

PART 58: NTCA MANUFACTURING AND ASSEMBLY FACILITY

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SUBPART 1: GENERAL

Applicability

58.01.1 (1) This Part applies to the approval and operation of a NTCA manufacturing and assembly facility other than home built or amateur built non-type certified aircraft that –

- (a) manufacture specified products, parts or appliances;
- (b) apply specified processes to products, parts or appliances; or
- (c) carry out specified tests on products, parts or appliances; or
- (d) design products, parts and appliances or changes thereto if approved by the Director or the body designated in terms Part 149, as the case may be, and specified on the facility's approved OpSpec.

- (2) This Part also prescribes rules governing the holders of such approvals for showing conformity of products, parts or appliances with the applicable approved data.

Eligibility

58.01.2 The Director or body designated for the purpose in terms of Part 149, as the case may be, shall approve an application for a manufacturing facility approval if

- (a) they are satisfied that for a defined scope of work, such an approval is appropriate for the purpose of showing conformity with a specific design; and
- (b) the applicant -
 - (i) holds, or has applied for, an approval of such a design; or
 - (ii) has a suitable arrangement with a holder of, or an applicant for, an approval of such a design; that ensures satisfactory co-ordination between production and design.

Display of NTCA manufacturing facility approval

58.01.3 The holder of a NTCA manufacturing facility approval shall display the approval in a prominent place at such holder's principal place of business, generally accessible to the public, 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 by such officer, inspector or person.

Advertisements

58.01.4 Any advertisement by a facility, indicating that it is a NTCA manufacturing facility, shall reflect the number of the NTCA manufacturing facility approval issued by the Director or body designated for the purpose in terms of Part 149, as the case may be.

Safety Inspections and audits

58.01.5 (1) An applicant for a NTCA manufacturing facility approval shall permit an authorised officer, inspector or authorised person to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in terms of regulation 58.02.2.

(2) The holder of a NTCA manufacturing 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.

(3) Inspection and audit fees, as prescribed in Part 187, shall be payable in respect of the inspections referred to in sub-regulation (1), and for any inspection considered necessary by the Director or body designated for the purpose in terms of Part 149, as the case may be in order to adjudicate on the suspension of an approval issued in terms of this Part.

Ratings

58.01.6 The ratings for a NTCA manufacturing facility approval are –

- (a) a M rating, to manufacture and assemble specified products, parts or appliances;
- (b) a P rating, to apply specified processes to products, parts or appliances; and
- (c) a T rating, to carry out specified tests on products, parts or appliances.

Register of approvals

58.01.7 (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 manufacturing facility approvals issued in terms of this Part.

(2) The register shall contain the following particulars –

- (a) full names of the holder of the approval;
- (b) physical address of the holder of the approval;
- (c) the date on which the approval was issued or renewed;
- (d) particulars of the ratings 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 MANUFACTURING FACILITY

Approval requirements

58.02.1 The applicant for a NTCA manufacturing facility approval must show, on the basis of the information submitted in the manual of procedures, requested in terms of regulation 58.02.5, that they meets the following requirements:

(a) General:

The facilities, working conditions, equipment and tools, processes and associated materials, personnel and competence, and general organisation have to be of such a nature as to ensure that NTCA manufacturing facility is able to discharge the responsibilities in terms of regulation 58.02.13.

(b) Data:

(i) The NTCA manufacturing facility shall –

- (aa) be in possession of all approved data from the Director or body designated for the purpose in terms of Part 149, as the case may be, and from the holder of, or an applicant for, the approval of the type design, as appropriate, to determine conformity with the applicable design data; and
 - (bb) ensure that approved data is correctly incorporated in its production data as specified in SA-CATS 58;
 - (ii) keep the above data up to date and make it available to all personnel who require access to such data to perform their duties.
- (c) Organisation:
- (i) An accountable manager, has been appointed with responsibility within the organisation to ensure that all production is performed to the required standards and that the production facility is in compliance with the data and procedures identified in the manual of procedures.
 - (ii) A manager or group of managers has been appointed to ensure that the organisation is in compliance with the requirements of this Subpart. In this respect, such person or persons must be directly responsible to, or who may also be the manager identified in sub-paragraph (i) of this paragraph.
 - (iii) All applicable staff shall be given the appropriate authority to be able to discharge their allocated responsibilities.
 - (iv) These positions defined need not necessarily be vested in separate persons and may be performed by a single person should the scale of operation permit.
- (d) Certifying staff:
- (i) Certifying staff is defined as those personnel who are authorised by the manufacturing facility to sign the applicable documents issued under the scope or terms of its approval as contemplated in subpart 58.02.12 .
 - (ii) The knowledge, background, and experience of the certifying staff shall be appropriate to discharge their allocated responsibilities.
 - (iii) The manufacturing facility maintains a record of all certifying staff that shall include details of the scope of their authorisation.
 - (iv) Certifying staff is provided with evidence of the scope of their authorisation.

Application

58.02.2 An application for the issuing, renewal or amendment of a manufacturing facility approval shall:

- (a) be made to the Director or body designated for the purpose in terms of Part 149, as the case may be in the appropriate prescribed form and shall include-
 - (i) an outline of the information required by regulation 58.02.5;
 - (ii) the terms of approval requested to be issued under regulation 58.02.9;and
- (b) be accompanied by the appropriate fee as prescribed in Part 187.

Issuing of approval

58.02.3 (1) The Director or body designated for the purpose in terms of Part 149, as the case may be, shall issue a NTCA manufacturing facility approval if the applicant complies with the requirements of regulation 58.02.1.

(2) The approval with the relevant rating shall be issued on the appropriate prescribed form .

Quality system

58.02.4 (1) The NTCA manufacturing facility shall show that it has established and can maintain a quality control system.

(2) This quality control system shall enable the facility to ensure that –

- (a) each product, part or appliance produced by the facility or by its partners, or supplied from or subcontracted to outside parties, conforms to the applicable design data and is in a condition for safe operation;
- (b) the processing of products, parts or appliances is controlled and supervised to ensure conformation with the conditions of the approval; and
- (c) the testing of products, parts or appliances is controlled and supervised to ensure conformation with the conditions of the approval; and thus may exercise the privileges set forth in regulation 58.02.12.

(3) The quality control system shall include, as applicable within the scope of approval, control procedures for those elements shown in document SA-CATS 58.

Manual of procedures

58.02.5 (1) An applicant for a NTCA manufacturing facility approval shall provide the Director or body designated for the purpose in terms of Part 149, as the case may be with their manual of procedures, which shall –

- (a) comply with the requirements prescribed in this Part;
- (b) contain the information prescribed in Document SA-CATS 58; and
- (c) be amended, as necessary to remain an up-to-date description of the facility. Two copies of amendments shall be supplied to the Director or body designated for the purpose in terms of Part 149, as the case may be.

Changes to the Facility

58.02.6 (1) If the holder of a NTCA manufacturing facility approval desires to make any change of significance in terms of 58.02.7, or to the showing of compliance with the appropriate requirements prescribed in this Subpart, such holder shall notify the Director or body designated for the purpose in terms of Part 149, as the case may be.

(2) The provisions of regulation 58.02.2 shall apply with the necessary changes to an application for the approval of a change to the facility.

(3) An approval of a change to the facility 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 they will continue to comply with the provisions of regulation 58.02.1 after the implementation of such changes.

Changes in location

58.02.7 A change in the location of the NTCA manufacturing, processing or testing facilities of the approved NTCA manufacturing facility shall be regarded as a change of significance to the facility which shall, therefore, comply with the provisions of regulation 58.02.6.

Transferability

58.02.8 (1) A NTCA manufacturing facility approval issued in terms of this Part is not transferable.

Terms of approval

58.02.9 The terms of approval shall –

- (a) be issued as part of the NTCA manufacturing facility approval;
- (b) specify the rating(s) relevant for the activity of the facility; and
- (c) specify the products or the categories of parts and appliances to be manufactured, processed or tested.

Changes to the terms of approval

58.02.10 (1) Application for a change to the terms of approval –

- (a) shall be made in a manner acceptable to the Director or body designated for the purpose in terms of Part 149, as the case may be, as prescribed in document SA-CATS 58; and
- (b) be accompanied by the appropriate fee as prescribed in Part 187.

(2) The applicant shall comply with the provisions of regulations 58.02.5 and 58.02.6.

Period of validity

58.02.11 (1) A NTCA manufacturing 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 five years, calculated from the date of issuing or renewal thereof.

(2) The approval shall remain in force until –

- (a) the NTCA manufacturing facility fails to demonstrate compliance with the applicable requirements of this Part; or
- (b) 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; or
- (c) there is evidence that the NTCA manufacturing facility cannot maintain satisfactory control of the manufacture, processing or testing of products, parts or appliances under the approval; or
- (d) the NTCA manufacturing facility no longer meets the requirements of regulation 58.02.1; or
- (e) the approval certificate has been revoked.

(2) The holder of an approval that is suspended shall surrender the approval certificate to the authorised officer, inspector or authorised person concerned.

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

Privileges

58.02.12 The holder of a NTCA manufacturing facility approval may, within the terms of approval issued in accordance with regulation 58.02.9:

- (a) in the case of a complete aircraft and upon presentation of an aircraft statement of conformity in the prescribed format , obtain an authority to fly (export authority to fly) in accordance with Part 24 without further showing;
- (b) in the case of any other Class I product and upon presentation of a statement of conformity in the format as prescribed in Document SA-CATS 58, obtain from the Director or body designated for the purpose in terms of Part 149, as the case may be, an authorised release certificate without further showing;
- (c) in the case of products, parts or appliances, other than a Class I product, issue authorised release certificates in the format as prescribed by the Director or body designated for the purpose in terms of Part 149, as the case may be without further showing; and
- (d) carry out maintenance on a new aircraft produced by the organisation to the extent necessary to keep it in an airworthy condition, and that does not require an approval in terms of Part 55, and issue a certificate

of release to service in respect of such maintenance in accordance with Part 44.

Duties of approval holders

58.02.13 The holder of a NTCA manufacturing facility approval shall:

- (a) ensure that the NTCA manufacturing facility's manual of procedures, furnished in accordance with regulation 58.02.5 and the documents to which it refers, are used as the basic working documents within the facility;
- (b) maintain the NTCA manufacturing facility in conformity with the data and procedures approved for the manufacturing facility approval;
- (c) determine that –
 - (i) each completed aircraft conforms to the type design and is in condition for safe operation prior to submitting statements of conformity to the Director or body designated for the purpose in terms of Part 149, as the case may be; or
 - (ii) other products, parts or appliances are complete and conform to the approved design data and are in condition for safe operation for the issuing of authorised release certificates to certify airworthiness or conformity, as applicable;
- (d) record all details of work carried out in a form acceptable to the Director or body designated for the purpose in terms of Part 149, as the case may be;
- (e) report to the holder of the type acceptance or design approval all cases where products, parts or appliances have been released by the NTCA manufacturing facility and subsequently identified to have deviations from the applicable design data, and investigate with the holder of the type acceptance or design approval to identify those deviations that may lead to an unsafe condition;
- (f) provide assistance to the holder of the type acceptance or design approval in dealing with any continuing airworthiness actions that are related to the products, parts or appliances that have been produced;
- (g) institute an archiving system incorporating requirements to its partners, suppliers and subcontractors, ensuring conservation of the data used to justify conformity of the products, parts or appliances, to be held at the disposal of the Director or body designated for the purpose in terms of Part 149, as the case may be, and be retained in order to provide the information necessary to ensure the continuing airworthiness of the products, parts or appliances; and
- (h) where under the terms of approval, a certificate of release to service is to be issued, determine that each completed aircraft has been subjected to necessary maintenance and is in a condition for safe operation, prior to the issuing of the certificate.

Renewal of approval

58.02.14 An application for the renewal of a NTCA manufacturing facility approval to manufacture products, parts or appliances, shall be –

- (a) made to the Director or body designated for the purpose in terms of Part 149, as the case may be, in the appropriate prescribed form; and
- (b) accompanied by –
 - (i) the appropriate fee as prescribed in Part 187; and

(ii) the manual of procedures in the case of any amendments to such manual referred to in regulation 58.02.5.

(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.