

# International Maintenance Review Board Policy Board (IMRBPB)

## Issue Paper (IP)

**IP Number:** 187

**Initial Date (DD/MMM/YYYY):** 10/May/2019

**Revision / Date (DD/MMM/YYYY):** Rev. 0 / 10/May/2019

**Effective Date (DD/MMM/YYYY):** 09/Jul/2019

**Retroactivity (Y/N):** Y

<b>Title:</b>	Application of IPs
<b>Submitter:</b>	EASA

Applies To:	
MSG-3 Vol 1	
MSG-3 Vol 2	
IMPS	X

### Issue:

Due to the new 3 years implementation rule for revisions of MSG3/IMPS, IPs can remain unused during several years despite their benefit from a regulator point of view. In addition implementation of retroactive IPs remain unclear.

### Problem:

IPs are legally not considered to be a policy even when declared as retroactive. With the new 3 years revision cycle of MSG3/IMPS, it would mean that some important policy improvements will not be implemented for years, if the TCH decides not to implement them on a voluntary basis. Furthermore some retroactive issue papers could not be used on projects where the issue encountered lead to the creation of the CIP. Three kind of examples may happen (example starting year 2019):

- IP applicable on MSG3 approved in 2019 will be implemented in MSG3 rev.2021, only for projects starting from 2022. => 3 years “on hold”
- IP applicable on IMPS approved in 2019 will be implemented in IMPS rev.2021, which will be used for NAA Guidance Material revision (on average ready for 2023) for projects starting in 2024 => 5 years “on hold”
- IP “retroactive” approved on IMPS/MSG3 in 2019, will be applicable only on MSG3/IMPS Rev.2021. Those IPs might never be applied on the projects for which they have been created for pre 2019 => Solution created but no possibility to enforce its application.

The decision of IP implementation is today only “one way” (Industry decision), regulators should be able to enforce on an interim basis Issue Papers, when duly justified.

### Recommendation (including Implementation):

To amend and add paragraphs in the IMPS:

Paragraph 1.7

**1.7** The IMRBPB will identify all IP’s affecting the IMPS. These IP’s will be incorporated into this document on the three year revision cycle to reflect the positions taken by the IMRBPB. **Member authorities should highlight in their guidance material the need for the TCH to review IPs classified as “active” and**

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**which** may be adopted by the Member Authorities in their guidance in-between IMPS revisions.

Paragraph 3.10

#### **3.10 IP Incorporation Policy.**

- 3.10.1** When IMRBPB Issue Papers are agreed ~~to~~ and classified as “Active” or “Incorporated” and “Not retroactive” in the IP (and IP Index), they then may be (but are not required to be) incorporated into an **existing** MRB/MTB program **after MRB/MTB date of application**. They should be agreed ~~to~~ by all parties **in** a revision to the PPH prior to such use.
- 3.10.2** With the exception of “archived” IPs, when IMRBPB Issue Papers are agreed and classified as “Retroactive” the IP (and IP Index), they are to be incorporated into any existing MRB/MTB program, where applicable. They are then to be implemented into a revision to the PPH within a maximum timeframe of one year after IP effective date.
- 3.10.3** When IMRBPB Issue Papers are agreed and classified as “Active” in the IP (and IP Index), they are to be incorporated into any new initial MRB/MTB program if the IP effective date has been reached on or before MRB/MTB date of application, even if the IP is not yet incorporated in MSG3/IMPS. They are then to be implemented into the PPH.
- 3.10.24** Once an IP is incorporated into a PPH, and the IP is then later listed as “Incorporated” by the IMRBPB, the IP content can continue to be used, unless the program implements a change to incorporate the new version of the document that the IP affected (in which case, the new document would supersede the IP).
- 3.10.35** If an IP is listed as “Archived” by the IMRBPB, the MRB/MTB program should remove the IP content from the PPH via the next revision. It is not expected that existing analysis based on these IPs be reopened.

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<b>IMRBPB Position:</b>	
<b>Date:</b>	10 May 2019
<b>Position:</b>	Agreed, closed in 2019 meeting as IP187
<b>Recommendation for Implementation:</b>	As per effective date

<b>Status of Issue Paper:</b>	<input checked="" type="checkbox"/>	Active
	<input type="checkbox"/>	Incorporated in MSG-3 / IMPS (with details)
	<input type="checkbox"/>	Archived