ANNEX III

PART A

REQUIREMENTS FOR THE ASSESSMENT OF THE CONFORMITY OR SUITABILITY FOR USE OF CONSTITUENTS REFERRED TO IN ARTICLE 7

1. The verification activities shall demonstrate the conformity of constituents with the performance requirements of this Regulation, or their suitability for use whilst these constituents are in operation in the test environment.

2. The application by the manufacturer of the module described in Part B shall be considered as an appropriate conformity assessment procedure to ensure and declare the compliance of constituents. Equivalent or more stringent procedures are also authorised.

PART B

INTERNAL PRODUCTION CONTROL MODULE

1. This module describes the procedure whereby the manufacturer or his authorised representative established within the Community who carries out the obligations laid down in paragraph 2, ensures, and declares that the constituents concerned satisfy the requirements of this Regulation. The manufacturer or his authorised representative established within the Community must draw up a written declaration of conformity or suitability for use in accordance with Annex III(3) to Regulation (EC) No 552/2004.

2. The manufacturer must establish the technical documentation described in paragraph 4 and he or his authorised representative established within the Community must keep it for a period ending at least 10 years after the last constituents has been manufactured at the disposal of the relevant national supervisory authorities for inspection purposes and at the disposal of the air navigation service providers that integrate these constituents in their systems. The manufacturer or its authorised representative established within the Community shall inform the Member States where and how the above technical documentation can be made available.

3. Where the manufacturer is not established within the Community, he shall designate the person(s) who place(s) the constituents on the Community market. These person(s) shall inform the Member States where and how the technical documentation can be made available.

4. Technical documentation must enable the conformity of the constituents with the requirements of this Regulation to be assessed. It must, as far as relevant for such assessment, cover the design, manufacture and operation of the constituents.

5. The manufacturer or his authorised representative must keep a copy of the declaration of conformity or suitability for use with the technical documentation.

PART C

REQUIREMENTS FOR THE VERIFICATION OF SYSTEMS REFERRED TO IN ARTICLE 8(1)

1. The verification of systems identified in Article 1(2) shall demonstrate the conformity of these systems with the interoperability, performance and safety requirements of this Regulation in an assessment environment that reflects the operational context of these systems. In particular:

— the verification of systems for air-to-ground communications shall demonstrate that 8,33 kHz channel spacing is in use for the VHF air-ground voice communications in accordance with Article 3(3) and that the performance of the 8,33 kHz voice communication systems complies with Article 3(7),

— the verification of systems for flight data processing shall demonstrate that the functionality described in Article 3(12) is properly implemented.

2. The verification of systems identified in Article 1(2) shall be conducted in accordance with appropriate and recognised testing practices.

3. Test tools used for the verification of systems identified in Article 1(2) shall have appropriate functionalities.

4. The verification of systems identified in Article 1(2) shall produce the elements of the technical file required by Annex IV(3) to Regulation (EC) No 552/2004 including the following elements:

— description of the implementation,

— the report of inspections and tests achieved before putting the system into service.

5. The air navigation service provider shall manage the verification activities and shall in particular:

— determine the appropriate operational and technical assessment environment reflecting the operational environment,

— verify that the test plan describes the integration of systems identified in Article 1(2) in an operational and technical assessment environment,

— verify that the test plan provides full coverage of the applicable interoperability, performance and safety requirements of this Regulation,

— ensure the consistency and quality of the technical documentation and the test plan,

— plan the test organisation, staff, installation and configuration of the test platform,

— perform the inspections and tests as specified in the test plan,

— write the report presenting the results of inspections and tests.

6. The air navigation service provider shall ensure that the systems identified in Article 1(2) operated in an operational assessment environment meet the interoperability, performance and safety requirements of this Regulation.

7. Upon satisfying completion of verification of compliance, air navigation service providers shall draw up the EC declaration of verification of system and submit it to the national supervisory authority together with the technical file as required by Article 6 of Regulation (EC) No 552/2004.

PART D

REQUIREMENTS FOR THE VERIFICATION OF SYSTEMS REFERRED TO IN ARTICLE 8(2)

1. The verification of systems identified in Article 1(2) shall demonstrate the conformity of these systems with the interoperability, performance and safety requirements of this Regulation in an assessment environment that reflects the operational context of these systems. In particular:

— the verification of systems for air-to-ground communications shall demonstrate that 8,33 kHz channel spacing is in use for the VHF air-ground voice communications in accordance with Article 3(3) and that the performance of the 8,33 kHz voice communication systems complies with Article 3(7),

— the verification of systems for flight data processing shall demonstrate that the functionality described in Article 3(12) is properly implemented.

2. The verification of systems identified in Article 1(2) shall be conducted in accordance with appropriate and recognised testing practices.

3. Test tools used for the verification of systems identified in Article 1(2) shall have appropriate functionalities.

4. The verification of systems identified in Article 1(2) shall produce the elements of the technical file required by Annex IV(3) to Regulation (EC) No 552/2004 including the following elements:

— description of the implementation,

— the report of inspections and tests achieved before putting the system into service.

5. The air navigation service provider shall determine the appropriate operational and technical assessment environment reflecting the operational environment and shall have verification activities performed by a notified body.

6. The notified body shall manage the verification activities and shall in particular:

— verify that the test plan describes the integration of systems identified in Article 1(2) in an operational and technical assessment environment,

— verify that the test plan provides full coverage of the applicable interoperability, performance and safety requirements of this Regulation,

— ensure the consistency and quality of the technical documentation and the test plan,

— plan the test organisation, staff, installation and configuration of the test platform,

— perform the inspections and tests as specified in the test plan,

— write the report presenting the results of inspections and tests.

7. The notified body shall ensure that the systems identified in Article 1(2) operated in an operational assessment environment meet the interoperability, performance and safety requirements of this Regulation.

8. Upon satisfying completion of verification tasks, the notified body shall draw up a certificate of conformity in relation to the tasks it carried out.

9. Then, the air navigation service provider shall draw up the EC declaration of verification of system and submit it to the national supervisory authority together with the technical file as required by Article 6 of Regulation (EC) No 552/2004.