

EASA Certification Information

No.: 2019-27

Issued: 19 July 2019

Subject: **Revocation of validated Type Certificate for the Brantly B-2, B-2A and B-2B rotorcraft models (FAA TC No. 2H2) due to non-compliance with Commission Regulation (EU) No. 319/2014¹ on the fees and charges levied by the European Union Aviation Safety Agency**

Type Certificate No.: FAA TC No. 2H2 for Brantly B-2, B-2A, B-2B rotorcraft models

Issued by: Initial approval issued on the basis of Federal Aviation Administration (“FAA”) Type Certificate No. 2H2 for the Brantly B-2, B-2A and B-2B rotorcraft models and deemed to be issued in accordance with Article 3, point 1 (a) (i) of Commission Regulation (EU) No. 748/2012²

Type Certificate Holder: BRANTLY INTERNATIONAL Inc.
WILBARGER COUNTY AIRPORT
12399 AIRPORT DRIVE
VERNON, TEXAS 76384
USA

Background: BRANTLY INTERNATIONAL Inc. is the holder of the validated Type Certificate for the Brantly B-2, B-2A and B-2B rotorcraft models issued on the basis of Federal Aviation Administration (“FAA”) Type Certificate No. 2H2 and the validated Type Certificate issued on the basis of the FAA Type Certificate No. H3SW for the Brantly 305 rotorcraft model.

EASA type certification for the above aircraft was granted in accordance with Article 3, point 1 (a) (i) of Commission Regulation (EU) No. 748/2012.

According to Article 7 (2) in conjunction with Table 6 of Part 1 of the Annex to Commission Regulation (EU) No. 319/2014 holders of EASA Type Certificates are required to pay an annual fee related to the certification tasks carried out by the Agency for the purpose of maintaining the EASA Type Certificate.

Despite several reminders, BRANTLY INTERNATIONAL Inc. fails to fulfil the payment obligations imposed by Commission Regulation (EU) No. 319/2014.

¹ Commission Regulation (EU) No. 319/2014 of 27 March 2014 on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation (EC) No. 593/2007 (OJ L 93, 28.3.2014, p. 58)

² Commission Regulation (EU) No. 748/2012 of 03 August 2012 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 organisations (OJ L 224, 21.08.2012, P.1)

By letter dated 28th March 2018 EASA formally informed BRANTLY INTERNATIONAL Inc. of the Agency's intent to revoke the validated Type Certificate for the Brantly B-2, B-2A and B-2B rotorcraft models and the validated Type Certificate for the Brantly 305 rotorcraft model should the outstanding amount not have been paid in full to the Agency before the date indicated in the above letter. In the same letter EASA gave BRANTLY INTERNATIONAL Inc. the opportunity to provide their opinion on the intended revocation by 27th April 2018. EASA did not receive a payment by the deadline of 27th April 2018. In addition, BRANTLY INTERNATIONAL Inc. has not brought forward any pertinent reason/justification why BRANTLY INTERNATIONAL Inc. has not complied with the financial obligations.

On 28th March 2018, EASA published on the EASA website for public consultation the [EASA Certification Information 2018-04](#) to inform any natural or legal person to whom the intended revocation of the above mentioned Type Certificates could be of direct and individual concern as well as to any other possible interested persons in accordance with the applicable EASA administrative procedures. The Agency has received no comments related to this publication.

Due to this persistent non-compliance from BRANTLY INTERNATIONAL Inc. with regard to the payment obligations under Commission Regulation (EU) No. 319/2014, EASA revokes the validated Type Certificate for the Brantly B-2, B-2A and B-2B rotorcraft models in accordance with Article 10 (1) of Commission Regulation (EU) No. 319/2014.

The validated Type Certificate for the Brantly 305 rotorcraft model is not subject to this revocation decision and remains valid, considering that from historical data available to EASA at the time of issuance of the invoices it appears that there were less than 50 samples of the Brantly 305 rotorcraft model registered worldwide.

EASA notified its decision to revoke the validated Type Certificate for the Brantly B-2, B-2A and B-2B rotorcraft models to BRANTLY INTERNATIONAL Inc. on 19th July 2019.

Consequences:

Any rotorcraft registered in an EU Member State is no longer eligible for a normal Certificate of Airworthiness according to Article 14 (c) of Regulation (EU) No. 2018/1139³.

Notwithstanding this decision, EASA has issued the [EASA Specific Airworthiness Specification No. EASA.SAS.IM.R.119](#) for the Brantly B-2, B-2A and B-2B rotorcraft models in accordance with Article 21.A.173 (b) (2) of Annex Part 21 to Commission Regulation (EU) No. 748/2012 for the purpose of issuing a Restricted Certificate of Airworthiness to allow continuation of operation of concerned rotorcraft registered in an EU Member State.

The EASA Specific Airworthiness Specification No. EASA.SAS.IM.R.119 cancels and replaces the validated Type Certificate issued on the basis of FAA Type Certificate No. 2H2 for the Brantly B-2, B-2A, B-2B rotorcraft models.

³ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.08.2018, p. 1), as amended.



The Brantly B-2, B-2A and B-2B rotorcraft models will be listed under EASA SAS No. EASA.SAS.IM.R.119 with TC Holder designation 'WITHOUT TC HOLDER - ORPHANED' and with type designation "Brantly B-2" in the relevant EASA product list on the EASA website⁴.

The EASA Specific Airworthiness Specification No. EASA.SAS.IM.R.119 is also published on the EASA website⁵.

For the Brantly B-2, B-2A and B-2B rotorcraft models, the individual aircraft must be transferred from its Certificate of Airworthiness linked to the validated Type Certificate issued on the basis of the FAA Type Certificate No. H2H to a Restricted Certificate of Airworthiness linked to the above EASA Specific Airworthiness Specification No. EASA.SAS.IM.R.119 before 12th July 2020.

For rotorcraft registered outside the EU, operators should contact their State of Registry for a decision on the continuing validity of any certificates they have issued.

The Brantly 305 rotorcraft model remains listed under Type Certificate Data Sheet No. US H3SW with TC Holder designation 'BRANTLY INTERNATIONAL Inc.' and with type designation 'Brantly 305' in the relevant EASA product list on the EASA website⁶.

Contact:

Any request, query or comment should be sent to:

European Union Aviation Safety Agency
Attn. Mrs. Caroline RUGA
Postfach 10 12 53
D – 50452 Köln
Deutschland
E-Mail: caroline.ruga@easa.europa.eu

⁴ <https://www.easa.europa.eu/download/easa-product-lists/EASA-PRODUCT-LIST-Rotorcraft.pdf>

⁵ <https://www.easa.europa.eu/document-library/specific-airworthiness-specifications>

⁶ <https://www.easa.europa.eu/download/easa-product-lists/EASA-PRODUCT-LIST-Rotorcraft.pdf>

