defined by the CQC;

• Implement and maintain an occurrence reporting system. The requirements of Regulation (EC) 2042/2003 Part M paragraph M.A.202 and EMAR 145 paragraph 145.A.60 or equivalent regulation accepted by the Programme Participating States shall apply;

• Provide the delegated Government Representative with:
  o Full access to observe at any time the work being performed on the contracted item, participate in inspections or tests, and perform all controls and inspections required;
  o All applicable maintenance records on request;
  o Certificate of Release to Service (EASA Form 53 or equivalent), if required;
  o Authorised Release Certificate (EASA Form 1 or equivalent), if required;
  o Airworthiness Review Certificate (EASA Form 15b or equivalent), if required.

9.6 ISS Contracts

The NMCAs of Programme Participating States and/or the CQO shall be consulted in the preparation of ISS contracts to ensure that the necessary airworthiness requirements are included in the contract.

ISS contracts may include any combination of Design / Re-Design, Production and Maintenance activities. Therefore, the requirements of paragraphs 9.2 to 9.5 shall be applied as necessary. For ISS contracts with a design content the contract shall require the contractor to show that compliance with the aircraft safety requirement has not been adversely affected.

10. Monitoring and Execution of Aeronautical Contracts

The contracting authority is responsible for the ongoing monitoring of the aeronautical contracts to ensure that the terms and conditions are met and in coordination with the NMCAs / CQO that the airworthiness requirements are fulfilled.

11. Annexes

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17 The delegated Government Representative can be from the NMCA, the Operator or Government Quality Assurance Representative.
18 Contracting Authority means OCCAR-EA.