

Comment				Comment summary	Suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	EASA comment disposition	EASA response
NR	Author	Section, table, figure	Page						
1	Rolls-Royce Deutschland Ltd & Co KG	2.1	6	Does the written Note 'Due to the nature of their work, each technical discipline may progress through the phases of the certification project at a different pace' lead to an option that the EASA LOI notification is done in parts?	It should be clarified that EASA PCMs can cope with 'different pace' in the way to be allowed to notify accepted LOI for non-effected Compliance Demonstration Items.			Accepted	Yes, also the LOI notification can be done in parts. The text has been clarified.
2	Rolls-Royce Deutschland Ltd & Co KG	3.2.2	8	For the 'novelty' assessment, the example item given in the CM 'New guidance or interpretative material' seems out of scope. The CDI should be assessed against requirements and not against guidance.	Please delete this item.			Not accepted	New guidance or new interpretative material will have consequences for the compliance demonstration and may therefore affect the 'novelty' determination. This is even more important for the performance-based CS than in CS 23 at Amendment 5.
3	Rolls-Royce Deutschland Ltd & Co KG	3.2.2	8	The statement 'Additional new guidance/interpretative material in the form of new Certification Memoranda may be considered for the determination of novelty in case its incorrect application/use may lead to an unidentified non-compliance.' may create conflicts with the intend of CMs being 'intended to provide guidance on a particular subject and, as <u>non-binding material</u> , may provide complementary information and guidance for compliance demonstration with current standards. [EASA homepage]'.	Please delete this CM text.			Not accepted	CMs are non-binding material. But if this non-binding material is used or made applicable in a certification project, then its incorrect application or use may lead to a non-compliance with the certification basis. New guidance / interpretative material in the form of a CM may therefore be relevant for the 'novelty' determination.
4	Rolls-Royce Deutschland Ltd & Co KG	4	12	'The Agency documents the Lol determination .... by documentation of its analysis, considering the deviations from the proposal.' To allow the DOA Holders to improve its performance, it should be clear that the EASA analysis used should be made transparent and available to the DOA Holder to take appropriate actions for improvements.	Please include the need that EASA shall explain to the DOA Holder the reason for any deviation to the proposed LOI.			Accepted	This was indeed the intention, and is an obligation on the Agency in the 21.B.100 (c). The text has been clarified.
5	Rolls-Royce Deutschland Ltd & Co KG	F	45	'The sales potential and likely numbers of operations at environmentally sensitive locations' is -at least- for engine certification or change activates an assumption without robust substantiation.	Please add 'where relevant' at the end of the sentence.			Not accepted	'Sales potential and likely number of operations' is specifically meant to deal with noise and emissions, i.e. the impact on the environment. Adding an addendum 'where relevant' would only add uncertainty.
6	Rolls-Royce Deutschland Ltd & Co KG	G	46	On page 12 the term 'compliance documents' is mainly used, while on page 46 the term 'certification documents or summary' is used.	Please use one term only.			Accepted	The term 'compliance document' is preferred, but 'document' has been changed to 'data' since the intent is to describe the EASA LOI in the compliance demonstration verification, and it is not necessarily a complete document, but certain data that is retained to be verified.
7	Rolls-Royce Deutschland Ltd & Co KG	Attachment 19	73	Typo: 'CDI <u>no</u> has novel'.				Accepted	The text has been corrected.

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8	Dassault-Aviation		General	The LOI determination process is extremely complex and will lead to an overwork by the applicant.			Y	Noted	<p>The process is new. It is acknowledged that a new process may lead to more work on the applicant's side, as well on the authority's side. But it is expected that – with more experience – the additional workload will be negligible. It is not the Agency's intention to create any inappropriate additional workload.</p> <p>The new process leads to greater attention to the certification programme and the planning of the compliance demonstration, which leads to higher predictability, more transparency and probably time savings in the later processes. Furthermore, it ensures that the Agency concentrates its involvement on the most risky fields of work.</p> <p>It is therefore expected that throughout the certification project, the workload of the applicant will decrease where the Agency is not involved on certain CDIs, or where there is certainty regarding the CDIs with which the Agency will be involved.</p> <p>The Agency's intention is to create a reasonable process, using the framework that is given by Part-21: a risk-based approach, considering the likelihood of an unidentified non-compliance with the certification basis and the impact on product safety, while using at least four criteria: novelty, complexity, severity and the performance of the organisation. Within this framework, the intention was to keep the process as simple as possible, e.g. by not adding weighting factors for novelty or complexity, and to establish a clear and straightforward process.</p>

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9	Dassault-Aviation		General	<p>The number of risk class is too high leading to subjective involvement determination criteria (e.g. between class 3 and 4). A way to improve the LOI determination is to focus on a limited number of risk class: "No Specificities" vs "Involvement Specificities". Therefore, LOI would be determined with regard to applicant experience/performance directly with the panels. On the opposite, the proposed cert memo contains some drawbacks:</p> <ul style="list-style-type: none"> <li>Beyond the general LOI determination criteria, each Panel is customizing its involvement through more stringent risk class definitions, then leading to additional complexity and confusion between the specificities (lack of consistency between panels definitions criteria).</li> <li>For each CDI, the certification engineer needs to identify for each panel involved in this CDI, the novelty, the complexity and the criticality of unidentified non-compliance by analyzing the Cert Memo guidance. Then, based on DOA performance, he/she must propose a risk class. Depending on the involved panel, the Level of Involvement can be proposed. Then a discussion is needed with each panel to finalize the retained / not retained items (for class 2 / 3 / 4). This is time consuming.</li> <li>By definition, a major mod often concerns some complex and/or critical aspects. Then, according to the guidances proposed by the panels, the risk Class 1 or class 2 will almost never be reached. Risk Class 3 and Class 4 will lead to discussion with panels on retained / not retained documents and test witnessing by panels as for current application.</li> </ul>			Y	Noted	<p>The Agency considers that having only two or three risk classes is not proportionate. Two risk classes would directly lead to involvement / no involvement, three risk classes would lead to no involvement / some involvement and more involvement. This would not reflect the diversity of the CDIs that will be established.</p> <p>The risk classes are only a qualitative indicator to support the PCM and experts in determining which compliance activities and data should be retained (i.e. the level of involvement).</p> <p>Dassault proposes to determine the LOI on the basis of the experience with regard to the performance of the panels. This is indeed part of the determination, namely under 'performance of the organisation', where, by default, the Agency will look at the performance of the applicant in a specific technical area. Using this as the only criterion is not possible in accordance with Part-21 (see the response to comment 8).</p> <p>It is acknowledged that industry and EASA need to further familiarise with the new process (see the response to comment 8). But there is no intention to create any inappropriate additional workload.</p> <p>Past experience without the new LOI process has already shown that in the majority of cases, applicants propose the correct compliance data as retained data. The new process makes the LOI more transparent and ensures that the LOI is risk based.</p> <p>The Agency does not agree with the comment that each panel should customise its involvement through more stringent risk class definitions, or that there is an inconsistency between panels on the definition criteria. The panel-specific parts of the CM are intended to provide specific examples and to fill in the generic criteria for each panel. This should support the application of the generic part of the CM. No part of the panel-specific criteria deviates from the generic part or adds more stringent definitions. Where there are differences between panels, these are justified in the view of the Agency, based on the experience of determining the involvement in the past.</p> <p>It may be worth reminding the reader that the risk classes only provide an indication to the Agency in determining its LOI. Based on this risk indication, the LOI may be lower or higher. The final LOI consists of the compliance data and activities that the Agency retains for the verification of the compliance demonstration.</p> <p>The Agency therefore expects limited discussions on the risk class, but not at the project level. If the applicant considers that the Agency's LOI determination was not appropriate, this should be raised in the organisation oversight process.</p>
10	Dassault-Aviation		General	<p>Regarding the OSD, Dassault Aviation disagrees with this CM which introduces a strong ambiguity and regression regarding the extension of our DOA privileges to the OSD that has been granted by the EASA through 'Terms of Approval 21J.051 Issue 6, 18 December 2015. Based on applicant experience, EASA involvement would have not to be applicable all the time (e.g. MCS)</p>			Y	Noted	<p>Where the organisation holds a privilege, no certification programme and no LOI proposal has to be submitted to the Agency. The Agency is not the approving authority, therefore it does not need to determine its LOI.</p>

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11	Dassault-Aviation		General	CDI is not precisely defined, then it may lead to interpretation => agreement on the decomposition on CDI may be difficult to achieve rapidly between EASA and the applicant. At least, it will require to spend time.			Y	Noted	For the purpose of the CM, this is intended. The Agency would like to give the most flexibility to applicants when identifying the CDIs that are suitable for their individual projects. There is no intention for the Agency to question the CDIs, except when the CDIs are determined in order to abuse the system.  Please note that the Agency will develop guidance material at a later stage, when we have an initial impression of how applicants determine the CDIs. This guidance will undergo consultation in an NPA for an amendment of the AMC/GM to Part-21.
12	Dassault-Aviation		General	Type Certificate Holder is not responsible for pilot training, maintenance training organization, simulator qualification: these activities are out of scope of OSD constituents and DA strongly recommends to remove them from the CM.			Y	Accepted	The text has been amended.
13	Dassault-Aviation		General	As a conclusion, the proposed process is too complex and ambiguous, it will be time consuming to finally lead to discussion with panels about their involvement as for today existing process. DA suggests a complete revision of the proposed LOI process determination.			Y	Noted	The first advanced application projects have shown that the approach is workable. See also the EASA responses to comments 8 and 11.
14	GE Aviation	3.2.2. Novelty	7-8	<p>This section states that “When an applicant is utilising a technology for the first time, or when that applicant is relatively unfamiliar with the technology, this is considered “novel”, even if other applicants may be already familiar with that given technology.”</p> <p>For clarity with subsequent sections, the converse should also be clearly stated that specific technologies may not be novel for applicants who are not utilizing the technology for the first time or when the applicant is familiar with the technology.</p> <p>For example, page 22 lists manufacturing processes such as additive manufacturing as novel. There may, however, be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a “novel” classification. This may enable a different level of involvement versus applicants without such experience. These lists should focus on aspects outside of the applicant’s prior demonstrated technology base.</p>	Add the following after the first period on page 8. “When an applicant is <u>not</u> utilising a technology for the first time, or when that applicant is relatively <u>familiar</u> with the technology, this is <u>not</u> considered “novel” technology.”		Yes	Accepted	The intention was to say this with this sentence (and this is also indirectly clear from the introductory paragraph). The text has been clarified.

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15	GE Aviation	Attachment 3, section C	21	<p>This section states that “The following list (not exhaustive) provides examples which are considered to be novel in terms of design and manufacturing:”</p> <p>This statement implies that all items in the subsequent list are considered novel. There may, however, be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a “novel” classification. This may enable a different level of involvement versus applicants without such experience.</p>	Amend the subject text to read “The following list (not exhaustive) provides examples which <u>may</u> considered to be novel in terms of design and manufacturing consistent with section 3.2.2:”		Yes	Accepted	<p>In general, the items listed in C should trigger a classification as novel. The CM is guidance to all applicants.</p> <p>If an applicant is already familiar with a certain technology, this may trigger, for this applicant, the criterion ‘not novel’ – despite the guidance stating that generally it should be considered to be novel. As the text is guidance, this of course remains possible.</p> <p>The text of 3.2.2 has been amended in order to clarify this, and Section C of all the attachments has been amended to include ‘may’.</p>
16	GE Aviation	Attachment 4, section C	25	<p>This section states that “The following list (not exhaustive) provides examples which are considered novel:”</p> <p>This statement implies that all items in the subsequent list are considered novel. There may, however, be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a “novel” classification. This may enable a different level of involvement versus applicants without such experience.</p>	Amend the subject text to read “The following list (not exhaustive) provides examples which <u>may</u> considered novel consistent with section 3.2.2:”		Yes	Accepted	<p>In general, the items listed in C should trigger a classification as novel. The CM is guidance to all applicants.</p> <p>If an applicant is already familiar with a certain technology, this may trigger, for this applicant, the criterion ‘not novel’ – despite the guidance stating that generally it should be considered to be novel. As the text is guidance, this of course remains possible.</p> <p>The text of 3.2.2 has been amended in order to clarify this, and Section C of all the attachments has been amended to include ‘may’.</p>
17	GE Aviation	Attachment 13, section C	56	<p>This section states that “The following list (not exhaustive) provides examples which are considered novel design and manufacturing:”</p> <p>This statement implies that all items in the subsequent list are considered novel. There may, however, be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a “novel” classification. This may enable a different level of involvement versus applicants without such experience.</p>	Amend the subject text to read “The following list (not exhaustive) provides examples which <u>may</u> considered to be novel in terms of design and manufacturing consistent with section 3.2.2:”		Yes	Accepted	<p>In general, the items listed in C should trigger a classification as novel. The CM is guidance to all applicants.</p> <p>If an applicant is already familiar with a certain technology, this may trigger, for this applicant, the criterion ‘not novel’ – despite the guidance stating that generally it should be considered to be novel. As the text is guidance, this of course remains possible.</p> <p>The text of 3.2.2 has been amended in order to clarify this, and Section C of all the attachments has been amended to include ‘may’.</p>
18	GE Aviation	Attachments 4, 5, 6, 7, 9, 10, 18	25, 29, 33, 37, 44, 47, 71	<p>Similar statements regarding novelty as described above exist within these sections.</p> <p>This statement implies that all items in the subsequent list are considered novel. There may, however, be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a “novel” classification. This may enable a different level of involvement versus applicants without such experience.</p>	Amend the subject text to read “The following list (not exhaustive) provides examples which <u>may</u> considered to be novel in terms of design and manufacturing consistent with section 3.2.2:”		Yes	Accepted	<p>In general, the items listed in C should trigger a classification as novel. The CM is guidance to all applicants.</p> <p>If an applicant is already familiar with a certain technology, this may trigger, for this applicant, the criterion ‘not novel’ – despite the guidance stating that generally it should be considered to be novel. As the text is guidance, this of course remains possible.</p> <p>The text of 3.2.2 has been amended in order to clarify this, and Section C of all the attachments has been amended to include ‘may’.</p>

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19	GE Avio srl	3.2.2. Novelty	7-8	<p><i>When an applicant is utilising a technology for the first time, or when that applicant is relatively unfamiliar with the technology, this is considered "novel", even if other applicants may be already familiar with that given technology.</i></p> <p>For clarity with subsequent sections, the converse should also be clearly stated that specific technologies may not be novel for applicants who are not utilizing the technology for the first time or when the applicant is familiar with the technology.</p> <p>There may be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a "novel" classification. This may enable a different level of involvement versus applicants without such experience. These lists should focus on aspects outside of the applicant's prior demonstrated technology base.</p>	Add the following after the first period on page 8. <i>"When an applicant is <u>not</u> utilising a technology for the first time, or when that applicant is relatively familiar with the technology, this is <u>not</u> considered "novel" technology."</i>		Yes	Accepted	The intention was to say this with this sentence (and this is also indirectly clear from the introductory paragraph). The text has been clarified.
20	GE Avio srl	3.2.2 Novelty	8	<p><i>Novelty in the interpretation of the results of the compliance demonstration.</i></p> <p>How can this aspect be established at the beginning of the Certification Programme? Is it referred to test results?</p>	It would be useful to the correct interpretation if clarification/example is added or sentence reworded	yes		Accepted	Due to in-service occurrences, compliance demonstration results might be interpreted differently from in the past to avoid future in-service occurrences. The CM has been clarified.
21	GE Avio srl	3.2.2 Novelty	8	<p><i>Additional new guidance/interpretative material in the form of new Certification Memoranda may be considered for the determination of novelty in case its incorrect application/use may lead to an unidentified non-compliance.</i></p> <p>Does incorrect application/use mean failure to comply with the CM?</p>	Suggested rewording: <i>...in case failure to comply with the CM may lead to an unidentified non-compliance</i>	yes		Not accepted	There is no need to comply with the CM. The CM is non-binding guidance. The intention was to state that if the CM is used, but incorrectly, there is a risk of an unidentified non-compliance with the certification basis.
22	GE Avio srl	3.2.2 Novelty	8	<p><i>In this context, the time between the last similar and the current project of the applicant should also be considered.</i></p> <p>Is this sentence still related to the Certification Memo?</p>	Additional clarification would be useful	yes		Accepted	No, this applies generally to novelties. The text has been reformatted.
23	GE Avio srl	3.2.3 Complexity	8	<p><i>require qualitative assessment</i></p> <p>Not clear why qualitative should be complex: usually qualitative is used for very simple compliance demonstration. Examples relevant to this case not found in the attachments</p>	Additional clarification would be useful	yes		Accepted	The bullet points for subjective compliance demonstration and a qualitative assessment actually cover the same intent. The wording will be adapted. This term does not address simple engineering judgement.
24	GE Avio srl	3.2.3 Complexity	8	<p><i>do not have an explicit description of the means of compliance.</i></p> <p>During initial Means of compliance definition, many time an explicit description is not available, as the details will be defined later on. This does not mean it is complex. Examples relevant to this case not found in the attachments</p>	Additional clarification would be useful	yes		Accepted	The bullet point relates to 'requirements'. A compliance demonstration is considered to be complex if it relates to a requirement which has no explicit description of the means of compliance (e.g. an AMC to a CS). The text has been amended to clarify this.

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NR	Author	Section, table, figure	Page						
25	GE Avio srl	3.2.4. Performance of the Design Organisation	9	<p><i>The Agency determines the organisations performance at an organisational, panel or discipline level, depending on the availability of sufficient data.</i></p> <p>One of the parameters of the DOA dashboard is related to number of finding from the Agency surveillance activities. Not all the findings are related to related to compliance demonstration or justification.</p>	Is the Agency considering reviewing the DOA dashboard indicators to better focus on DOA performance in compliance demonstration only?	yes		Noted	<p>The current dashboard consists of two indicators: one is used for Lol purposes and does not include the findings; the other one compiles various sources, including the findings, and is used for DOA oversight.</p> <p>Further improvements on the dashboard will be implemented by EASA.</p>
26	GE Avio srl	Attachment 3, section C Attachment 13, section C Attachments 4, 5, 6, 7, 9, 10, 18	21 56 25, 29, 33, 37, 44, 47, 71	<p><i>The following list (not exhaustive) provides examples which are considered to be novel in terms of design and manufacturing</i></p> <p>This statement implies that all items in the subsequent list are considered novel. There may, however, be applicants that could justify the maturity of their processes based on prior certification efforts and field experience and therefore not fall under a “novel” classification. This may enable a different level of involvement versus applicants without such experience.</p> <p>Similar statements regarding novelty as described above exist within the various sections listed.</p>	Amend the subject text to read “ <i>The following list (not exhaustive) provides examples which <u>may</u> considered to be novel in terms of design and manufacturing consistent with section 3.2.2.</i> ”		Yes	Partially accepted	<p>The CM provides guidance on how the industry in general should propose the Lol, and guidance for the Agency on how to generally determine its Lol. The Agency agrees that some items may be novel for one applicant while they may no longer be novel for other applicants. But the list reflects examples of items which are typically considered to be novel. If there is something in the guidance that is not novel for this particular applicant, the applicant should propose ‘not novel’ to the Agency.</p> <p>In order to better clarify this, the text of 3.2.2 has been amended, and Section C of all the attachments has been amended to include ‘may’.</p>
27	Airbus	General And § 3.5	11	<p>The current CM text does not allow organizations having a DOA at the time of CM publication to use the acquired experience to define agency involvement and retained compliance document</p> <p>The level of involvement resulting from the applicant’s proposal and the Agency’s determination is not expected to be higher than in the pre-CM era, especially for organisations with high or medium performance. Sound engineering judgement should be applied to correct the assessment result in case of discrepancy.</p>	<p>Add a new paragraph after the first one:</p> <p>“In addition to the guidance in this certification memorandum, and in order to possibly correct some unintended effects, sound engineering judgement and consideration of the past practices between the Agency and the applicant should be used to determine the EASA involvement.”</p>	N	Y	Partially accepted	<p>The purpose of the advanced application projects is to identify whether the guidance prepared in this CM for the determination of the Agency’s Lol is appropriate. The intention of the Agency is not to increase or decrease its overall involvement in the certification project, but to apply a risk-based approach to determine its involvement, and by doing that, to focus its involvement on those parts of the certification project that cause the higher risks. It is therefore intended that for certain CDIs, the involvement may be higher than in the past, while for other CDIs it will be lower, or there will be no involvement after the acceptance of the certification programme.</p> <p>If there are specific circumstances indicating that for a specific CDI, the guidance leads to an inappropriate risk class, 3.4 already today allows deviations from it (see the last sentence of 3.4). The applicant needs to justify this in their proposal.</p> <p>If the advanced application projects show that the above intention is generally not ensured by the guidance, the guidance will be changed (e.g. the risk classes described in 3.4. will be adapted).</p> <p>In order to better reflect the above, the proposed reference to the application of ‘sound engineering judgement’ has been included in 3.5.</p>

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28	Airbus	§ 1.2 Definitions And several attachments (e.g. 5, 6, 7, 9)	5 et al.	The certification summary is proposed but noted as left to the discretion of the applicant, when looking to the various attachment per panel, the certification summary is identified for several panels within the risk class 2 or 3. This is not consistent and this will generate a risk of late query which is at the opposite of the CM intent to ensure a "smooth process between the applicant and EASA" (see §2.1). This could lead to the removal within the certification process of certification summary document (as not required per Part 21).	Harmonize CM content with Part 21 and use the terminology certification program with a specific note quoting the possibility to replace the certification program by a certification plan and a certification summary.	Y	N	Accepted	The text has been clarified. The intention is to refer to a document that summarises the main results of the compliance demonstration, showing, in particular, what was performed differently than initially planned. This can be in the form of an updated certification programme, a certification summary, or a compliance checklist, together with compliance data or any other form.
29	Airbus	§ 3.2.2 Novelty	8	§ "Additional new guidance/interpretative material in the form of new Certification Memoranda may be considered for the determination of novelty in case its incorrect application/use may lead to an unidentified non-compliance."  This is not the intent of a Certification Memo, Indeed <b>Certification Memoranda are provided for information purposes only and must not be misconstrued as formally adopted Acceptable Means of Compliance (AMC) or Guidance Material (GM)</b> . Certification Memoranda are not intended to introduce new requirements or to modify existing requirements and do not constitute any legal obligation.	Removal of the following text: "Additional new guidance/interpretative material in the form of new Certification Memoranda may be considered for the determination of novelty in case its incorrect application/use may lead to an unidentified non-compliance."	N	Y	Not accepted	CMs are non-binding material. But if this non-binding material is used or is made applicable in a certification project, then its incorrect application / use may lead to a non-compliance with the certification basis. New guidance / interpretative material in the form of a CM may therefore be relevant for the 'novelty' determination.
30	Airbus	§ 3.2.2 Novelty	8	When quoting new special conditions/new ESF, new deviation –this should be understood as new topic addressed by SC/ESF – as the credit of experience gained on one type can be claim on another A/C although the certification process will generate a "new SC" which will be the coy of the initial SC	Add the following sentence at the end of §3.2.2: The above criteria have to be considered at Applicant level and not a project level (i.e. a new special condition, ESF, Deviation, Guidance or IM means never considered by the applicant).	N	Y	Partially accepted	The novelty criteria is related to the CDI. The examples provided are considerations when requirements, means of compliance or guidance need to be adapted due to particular novel features of the design. The fact that it is related to the applicant is explained in the previous paragraph.
31	Airbus	§ 3.2.3 Complexity	9	Typo error: "This is typically is the case..."	"This is typically the case..."	Y	N	Accepted	The text has been deleted.
32	Airbus	§ 3.2.4 Performance of the Design Organisation	9	2 <sup>nd</sup> Paragraph : "This data stems from overall Design Organisation audits, <b>measured performance of previous projects with the applicant and performance during the familiarisation phase. The ultimate objective is to define the organisations performance at the discipline level. The Agency shares this data with the respective design organisations (in form of the DOA dashboard).</b> "	The sentence "The ultimate objective is to define the organisations performance at the discipline level." Should be removed from the CM. When these data will be available to the agency, an up issue of the certification memo should be done.  The data shared with the applicant should be adequately precise to allow a determination of the risks & opportunities in term of improvements. The current level provided is not sufficient.	Y	N	Partially accepted	The intention of the Agency was to make applicants aware that the ultimate goal is to assess their performance at the discipline level. It may not be necessary at the moment, but it may help applicants to understand that only having performance data per panel available to share is an interim situation, but the performance per discipline is taken into account for the LOI determination.  The text has been removed from the body text and has been included in a footnote.  The Agency will discuss the data with approval holders in the context of the organisation oversight, in order to also allow approval holders to improve their performance.



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33	Airbus	§ 3.2.5 Likelihood of an unidentified non-compliance And Attachment 19	9 & 73	The likelihood of an unidentified non-compliance is shown as “Medium” for CDI with novel and complex aspects, even if an organization is performing “High”	Airbus proposes to change the likelihood to “low”, leading to reclassify the bottom left box in page 73 from Class 3 to Class 2.	N	Y	Not accepted	The Agency considers the likelihood to be medium.  However, as this point was already commented on by a number of organisations whenever the matrix was presented, the Agency will pay particular attention to this combination of the criteria ‘performance’, ‘novelty’ and ‘complexity’ during the advanced application projects.
34	Airbus	§ 3.3 Severity	10	... The severity for a CDI <u>should</u> be classified as critical for example if: ... · airworthiness limitations or operating limitations are established or altered; or · CDI is affected by an existing AD, or affected by occurrence(s) potentially subject to an AD or by a Safety Information Bulletin.  This is not because a CDI impacts ALS and/or AD that the EASA should be more heavily involved. There are many simplistic justifications, e.g. related to oversize or the cold working. There are “alternative” or “improvements” that do not deserve a strong EASA involvement.	The term: “The severity for a CDI <u>should</u> be classified as critical for example if” must be replaced by  “The severity for a CDI <u>could</u> be classified as critical for example if:”	N	Y	Not accepted	The terminology ‘should’ is adequate. The severity addresses the potential impact on the product, and a change to the limitations and airworthiness directives is therefore classified as critical. If a proposed change to the limitations or airworthiness directives has no safety impact, the applicant can still propose ‘non-critical’ with a reasonable justification
35	Airbus	§ 4 Documentation of Lol	12	Between 350 and 450 Major changes are proposed per year by Airbus to the Agency, application of the CM will lead to significant additional work load in the preparation of the certification program (plan), especially to document the analysis per CDI. Airbus does not identify any associated safety improvement.	Modify §4 as follows “The Lol proposal in the certification programme should include the proposed EASA retained compliance demonstration verification activities and data, <del>as well as the data on which basis the Lol proposal has been made. For this purpose the applicant should appropriately document the analysis per CDI, considering the above criteria.</del>  The Agency documents the Lol determination by its agreement to the certification programme, or where deviating from the proposal, by documentation of its analysis, considering the deviations from the proposal.”	N	Y	Partially accepted	The Agency agrees that the documentation should not create an unnecessary administrative burden. However, it is essential that the way in which the LOI has been determined is documented. The CM has been intentionally kept open in order to allow applicants to find a suitable means. For instance, tickboxes for novelty, complexity, and severity could be appropriate documentation if this is obvious. This would not mean a significant additional workload.  It has also been clarified in the CM that for obvious cases, no specific justification is needed.
36	Airbus	§ 4 Documentation of Lol	12	Lack of maximum time allowed to the Agency to document its LOI	§4 shall contain the maximum period beyond which the Agency agreement is considered as granted (ie: 4 weeks with no response means agreement).	N	Y	Not accepted	For some CDIs, the determination may be very quick, but for other CDIs, the determination may be very complex. A fixed deadline is not appropriate. The Agency endeavours to determine its involvement within 5 weeks after the completion of the familiarisation phase and receipt of the respective LOI proposal.

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37	Airbus	All attachments § C & D Specific aspects of complexity		Overall, Airbus considers that the items listed in section C, respectively section D, should not necessarily be considered as novel, respectively complex.	It is proposed to change the wording of the first sentence from 'are considered to be novel (resp. complex)' to 'could be considered to be novel (resp. complex)'	N	Y	Partially accepted	In general, the items listed in C and D should trigger a classification as novel or complex. The CM is guidance to all applicants.  If an applicant is already familiar with a certain technology, this may trigger, for this applicant, the criterion 'not novel' – despite the guidance stating that generally it should be considered to be novel. As the text is guidance, this of course remains possible.  In order to better clarify this, the text of 3.2.2 has been amended, and Section C of all the attachments has been amended to include 'may'.  For complexity, however, a criterion is complex or not for everybody. Complexity is not specific to the applicant.
38	Airbus	Attachment 1 § A.2 Applicability / Disciplines	14	The following text is not really related to disciplines covered by the flight panel, but more to activities: <i>"The following activities require Flight panel involvement in all cases: . Flight manuals approvals (for those parts requiring EASA approval); and . The classification of failure cases that affect handling qualities and performance"</i>  This text seems to present AFM and FC as outside the LoI process, whereas the reason why EASA involvement is needed is because these activities are generally considered as complex (subjective, qualitative) and critical (HQ, limitations, procedures, etc...). However, it cannot be excluded that more privileges are granted in the future for these disciplines. For instance, if a performance project (complex and critical) leads to the update of a performance database, why couldn't the update of the AFM section referencing the new database be considered as non-complex?	It is proposed to remove this text from § A.2, and to mention in § D that AFM and Failure Cases classifications, by their nature, will be <u>most of the time</u> considered as complex because they: . Require qualitative assessment: that's the case of failure cases . Are of a subjective nature: that may be the case of the Flight Manual (specific wording, level of information), and that's also the case of failure cases	N	Y	Partially accepted	Regarding the AFM, EASA believes that whenever there is a part of the AFM that requires EASA approval (i.e. it is not approved by the DO using a privilege), then EASA will have to be involved, irrespective of a risk assessment. The sentence therefore remains unchanged.  Regarding the failure cases that affect handling qualities and performance, the Agency agrees to clarify the intent as follows (but still within paragraph A.2):  'Classification of failure cases affecting handling qualities and performance, when performed by test (in flight or simulator).'
39	Airbus	Attachment 1 § F Specific aspects of severity	15	The examples of severity classification in (i), (ii), (iii), (iv) are related to the flight domain activities, but could be proposed as well in the general severity classification criteria of § 3.3 (general section). For example, HMI is mentioned in § 3.3, but not Human Factors.	Move the examples of "critical" severity provided in Attachment 1 § F (i), (ii), (iii), (iv) to the general section § 3.3 "Severity"	Y	N	Not accepted	The aspects described are under the flight panel's responsibility. They are not generic enough to move them to the main body of the CM.  In addition, inclusion in the main body would prevent the application of proportionality considerations for GA.
40	Airbus	Attachment 1 § F Specific aspects of severity	15	Another CDI whose severity level could be considered as critical is the AFM (affects limitations, procedures, level of information...).	It is proposed to add a new CDI item for AFM impact.	Y	N	Not accepted	An AFM is not necessarily a CDI by itself, and it can only be reviewed in combination with the design change. Agency involvement is always required because of the approval (see the response to comment 38). There is no need to perform a risk assessment for this kind of document.

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41	Airbus	Attachment 1 § G.2 Activities related to aircraft Performance Determination	15	The following sentence does not read correctly: “The determination of the performance based on flight testing, agreed methods and means of performance data reduction and performance data expansion for FM.”	Proposed to be changed to: “The activities related to aircraft performance determination are those based on flight testing, agreed methods and means of performance data reduction and performance data expansion for FM.”	Y	N	Accepted	The sentence has been reworded, slightly differently from the proposal.
42	Airbus	Attachment 1 § G.4 Scope of Activity	16	The asterisk between brackets (*) has no cross-reference in the table.	It is proposed to modify the text in the table as follows: “SCOPE OF ACTIVITY (*)”	Y	N	Partially accepted	The reference to which the asterisk belonged has been deleted. The asterisk has been removed as well.
43	Airbus	Attachment 1 § G.4 Scope of Activity NOTE 1	16	The wording “The flight panel may have a minimum level of participation...” is not consistent with NOTES 2 and 3 wordings.	It is proposed to change the wording in NOTE 1 as follows: “The flight panel <u>will</u> have a minimum level of participation...”	Y	N	Accepted	The text has been amended.
44	Airbus	Attachment 1 § G.4 Scope of Activity NOTE 2	17	The following text in this Note 2 suggests that all reports may have to be reviewed by EASA: “In addition, essential test plans will be reviewed (e.g. the CFTP, CSTP) as well as reports or presentations to show test results”.	It is proposed to change the wording in NOTE 2 as follows: “In addition, essential test plans will be reviewed (e.g. the CFTP, CSTP) as well as <u>an agreed subset of</u> reports or presentations to show test results”.	Y	N	Accepted	The text has been amended.
45	Airbus	Attachment 1 § G.4 Scope of Activity NOTE 3	17	Typo: “... will carry out the a large number of test points mentioned in the CFTP...”	Proposed to be modified into: “... will carry out <u>the</u> a large number of <u>the</u> test points mentioned in the CFTP...”	Y	N	Accepted	The text has been amended.
46	Airbus	Attachment 1 § G.4 Scope of Activity NOTE 3	17	The difference with NOTE 2 is not clear regarding the amount of reports that need to be reviewed by EASA, as the following text is identical to note 2: “In addition, essential test plans will be reviewed (e.g. the CFTP, CSTP) as well as reports or presentations to show test results...”	It is proposed to change the wording in NOTE 3 as follows: “In addition, essential test plans will be reviewed (e.g. the CFTP, CSTP) as well as <u>a large number of</u> reports or presentations to show test results”.	Y	N	Accepted	The text has been amended with the same inclusion as comment 44.
47	Airbus	Attachment 3 § D Specific aspects of complexity	22	The following list (not exhaustive) provides examples which are considered complex:  ..... • Decisions regarding the acceptability of inspection techniques in areas that are difficult to access,  Inspection techniques feasibility is not complex.	To remove “Decisions regarding the acceptability of inspection techniques in areas that are difficult to access,” from §D	N	y	Not accepted	Experience has shown that determining the feasibility of inspection techniques is sometimes oversimplified.

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48	Airbus	Attachment 3 § F Specific aspects of severity	23	<p>A general assessment of the criticality for airframe and structural aspects of systems and transmissions should take into account the following:</p> <ul style="list-style-type: none"> <li>For systems related aspects CS 2X-1309 could be used to help identify critical aspects.</li> </ul> <p>§25.1309 is normally not used for structure compliance.</p> <ul style="list-style-type: none"> <li>... For example primary structure not classified as contributing to catastrophic failure e.g. under 25.571 or structure classified as a significant structural item through an MRBR may well have <u>hazardous</u> consequences if it fails.</li> <li>Structural elements whose failure could result in injury to occupants, blocking of evacuation paths or <u>damage to critical systems</u>.</li> </ul> <p>This is going far beyond the regulation text even if this is already done by Airbus. Haz or damage to critical system are not considered in current regulation</p>	<p>To remove the following texts: “For systems related aspects CS 2X-1309 could be used to help identify critical aspects.”</p> <p>To remove:</p> <ul style="list-style-type: none"> <li>... For example primary structure not classified as contributing to catastrophic failure e.g. under 25.571 or structure classified as a significant structural item through an MRBR may well have <u>hazardous</u> consequences if it fails.</li> <li>Structural elements whose failure could result in injury to occupants, blocking of evacuation paths or <u>damage to critical systems</u>.</li> </ul>	N	Y	Not accepted	The question is not what requirements apply to a structure, but the Agency’s LOI in the CDIs associated with the structure, wherever there are applicable strength or other structural requirements. This LOI will be based upon the severity of a failure or partial failure of that structure. If the structure is part of a system, then any available assessment of the consequences of a failure of the system element in question can be used to help make the judgement on the proposed LOI. If the structure could fail and cause a hazard, or damage the aircraft in a critical manner, then this too can be taken into account in determining the LOI.
49	Airbus	Attachment 4 § A.2 Applicability / Disciplines	25	RAT mechanical system is a sub-assembly of the RAT. Depending of the nature, RAT is under ATA 290 scope if it is a Hydraulic RAT or ATA 240 scope if it is an Electric RAT.	The following sentence : “Ram Air Turbine (RAT) Mechanical systems.” Should be replaced by the following sentence: “Hydraulic Ram Air Turbine (RAT)”	N	Y	Not accepted	The RAT and its extension mechanism remains a Panel 4 issue, regardless of the power system it drives. If the RAT drives an electrical generator, Panel 5 will become involved.
50	Airbus	Attachment 4 § C Specific aspects of novelty	26	For the Flight Envelope Protection: <i>New Flight Envelope protection / Electronic Stability and Protection</i> . Flight Envelope Protection are assessed by the Panel 1 (as part of the Flight Control Laws design).	Flight Envelope Protection must be removed from § C	N	Y	Not accepted	This is a joint activity. Panel 1 makes assessments on protection functions (via MOC 6 and 8 activities), while Panel 4 makes an assessment as part of the safety of the FCS. The implementation of new flight control laws is a novelty. They are implemented into flight control computers or on computers running a flight control system application. Also from a requirement perspective, they fall into Panel 4.
51	Airbus	Attachment 4 § C Specific aspects of novelty	26	Airbus don ‘t understand why “New Engine Type or Technology” or “New wing design” are given as examples of novelties for HM systems ?	“New Engine Type or Technology” or “New wing design” should be removed from §C	N	Y	Not accepted	The example is given because a new engine type or a new wing design may have Panel 4 implications that are not immediately obvious for applicants making this kind of change for the first time. The elements justifying the engagement of Panel 4 are the implications for the hydraulic system or the implications for the flight control system, as significant adaptations to the flight control laws are often performed in combination with such changes.
52	Airbus	Attachment 4 § D Specific aspects of complexity	26	Change of MOC is quoted, per core text of CM, this should be covered by the chapter C – Novelty – which already mentioned it.	The following points should be removed from §D: “Compliance demonstration by analysis replacing required tests” & “Compliance demonstration by simulation”.	N	Y	Not accepted	The means of compliance can be novel, but the compliance demonstration can, in addition, be complex. These are cases where the compliance demonstration is considered to be complex.
53	Airbus	Attachment 4 § F Specific aspects of severity	27	Autopilot (ATA 220) is under Panels 6 responsibility even there is a strong interaction with Flight Control Systems.	“Autopilot” should be removed from §F	N	Y	Not accepted	This depends on the type of aircraft. This is generic guidance and therefore needs to be mentioned here. An example for Panel 4 is RPAS. Moreover, the precise wording is ‘autopilot with higher authority’. This is a severity aspect which can drive the Panel 4 LOI.

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54	Airbus	Attachment 4 § F Specific aspects of severity	27	Airbus would like to replace “Fuselage Doors which are a hazard if opened in flight” by a more adequate and accurate term.	To replace “Fuselage Doors which are a hazard if opened in flight” by “Latching and locking mechanism of Fuselage Doors, which are a hazard in the unlatched condition during flight”.	N	Y	Not accepted	The proposed wording is quite design related. In future, there might not be a ‘mechanism’ in the classic sense. In additional, 25.783 also addresses structural aspects.
55	Airbus	Attachment 5 § C Specific aspects of novelty	30	The terminology “New types of light emitting technology” is not the official one	Replace the sentence: “New types of light emitting technology” by “new LED Lights technology”.	Y	N	Not accepted	‘New types of electrically powered light emitting technology’ would be appropriate wording to exclude photo-luminescent technology, while including future technology which might not be based on diodes.  We wanted to be more open than only allowing LEDs, as we do have e.g. plasma technology, and LEDs may soon be considered to be standard technology.
56	Airbus	Attachment 6 § C Specific aspects of novelty	33	New technology or functionality	§C, New technology or functionality <b>for the Agency or the applicant</b>	N	Y	Not accepted	It is explained in 3.2.2 above that any of the examples can be novel for the industry as a whole, for the applicant or the Agency.
57	Airbus	Attachment 6 § C Specific aspects of novelty	34	<b>New requirements:</b> • CS-ACNS	New requirements:  CS-ACNS <b>when not referring to previous requirement (ex: TGL6)87T</b>	N	Y	Not accepted	Even in the TGL 6 case, the requirements are not 100 % identical to those of CS-ACNS. As the presentation of requirements and the split between requirements and the AMC differs from the TGLs and the AMC-20 material, we think it is justified to highlight CS-ACNS as new material in general. This does not prevent an individual applicant from considering it to be ‘novel’ after using it a few times.
58	Airbus	Attachment 6 § C Specific aspects of novelty	34	New requirements: • Novel Special Conditions notified by a CRI (e.g. Cybersecurity)	To be removed because covered by generic criteria of § 3.2.2 “... related requirement or means of compliance ...”	N	Y	Accepted	The text has been removed.
59	Airbus	Attachment 6 § C Specific aspects of novelty	34	New means of compliance: • Novel Interpretative Material notified by a CRI or application of Certification Memoranda (e.g. ROAAS, ADS-B In, etc.)	To be removed because covered by generic criteria of § 3.2.2 “... related requirement or means of compliance ...”	N	Y	Accepted	The text has been removed.
60	Airbus	Attachment 6 note1	36	NOTE 1: Specific experience with equipment suppliers will also be taken into consideration in the determination of Lol.	To be removed because covered by last sentence of §3.2.4.	N	Y	Accepted	The text has been removed.
61	Airbus	Attachment 7 § C Specific aspects of novelty	38	<u>Design:</u> Creating a new thrust rating on a FADEC-controlled turbine engine cannot be considered nowadays as a novelty.	Remove “New propulsion thrust/power/torque ratings” from the Design list	N	Y	Not accepted	A new thrust rating might conflict with the existing ratings definitions (i.e. CS-Definitions) and necessitate adapted or new requirements for both propulsion and powerplant installations.

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62	Airbus	Attachment 7 § C Specific aspects of novelty	38	<u>Operation:</u> Operation in icing conditions is not per se a novelty in the Operations list. The novelty comes from the new regulation on ice crystals. It falls in the category described in § 3.2.2 page 8: "Recently issued or amended CS paragraphs, for which the applicant has little or no experience".	Remove operation in icing conditions from the Operations list. Possibly add the ice crystals example to the Requirement list page 38.	N	Y	Accepted	The text has been amended as proposed.
63	Airbus	Attachment 7 § C Specific aspects of novelty	38	<u>Requirement:</u> As example appears the APU door compliance. Airbus considers that this issue is not related t to power plant but structure. In addition it is not complex.	APU door compliance should be removed from the list of examples.	N	Y	Not accepted	APU doors have been under both Panel 4 and Panel 7 compliance evaluation, as they interface with both the door requirements and the APU cowling requirements. This item is not part of paragraph D (complexity).
64	Airbus	Attachment 7 § D Specific aspects of complexity	39	<u>Compliance demonstration:</u> Compliance demonstration by simulation should not necessarily be considered as complex. The first use of a simulation may be considered as complex/novel. Once the simulation tool is known and its correlation well established, it should not be considered anymore as complex.	EASA should specify in which areas of the subpart E powerplant compliance, simulation is considered complex. Similar comment for the 'difficulty in the definition of test specimen' and 'compliance by analysis replacing required tests' items.	N	Y	Noted	Complexity lies in the capability of tools to predict results that are as accurate as those from tests. It is recognised that the capability to predict accurate results is dependent on the correlation efforts. Some non-exhaustive examples where simulation is complex in subpart E: prediction of the concentration of a fire extinguishing agent in multiphase flow in a ventilated designated fire zone with a multitude of equipment, structure and harnesses, prediction of the size of the fire, the intensity and behaviour, including the participation in burning of materials / components in a closed volume or in an open volume, the prediction of the ignition of flammable vapours for hot surfaces, prediction of leaks in fuel tanks for dynamic crash conditions, etc. Examples where definition of the test specimen is difficult in Subpart E: fuel tank crashworthiness specimens may require separate testing, analysis, and simulation to determine the necessary surrounding structure of the fuel tank. Another example of complexity; compliance demonstration traditionally performed by tests which are proposed using alternate Means Of Compliance (similarity and/or past test data reconciliation is out of the scope).
65	Airbus	Attachment 7 § D Specific aspects of complexity	39	<u>Interfaces:</u> The statement in Section D, Interfaces, suggest that any ETOPS, Volcanic Ash, .... assessment would be considered as complex, which may not be systematically the case depending on the scope of the change.	The following update (changed text in red) is suggested: <ul style="list-style-type: none"><li>• ETOPS (in case of new TC or change involving multi ATA chapter implication, and/or use of engine data)</li></ul>	Y	N	Not accepted	EASA does not agree to limit ETOPS complexity to new TCs only. Complexity is dependent on a combination of factors, such as, but not limited to: the experience of the applicant with the ETOPS methodology, the applicant's fleet ETOPS experience, the engine ETOPS certification, the acceptable means of compliance for a combination of engine design changes/aircraft design changes for which the applicant seeks ETOPS approval, and the assessment of the contributions from similarities with previously certified ETOPS engine/aircraft combination.
66	Airbus	Attachment 7 § F Specific aspects of severity	39	It is not obvious what difference is made between the first bullet "risk of fire" and the second bullet "uncontrolled or temporary uncontrolled fire".	Merge the two items.	Y	N	Accepted	The two items have been merged.

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67	Airbus	Attachment 7 § F Specific aspects of severity	40	A precision should be added to the 'loss of thrust/power/torque' bullet (e.g. more than 50% on CS-25 aircraft). In addition it is not clear how this bullet differentiates from the 'ability to conduct safe flight and landing after partial/complete loss of propulsion'.	Merge the two items and add criteria.	N	Y	Partially accepted	The wording is used in order to address all categories of products, therefore the wording is not supplemented with criteria.  It was agreed to merge both items and keep 'Loss of thrust/power/torque'.  The addition of the criterion 'more than 50%' is too general. A loss of thrust/power/torque control on both the engines of a two engine aircraft, even if not below 50%, would be considered to be critical. Similarly, an LOTC is ETOPS relevant, and accounts for the reliability/maturity of the ETOPS compliance.																																																					
68	Airbus	Attachment 7 § F Specific aspects of severity	40	As example appears the opening of the APU door in flight. Airbus considers that this issue is related to the structures.	Opening of the APU door in flight should be removed from the list of examples in Attachment 7 F.	N	Y	Not accepted	The safety assessment associated with this FC will be addressed by the panel in charge of the door design. Eventually, the consequences may have an impact on the structure. This topic is therefore addressed jointly by several panels.																																																					
69	Airbus	Attachment 7 § F Specific aspects of severity	40	The penultimate bullet in section F 'adverse previous experience' is covered by the generic considerations on severity (§ 3.3: considerations on AD or SIB).  The last bullet 'Change to environment or critical operating condition' is covered by the generic considerations on novelty (§3.2.2, novelty → new operations).	Remove the last two bullets.	Y	N	Accepted	The bullet points have been removed.																																																					
70	Airbus	Attachment 10 § D Specific aspects of complexity	48	Concerning the complexity, there are too many attributes in the list of examples: multiple functions, architecture, organizational work-sharing, classification of major changes. In addition this list is considered not exhaustive.	In the ED-79A guideline we deleted the "complex systems" notions due to the ambiguity of this notions and potential misinterpretation or misuse. We introduce a simple definition of complexity based on a single attribute: the use of analytical methods.  ED-79A - DEFINITION COMPLEXITY: An attribute of functions, systems or items, which makes their operation, failure modes, or failure effects difficult to comprehend without the aid of analytical methods.	N	Y	Partially accepted	The criterion proposed for complexity is indeed relevant, and EASA has agreed to add it to the list. However this criterion extracted from ED-79A is sometimes considered too theoretical when assessing the complexity, and it is therefore important to highlight more precise criteria, such as the complexity of the system/item architecture or the presence of multiple functions in an item, or even the complexity of the industrial organisation around the item development. Therefore, the criteria for complexity proposed in Attachment 10 will be kept, and the criterion proposed by Airbus will be added to the list.																																																					
71	Airbus	Attachment 10 § G Specific aspects related to the involvement per risk class	49	On the previous program Airbus has negotiated a LOI with document "to be reviewed" status less stringent than the proposed status.  We propose two document categories: <b>RETAINED:</b> document submitted by Airbus to EASA Software Panel for agreement <b>NOT RETAINED:</b> document available within Airbus but not submitted <b>FOR INFORMATION:</b> SW & AEH review report.  The EASA proposal is now more restrictive than in the past.	Propose to change the activities within each of the risk classes as follows:  (Please see real-size figure in the last page of the Airbus comments)  The activities within each of the risk classes are:  <table border="1" data-bbox="1231 1575 1706 1785"> <thead> <tr> <th rowspan="2">EASA Lot</th> <th colspan="5">Desktop and on-site audits</th> <th colspan="3">Document review</th> </tr> <tr> <th>Number of on-site audits</th> <th>Planning audit (desk-top)</th> <th>Development audit (on-site)</th> <th>Verification audit (on-site)</th> <th>Final audit (desk-top)</th> <th>PSAC/PHAC and related SW/AEH plans</th> <th>SAS/HAS FSCI/HC</th> <th>Applicant SW/AEH Review report</th> </tr> </thead> <tbody> <tr> <td>Class 1</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> <td>None</td> </tr> <tr> <td>Class 2</td> <td>None</td> <td>Yes</td> <td>None</td> <td>None</td> <td>Yes</td> <td>NOT RETAINED</td> <td>NOT RETAINED</td> <td>None</td> </tr> <tr> <td>Class 3</td> <td>1</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> <td>RETAINED</td> <td>RETAINED</td> <td>INFO</td> </tr> <tr> <td>Class 4</td> <td>As necessary</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> <td>Yes</td> <td>RETAINED</td> <td>RETAINED</td> <td>INFO</td> </tr> </tbody> </table>	EASA Lot	Desktop and on-site audits					Document review			Number of on-site audits	Planning audit (desk-top)	Development audit (on-site)	Verification audit (on-site)	Final audit (desk-top)	PSAC/PHAC and related SW/AEH plans	SAS/HAS FSCI/HC	Applicant SW/AEH Review report	Class 1	None	None	None	None	None	None	None	None	Class 2	None	Yes	None	None	Yes	NOT RETAINED	NOT RETAINED	None	Class 3	1	Yes	Yes	Yes	Yes	RETAINED	RETAINED	INFO	Class 4	As necessary	Yes	Yes	Yes	Yes	RETAINED	RETAINED	INFO	N	Y	Not accepted	Depending on the IT system in place at the applicant's site, there may be two or three document categories.  Where EASA has full access to the all the compliance data of an applicant via the IT system, all the non-retained data is immediately accessible. This means that two document categories are sufficient, which are 'retained' and 'non-retained'  Where there is no full automatic access to an applicant's compliance data, three document categories are needed, which are 'retained', 'for information' and 'not to be provided'.  EASA involvement means that there are 'retained' compliance data or activities.  This way of working is already established, and has not been changed by this CM.
EASA Lot	Desktop and on-site audits						Document review																																																							
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Class 2	None	Yes	None	None	Yes	NOT RETAINED	NOT RETAINED	None																																																						
Class 3	1	Yes	Yes	Yes	Yes	RETAINED	RETAINED	INFO																																																						
Class 4	As necessary	Yes	Yes	Yes	Yes	RETAINED	RETAINED	INFO																																																						

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72	Airbus	Attachment 11 § G Specific aspects related to the involvement per risk class	51	Class 2 involvement “may include a cabin inspection in case of cabin interior modification”. This seems an excessive LOI for non-novel aspects and a medium or high DOA performance.	Change as follows: “may include a cabin inspection in case of cabin interior modification introducing a significant amount of novelty”.	N	Y	Partially accepted	The ‘novelty’ aspect of the CDI is already part of the risk assessment, which lays the basis for the LOI determination made i.a.w. Chapter G. In addition, the wording ‘may’ already covers the possibility, e.g. if a high performer has a novel or complex CDI.  The text has been amended,.
73	Airbus	Attachment 11 § F Specific aspects of severity	51	The CS-CCD does not require that the aircraft manufacturer develop cabin crew procedures. See our comment on Attachment 17 § C.	The condition “inadequate cabin crew action due to inadequate Cabin Crew number, position, procedures” should be replaced by “inadequate Cabin Crew number and position”.			Not accepted	An inadequate procedure may lead to a critical condition. The severity is independent from the DOA holder.
74	Airbus	Attachment 17 § A.2 Applicability	68	The wording is not in line with the CS-CCD.	<i>Aircraft classification i.e. as “new type” or “variant” for the purpose of cabin crew training and operation</i> should be replaced by:  <i>Determination of a new aircraft type or variant for cabin crew</i>	Y	N	Accepted	The text has been changed accordingly.
75	Airbus	Attachment 17 § C Specific aspects of novelty	68	The CS-CCD does not require that the aircraft manufacturer develop cabin crew procedures.	The paragraph should be replaced by:  <i>The following list (not exhaustive) provides examples which are considered to be novel:</i>  <ul style="list-style-type: none"> <li>• <i>New cabin crew tasks or roles,</i></li> <li>• <i>The use of specific technology, which require unusual cabin crew knowledge, skills or training means.</i></li> </ul>	N	Y	Accepted	The text has been changed accordingly.
76	Airbus	Attachment 17 § D Specific aspects of complexity	69	The complexity is too wide and should be specified. It is complex when a subjective evaluation involving cabin crew member(s) or cabin crew representative is required.	The paragraph should be replaced by:  <i>As mentioned in paragraph 3.2.3 of this CM, compliance demonstration for requirements of a subjective nature may be considered as a being complex demonstration. In particular, this applies to scenario based compliance demonstrations involving subjective performance assessment of cabin crew skills and attitude to determine:</i>  <ul style="list-style-type: none"> <li>• <i>The new type or variant for cabin crew,</i></li> <li>• <i>The feasibility of cabin crew tasks,</i></li> <li>• <i>The type specific data associated with the respective aircraft type or variant,</i></li> <li>• <i>New or unusual training methods and devices.</i></li> </ul>	N	Y	Accepted	The text has been changed accordingly.
77	Daher			Daher agrees with this document . The text is very clear on the obligation of the TC holder and on the cutting of panel.  It will be easier to prepare the LOI and the associated dashboard				Noted	./.



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78	Rolls-Royce plc	2.1	6	Reference to 21.A.15 (b)(5) and (6), 21.A.93 (b)(3)(ii) and (iii), and 21.A.113 (b) – Is it correct to assume these sub-section references will be in the updated Part 21 as these sub-sections aren't currently in Part 21				Noted	Yes, the CM refers to the numbering of the points after the amendment of Part-21, based on Agency Opinion 7/2016.
79	Rolls-Royce plc	3.2.2 3.2.3	7 8	I think it should be made clear that the judgement for Novelty and Complexity should be binary (i.e. Is it novel 'Yes' or 'No'; Is it complex 'Yes' or 'No') so this can be applied correctly in Step 1 (i.e. don't apply a Low, Medium or High Novelty judgement for novelty and complexity – this was a lesson learnt from the trial).				Accepted	The text has been amended, not only in 3.2.2 and 3.2.3, but also 3.3.
80	Rolls-Royce plc	3.2.3	9	Typo...'This is typically is the case where the requirement....' Delete second 'is'.				Accepted	Text has been deleted.
81	Rolls-Royce plc			A potential un-intended non-compliance to the majority of the CS-E regulations could in theory be critical (i.e. non-compliance could result in failure leading to a hazardous condition) and therefore the majority of the CDI's could be categorised as 'Critical' and lead to a high LOI (L3 or L4), which we do not believe is the intent of LOI. In terms of severity (criticality), for CS-E there may be some additional guidance (for attachment 18) that RR can work with EASA in determining 'Severity' against a CDI. A draft proposal, considered on recent Eng certification projects may be an option to expand the guidance material.				Noted	Paragraph F of Attachment 18 recommends the use of the Safety Analysis specifications from the CS for the severity assessment. In the same paragraph, there is also a provision for the applicant to propose the number of levels of severity. The CM therefore provides the possibility for each applicant to propose two or more levels.
82	Rolls-Royce plc	Attachment 10		General LOI has already been covered in the SW/AEH CM (refer to EASA CM – SWCEH – 001 pages 27 to 30), and thus there is now an inconsistency. Recommend a review of both CM's to ensure they are aligned.				Noted	This new LOI CM takes precedence. To avoid any inconsistency with the previously developed CMs, for new applications, CM-SWCEH-002 will be superseded by an amendment to AMC 20 (AMC 20-115D).CM-Similarly, SWCEH-001 will be replaced by an amendment of AMC 20 (AMC 20-152).
83	Leonardo Helicopter	Para. 2.1, first note	Page 6	Please, confirm that the PCM is aware that a test could start/witnessed upon agreement on CDI/Panel risk class is achieved even if the entire certification program is not yet completely approved	To specify that it is possible to achieve a separate agreement with each Panel	No	Yes	Noted	If for a certain CDI, the Agency's involvement has been determined, the applicant can start their compliance demonstration, even if the Agency's involvement in other parts of the certification project has not yet been determined.  Please note that 21.A.33 continues to apply.
84	Leonardo Helicopter	Para. 3.2.2	Page 7	Clarify the meaning of EASA perspective on novelty. Is that related to an EASA specific personnel involved in that project? Or related to a wider view of an EASA Panel of Experts?	To specify that the novelty is not compared with only involved EASA officer expertise	Yes	No	Noted	The respective element of the certification project has to be novel for the Agency, not necessarily for the specific PCM or expert involved. That is why the CM uses the wording 'from an EASA perspective'.
85	Leonardo Helicopter	Para. 3.3	Page 10	We deem more adequate to consider an impact on HMI with appreciable effect and not simply affecting it	To put "has an appreciable effect" in place of "affect"	No	Yes	Accepted	Text has been amended.

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86	Leonardo Helicopter	Para. 3.4	Page 11	It is not clear the meaning of “those circumstances under which it is possible to reduce the risk class”	It is useful to provide some example of those circumstances under which it is possible to reduce the risk class	No	Yes	Noted	The provision should allow deviations from the identified risk class under justified circumstances. It is not considered useful to provide examples, as these are unique and special circumstances.  The certification of a derivative product could possibly be an example.
87	Leonardo Helicopter	Para. 3.5	Page 11	Having a DOA high performance, in case of major change not having novelty or complex aspects but impacting Operating Limitations (critical severity), I could stay in Risk Class 1 and EASA does not verify MoC. it mean that EASA does not approve the amended RFM?	To clarify how top proceed in those cases	No	Yes	Not accepted	The approval of the FM is required in all cases, even in risk class 1. This is explained in Attachment 1 (Flight Panel) under A.2. See also the response to comment 38.
88	Airbus	§G of attachments related to Hydro mechanical, Electric, Avionics, Power plant; cabin safety and Icing Environmental cti system.		<p>We would like to propose the following changes for a more harmonized approach:</p> <p>Risk class2:</p> <ul style="list-style-type: none"> <li>- remove SFHA from Risk class 2 documents and keep it in Risk class 3 with all “safety documents” ç use Elect and Avionic as model</li> </ul> <p>Risk Class3:</p> <ul style="list-style-type: none"> <li>- replace “analysis (PRA, ZSA,...) “ by “important analysis (PRA, ZSA,...) ç use Elect and Avionic as model</li> <li>- replace “flight test programme and report” or “important test plans and reports” by “flight and important test plans and reports”</li> <li>- replace “the witnessing of some ...” by “the witnessing of few selected tests” and “the inspection of few selected aircraft systems” ç use Hydromec/power plant/Icing/Cabin/... as model</li> </ul>				Partially accepted	<p>The documents mentioned in the risk classes are intended to be indicative; even if a document is mentioned in a specific risk class, it may not be retained – or vice versa.</p> <p>In the specific case of the SFHA, the different panels have different needs. Therefore the attachments are not consistent.</p> <p>The proposal regarding the wording of risk class 3 has been accepted.</p>