ADVANCE-NOTICE OF PROPOSED AMENDMENT (A-NPA) No 15-2006

CONSISTENCY OF ORGANISATION APPROVALS (CORA)

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A. Explanatory Note

I. General

1. The purpose of this Advance-Notice of Proposed Amendment (A-NPA) is to consult stakeholders on the preferred method of implementation of the JAA Consistency of Organisation Approval (COrA) report. This report was prepared by the JAA COrA group to achieve consistency of the Joint Aviation Requirements (JARs). The implementation of the COrA report envisages to amend Annex Part-21 to Commission Regulation (EC) 1702/2003[1] and Decision 2003/01/RM of the Executive Director of 17 October 2003[2] and Annex I Part-M, Annex II Part-145 and Annex IV Part-147 to Commission Regulation (EC) 2042/2003[3] and Decision 2003/19/RM of the Executive Director of the Agency of 28 November 2003[4]. The scope of this rulemaking activity is outlined in ToR MDM.004 and is described in more detail below.

2. The Agency is directly involved in the rule-shaping process. It assists the Commission in its executive tasks by preparing draft regulations, and amendments thereof, for the implementation of the Basic Regulation[5] which are adopted as "Opinions" (Article 14.1). It also adopts Certification Specifications, including Airworthiness Codes and Acceptable Means of Compliance and Guidance Material to be used in the certification process (Article 14.2).

3. When developing rules, the Agency is bound to follow a structured process as required by article 43.1 of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as "The Rulemaking Procedure"[6]. The Executive Director may initiate an A-NPA pre-consultation phase prior to the usual NPA consultation according to Article 14 of this procedure. It applies to cases where the drafting or initiation of a rule has revealed a need for a broader discussion of new concepts or for further information. The A-NPA will allow for the publication of consultation papers seeking opinions and input on, for example, a choice of different rulemaking options to address a specific need.

4. This rulemaking activity is included in the Agency's rulemaking programme for 2006. It implements the rulemaking task MDM.004 Implementation of COrA in all organisation approval requirements.

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[1] OJ L 243, 27.9.2003, p. 6, Regulation as last amended by Regulation (EC) No. 706/2006 OJ L 122, 8.5.2006, p. 16.

[2] Decision No 2003/01/RM of the Executive Director of the Agency of 17 October 2003 on acceptable means of compliance and guidance material 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 ("AMC and GM to Part 21").

[3] OJ L 315, 28.11.2003, p. 1., Regulation as amended by Regulation (EC) No. 707/2006 OJ L 122, 8.5.2006, p. 17.

[4] Decision No 2003/19/RM of the Executive Director of the Agency of 28.11.2003 on acceptable means of compliance and guidance material to Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.

[5] Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency. OJ L 240, 7.9.2002, p.1, Regulation as last amended by Regulation (EC) No. 1701/2003 OJ L 243, 27.9.2003, p. 5.

[6] Management Board decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material ("rulemaking procedure"), EASA MB/7/03, 27.6.2003.

5. The text of this A-NPA has been developed by the Agency. It is submitted for consultation of all interested parties in accordance with Article 43 of the Basic Regulation and Articles 14, 5(3) and 6 of the EASA rulemaking procedure.

II. Consultation

6. To achieve optimal consultation, the Agency is publishing the A-NPA on its internet site. Comments should be provided within 3 months in accordance with Article 6(4) of the EASA rulemaking procedure. Comments on this proposal may be forwarded *(preferably by e-mail)*, using the attached comment form, to:

By e-mail: **NPA@easa.europa.eu**

By correspondence: Process Support Unit
Rulemaking Directorate
EASA
Ref: A-NPA 15-2006
Postfach 10 12 53
D-50452 Cologne
Germany

Comments should be received by the Agency before 29 December 2006. If received after this deadline they might not be treated. Comments may not be considered if the form provided for this purpose is not used.

III. Comment response document

7. All comments received in time will be responded to and incorporated in a comment response document (CRD). This may contain a list of all persons and/or organisations that have provided comments. The CRD will be widely available on the Agency's website.

IV. The A-NPA: Background and recommendations of the JAA COrA group, rationale, consultation, perspective

The JAA COrA group

8. Task MDM.004 originates from work accomplished in the JAA. JAA had introduced the concept of approved organisations in all its regulated fields as an important tool to promote safety. As the JARs had been developed progressively, more or less in an autonomous way for each field, the resulting regulatory material varied in many aspects depending on the JAR concerned. Inconsistencies became apparent while an increasing number of organisations were cumulating activities related to several fields. Some difficulties were also encountered by some authorities in the implementation and control of various different requirements for the same object.

9. In view of these difficulties the JAA Committee agreed to set up a task force to prepare recommendations for restoring consistency. This lead to the creation of the COrA group. The group had its inaugural meeting in December 1999.

10. The COrA group agreed that an increased and more efficient use of the organisation approval concept could contribute to a more efficient use of resources and thus to enhance safety. The survey of the JAA documents related to organisation approvals made clear that there were indeed many inconsistencies. Some of them were justified by the specificity of the field that is addressed, but many others were not justified. The COrA group considered that there would be potential advantages in restoring consistency as much as possible and made recommendations to restore this consistency. The COrA group referred to experience which showed that harmonisation could ease the work for organisations approved and their Authority, without affecting the rule intent or creating more burden.

Recommendations of the JAA COrA group

11. To be able to make recommendations for removing unnecessary inconsistencies the COrA group found it necessary to establish a vision of the future developments regarding organisation approval requirements. This vision represents certain general objectives in the development of organisation approval requirements that were envisaged in the future. These objectives were classified according to a short term, medium term and long term timescale and are repeated for clarification below:

Objectives:	timescale
• Reduce/no duplication of management positions	S
• To allow one set of manuals	S
• No different requirements for quality system; Recognition of industry standards for Quality Management Systems (QMS) as an Acceptable Means of Compliance.	S
• Make allocation of responsibilities within the organisation more clear	S
• Increase efficiency and effectiveness	S M L
• Improve authority's procedures: One set of implementation procedures applied by authority(ies)	S M L
• Performance related surveillance and control by the authority, making maximum use of Industry internal systems	M
• Appropriate requirements for small organisations	M
• Single approval system with variable scope, leading to one Certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals.	M L
• Mutual recognition and acceptance of outputs with non-JAA countries	M L

S: Short term (0-2 years)
M: Medium term (2-5 years)
L: Long term (5-10 years)

12. Based on this vision the COrA report proposes in summary 24 general and 25 airworthiness items to be considered for change. Some of these items are prioritised according to the table above. Short and medium term recommendations address mainly the clarification of wording, the standardisation of forms, the harmonisation of manuals and quality systems. Long term recommendations propose one set of implementation procedures by authorities and a single approval system.

13. In addition, the COrA group highlighted in its report a few recommendations of a more general nature as a result of the objective setting. They were considered to be important guidelines for the future development of the Joint Implementation Procedures but because of there nature no detailed recommendations were given. Among others, these were the following:

    1. The authority's procedures regarding the implementation of organisation approvals should be standardised, with as a long term objective to have one set of implementation procedures.

    2. Surveillance and control by the authority of approved organisations should be performance related, making maximum use of Industry internal systems. If an approved organisation has an internal auditing system which has proven to work well, the authority may reduce its surveillance (so that it can use its resources where they are needed most).

    3. The ultimate, but long term objective, after having made the Organisation Approval Requirements consistent as far as possible, is a single approval system with variable scope, leading to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals.

14. JAA Committee accepted the final report of the COrA group in February/March 2003.

Rationale to use the A-NPA process

15. Although EASA has a slightly different regulatory framework it is considered that in principle the recommendations in the COrA report remain globally valid. The Agency therefore introduced task MDM.004 in its working programme to implement the recommendations of the COrA report.

16. EASA started with the implementation of the COrA report into Part-21 and Part-M/-145/-147 mid 2005. The recommendations of the COrA report were reviewed and it was decided to propose the implementation of the short and medium term recommendations. This decision was based on the fact that these recommendations could be implemented relatively quickly and should not impose large negative impacts on stakeholders. Furthermore, it was thought that the long term recommendations needed further consideration, also in view of the extension of the scope of the Agency to operations and pilot licensing. An exchange of views with stakeholders was thought to be beneficial before elaborating on the long term recommendations further.

17. While assessing the recommendations in detail and starting to transpose some of them in the different Parts concerns emerged if the implementation of the short and medium term recommendations would have the expected safety and economic benefit for organisations and authorities. These concerns intensified when conducting the Regulatory Impact Assessment (RIA). The RIA did not clearly identify the positive impacts of such an exercise.

18. The Agency came to the conclusion that it may not be proportionate to go further with the changes in view of the RIA conducted. The Agency thinks that stakeholders should be consulted on the way forward before proposing any changes. This lead to the development of this A-NPA.

Consultation

19. The Agency would like to consult stakeholders on the preferred method of implementing the COrA recommendations. When considering the following questions, stakeholders are asked to take also into account the RIA further below.

20. The Agency identified three options:
    (a) Do nothing,
    (b) Review and transfer of the COrA short term and medium term recommendations,
    (c) Transfer of the COrA long term recommendations.

    (a) Do nothing

    The organisation requirements and approval processes in the airworthiness regulations would not be subject of an amendment in view of consistency of organisation approvals. Different provisions for each organisation type would remain, ranging from denominations, i.e. manual versus exposition, to basic principles such as the quality system. With the extension of the scope to air operations and pilot licensing the diversity of organisation approval requirements would increase as new organisation types and requirements will be regulated at Community level based on existing JAA material.

    (b) Short and medium term recommendations

    The JAA COrA group report would be transferred and embedded in the applicable airworthiness implementing rules for the benefit of organisations and authorities. New implementing rules in the field of air operations and pilot licensing could be adapted to this model. As outlined above, the short and medium term recommendations address mainly the clarification of wording, the standardisation of forms, the harmonisation of manuals and quality systems. Hence, changes could be twofold: on one hand, limited to slight amendments of manuals and forms, on the other hand, changes on the quality system could be required that may have a larger impact on organisations and processes. The main objective of this implementation choice is the harmonisation of requirements. Most likely, some differences in the approval processes would remain. Nevertheless, the implementation of these recommendations could serve as a starting point for the harmonisation of regulations regarding organisation approvals.

    (c) Long term recommendations

    The long term recommendations, based on the COrA vision, propose one set of implementation procedures by authorities and a single approval system with variable scope. It would lead to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals. This option implies therefore a major change for all organisations. The structure of these rules could be adapted to the General EASA Rules Template (GERT). It would lead to a separate regulations part for authority procedures and a separate regulations part for organisations encompassing a general organisations subpart and specific subparts for each type of organisation.
    The timeframe for the implementation of the long term recommendations may need to vary depending on the state of regulation. For areas were implementing rules are currently drafted,

namely operations and pilots licensing, the COrA recommendations could easily be incorporated in the drafting process. For the field of airworthiness, where implementing rules are already in place, the implementation of the COrA recommendations could be accomplished at a later stage. A certain transition period may be taken into account.

21. The choice has to be made to either do nothing, implement changes step by step during a longer time frame which includes some uncertainty if the final objective of a consistent organisation approval will ever be achieved, or to implement a major change once for all organisation types leading to a consistent organisation approval regime. In view of the discussed pros and cons for each option and the result of the RIA the Agency thinks that the implementation of the long term recommendations should be the preferred option.

22. However, the Agency would like to consult stakeholders on the choice of implementation.

The Agency is therefore interested to know, if stakeholders prefer to either
- do nothing,
- to implement the short and medium term recommendations of the COrA group in a first step, or
- to start with the implementation of the long term recommendations immediately.

23. When considering this issue it should be taken into account that the Agency will start soon with the drafting of implementing rules for air operations and pilot licensing. As far as commercial air transport and pilot licensing is concerned, the implementing rules will be based on JAR-OPS 1/EU-OPS, JAR-OPS 3, JAR-FCL 1, 2, 3 and JAR-STD. These JAR's transfer also certain organisation requirements that could, if not adapted, add to the diversity of regulations in the field of organisation approvals. It should also be considered that the implementation of the COrA recommendations at a later stage implies more changes and greater impacts for organisations holding several approvals. It is therefore be seen as beneficial to have stakeholders opinion on COrA recommendation right now, to take it into account when drafting the implementing rules for operations and pilot licensing.

24. It should also be noted that the Agency does not intend to re-open discussions on the detailed COrA recommendations. The COrA recommendations are based on a consensus achieved in the JAA. It is the Agency's view not to challenge this consensus as this would delay the implementation of COrA further. Certainly, the COrA recommendations need to be adapted to the European legal framework.

Perspective

25. Depending on the answers given, the Agency will reassess this task and draft a NPA with specific proposals for a regulations change. The NPA will be subject to a 3 months consultation period.

V. Regulatory Impact Assessment

1. Purpose and Intended Effect

a. Issue which the A-NPA is intended to address

The JAA COrA group considered that there would be potential advantages in restoring consistency in organisation approvals as much as possible and made recommendations to restore this consistency. The COrA group referred to experience which showed that harmonisation could

ease the work for organisations approved and their Authority, without affecting the rule intent or creating more burden.
The task to harmonise the applicable requirements was transferred to EASA in order to implement the COrA recommendations into the EASA regulations, wherever practicable.

b. Scale of the issue
This is a major issue. It affects all approved organisation within the remit of EASA, authorities and EASA.

c. Brief statement of the objectives of the A-NPA
It is the objective to consult stakeholders on the best option to select to proceed with the COrA recommendations.

2. Options

a. The options identified

1. Do nothing: The differences in the organisation requirements and approval process would remain. These are sometimes minor, i.e. denomination of manual versus exposition, but affect also basic principles, i.e. the quality system. With the extension of the scope to air operations and pilot licensing the diversity would continue and extend to other implementing rules. For organisations holding several approvals the application procedure and provisions to be met would stay different probably leading to the need for more management resources on the side of industry and authorities.

2. Review and transfer of the COrA short term and medium term recommendations: The JAA COrA group report would be transferred and embedded in the applicable implementing rules for the benefit of organisations and authorities. Changes would affect all organisations and may range from a simple word change, i.e. manual into exposition, to the introduction of new requirements for some organisation types forcing organisations to adapt their organisational structure and procedures. New implementing rules in the field of air operations and pilot licensing could be adapted to this model. After all, some differences in the approval process would remain. The corresponding safety and economic benefit may be minimal.

3. Transfer of the COrA long term recommendations: COrA recommended a single approval system with variable scope, leading to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals. Furthermore, one set of implementation procedures applied by authorities is recommended. This could lead to a regulations structure as proposed by GERT. The implementation of the long term recommendations would be a major change for most organisations. Nevertheless, as changes are introduced at once, it could have the expected safety and economic benefits.

b. The preferred option selected (if possible)
Option 3 transfer of the COrA long term recommendations

3. Sectors concerned

The sectors of the civil aviation community within the EASA scope, which will be affected, are all approved organisations, national authorities and EASA.

4. Impacts

a. All identified impacts

i. Safety

Options 2 and 3, transfer of COrA recommendations and standardisation of organisation requirements, could support authorities in rationalising the oversight of organisations and organisations holding more than one approval in rationalising their systems. This could contribute to transparent processes and consequently lead to error reduction and safety enhancement. The positive safety impact certainly depends on the scale of harmonisation as, for example, a word change will have no safety impact.
Option 1, do nothing, maintains the current status and diversity of organisation approval requirements. Different requirements and processes could lead to confusion depending on the way of implementation.

ii. Economic
The management of multiple approvals represents higher costs especially for small organisations. More resources and different processes are needed to comply with the requirements. Option 1 is therefore considered to have a negative economic impact.
Options 2 and 3, transfer of the COrA recommendations, could lower the cost of managing several systems while simplifying for organisations holding several approvals. However, option 2 could have a negative impact when only the short and medium term recommendations are transferred as the system of several approvals is kept but editorial and organisational changes need to be carried out.
For organisations holding only one approval the economic impact of options 2 and 3 could be negative due to changes required when transferring the COrA recommendations.

iii. Environmental
None

iv. Social
None

v. Other aviation requirements outside EASA scope
Requirements for operators, flight training organisations, the certification of airports and air traffic management organisations are also affected as these fields of aviation will be in the remit of EASA in the future.

b. Equity and fairness in terms of distribution of positive and negative impacts among concerned sectors
The NPA would affect all sectors. However, the extent could differ depending on the way and model that is chosen. Organisations holding only one approval could experience a negative economic impact since they would need to implement certain changes which may bring only small benefit to the organisation. Small organisations with multiple approvals could benefit from the implementation of the COrA recommendations. Similar to larger organisations less resources would need to be assigned to the management of approvals.

5. Summary and Final Assessment

a. Comparison of the positive and negative impacts for each option evaluated
The work in the COrA group was carried out on request of authorities and industry in order to simplify the work associated with issuing or obtaining an approval. The transfer of COrA recommendations, whether they are short, medium or long term could lead to a simplification of organisation approvals. Authorities and industry could benefit. The harmonisation of approval processes could contribute to safety. This harmonisation task could also contribute to a higher level of legal certainty and transparency of the approval process.

The transfer of the COrA long term recommendations (option 3) represents a major change for the majority of organisations. However, it is assumed that their implementation has a positive safety and economic impact. Moreover, changes to the organisations and processes need to be carried out only once.
Conversely, the implementation of the short and medium term recommendations (option 2) may not have large positive safety and economic impacts as differences in the approval process remain. Organisations holding only one approval could be negatively effected by option 2 and 3 as certain changes could be requested without the corresponding benefit.
The do nothing option (option 1) will maintain the current situation and the introduction of new implementing rules may extend the diversity of organisation approval requirements, if lessons learnt from COrA are not taken into account. Moreover, the do nothing option does not seem to be an alternative as stakeholders agreed in the past to conduct such a task of consistency of organisation approvals that is expected to have certain safety and economic benefits.

b. A summary describing who would be affected by these impacts and analysing issues of equity and fairness

All approved organisation, national authorities and EASA would be affected. Organisation holding only one approval could be put on disadvantage as they may need to change procedures depending on the option chosen.

c. Final assessment and recommendation of a preferred option

The transfer of the long term COrA recommendations seems to have the greatest advantage but represents also a major change. Nevertheless, as it brings the opportunity of a comprehensive analysis of the system and the introduction of an optimised approach, would this be the preferred option. It is expected to give both safety enhancement and economic benefits to industry and authorities and is therefore recommended. It will also give indications on the way to draft the new rules required with the extension to air operations and pilot licensing, and later on to airports and ATM.

B. Appendix

JAA
oint Aviation Authorities

COrA

Consistency of Organisation Approvals

FINAL REPORT, 26.02.03

Executive Summary

In many of the JAA regulated fields the concept of approved organisations was introduced as an important tool to promote safety. After the implementation of the JARs it became apparent that the organisation approval requirements are not consistent. This has caused inefficient use of resources in industry and authorities. Therefore the JAA Committee had agreed to set up a task force to prepare recommendations for restoring consistency. This lead to the creation of the COrA group.
One of the objectives related to rulemaking in the "Agenda for Change" initiative on the re-organisation of the JAA is to achieve consistency of JAR's. The implementation of the COrA recommendations would be a major step forward to that goal. Although EASA will have a different regulatory framework the COrA group considers that in principle the recommendations in this report remain valid.
To be able to make recommendations for removing unnecessary inconsistencies the COrA group found it necessary to establish a 'vision' of the future developments regarding organisation approval requirements. The COrA group agreed that the an increased and more efficient use of the organisation approval concept could contribute to a more efficient use of resources and thus to enhance safety.
The survey of the JAA documents related to organisation approvals has made clear that there are indeed many inconsistencies. Some of them are justified by the specificity of the field that is addressed, but many others are not justified. The COrA group has made recommendations to restore consistency. Most of those recommendations are dealing with details and are listed in attachment 5. There are however some that should be highlighted.
Quality System: All organisation approval requirements require a quality system. It is recommended to standardise the basic requirement for a quality system in Section 1 of the JAR and to use the industry standard EN 9100 as a template to select the necessary details in Section 2, while making consistent use of the EN 9100 terminology.
Privileges: There is a clear inconsistency in the granting of privileges to approved organisations. Based on the general 'vision' it is recommended to limit the direct authority control to the minimum while allowing approved organisations more flexibility.
Safety Management Systems: At the question whether it was appropriate to introduce the SMS concept in the JARs the COrA group concluded that SMS elements already exist but are not consistently addressed in the JAA approval schemes, and that it would require further study before SMS could be introduced in the requirements. However it was recognised that a consistent promotion of the SMS concept could contribute to safety and that the Joint Safety Strategy Initiative provided a better framework to do this.
It was stressed by the industry representatives in the COrA group that mutual acceptance of organisation approvals between JAA and FAA is an important issue. It was however recognised that FAA/JAA harmonisation on this issue would not be easy and therefore no detailed recommendations were made.

COrA Final Report

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1 General

1.1 Introduction

In all of the JAA regulated fields requirements for organisations active in those areas have been developed. JAR 145/147, JAR 21, JAR-OPS, JAR-FCL and JAR-STD all contain organisation approval requirements. All of these requirements have been adopted; some have been implemented fully while for other JARs the implementation is progressing.
As those requirements have been developed progressively, more or less in an autonomous way for each field, the resulting regulatory material varies in many aspects depending on the JAR concerned. This would not necessarily pose a problem if each of these requirements could be applied in an independent way by the organisations concerned. But it appears that an increasing number of organisations are cumulating activities related to several fields. For example, an airline operating under a JAR-OPS Air Operator Certificate may also hold a JAR-145 approval, a JAR-FCL Type Rating Training Organisation approval, and may have to comply with JAR STD. 1A. Manufacturer may also have to comply with several JARs in addition to JAR 21.
It also appears that some authorities may encounter some difficulties in the implementation and control of various different requirements for same object.
The COrA group considers that there would be potential advantages in restoring consistency as much as possible. Indeed the experience is showing that harmonisation could ease the work for organisations approved and their Authority, without affecting the rule intent or creating more burden.

1.2 History

1.2.1 Initiation

Consistency of organisation approval is a long standing issue within the JAA System. Following an initial input from the Nordic Countries the Regulation Advisory Panel (RAP) drafted Terms of Reference for a Task Force to review the issue and its various aspects.
Those draft Terms of Reference were sent for comments to the Certification, Operation, Maintenance and Licensing Committees and also to the JAR-21 Working Group. After handling the comments the draft Terms of Reference were presented to the JAAC for approval.
At its meeting 98/3 of 1 June 1998, the JAAC endorsed the proposal to establish a task force to examine the issues around consistency of organisation approvals.
Invitations to NAA's, Main Committees and Interested Parties to nominate representatives for the group were send September 1999, and the group had its inaugural meeting December 1999. The first real working meeting was held March 2000.

1.2.2 The COrA group

The composition of the group is multi-disciplinary with representatives from the NAA's, Central JAA, Interested Parties (AECMA, AEA, IAOPA) and Eurocontrol. It was intended to have at least one representative from each main committee. This was deemed essential for having the right inputs in the group and also for preparing the acceptance by the Committees of the recommendations by the group. Unfortunately the FCL Committee was not able to send a representative. The JAA Licensing division however has been copied all the COrA material such as working papers and meeting minutes.

1.2.3 Terms of Reference

The ToR as initially proposed by the RAP was endorsed by the JAAC. Later on the RAP agreed to add two items in the list of issues to be addressed, notably the subjects of Safety Management Systems and Licenses. In its first meetings the Group improved the ToR and added three more issues, that did not affect the general mission of the group. Those issues are
'Integration of Approvals'; Can the approvals of multi-approved organisations be integrated.
'Compatibility of rules'; e.g. without a JAR-43 there is a problem for leased aircraft for flight test, and JAR-21 JA-DOA and JAR-145 approval have different implementation dates of various parts.
'Applicable requirements'; What are the applicable requirements for initial approval, renewal and continued surveillance.
(full Terms of Reference: see attachment 1)

1.3 Working methods

1.3.1 Sub-groups

For an efficient use of the available time and resources the group decided to create nine sub-groups, all addressing one or more of the subjects as listed in the ToR. The sub-groups would work on the subjects and report to the main COrA group. (sub-groups see attachment 2)

1.3.2 Survey, analyses, recommendations

Most sub-groups would work in the same manner; starting with a survey of the applicable requirements, Advisory Material and Administrative and Guidance Material, then an analysis of this material with regard to inconsistencies and finally the establishment of recommendations on how to restore consistency. All the steps in the process would need to be agreed by the main COrA group. Some groups had to take a different approach because of the specificity of the subject (e.g. Safety Management Systems are not or only marginally addressed in the JARs)).

1.3.3 Work programme

To properly manage the work all sub-groups established a work programme with target dates and meeting dates which was included in an overall work programme. Due to some problems with meeting the schedule, one additional meeting of COrA had to be planned and the work programme amended accordingly. This lead to a delay of 3 months.

1.4 Establishment of Vision

To be able to make recommendations for removing unnecessary inconsistencies the COrA group found it necessary to establish a vision of the future developments regarding organisation approval requirements. To establish such vision a brainstorming session was held by the group on this subject. The vision which was finally agreed consists of a statement regarding the purpose of organisation approvals and a number of so-called ‘motto’s. (see attachment 3)

To ensure that the recommendations of the COrA group, which are based on this vision, would be acceptable to the bodies responsible for the affected requirements, the vision was sent to the main committees for endorsement. Full endorsement could not be achieved, but the comments made were incorporated in the vision as much as possible.

The Vision has also lead directly to some general recommendations (see 2.2).

1.5 Agenda for Change

One of the objectives related to rulemaking in the “Agenda for Change” initiative on the re-organisation of the JAA, is to achieve consistency of JAR’s. This may seem in conflict with the objective to ‘consolidate’ the JARs. However it has been determined that the two objectives are not in contradiction and that implementation of the COrA recommendations will be a major step forward to the consistency objective.

1.6 Harmonisation with FAA

It was stressed by the industry representatives in the COrA group that mutual acceptance of organisation approvals between JAA and FAA is an important issue. It was however recognised that FAA/JAA harmonisation on this issue would not be easy and therefore no detailed recommendations were made. Nevertheless it should be noted that the COrA recommendations on Quality Systems promote the use of EN 9100 (equivalent to AS 9100), which is an almost world-wide accepted standard. Implementing this recommendation will lead to further global harmonisation.

1.7 Factor time

One of the difficulties with the COrA work was the factor time. The COrA group started to work in December 1999 and finished in January 2001. During that period the JARs that had to be reviewed were constantly changing due to the incorporation of several NPA’s. The COrA group has tried to take into account as much as possible these changes, but could not do so until the last day of its work. Moreover, after the COrA group had finished its work the draft final report had to be sent to all the Sectorial Teams for their agreement. This process took much more time than expected and

during this one year period no updates were made to the final report as a result of changes to JARs. Therefore you may note that some of the observations and recommendations in this report are overtaken by events.

One important issue here is the establishment of EASA during 2001 and the expected transition from JAA to EASA. It should be emphasised that the COrA report is based on a survey of the JAA texts and as such it is formally not valid for use in the EASA framework. However we know that most of the JAA text will be transposed into EASA texts without many changes to the substance. Therefore we believe, also in light of the observation in the next chapter, that most of the COrA report will remain valid for the EASA era.

2 Compatibility with EASA

The COrA group acknowledges the development of the European Aviation Safety Agency and understands that the JARs will have to be transformed into the format of EU legislation. It has established that all the COrA recommendations are fully compatible with the draft EASA Regulation (dated 12 October 2001) including the so-called Essential Requirements for Airworthiness.

The COrA group believes that the above transition provides a very good opportunity to implement the recommendations of COrA.

The COrA group therefore invites all who are involved in the establishment of the EASA legislation to take note of the COrA recommendations.

3 General Recommendations

3.1 Policy statement

The COrA group has established the following policy statement regarding organisation approvals as a guidance for the further development of the requirements:

"The requirements set standards to promote safety and define clear responsibilities of NAA and industry. Recognition of competence through approving an organisation in compliance with the requirements and granting of privileges is currently seen as the best (most efficient) way to fulfil them and promote safety."

3.2 Results of Vision

There are a number of vision-motto's, which do not come back in the recommendations for the different subjects, because of there nature. They are however considered to be important guidelines for the authorities for the further development of the Joint Implementation procedures, and therefore highlighted here:

- The authority's procedures regarding the implementation of organisation approvals should be standardised, with as a long term objective to have one set of implementation procedures. A first step could be to harmonise DOA and POA approval and surveillance procedures and to combine them in one process.
- Surveillance and control by the authority of approved organisations should be performance related, making maximum use of Industry internal systems. If an approved organisation has an internal auditing system which has proven to work well, the authority may reduce its surveillance. (so that it can use its resources where they are needed most)
- The ultimate, but long term objective, after having made the Organisation Approval Requirements consistent as far as possible, is a single approval system with variable scope, leading to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals.
- The Organisation Approval Requirements of the JARs should be made compatible with the regulatory systems of non-JAA countries in order to facilitate mutual recognition and acceptance of outputs. An example of a first step in this direction is the recent

development of the Common Release Certificate for production and maintenance between JAA, FAA and Transport Canada. Other areas to follow that example: e.g. mutual acceptance of approved design data and acceptance of code-share partner audit pooling. A way to ease mutual acceptance is the promotion and explanation of the JAA system world-wide.

3.3 Results of general comments

At the consultation of the Sectorial Teams a comment was made asking to also look into the matter of multinational approvals. Although this subject was not on the Terms of Reference of the group, it is acknowledged that this issue needs further consideration in the light of consistency.

4 Detailed Recommendations

In the following chapters you will find a summary of all the surveys, analyses and recommendations prepared on the 17 Terms of Reference items by the subgroups and endorsed by the full COrA group.

A list of all recommendations is in attachment 5.

5 Eligibility (ToR 2.1)

5.1 Description of the subjects

The COrA Group Terms of Reference states:

"Is it necessary to define criteria for eligibility? The answer may depend on the area of activity."

The COrA Group found necessary to define eligibility criteria. On the side of the industry it becomes clear when organisations are eligible for certain organisation approvals related to the applicable JARs. On the side of the Authority it is a supporting instrument to do its work efficiently. The number of potential applicants for an organisation approval can already be limited at an early stage.

5.2 Unjustified inconsistencies

The survey of the applicable JARs and supporting A&GM has made clear that some JARs do contain eligibility criteria, some JARs do not and some JARs contain some implicit elements related to the eligibility subject.

In addition to this general unjustified inconsistency, the following more specific inconsistencies are identified:

A) Approach towards organisations outside JAA territory

The following JARs allow for direct approval of organisations outside JAA territory: JAR-145, JAR-FCL and JAR-147.

The following JARs have no provision for such direct approval: JAR-OPS, JAR-21 (design and production). JAR-21 (Subpart N) calls for an arrangement between NAA(s) and the Authority of the country involved in order to accept the foreign approval system.

B) JAR-STD

JAR-STD 1A.001 (and 2A.001, 3A.001, 4A.001, 1H.001, 2H.001 and 3H.001) - Eligibility contain the following texts: requirements provides guidance material. Reference for precise details in JAR-OPS and JAR-FCL. This text is not consistent with JAR-11 principles.

5.3 Recommendations

In order to restore consistency, the COrA Group recommends the use of some standardised wording to be introduced into the requirements.

The following eligibility criteria are being identified to cover the eligibility subject in an appropriate way:

It should be clear who is/are eligible.

It should be clear what is the need for approval.

A) Approach towards organisations outside JAA territory

No COrA Group recommendation, because it would require further studies to determine whether inconsistencies are justified or not.

B) JAR-STD It is recommended to bring the text of JAR-STD 1A/2A/3A/4A/1H/2H/3H/4H.001 in line with JAR-11 principles.

6 Applications (ToR 2.2)

6.1 Description of the subject

The COrA Group Terms of Reference states:

"Elements to be furnished to the Authority."

The COrA Group found that it should be clear what elements have to be furnished to the Authority when an organisation applies for an organisation approval. The following type of applications have been taken into account because each of them require different elements to be furnished:

Applications for initial approval

Applications for renewal of an approval

Applications for variation of an approval.

6.2 Unjustified inconsistencies

On applications for initial approval, for renewal of an approval and for variation of an approval, inconsistencies are found. Sometimes standard JAA Forms are in existence, sometimes not. It is not always clear what elements have to be furnished to the Authority.

6.3 Recommendations

The COrA Group recommends to have one standardised application form which would then not only cover initial applications, but also applications for renewal and variation. At the same time this principle should also embrace all relevant JARS which contain organisation approvals. An appendix has been attached to this report which contains the elements to be included in a standardised application form.

7 Organisational Requirements (ToR 2.3)

7.1 Description of the subject

The terms of reference of the group split the subject into five separate subjects as follows;
Facilities Requirements (Working conditions, Tools, Aerodromes).
Definition of Specific Posts (e.g. Accountable Manager, Chief Flying Instructors) and the criteria for such Post Holders (e.g. Acceptable to the Authority or more specific criteria's).
Consistency in the Responsibilities for a "Post Holder" is also an important consideration.
Staffing Requirements; this includes training, specific qualifications, specific licences.
Requirements for Manuals / Organisation Expositions.
The survey was split into the 5 groups as above and each of the JAR requirements was reviewed against them. From the survey it was found that different wording had been used to cover the same subject.

7.2 Unjustified inconsistencies

7.2.1 Facilities Requirements.

None Found.

7.2.2 Definition of Specific Posts.

A) Accountable Manager.

The use of the wording Manager Accountable in JAR-21 Subpart G, Accountable Manager in nearly all other requirements. In JAR-21 Subpart JA/JB ACJ material, use of the wording "Head of Design Organisation".

B) Management Staff.

The use of different terms for the management staff i.e.; Nominated Managers, Senior Persons or Person, Major Post Holders / Post Holders, Responsible Managers.

7.2.3 Consistency of Responsibilities.

A) Accountable Manager.

The corresponding responsibility is an overall responsibility for managing the organisation in JAR-21, 145, 147, OPS and STD. In JAR-FCL it is limited to financial responsibility.

7.2.4 Staffing Requirements.

A) Accountable Manager.

The Accountable Manager position (or equivalent) is not required in the same way in all JARs.

B) Quality Manager.

The Quality Manager position (or equivalent) is not required in the same way in all JARs.

C) Staffing Levels.

JAR-145 Section 1 is more specific than other JARs by requiring a man-hours plan. Due to the nature of the business, this is not considered to be an unjustified inconsistency.

D) Staff Training.

All JARs require initial training but only JAR-145 (AMC 145.35(c) (Certifying Staff), JAR-147 (AMC 147.35(c) (Instructor/Examiner) and JAR-OPS require explicitly *recurrent* training for staff over a period of time.

7.2.5 Requirements for Manuals / Organisation Expositions.

A) Manuals.

Except for JAR-21 Subpart G, the content of the manual or exposition required for the approved organisation is not prescribed in details in Section 1 of JARs. It is generally addressed in Section 2 material with, sometimes, a standard layout.

For example :

Section 1 requirements for the Operations and Training Manuals for the Flying Training Organisation (FTO) and for the Type Rated Training Organisation (TRTO) are not prescriptive in their layout.

7.3 Recommendations

The COrA group has agreed upon the following recommendations (numbers correspond to analysis remarks above):

7.3.1 Facilities Requirements.

None.

7.3.2 Definition of Specific Posts.

A) Change title related to post of "Accountable Manager" (manger accountable and head of design organisation) in JAR-21 Subpart G, JA and JB into Accountable Manager.

Incorporate definition of "Accountable Manager" in JAR-1. Priority: Medium

B) No specific recommendation.

7.3.3 Consistency of Responsibilities.

A) See Recommendation 1, under b) Definition of specific posts. Priority: Medium

7.3.4 Staffing Requirements.

A) No specific recommendation.

B) No specific recommendation.

C) No specific recommendation

D) Clarify concept of recurrent/continuation training in Section 2 material of JARs. Priority: Medium

7.3.5 Requirements for Manuals / Organisation Expositions.

A) Change Appendix A to JAR-21 (Production Organisation Exposition) into ACJ material. Priority: Medium

8 Quality Systems (ToR 2.4)

8.1 Description of the issue

TOR description: “These encompass the following:

Objectives of the quality system (e.g. ensure safe operational practises and airworthy aeroplanes; ensure good maintenance practises and airworthy aircraft and components; ensure that each product, part or appliances produced by organisation or by its partners.... conform the applicable design data and is in condition for safe operation....).

Distinction between quality system and quality assurance: consistency of wording!

Handling of partners or subcontractors.

Position vis-à-vis ISO 9000 series, and AS/EN 9100, 9200 and 9300.

Introducing the concept of ‘special processes’.”

8.2 Terminology

There is no consistent use of ‘Quality’ terminology in the JARs, although most JARs seem to use the ISO 9000 terms. It is now proposed to make consistent use of EN 9100 definitions of terms.

8.3 Analysis (terminology as per ISO 8402)

The words "quality system" are used in all JARs except in JAR-21 Subpart JA/JB, where design assurance system is used.

The function "independent quality assurance" is required in all JARs but is addressed under various terminologies (for example : independent monitoring system in JAR-21, independent audit in JAR-145). In JAR-FCL, it is not a Section 1 requirement. The elements of quality system are not consistently addressed in the various JARs. It is in Section 1 of JAR-21 Subpart G (Appendix B), in Section 2 for JAR-OPS, JAR-FCL and JAR-STD.

For the benchmarking of quality system requirements of different codes, EN 9100 was used, because this standard is a world-wide standard for aerospace business, applied in America, Europe and Japan. EN 9100 is based on ISO 9001, with specific additions for aviation industry. Having used this standard as a reference document for benchmarking was found to be acceptable and beneficial.

8.4 Recommendations

8.4.1 General

The requirement for an organisation to have a quality system should be in Section 1 and details for the quality system in Section 2.

8.4.2 Section 1

To restore consistency, it is proposed in Section 1 a requirement to establish, document and maintain a quality system as a means to ensure compliance with the applicable requirements. This system shall include independent monitoring mechanisms.

8.4.3 Section 2

The elements of the QS should be in ACJ material. Because of the inconsistencies in that area the bodies responsible for the respective JARs are invited to review their list of QS elements using EN 9100 as a template. It can also be considered to refer to EN 9100 as a possible way to comply with the QS requirement, with some possible JAR specific additions.

9 Initial approval (ToR 2.5)

9.1 Description of the issue

TOR description: “These encompass the following:

- The form of the approval
- Approval or not of the necessary manuals / expositions

9.2 Unjustified inconsistencies

9.2.1 The form of the approval

There is only minor inconsistency between the different JARs. In JAR-21 the term used is ‘Terms of Approval’, whereas in JAR-145 and -147 the term is ‘Extent of the Approval’.

9.2.2 Approval or not of the necessary manuals / expositions

JAR 21 POA and DOA exposition/handbook, JAR-FCL FTO/TRTO manuals and JAR-STD manuals do not have to be approved (explicitly).

For other JARs, (parts of) the exposition/manual has/have to be approved

9.3 Recommendations

9.3.1 The form of the approval

It is recommended that in all JARs a paragraph “Terms of Approval” is introduced, which should explain that in the Terms of Approval of an approved organisation, the scope of its activities and the related privileges are listed.

9.3.2 Approval or not of the necessary manuals / expositions

JAR-145, -147, JAR-OPS:

The exposition/manual is furnished as part of compliance demonstration and should not be approved by itself. JAR 21 rules can be a model.

10 Approval of Changes (ToR 2.6)

10.1 Description of the issue

Do changes need to be approved

10.2 Unjustified inconsistencies

All JARs except JAR-OPS: Only significant changes (or non-minor in FCL terms) have to be submitted to the authority for acceptance prior implementation.

JAR 145 does not explicitly refer to significant changes but it provides a list of changes which are in practice considered as significant.

JAR-OPS: In accordance with OPS AGM Section 4, only modifications concerning the items listed on the AOC form have to be notified to the Authority. In fact, the list of the modifications requiring an OPS approval by the Authority is much larger. The COrA subgroup “privileges” recommends to transform some of these approvals of changes into privileges.

10.3 Recommendations

It is recommended that further work is done to propose common criteria for determining what is a significant change.

11 Responsibilities of the Organisation (ToR 2.7)

11.1 Description of the issue

In the COrA terms of reference the subject to be reviewed was : "Responsibilities of Organisations (Under the JARs): are they clearly defined ?". A search of all the JAR requirements for the word responsibility was carried out and a Data Base was compiled using this method.

A distinction was made between explicit and implicit or implied responsibilities

11.2 Review of Terminology / Definitions for implied responsibilities

A responsibility for the organisation under a JAR is not only created by putting a requirement in a paragraph “Responsibilities”, but also by using a mandatory clause. On reviewing the JAR requirements only JAR 21 has any definitions with regard to such responsibilities. (JAR 21.2 Definitions and Associated Procedures).

JAR 21.2.

Mandatory clauses:

- Use “Shall”, and are referred to as a “regulation”, where they are an imperative (i.e. non-compliance could involve penalties)
- Use “must”, and are referred to as a “requirement”, where they are a condition precedent (i.e. non-compliance leads to failure to obtain a certificate or approval)

“Person” is a legal entity which is subject to the jurisdiction of a JAA country; it can include an Organisation or Company.

After the review at the COrA 7 meeting the ‘type of language’ i.e. ‘Shall’, ‘ 'Must', "Will'… used in the different requirements was also reviewed and highlighted as differences between the various requirements.

Terms Used in JARs

Responsibility	Authority; the ability to act independently.	(All JARs)
Shall	Expressing a Command or Duty.	(JAR-21)
Will	Expressing ; Desire Consent or Inclination.	(JAR-145)
Commitment	A Pledge or Undertaking.	(JAR-145)
Must	Be Obliged to.	(JAR-OPS)
Ensure	Make certain.	(JAR-OPS)

Definitions from Oxford English dictionary.

11.3 Unjustified inconsistencies

In all the JAR requirements the use of the word Responsibility and Responsibilities is applied in many different ways .

Only JAR-21 POA and DOA contain a paragraph “responsibilities”

The implied responsibilities are used in different language formats.

11.4 Recommendations

1. Recognition and the use of the words ‘Responsible’ and ‘Responsibilities’ should be equally defined across all the JAR requirements and the application of the implied responsibilities by the use of language should be standardised to ensure the recognition of the different definitions of responsibility .

2. It is recommended that, as the JAR requirements are revised, the Mandatory Clauses are used in line with the JAR 21 requirement section to ensure full understanding of the responsibilities of Organisation’s, People and Systems.

12 Privileges (ToR 2.8)

12.1 Description of the subject

At first sight it seems that JAR-21 and JAR-145 grant privileges to approved organisations while JAR-OPS and JAR-FCL, as far as can be determined do not.

So there appears to be inconsistency in the way organisation approvals are used throughout the JARs. The intent of the action under this heading is to investigate whether the differences are justified and if necessary make recommendations for restoring consistency.

For the purpose of the analysis it was necessary to define the term privilege. The following definition was agreed: A privilege is “an authorisation given by the authority to an approved organisation to perform an action without prior review by the authority.”

Explanatory Notes: Privileges can include actions related to the organisation itself such as approval of a change in the organisation
Normally, if performed without authority authorisation, the action would be an infringement of a JAR.

12.2 Unjustified inconsistencies

Contrary to what appeared at first sight, the present situation is not as black and white. Also JAR-OPS and JAR-FCL have privileges for the approved organisations. They are however not so obvious and generally less far-reaching than the privileges granted under JAR-21 and JAR-145 /JAR-147. JAR-STD approvals do not grant privileges. The only real justification for these inconsistencies is the difference in experience with organisation approvals in the different domains. In the operations and licensing area there is less experience and therefore there may have been more reluctance to grant privileges at the first phase of implementing the requirement.

Therefore this may be the right time to consider adding privileges in certain fields.

12.3 Recommendations

12.3.1 General

The COrA group has agreed upon the following:

“The (JAA) requirements set standards to promote safety and define clear responsibilities of NAA and industry. Recognition of competence through approving an organisation in compliance with the requirements and granting of privileges is currently seen as the best (most efficient) way to fulfil them and promote safety.”

The COrA group is therefore proposing. in order to restore consistency, to create privileges for those organisation approvals that have no or only limited privileges today. For organisation approvals which already have privileges it is recommended to consider additional ones.

To be pragmatic there has been made a distinction between short term and long term recommendations, realising that it may be necessary to build more experience before far-reaching privileges are granted.

In addition some recommendations are made for general improvement of the JAR, e.g. by moving provisions, that are under the heading privilege, elsewhere, if they are not really a privilege.

12.3.2 JAR-21

Production Organisation Approval

The privileges under POA are already extensive.
The COrA group recommends:

- first, to add at short term, a privilege to maintain new engine, propeller, parts and appliances they have produced, consistent with the privilege to maintain complete aircraft,

- and second, at medium term, to undertake a study on the feasibility of a POA maintaining used parts and appliances without the need for a JAR-145 approval

Design Organisation Approval

The COrA group finds most of the existing privileges (as from amdt 3) well described.
Anyway the COrA group recommends to consider the following:

- The 'privilege' to submit documents, which may be accepted
without verification, is not seen as a privilege. It is understood more as a privilege for the authority. It is recommended to move this provision from the paragraph 'privileges' to elsewhere, or to reword it as a real privilege.

- For the longer term the privilege to approve changes to authority approved documents is proposed,

- In association with POA or JAR-145 organisations the DOA could obtain the privilege to obtain permits to fly upon presentation of a declaration

JTSO Authorisation

Although this is not a self contained organisation approval (it is based on POA) there are additional privileges.

The design aspect for most JTSO (except APU) is not covered under an organisation approval. It is proposed to add design organisation aspects to Subpart O.

JPA Authorisation

This is not a self contained organisation approval. It is based on POA. The only additional 'privilege' is to mark parts with 'JPA'. There is no separate design approval process under JPA, so there is no need to add design organisation aspects.

Note: The need for JPA authorisations in general is under review in the JAA system

12.3.3 JAR-145 Approved Maintenance Organisation (AMO)

The definition of 'approved by the authority' allows for delegation of many authority tasks. This is not in line with the JAR-1 definition and is also in conflict with the outcome of a discussion in the RST on a similar provision in JAR-21. It is recommended to revert back to the JAR-1 definition and where necessary to allow for approval by the AMO. (see example of new JAR 21.A263(b)(2) in relation to JAR 21.95(b))

The AMO has the privilege to change maintenance instructions. It is recommended to move this to the 'privileges' paragraph for clarity. It is also recommended to clarify the scope of the privilege. It should be clear that when design data is affected, the approval should be through JAR-21 Subpart D, E or M, using the provisions of Subpart JA when necessary or desired.

In Leaflet no. 9 the limited manufacturing privilege of an AMO is explained. It is recommended to issue this guidance as an ACJ as a priority.

12.3.4 JAR-147 Approved Maintenance Training Organisation (AMTO)

The privilege to conduct examinations on behalf of the Authority, is in conflict with the outcome of a discussion in the RST on a proposed similar provision in JAR-21 (P-NPA 21-21). It is recommended to allow for examination by the AMTO, but not on behalf of the Authority. (see example of new JAR 21.A263(b)(2) in relation to JAR 21.95(b)) A legal review, under the auspices of the RST, of this subject is also recommended. (could be for all JARs).

12.3.5 JAR-OPS 1/3 Air Operator Certificate

The method of granting privileges in JAR-OPS is different from the other JARs. In stead of granting the privilege to perform a certain activity, the permission to do so is linked to a separate approval. There are many examples of this in the list of necessary authority approvals. (see attachment). The COrA group recommends to move these approvals, if possible, to become part of the AOC, by which the allowed action can become a privilege, if it is found that the applicant meets the applicable conditions. The need to have separate approvals for all kind of activities would be replaced by one requirement saying that the AOC holder can have the following privileges (list), as far as permitted by the Terms of Approval.

A detailed review of the above list in the attachment is limited to about half of the list, just to provide examples of the line of thinking.

In addition the COrA group recommends to create a privilege to incorporate changes in the organisation and manuals, as far as they do not affect the approval.

The definition of 'approved by the authority' in JAR-OPS Subpart M allows for delegation of many authority tasks. This is not in line with the JAR-1 definition and is also in conflict with the outcome of a discussion in the RST on a similar provision in JAR-21. It is recommended to allow for approval by the AOC holder where necessary (see example of new JAR 21.A263(b)(2) in relation to JAR 21.95(b))

The Operator has the privilege to approve amendments to the maintenance programme. It is recommended to define the term 'amendment', to list this provision formally as a privilege and to describe explicitly that not the authority, but the approved organisation approves.

12.3.6 JAR-STD

As far as can be determined, the organisation requirements under JAR-STD, do not give any privileges. In fact there is no separate approval of the organisation. Complying with the organisational requirements is one of the conditions to obtain a Qualification Certificate for a device. It is recommended to clearly split the organisational requirements from the technical requirements for the device. This will allow the granting of an STD-operator approval, with associated privileges.

In addition the COrA group recommends to do a survey of JAR-STD to look for possible privileges to be granted to such an approved STD operator.

The COrA group recommends to create at least a privilege to incorporate changes in the organisation and manuals, as far as they do not affect the approval.

12.3.7 JAR-FCL

The COrA group recommends to allow training arrangements with other training organisations under a privilege.

As for JAR-OPS there are several explicitly required authority approvals in addition to the initial FTO or TRTO approval. The COrA group recommends to move all these approvals, if possible, to become part of the FTO or TRTO, by which the allowed action becomes automatically a privilege. The need to have separate approvals for all kind of activities would be replaced by one requirement saying that the FTO or TRTO can have the following privileges (list), as far as permitted by the Terms of Approval.

In addition the COrA group recommends to do a survey of JAR-FCL to look for possible further privileges to be granted to the approved FTO and TRTO.

One possible privilege could be the conducting of examinations, which would be consistent with JAR-147. However, see the remarks under that heading. The recommended legal review could be done for both JAR-FCL and JAR-147.

13 Duration of Approvals (ToR 2.9)

13.1 Description of the issue

There are different philosophies between NAA's: continuous approval or renewal.

13.2 Unjustified inconsistencies

No duration limit is currently required in JARs, except in JAR-FCL. National Authorities can limit the duration. JAR-FCL is also the only JAR with a kind of 'probation' period for the approval holder of one year.

The duration of approvals depends on the conditions under which the national authorities control the approved organisations, based on principles addressed in the JAA Implementation Procedures. These procedures ask for continuous surveillance, with or without duration and subject to different surveillance cycles.

For multi-approved organisations it is probably more interesting to have the periodic evaluations synchronised, so that common elements of the different organisation approval requirements are checked only once.

The requirement for a periodic renewal makes also the approved organisation more aware of the time limited approval and periodically obliges the organisation to call itself into question. On the other hand it implies also a certain bureaucratic burden.

It should also be noted that the renewal of an approval makes it more easy to impose the latest requirements. See also "notification of applicable requirements" TOR 2.17.

13.3 Recommendations

General:

1. Introduce consistent duration in period used for organisation approval (specific time limit or continuous)
2. If a time limit is required, or if no time limit is required there should be a justification for it, taking due account of continuous surveillance cycles.

JAR-STD:

3. Because the STD operators "approval" is linked to the STD (device) qualification it also has a very limited duration (compared to other organisation approvals) of 12 months. The situation could be improved by breaking the link between the organisation approval and the device qualification.

14 Suspension or revocation of approvals (ToR 2.10)

14.1 Description of the issue

Conditions should be defined (e.g. remain in compliance with appropriate requirements; allow NAA's to inspect….)

14.2 Unjustified inconsistencies

Clearly there is inconsistency between the different rules and procedures.

The procedure for suspension, limitation or revocation of an approval is a matter for national law.

14.3 Recommendations

General:

1. The conditions for withdrawal, revocation and suspension could have at least one common issue: non-compliance with the rules. It could be made more detailed by defining degrees of non-compliance (see JAR-145). Other conditions may be rule specific.

JAR-OPS, JAR-145 and JAR-147:

2. The identified unclearities on automatic invalidity or not in JAR-OPS, JAR-145 and JAR-147 should be removed. (see report)

JAR-145:

3. JAR 145.90(c) and JAR 147.80(d) should be consistent.

4. JAR 145.100 (a) and (b) seem to go beyond the JAA scope and should be left to national law.

JAR-FCL:

5. The word 'will' in Appendix 1a and 2 to JAR-FCL 1.055 para. 6 should be 'may' to give some room for manoeuvre for the authority in the grey area between compliance and non-compliance.

15 Transfer of Approvals (ToR 2.11)

15.1 Description of the issue

Is transfer permitted? If yes, what are the conditions

15.2 Unjustified inconsistencies

JAR 21 and JAR-STD are the only requirements foreseeing a transfer of approval.
There is no clear legal definition of “transfer of approval”.

15.3 Recommendations

It seems sensible to determine in the rule if a transfer of approval limited to a change of ownership is possible, and if yes, under what conditions.

16 Approval of “small” organisations (ToR 2.12)

16.1 Description of the issue

In COrA Terms of Reference, the "Small organisations" issue is addressed as follows :

"Requirements need to be adapted for small organisations."

The survey shows that, in general, the requirements (Section 1 of JARs) for organisation approvals do not take into account the size of the organisation. Therefore, the requirements are ***not*** adapted for small organisations, and all applicants have to comply with the same requirements. The exception is in JAR 145.65(c) and JAR 147.60(b) where the rule is adapted for the independent audit part of the quality system. The smallest organisations can contract it outside under certain conditions.

Small organisations are addressed in Section 2, to allow special arrangements (all JARs) or to limit the scope (JAR-21 Subpart JA, JAR-145). In JAR-145/147, JAR-OPS and JAR-FCL, numbers are given to determine when an organisation is small, or very small.

To complete this survey, the JAR-21 approach must be mentioned. The size of the design organisation is mentioned :

- in Section 1 (JAR 21.13(b) and 21.112) as a criteria ***not*** to require a Design Organisation Approval but to authorise use of alternative procedures, today only addressed in details in TGM/21/01 and currently under review with NPA 21-23 activities.

- in Section 2 (ACJ 21.121(b)(1) as proposed in NPA 21-29) as a criteria to accept production ***without*** production organisation approval, under Subpart F.

16.2 Unjustified inconsistencies

There are two obvious unjustified inconsistencies :
- criteria to determine what is a small organisation,
- possibility of contracting the independent auditing part of the quality system to an outside party.

16.3 Recommendations

16.3.1 General

The COrA group has agreed upon the following:

“The (JAA) requirements set standards to promote safety and define clear responsibilities of NAA and industry. Recognition of competence through approving an organisation in compliance with the requirements and granting of privileges is currently seen as the best (most efficient) way to fulfil them and promote safety.”

Organisation approval concept is used in all JARs, but no alternative approach is proposed, except in JAR-21, where the size of an organisation but also other considerations related to the activity itself are used to relieve applicants of the requirement to have an approved organisation.

The need to have an organisation approval has been reported by some small organisations as a burden. The COrA group acknowledged it and proposes as a long term recommendation to further investigate alternative approach to organisation approvals, when it is appropriate for specific scope of activities. It should be noted that the EASA draft regulation, article 5, d), is envisaging this case.

1 Further investigate alternative approach to organisation approvals to authorise some activities. Priority: Mid term

16.3.2 JAR-21

Production Organisation Approval

There is no provision for outsourcing of independent auditing part of quality system. JAR-145/147 model can be used.

2 Propose for small organisations special arrangement in JAR 21.139(b) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

Design Organisation Approval

There is no provision for outsourcing of independent auditing part of design assurance system monitoring. JAR-145/147 model can be used.

3 Propose for small organisations special arrangement in JAR 21.A/B239(a)(3) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

JTSO Authorisation

JPA Authorisation

Although not directly organisation approvals, JTSO and JPA Authorisations do not propose Subpart F for production without Production Organisation Approval. In view of general comment in 3.1 above, it is recommended to restore consistency and to offer Subpart F for production of JTSO articles or JPA parts, under circumstances described in Subpart F ACJ material.

4 Propose Subpart F as alternative to Subpart G for JTSO and JPA Authorisations. Priority: Short term

16.3.3 JAR-145 Approved Maintenance Organisation (AMO)

16.3.4 JAR-147 Approved Maintenance Training Organisation (AMTO)

16.3.5 JAR-OPS 1/3 Air Operator Certificate

Provision for outsourcing of independent auditing part of quality system are only in Section 2. For consistency with JAR-145/147, it is recommended to introduce it in JAR OPS 1/3.035(b).

5 Propose for small organisations special arrangement in JAR OPS 1/3.035(b) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

16.3.6 JAR-STD

Provision for outsourcing of independent auditing part of quality system are only in Section 2. For consistency with JAR-145/147, it is recommended to introduce it in JAR-STD 1/2A.025(a).

6 Propose for small organisations special arrangement in JAR-STD 1/2A.025(a) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

16.3.7 JAR-FCL

Provision for outsourcing of independent auditing part of quality system are only in Section 2. For consistency with JAR-145/147, it is recommended to introduce it in JAR FCL 1/2.055.

7 Propose for small organisations special arrangement in Appendix 1a to JAR FCL 1/2.055 for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

17 Licenses (ToR 2.13)

17.1 Description of the issue

Subject description 2.13 (Licenses) in the ToR states:

“Certifying staff in JAR-145 approved organisations shall have a JAR-66 license. Should a similar requirement be introduced in other areas, notably POA certifying staff?”

17.2 Unjustified inconsistencies

After the first part of the surveillance-process (see annex) the question was raised by the sub-group:

Whether JAR-21 Subparts JA/JB should be included in the survey or not ?

It was confirmed by all that Subparts JA/JB have functions which are similar to certifying staff. Nevertheless the COrA-Group do not accept the inclusion of Subparts JA/JB , because of the sensitivity of the subject. After inputs from AECMA, JAA Certification Committee and Central JAA, it was decided, that the subgroup would not consider licenses in the context of Design Organisation Approvals and Production Organisation Approvals.

The further work of the subgroup was stopped with this decision.

17.3 Recommendations

Due to the above decision no recommendation can be made.

18 Safety Management Systems (ToR 2.14)

18.1 Description of the issue

1 COrA was established to address inconsistencies in the existing organisational approval schemes defined by JAR codes. In addition, the Terms of Reference included the use of Safety Management Systems (SMS) as an issue for consideration to assess whether the introduction of SMS in the JAA regulated domains was appropriate and if so, whether it could be integrated in the Quality System of approved organisations.

2 COrA set up a subgroup to address the SMS issue. Extensive discussions took place to clarify the scope of this subject within the COrA framework. A first review has been performed to identify essential SMS elements and check their level of coverage, and their consistency, in the current JAR codes.

18.2 Status of the SMS Investigation

The Subgroup has initiated this task and identified the following findings:

1 SMS elements already exist but are not consistently addressed in the JAA approval schemes as the comprehensive concept remains outside the JAR regulatory system. Further inconsistencies can be foreseen due to the introduction of SMS by the industry following non-standardised patterns.

2 In order to prevent potential future inconsistencies:
a) The JAA may promote a common understanding of SMS within the industry, fostering a model based on common principles and practices, without requiring its introduction.
b) If the JAA decided to introduce SMS in the JAR regulatory system, that should be done preventing the proliferation of different approaches in different JAA domains.

3 The introduction of SMS in the JAR regulatory system would only be possible after considering various critical aspects initially discussed in the COrA SMS subgroup. In particular:
a) The compatibility with quality systems required in JARs. An initial review of SMS features in the current JAA codes has already been produced but is not sufficiently mature for dissemination. The scope of this task requires further time and resources.
b) The compatibility of SMS with the current regulatory approach based on compliance with prescriptive requirements. In some regulated areas, no much room might exist to develop an additional objective-based approach with real added value to improve safety.
c) The need for a good level of awareness of SMS, not only within the industry but also on the regulatory side.
4 The above points seem to indicate that, for the time being, SMS should not be introduced in the JAR regulatory system. On the other hand, it would be appropriate to promote a common understanding of the SMS concept, encouraging its use by the industry without establishing regulatory requirements on it. That approach would be consistent with the nature of the SMS concept.
5 It was identified that the JAA's Joint Strategic Safety Initiative (JSSI) provided a better framework to address the SMS issue. Accordingly the JSSI Steering Group was approached and an agreement reached by JSSI about initiating further activities on this matter as part of its work (see recommendations)

18.3 Conclusions

As a result it can be concluded that:
1 Further work is needed to develop the lines suggested by the above findings.
2 In accordance with the CORA ToRs, the work of the current CORA SMS Subgroup can be considered as completed.

18.4 Recommendations

The task should be continued and an appropriate working group reconstituted under the JSSI framework with the task to develop:

a) The investigation done so far to be completed within the JSSI;
b) A Policy and Action Plan, promote SMS across Industry;
c) Material to support this including a test case model[7].

See Attachment .4: Elements of SMS system as required by EUROCONTROL ESARR 3

[7] A SMS model and means to monitor and test its level of achievement.

19 Integration of Approvals (ToR 2.15) Compatibility of rules (ToR 2.16)

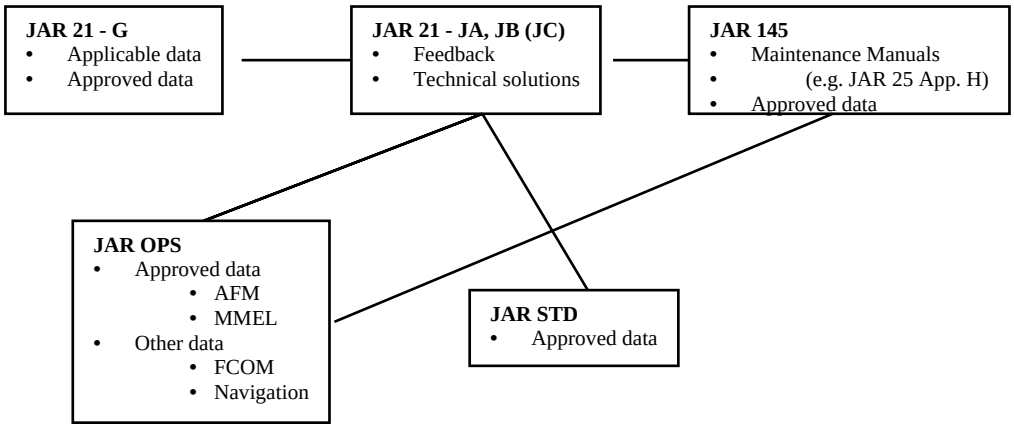
19.1 Description of the issue

Integration of Approvals: Can the approvals of multi approved organisations be integrated.

Compatibility of rules: e.g. without a JAR-43 there is a problem for leased aircraft for flight test, and JAR-21 JA-DOA and JAR-145 approval have different implementation dates of various parts.

19.2 Survey

It has been determined that many organisations hold more than one JAA organisation approval. Furthermore it has also been determined that many of the approved organisations (have to) maintain links with many other approved organisations, resulting in a network of interlinked, approved organisations (see below for some examples).



19.3 Recommendations

As a final goal of the COrA activity it is recommended to integrate the existing organisation approval requirements into a single approval with variable scope, leading to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals

20 Applicable requirements (ToR 2.17)

20.1 Description of the issue

Title changed in: ‘Notification of applicable requirements’.

What are the applicable requirements for initial approval, renewal and continues surveillance.

20.2 Unjustified inconsistencies

There is only a reference to this issue in one of the Joint Implementation Procedures.

20.3 Recommendations

It is recommended that standard procedures are developed and where necessary embedded in the rules, along the following principles:

Imposing the latest requirements when granting the initial approval is acceptable (applicable at the date of application).

Imposing the latest requirements when renewing the approval is acceptable; although maybe here some form of transfer period may be necessary.

Imposing the latest requirements during the validity period of an approval (or for unlimited approvals) is applicable if there is a minimum delay between the implementation of new requirements and the mandating of these requirements.

In general an existing approval is not automatically affected by new requirements. The retro-activity needs to be specifically justified and regulated (in analogy with TC’s).

Hoofddorp, 7 February 2003

Peter Corbeel, Chairman Consistency of Organisation Approvals group

Attachments

COrA TERMS OF REFERENCE

1. INTRODUCTION

The paper is in two parts:
2. issues to be addressed
3. Terms of Reference of the Group.

Defining issues to be addressed helps outlining terms of reference of the Group.

2. ISSUES TO BE ADDRESSED

2.1 Eligibility

Is it necessary to define criteria's for eligibility? The answer may depend on the area of activity.

2.2 Applications

Elements to be furnished to the Authority.

2.3 Organisational Requirements

These encompass the following:
Facilities requirements (working conditions, tools, aerodromes....).
Definition of specific posts (e.g. accountable manager; chief flying instructions) and criteria's for such post holders (e.g. acceptable to the Authority or more specific criteria's). Consistency in the responsibilities for a "post holder" is also an important consideration.
Staffing requirements: this includes training; specific qualifications; specific licences).
Requirements for manuals / organisation expositions.

2.4 Quality Systems

These encompass the following:
Objectives of the quality system (e.g. ensure safe operational practises and airworthy aeroplanes; ensure good maintenance practises and airworthy aircraft and components; ensure that each product, part or appliances produced by organisation or by its partners.... conform the applicable design data and is in condition for safe operation....).
Distinction between quality system and quality assurance: consistency of wording!
Handling of partners or subcontractors.
Position vis-à-vis ISO 9000 series, and AS/EN 9100, 9200 and 9300.
Introducing the concept of "special processes".

2.5 Initial approval

This encompasses the following:
The form of the approval.
The approval or not of necessary manuals (e.g. Maintenance Organisations Exposition, DOA Handbook, Operations Manual....).

2.6 Approval of Changes

One specific issue to be addressed is the operation of the organisation during the change.

2.7 Responsibilities of the Organisation (under the JARs)

Are they clearly identified?

2.8 Privileges

DOA, POA, JAR-145 grants privileges. JAR-OPS and JAR-FCL, as far as it can be determined, none.
This is an issue to be considered carefully, notably the legal implications of granting privileges.

2.9 Duration of Approvals

There are different philosophies between NAAs: continuous approval or renewal.

2.10 Suspension or revocation of approvals

Conditions should be defined (e.g. remain in compliance with appropriate requirements: allow NAAs to inspect....).

2.11 Transfer of Approvals

Is transfer permitted? If yes, what are the conditions?

2.12 Approval of "small" organisations

Requirements need to be adapted for small organisations.

2.13 Licenses

Certifying staff in JAR-145 approved organisations shall have a JAR-66 license. Should a similar requirement be introduced in other areas, notably POA certifying staff.

2.14 Safety Management Systems

In the ATM domain EUROCONTROL (SRU) will impose SMS on service providers. Also CAA-UK and RLD intend to introduce the concept and in the maritime sector it is already established. Is introduction of SMS in the JAA regulated domains appropriate and if so, could it be integrated in the Quality System of organisations.

2.15 Integration of Approvals

Can the approvals of multi-approved organisations be integrated.

2.16 Compatibility of rules

e.g. without a JAR-43 there is a problem for leased aircraft for flight test, and JAR-21 JA-DOA and JAR-145 approval have different implementation dates of various parts.

2.17 Applicable requirements

What are the applicable requirements for initial approval, renewal and continued surveillance.

3. TERMS OF REFERENCE

3.1 Survey

Identify how the issues above have been addressed in the various JARs (Section 1 and Section 2), TGMs and in the JIPs.

3.2 Development of recommendations

a) Develop recommendations and their implementation plan to restore/improve consistency.
b) Develop recommendations for future work, taking into account harmonisation with US.

In developing the recommendations consider short, medium and long term needs and move forward step by step. Item a) would typically be short and or medium term; b) would be medium and or long term.

3.3 Composition

multi-disciplinary; Authorities, Industry and one representative of each Main Committee.

3.4 Timescales

3.1 completed in 6 months to end September 2000.
3.2 completed in an additional 12 months to end September 2001.

3.5 Reporting scheme and implementation of recommendations:

The Task Force reports to the Regulation Director.
Before recommendations will go the JAAC, they will be submitted for concurrence to the Main Committees. Any disagreement and its rationale will be reflected in the Explanatory Note to the JAAC.
Implementation of JAAC accepted recommendations will be left to the Main Committees.

E N D

JAA - COrA Group: Work Programme including sequences

Sequence no.	Grouping of issues to be addressed	COrA Group Participants														
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		Auth.	Auth.	Non-Auth.	Auth.	Auth.	Auth.	Non-Auth.	Auth.	Auth.	Non-Auth.	Non-Auth.	Auth.	Non-Auth.	Auth.	Auth.
I	Organisations 2.3 and 2.7		X	X									GR			
	Quality Systems 2.4 (link 2.14)			X							X	GR	X			
	Privileges 2.8	GR						X	X	X						
	Eligibility & Applications 2.1 and 2.2		GR					X		X						
II	Approval Process 2.5, 2.6, 2.9, 2.10, 2.11 and 2.17		X		GR	X			X							
	Integration of Rules and Approvals, 2.15 and 2.16	X		GR	X			X								
	Licenses 2.13										GR		X			
III	Small Organisations 2.12		X						X	GR						X
	Safety Management Systems 2.14	X					GR	X								X

GR = Group 'Rapporteur'

COrA Group Participants

1. Peter Corbeel
2. Olgert van der Boom
3. Hanna Tiainen
4. Alain Vella
5. Jerzy Wilkowski
6. Juan Vazquez
7. John F. Monks
8. Pierre Bernard
9. Roger Simon
10. Klaus Neugebauer
11. Marvin T. Curtiss
12. Bob Ellison
13. Piet Otto
14. Andy Dow
15. Tony Barnett

Participants 13, 14 and 15 not present during COrA-2 meeting

COrA VISION

Statement regarding organisation approvals:

"The requirements set standards to promote safety and define clear responsibilities of NAA and industry. Recognition of competence through approving an organisation in compliance with the requirements and granting of privileges is currently seen as the best (most efficient) way to fulfil them and promote safety."

Organisation approvals: future JAA policy

The following objectives in the development of the organisation approval requirements are envisaged:

MOTTO:	timescale
• Reduce/no duplication of management positions	S
• To allow one set of manuals	S
• No different requirements for quality system; Recognition of industry standards for QMS as an Acceptable Means of Compliance.	S
• Make allocation of responsibilities within the organisation more clear	S
• Increase efficiency and effectiveness	S M L
• Improve authority's procedures: One set of implementation procedures applied by authority(ies)	S M L
• Performance related surveillance and control by the authority, making maximum use of Industry internal systems	M
• Appropriate requirements for small organisations	M
• Single approval system with variable scope, leading to one Certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals.	M L
• Mutual recognition and acceptance of outputs with non-JAA countries	M L

S: Short term (0-2 years)
M: Medium term (2-5 years)
L: Long term (5-10 years)

SAFETY MANAGEMENT SYSTEM ELEMENTS

(BASED ON EUROCONTROL ESARR 3 and UK CAA GUIDANCE FOR SMS)

GENERAL Policy statements committing the organisation and its highest managerial level	
Safety Management	To establish an explicit safety management approach
Safety Responsibility	To allocate safety responsibilities
Safety Priority	To identify safety as a first priority
Safety Objective	To define clear safety objectives

SAFETY ACHIEVEMENT Means for achieving high Safety Standards	
An Appropriate Organisation	
Competency	Staff trained, motivated and competent
SMS Documented System	The SMS is a documented system arising from a safety policy
Safety management responsibility	A safety management function within the organisation
Externally supplied products and services	Deploying the safety policy within the supply chain
Systematic Actions	
Quantitative safety levels	Deriving quantitative levels wherever practicable
Safety occurrences	Operational or technical occurrences are internally investigated
Risk assessment and mitigation	All new systems and changes are assessed through a risk based approach

SAFETY ASSURANCE Means for providing assurance that risks are being properly managed	
Systematic actions concerning the steady state	
Safety surveys	Internal oversight activities to survey safety
Safety monitoring	Continuous monitoring and analysis of safety indicators
Documenting systematic actions on significant changes	
Safety Records	Records are produced and maintained throughout the SMS operation
Risk assessment and mitigation documentation	The results of risk assessment and mitigation processes are documented throughout the system lifecycle

SAFETY PROMOTION Means to communicate safety issues and ensure a safety culture within the organisation	
Lesson dissemination	Disseminating past lessons within the organisation
Safety improvement	Involving all staff and improving safety

COrA: Summary of Recommendations

All JARs

1. *General*: The requirements set standards to promote safety and define clear responsibilities of NAA and industry. Recognition of competence through approving an organisation in compliance with the requirements and granting of privileges is currently seen as the best (most efficient) way to fulfil them and promote safety.

2. *General*: The authority's procedures regarding the implementation of organisation approvals should be standardised, with as a long term objective to have one set of implementation procedures. A first step could be to harmonise DOA and POA approval and surveillance procedures and to combine them in one process.

3. *General*: Surveillance and control by the authority of approved organisations should be performance related, making maximum use of Industry internal systems. If an approved organisation has an internal auditing system which has proven to work well, the authority may reduce its surveillance. (so that it can use its resources where they are needed most)

4. *General*: The ultimate, but long term objective, after having made the Organisation Approval Requirements consistent as far as possible, is a single approval system with variable scope, leading to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals.

5. *General*: The Organisation Approval Requirements of the JARs should be made compatible with the regulatory systems of non-JAA countries in order to facilitate mutual recognition and acceptance of outputs. An example of a first step in this direction is the recent development of the Common Release Certificate for production and maintenance between JAA, FAA and Transport Canada. Other areas to follow that example: e.g. mutual acceptance of approved design data and acceptance of code-share partner audit pooling. A way to ease mutual acceptance is the promotion and explanation of the JAA system world-wide.

6. *Eligibility*: In order to restore consistency, the COrA Group recommends the use of some standardised wording to be introduced into the requirements. The following eligibility criteria are being identified to cover the eligibility subject in an appropriate way:

   It should be clear who is/are eligible.

   It should be clear what is the need for approval.

7. *Applications*: The COrA Group recommends to have one standardised application form which would then not only cover initial applications, but also applications for renewal and variation. At the same time this principle should also embrace all relevant JARs which contain organisation approvals. An appendix has been attached to this report which contains the elements to be included in a standardised application form.

8. *Staffing Requirements*: Clarify concept of recurrent/continuation training in Section 2 material of JARs. Priority: Medium

9. *Quality Systems*: The requirement for an organisation to have a quality system should be in Section 1 and details for the quality system in Section 2.

10. *Quality Systems*: To restore consistency, it is proposed in Section 1 a requirement to establish, document and maintain a quality system as a means to ensure compliance with the applicable requirements. This system shall include independent monitoring mechanisms.

11. *Quality Systems*: JARs Section 2: The elements of the QS should be in ACJ material. Because of the inconsistencies in that area the bodies responsible for the respective JARs are invited to review their list of QS elements using EN 9100 as a template. It can also be considered to refer to EN 9100 as a possible way to comply with the QS requirement, with some possible JAR specific additions.

12. *The form of the approval*: It is recommended that in all JARs a paragraph "Terms of Approval" is introduced, which should explain that in the Terms of Approval of an approved organisation, the scope of its activities and the related privileges are listed.

13. *Approval of Changes*: Only significant changes should need explicit authority approval. It is recommended that further work is done to propose common criteria for determining what is a significant change.

14. *Responsibilities of the Organisation*: Recognition and the use of the words 'Responsible' and 'Responsibilities' should be equally defined across all the JAR requirements and the application of the implied responsibilities by the use of language should be standardised to ensure the recognition of the different definitions of responsibility .

15. *Responsibilities of the Organisation*: It is recommended that, as the JAR requirements are revised, the Mandatory Clauses are used in line with the JAR 21 requirement section to ensure full understanding of the responsibilities of Organisation's, People and Systems.

16. *Privileges*: The COrA group is proposing to create privileges for those organisation approvals that have no or only limited privileges today. For organisation approvals which already have privileges it is recommended to consider additional ones.

17. *Duration of Approvals*: Introduce consistent duration in period used for organisation approval (specific time limit or continuous)

18. *Duration of Approvals*: If a time limit is required, or if no time limit is required there should be a justification for it, taking due account of continuous surveillance cycles.

19. *Suspension or revocation of approvals*: The conditions for withdrawal, revocation and suspension could have at least one common issue: non-compliance with the rules. It could be made more detailed by defining degrees of non-compliance (see JAR-145). Other conditions may be rule specific.

20. *Transfer of Approvals*: It seems sensible to determine in the rule if a transfer of approval limited to a change of ownership is possible, and if yes, under what conditions.

21. *Small organisations*: The COrA group proposes as a long term recommendation to further investigate alternative approach to organisation approvals, when it is appropriate for specific scope of activities. It should be noted that the EASA draft regulation, article 5, d), is envisaging this case.

22. *Safety Management Systems*: The task should be continued and an appropriate working group reconstituted under the JSSI framework with the task to develop:
a) The investigation done so far to be completed within the JSSI;
b) A Policy and Action Plan, promote SMS across Industry;
c) Material to support this including a test case model.

23. *Integration of Approvals, Compatibility of rules*: As a final goal of the COrA activity it is recommended to integrate the existing organisation approval requirements into a single approval with variable scope, leading to one certificate or approval number for multiple approved organisations, whilst maintaining different criteria for approvals

24. *Applicable requirements*: It is recommended that standard procedures are developed and where necessary embedded in the rules, along the following principles:
Imposing the latest requirements when granting the initial approval is acceptable (applicable at the date of application).
Imposing the latest requirements when renewing the approval is acceptable; although maybe here some form of transfer period may be necessary.
Imposing the latest requirements during the validity period of an approval (or for unlimited approvals) is applicable if there is a minimum delay between the implementation of new requirements and the mandating of these requirements.

JAR-1

1. *Definition of specific posts*: Incorporate definition of "Accountable Manager" in JAR-1. Priority: Medium

JAR-21 Production Organisation Approval

1. *Definition of specific posts*: Change title related to post of manger accountable into Accountable Manager.

2. *Requirements for Manuals / Organisation Expositions*: Change Appendix A to JAR-21 into ACJ material. Priority: Medium

3. *Privileges*: The COrA group recommends

- first, to add at short term, a privilege to maintain new engine, propeller, parts and appliances they have produced, consistent with the privilege to maintain complete aircraft,

- and second, at medium term, to undertake a study on the feasibility of a POA maintaining used parts and appliances without the need for a JAR-145 approval

4. *Small Organisations*: There is no provision for outsourcing of independent auditing part of quality system. JAR-145/147 model can be used.

5. *Small Organisations*: Propose for small organisations special arrangement in JAR 21.139(b) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

JAR-21 Design Organisation Approval:

1. *Definition of specific posts*: Change title related to post of "Accountable Manager" (head of design organisation) into Accountable Manager.

2. *Privileges:*
- The ‘privilege’ to submit documents, which may be accepted without verification, is not seen as a privilege. It is understood more as a privilege for the authority. It is recommended to move this provision from the paragraph ‘privileges’ to elsewhere, or to reword it as a real privilege.

Anyway the COrA group recommends to consider the following:
- For the longer term the privilege to approve changes to authority approved documents is proposed,
- In association with POA or JAR-145 organisations the DOA could obtain the privilege to obtain permits to fly upon presentation of a declaration

3. *Small Organisations*: There is no provision for outsourcing of independent auditing part of design assurance system monitoring. JAR-145/147 model can be used.

4. *Small Organisations*: Propose for small organisations special arrangement in JAR 21.A/B239(a)(3) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

JAR-21 JTSO Authorisation

1. *Privileges*: The design aspect for most JTSO (except APU) is not covered under an organisation approval. It is proposed to add design organisation aspects to Subpart O.

2. *Small Organisations*: It is recommended to allow Subpart F as alternative to Subpart G for JTSO Authorisations. Priority: Short term

JAR-21 JPA Authorisation

1. *Small Organisations*: JPA Authorisation: It is recommended to allow Subpart F as alternative to Subpart G for JPA Authorisations. Priority: Short term

JAR-145

1. *Approval or not of the necessary manuals / expositions*: The exposition/manual is furnished as part of compliance demonstration and should not be approved by itself. JAR 21 rules can be a model

2. *Privileges*: The definition of 'approved by the authority' allows for delegation of many authority tasks. This is not in line with the JAR-1 definition and is also in conflict with the outcome of a discussion in the RST on a similar provision in JAR-21. It is recommended to revert back to the JAR-1 definition and where necessary to allow for approval by the AMO. (see example of new JAR 21.A263(b)(2) in relation to JAR 21.95(b))

3. *Privileges*: The AMO has the privilege to change maintenance instructions. It is recommended to move this to the 'privileges' paragraph for clarity. It is also recommended to clarify the scope of the privilege. It should be clear that when design data is affected, the approval should be through JAR-21 Subpart D, E or M, using the provisions of Subpart JA when necessary or desired.

4. *Privileges*: In Leaflet no. 9 the limited manufacturing privilege of an AMO is explained. It is recommended to issue this guidance as an ACJ as a priority.

5. *Suspension or revocation of approvals*: The identified unclearities on automatic invalidity or not should be removed. (see report)

6. *Suspension or revocation of approvals*: JAR 145.90(c) and JAR 147.80(d) should be consistent.

7. *Suspension or revocation of approvals*: JAR 145.100 (a) and (b) seem to go beyond the JAA scope and should be left to national law.

JAR-147

1. *Approval or not of the necessary manuals / expositions*: The exposition/manual is furnished as part of compliance demonstration and should not be approved by itself. JAR 21 rules can be a model

2. *Privileges*: The privilege to conduct examinations on behalf of the Authority, is in conflict with the outcome of a discussion in the RST on a proposed similar provision in JAR-21 (P-NPA 21-21). It is recommended to allow for examination by the AMTO, but not on behalf of the Authority. (see example of new JAR 21.A263(b)(2) in relation to JAR 21.95(b)) A legal review, under the auspices of the RST, of this subject is also recommended.

3. *Suspension or revocation of approvals*: The identified unclearities on automatic invalidity or not should be removed. (see report)

4. *Suspension or revocation of approvals*: JAR 145.90(c) and JAR 147.80(d) should be consistent.

JAR-OPS:

1. *Approval or not of the necessary manuals / expositions*: The exposition/manual is furnished as part of compliance demonstration and should not be approved by itself. JAR 21 rules can be a model

2. *Privileges*: The method of granting privileges in JAR-OPS is different from the other JARs. In stead of granting the privilege to perform a certain activity, the permission to do so is linked to a separate approval. There are many examples of this in the list of necessary authority approvals. The COrA group recommends to move these approvals, if possible, to become part of the AOC, by which the allowed action can become a privilege, if it is found that the applicant meets the applicable conditions. The need to have separate approvals for all kind of activities would be replaced by one requirement stipulating that the AOC holder can have the following privileges (list), as far as permitted by the Terms of Approval.

3. *Privileges*: In addition the COrA group recommends to create a privilege to incorporate changes in the organisation and manuals, as far as they do not affect the approval.

4. *Privileges:* The definition of 'approved by the authority' in JAR-OPS Subpart M allows for delegation of many authority tasks. This is not in line with the JAR-1 definition and is also in conflict with the outcome of a discussion in the RST on a similar provision in JAR-21. It is recommended to allow for approval by the AOC holder where necessary (see example of new JAR 21.A263(b)(2) in relation to JAR 21.95(b))

5. *Privileges:* The Operator has the privilege to approve amendments to the maintenance programme. It is recommended to define the term 'amendment', to list this provision formally as a privilege and to describe explicitly that not the authority, but the approved organisation approves.

6. *Suspension or revocation of approvals*: The identified unclearities on automatic invalidity or not should be removed. (see report)

7. *Small Organisations*: Provision for outsourcing of independent auditing part of quality system are only in Section 2. For consistency with JAR-145/147, it is recommended to introduce it in JAR OPS 1/3.035(b).

8. Small Organisations: Propose for small organisations special arrangement in JAR OPS 1/3.035(b) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

JAR-STD

1. *Eligibility*: It is recommended to bring the text of JAR-STD 1A/2A/3A/4A/1H/2H/3H/4H.001 in line with JAR-11 principles.

2. *Privileges*: It is recommended to clearly split the organisational requirements from the technical requirements for the device. This will allow the granting of an STD-operator approval, with associated privileges.

3. *Privileges*: In addition the COrA group recommends to do a survey of JAR-STD to look for possible privileges to be granted to such an approved STD operator.

4. *Privileges*: The COrA group recommends to create at least a privilege to incorporate changes in the organisation and manuals, as far as they do not affect the approval.

5. *Duration of Approvals*: Because the STD operators "approval" is linked to the STD (device) qualification it also has a very limited duration (compared to other organisation approvals) of 12 months. The situation could be improved by breaking the link between the organisation approval and the device qualification.

6. *Small Organisations*: Provision for outsourcing of independent auditing part of quality system are only in Section 2. For consistency with JAR-145/147, it is recommended to introduce it in JAR-STD 1/2A.025(a).

7. *Small Organisations*: Propose for small organisations special arrangement in JAR-STD 1/2A.025(a) for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term

JAR-FCL

1. *Privileges*: The COrA group recommends to allow training arrangements with other training organisations under a privilege.

2. *Privileges*: As for JAR-OPS there are several explicitly required authority approvals in addition to the initial FTO or TRTO approval. The COrA group recommends to move all these approvals, if possible, to become part of the FTO or TRTO, by which the allowed action becomes automatically a privilege. The need to have separate approvals for all kind of

activities would be replaced by one requirement saying that the FTO or TRTO can have the following privileges (list), as far as permitted by the Terms of Approval.

3. *Privileges*: In addition the COrA group recommends to do a survey of JAR-FCL to look for possible further privileges to be granted to the approved FTO and TRTO.

4. *Privileges*: One possible privilege could be the conducting of examinations, which would be consistent with JAR-147. However, see the remarks under that heading. The recommended legal review could be done for both JAR-FCL and JAR-147.

5. *Suspension or revocation of approvals*: The word 'will' in Appendix 1a and 2 to JAR-FCL 1.055 para. 6 should be 'may' to give some room for manoeuvre for the authority in the grey area between compliance and non-compliance.

6. *Small Organisations*: Provision for outsourcing of independent auditing part of quality system are only in Section 2. For consistency with JAR-145/147, it is recommended to introduce it in JAR FCL 1/2.055.

7 *Small Organisations*: Propose for small organisations special arrangement in Appendix 1a to JAR FCL 1/2.055 for outsourcing of independent auditing part of quality assurance function (see, for example, JAR 145.65(c)). Priority: Short term