

## CRD Part-M issues for larger operators

Comment		Response	
Paragraph			
Cmt.			
<b><u>Comment:</u></b>  In some Member States the C of A has a dual purpose: Firstly, it defines the individual aircraft build standard (CS25, etc.) but it is also used to configure the aircraft for commercial operation. The issue of the C of A in the Transport Passenger category also confirms compliance with JAR-OPS Subparts K and L and is used to manage the certification of BFE (Buyer Furnished Equipment) such as seats, IFE, Galleys configuration etc... To introduce the new system such States will have to put in place a system to manage configuration compliance in another way, probably post C of A issue at the manufacturer.		It is recognised that some Member States used the C of A to specify what type of operation was allowed by the configuration of the aircraft. For commercial operation for example the term "Transport Passenger category" was specified in a category box of the certificate of airworthiness. Part-21 however no longer allows this and these Member States will have to use other means, such as operators' fleet lists, to do. According to our knowledge, this is already the method used by the majority of Member States and the US FAA. This point is therefore not related to the implementation of Part-M.	

*I. Appendix 1 to NPA No 07-2005*

<b>Paragraph</b>	
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<b>Cmt.</b>	
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<p><b><u>Comment:</u></b></p> <p>The change from an expiring to a non-expiring C of A is also seen as potentially creating an extra burden on the aircraft operator in some Member States. Currently the renewal period in the UK for example is three years and whilst the C of A will now be non-expiring the ARC is to be renewed annually. The ARC is almost the current C of A renewal process. While an ARC, issued by an M.A. Subpart G Organisation, may be revalidated for twelve months on two occasions provided that the aircraft has remained within a 'Controlled Environment' this still represents an increased workload, which is evaluated in this case as a threefold one.</p>	<p>There seems to be a misunderstanding of the validity of an ARC within a controlled environment. In this environment the ARC is issued for one year by the Operator and can be extended twice if the aircraft has remained within the controlled environment. The AMC to M.A 901(c)2 states that <i>when the aircraft has remained within the controlled environment, the extension of the validity of the ARC does not require an airworthiness review</i>. Therefore the requirement only implies one airworthiness review every 3 years. It is therefore difficult to understand why this can lead to a three fold increase in workload.</p> <p>Furthermore, even though it is agreed that the process for the renewal of the ARC is almost that for a C of A, operators properly implementing JAR-OPS were already carrying out sampling programmes (according to the former AMC OPS 1.900(3)) that cover what is required for the renewal of the ARC. In addition, when writing a work order for base maintenance, the normal work usually entails carrying out a review of the work due on the aircraft. This also covers most of the intent of Subpart I of Part-M.</p> <p>The Agency is therefore of the opinion that in the controlled environment, a judicious combination of existing tasks within the operator would lead to reducing workload and costs, in particular in Member States where the renewal was carried out by the competent authority.</p>
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<b>Paragraph</b>	
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<b>Cmt.</b>	
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<p><b><u>Comment:</u></b></p> <p>The renewal of the ARC has to be accomplished by a Cat 'B' licence or aeronautical degree holder, which is also a new requirement. Not all Quality Engineers who undertake C of A renewal work are Cat 'B' licence or aeronautical degree holders at present.</p>	<p>The regulation does not mandate that all the work is carried out by airworthiness review staff but that the ARC or recommendation is issued by such staff. The review is carried out by the "Organisation" and there is no requirement in Part-M for quality personnel to carry out the review. In this case the same principle as for certifying staff applies: Airworthiness review staff only takes responsibility. All large operators already have the properly qualified personnel without any recruitment needed.</p>
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<b>Paragraph</b>	
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<b>Cmt.</b>	
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<p><b><u>Comment:</u></b></p> <p>Part-M describes that an equivalent to an aeronautical degree is acceptable but the AMC leaves this 'equivalent' to the discretion of the competent authority.</p>	<p>It is our opinion that AMC M.A.707(a)(2) clearly states what is considered as equivalent and provides a good basis for discussion between the applicant and the competent authority. In case of disagreement, this would probably guide the decision of any arbitrator. It is also strongly advised that competent authority improve legal certainty by establishing national measures clarifying such provisions, using as appropriate the AMCs and guidance material produced by the Agency.</p>
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<b>Paragraph</b>	
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<b>Cmt.</b>	
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<p><b><u>Comment:</u></b></p> <p>A transition process has to be build to get the aircraft off the three year C of A programme, in case of the UK, and onto an ARC process. The CAA was asked if the ARC renewal period can be extended on the basis of sampling. For example, with a fleet of 250 aircraft almost one ARC per working day has to be completed as it stands. It is difficult to see how this adds to the aircraft controls already in place in a big operator in terms of systems for airworthiness compliance etc. This is the reason the CAA UK moved to a three year renewal for large aircraft in the past.</p>	<p>It is our understanding that in the UK, every 3 years, an AD 202 form containing most of the elements included in the airworthiness review, was filled, sent to the CAA and verified by the CAA to issue the C of A renewal. Additionally, a certificate of maintenance review, also containing most of the elements included in the airworthiness review, had to be issued every 4 months by the operator, period recently extended to one year. We would conclude that the new regime established by Part-M significantly decreases the burden on large operators as the frequency of reporting has been lowered considerably, in some cases divided by four.</p>
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<b>Paragraph</b>	
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<b>Cmt.</b>	
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<p><b><u>Comment:</u></b></p> <p>It still not clear how the ARC will be administered, one national aviation authority advised that it will switch to a one year C of A from 28/09/2005 and will be involved in the transition process, issuing C of A's backed by an annual recommendation. If that is the case then there will be a need to set-up very efficient procedures with the NAA to ensure aircraft are not grounded waiting on basic bureaucracy before being declared fit for flight.</p>	<p>EASA has not issued any recommendations about the transition from the national systems to the Community one, as there would have been as many cases as there are countries. It is a normal practice in the EC that Member States deal with this kind of issue and are provided with time to handle it in co-operation with the affected persons. It is difficult therefore to comment on this point although it may seem not very logical to limit the duration of a C of A to one year in order to render it indefinite.</p>
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