



European Union Aviation Safety Agency
Comment-Response Document 2019-05

RELATED NPA: 2019-05(A)(B)(C) — RMT.0251 (MDM.055) PHASE II

Embodiment of the safety management system (SMS) requirements into Part-145 and Part 21



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1. Summary of the outcome of the consultation and approach taken as regards the provision of answers to the comments

In relation to RMT.0251 (MDM.055) Phase II, NPA 2019-05 (A), (B) and (C) was published on 17 April 2019 and the public consultation period was extended until 6 September 2019.

Note: RMT.0251 (MDM.055) Phase I established the introduction of the SMS requirements into Regulation (EU) No 1321/2014 for Part-M through the publication of Regulation (EU) No 1383/2019 that adopted Part-CAMO.

The following table presents the number of comments submitted to NPA 2019-05 (A), (B) and (C):

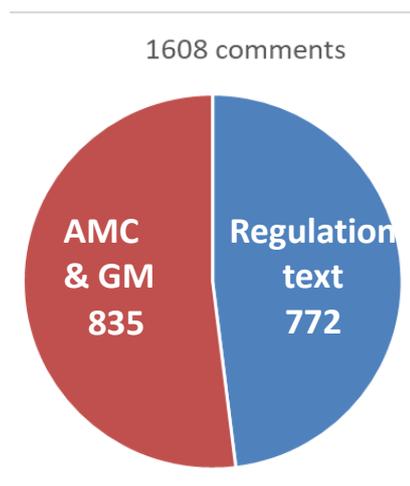
Number of comments	Sub-NPA
33	NPA 2019-05 (A) (General aspects)
1 554	NPA 2019-05 (B) (Part 21)
1 064	NPA 2019-05 (C) (Part-145)

An additional amount of 180 comments from the Human Factor Collaborative Analysis Group (HFCAG) were received after the deadline of the consultation; they have also been taken into consideration in this CRD.

Four competent authorities from EU Member States (CAA-NL, FOCA, UK-CAA, DGAC France) as well as the Federal Aviation Administration (FAA) commented on the NPA.

After further analysis, the followings major points can be summarised:

- For Part 21¹, out of 1 608 comments, 835 address the AMC/GM whereas 772 comments relate to the implementing rules (IRs). 72 % are duplicate comments, which means that, in total, 560 comments needed to be reviewed.



¹ Annex I (Part 21) to Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).

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- For Part-145², out of 1 064 comments, 597 address the IRs. 35 % are duplicate comments.
 - Some of the comments on Part 21 are also duplicated in Part-145.

Considering the high number of comments (around 3 000), the high number of duplicated comments as well as the tight deadlines, the decision was taken to group the comments into topics.

EASA has followed this approach in the past (such as for CRD to NPA 2016-05 ‘Reorganisation of CS-23’³ or CRD to NPA 2010-14 ‘Implementing Rules on Flight and Duty Time Limitations and rest requirements for commercial air transport (CAT) with aeroplanes’⁴) because repeating the answers to the duplicated comments would be burdensome. By grouping and summarising them, time is thus saved.

Therefore, this CRD contains a summary of the comments received on NPA 2019-05 (A), (B) and (C), and limited to the IRs, in order to prepare the Opinion. Its CRD text was developed by EASA, based on the review of these comments and the input of the Focus Consultation Group (FCG) — the same group which was consulted for the development of the NPA. The FCG was composed of experts from industry and national aviation authorities.

In order to review the comments to the NPA, two meetings were organised with the FCG:

- the first one on 1 and 2 October 2019; and
- the second one on 2 and 3 March 2020.

For these two meetings, the focus was mainly on the preparation and submission of the EASA Opinion to the European Commission because the introduction of the SMS requirements into Part 21 / Part-145 is considered a priority, not only to fulfil the ICAO requirements but also to make SMS an enabler of the continuous improvement of safety in Europe.

Considering the COVID 19 sanitary constraints, additional Webex sessions with the FCG were also planned as well as a short consultation with the FCG. More sessions will be planned during 2021 to improve and finalise the comments specifically related to the AMC/GM. This means that another CRD will be published at a later stage to specifically cover the review of the comments related to the AMC/GM to Part 21 and Part-145.

Review of the comments made on the implementing rules (IRs)

The following guidelines have been followed during the review of the comments:

- The principle of harmonisation of the IRs across all aviation domains has been the main driver:
 - Section A (for organisations):
 - for Part 145, introduction of a management system as prescribed by Annex II to Regulation (EU) 2018/1139 and harmonisation with Part-CAMO (Commission Implementing Regulation (EU) No 2019/1383), which mirrors the structure of the management system of the other domains such as Air Operations, Aerodromes, Flight Crew Licensing; therefore, the Part-145 management system can be easily

² Annex II (Part-145) to Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1).

³ <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2016-05>

⁴ <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2010-14>



- integrated into a single management system when an organisation holds several approvals, which is often the case for commercial operations and maintenance, such as AOC, Part-CAMO and Part-145;
- for Part 21, introduction of a management system as prescribed by Annex II to Regulation (EU) 2018/1139, embedding the structure of Appendix II to ICAO Annex 19 to complement the quality system for production organisations (POs) and the design assurance system for design organisations (DOs). Further harmonisation with the Part-145 management system is planned at AMC/GM level for organisations that hold multiple approvals (e.g. AOC, Part-CAMO) — refer to end of Section 2 of this document for further explanations.
 - Section B (for competent authorities): extensive harmonisation among all domains, consistently with Part-CAMO (and thus with the IRs for the other domains such as Air Operations, Aerodromes, Flight Crew Licensing); therefore, the structure of the management system for civil aviation authorities (CAAs) is the same in all domains and allows for an integrated system.
 - Development of the AMC/GM:
 - Harmonisation with the AMC and GM (issued with Decision 2020/002/R⁵) to Annex Vc (Part-CAMO) to Commission Regulation (EU) No 1321/2014, which themselves [the AMC and GM to Part-CAMO] benefited to a certain extent from the stakeholders' comments to NPA 2019-05(C) on the proposed AMC/GM to Part-145);
 - Recognition of the SMS International Industry Standard SM-0001⁶, published on 17 September 2018, for demonstrating compliance with the SMS for design and production organisations (the gaps identified between the AMC/GM and SM-0001 are planned to be addressed by an upcoming revision of this SMS Internal Industry Standard);
 - Customisation to the specificities of Part-145 and Part 21;
 - Improvement of the AMC and GM to benefit from almost 10 years of experience and oversight since the development of the AMC and GM to the Air Operations IRs (Regulation (EU) No 965/2012);
 - Improvement based on the Safety Management International Collaborative Group (SM ICG) products⁷.

⁵ Executive Director Decision 2020/002/R of 13 March 2020 amending the Acceptable Means of Compliance and Guidance Material to Annex I (Part-M), Annex II (Part-145), Annex III (Part-66), Annex IV (Part-147) and Annex Va (Part-T) to as well as to the articles of Commission Regulation (EU) No 1321/2014, and issuing Acceptable Means of Compliance and Guidance Material to Annex Vb (Part-ML), Annex Vc (Part-CAMO) and Annex Vd (Part-CAO) to that Regulation (<https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2020002r>).

⁶ https://www.asd-europe.org/sites/default/files/atoms/files/SMS%20Standard_final%20issue%20A_20180917.pdf

⁷ [https://www.skybrary.aero/index.php/Portal:Safety_Management_International_Collaboration_Group_\(SM_ICG\)](https://www.skybrary.aero/index.php/Portal:Safety_Management_International_Collaboration_Group_(SM_ICG))



2. Items specific to NPA 2019-05 (A) (General aspects)

Due to the limited number of comments received to NPA 2019-05 (A), each comment has been answered. However, hereafter, the reader can find a summary of the comments.

Note: During the consultation phase, some of the comments made to NPA 2019-05 (A) were also repeated in NPA 2019-05 (B) and in NPA 2019-05 (C).

2.1. Options to define the SMS applicability to Part 21 and to Part-145

Very few comments were received on the SMS applicability to Part 21 and to Part-145.

For Part 21, the respondents were generally in favour of Option 2, which was the preferred option in the NPA. Option 2 is about the implementation of ICAO Annex 19, limited to approved organisations that are responsible for the design and production of products and for 'parts and appliances' when an organisational approval is required under an ETSO authorisation.

The concept of proportionality was strongly supported.

Some respondents would have liked to see SMS applicable to all their suppliers irrespective of whether or not they hold an approval, which not only poses an oversight issue when no certificate is held but also can be burdensome for very small organisations.

Conversely, some respondents would have preferred the applicability of SMS to remain on a voluntary basis as it is currently the case in the USA, calling for a level playing field. Since the Boeing 737 MAX fatal accidents, investigation reports and studies recommend the implementation of SMS to become mandatory in Title 14 CFR Part 21. A number of Part 21 respondents, though, fully support the total system approach, trying to fill the gap between the design (product safe to operate), the environment in which the product is designed, manufactured, maintained and operated, including the training needs (i.e. how does the product actually behave in operations to close the loop with the design).

2.2. International recognition of SMS and its impact on bilateral agreements

Some organisations are concerned about the potential negative impact the introduction of SMS into the EU rules might have with regard to its international recognition between States. As explained above, the SMS applicability in the USA, currently on a voluntary basis, is now planned to be made mandatory with the new FAA approach although it will take time to complete the rulemaking process. Meanwhile, within the framework of bilateral agreements, the SMS recognition is being addressed at FAA, TCCA, ANAC and EASA system level; for instance, the FAA plans to make SMS mandatory for those US organisations that seek EASA DO or PO approvals.

The FAA asked for consistency between this future amendment to Regulation (EU) No 748/2012 and Regulation (EU) No 376/2014 when the POA is not located in Europe. Following the new requirements introduced in point 21.A.3, the principles of Regulation (EU) No 376/2014 will become relevant to an EASA-approved organisation under a POA when it is located outside Europe and under the oversight of EASA or one of the EU Member States (MSs): by doing so, the need is addressed to have a mandatory and a voluntary reporting system supported by the principles of safety culture and just culture.



2.3. Date of applicability and transition period

One competent authority recommended the new IR to follow the same applicability and transition principles as done for Part-CAMO, i.e. applicability 6 months after the date of entry into force and an 18-month period for the closure of findings on IR novelties.

Considering the impact of the COVID-19 pandemic, EASA proposes the following:

- date of applicability of the amending regulation: 1 year after the date of entry into force;
- a 2-year period after the date of applicability, at the end of which the findings issued by the competent authorities related to the novelties introduced by the amendments to the IR have to be closed.

This issue will be reviewed by the European Commission with the EU MSs during the adoption process of the new amending Regulation.

2.4. Other comments

Among the diverse comments, it is noteworthy that one competent authority recommended adding requirements in Section A and Section B for the accountable manager (AM) / CEO related to the knowledge of the functioning of (safety) management systems and cultural leadership. This has been addressed to some extent in the IR part related to the initial certification procedure and will be considered during the review of the related AMC and GM.

A few commentators also asked for more guidance on safety culture, just culture, and the change of mindset the introduction of SMS calls for. This will be considered during the review of the related AMC and GM.

Another category of comments recommended a higher level of consistency between Part 21 and Part-145. Although this has been the objective along the project, some peculiarities of each sector had to be addressed and kept as they initially were before the proposed amendment in order to reduce the volume of changes in the structure of organisations (refer to Section 1 of this document on the explanations about the principles of harmonisation).

- For instance, in Part 21, it was considered that several elements of the SMS were already required (e.g. the independent verification function of the demonstration of compliance on top of compliance monitoring, or the design assurance or quality system may be considered as main contributors to ensuring safety). By doing so, design and production organisations have already started adapting their structures to meet the organisational requirements defined by these new requirements. Modifying the requirements to match exactly what has been already done in the other domains would have resulted in the need for organisations to modify their structures without substantially improving safety. For this reason, the safety management elements have been introduced by minimising the number of changes to Part 21, ensuring though the alignment of the SMS principles with the other domains.
- Some organisations that simultaneously hold Part-145, Part-CAMO and AOC approvals will benefit from the commonality of the management system provisions in the various domains. Consequently, consistent AMC/GM across all these domains will be the main driver for the review of comments addressing the AMC/GM.



3. Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))

A lot of comments noticeably addressed the authority requirements, notably for Part 21, due to the fact that Section B of both Part 21 and Part-145 has been extensively aligned with the provisions of Part-CAMO, which stem from the Air Operations rules (in particular ARO.GEN).

This harmonisation has slightly changed the text of the oversight provisions, not the principles, whereas it simplifies the procedures for competent authorities across all aviation domains. Consequently, the comments do not necessarily address the safety management principles, although this was the main objective of the NPA. However, this justified the NPA's initial strategy to limit the volume of changes to Section A and to stick to the current numbering system, insofar as possible.

3.1. Findings, observations and corrective actions

Reference: 21.A.125B, 21.A.158, 21.A.258, 145.A.95, 21.B.125, 21.B.225, 21.B.433, 145.B.350

A large number of comments related to findings were received. Most of them refer to the need to have the definitions and the levels of findings harmonised between Part 21 and Part-145.

a) 'Level 1' finding: definition common to Part 21 and Part-145

Initially, the idea at NPA level was to align the Part 21 definition of 'level 1' findings with that of 145.A.95 (now renumbered 145.B.350), which is already harmonised with the other domains, such as Part-CAMO or the Air OPS rules.

This approach was followed for production organisations but not for design organisations, as it is further explained below.

Several Part 21 stakeholders highlighted that 'non-compliance which could lower the safety standard and possibly hazard the flight safety' is not necessarily appropriate for design organisations: a safety margin is often included in the design, and in some cases the level of safety can be reduced but the product remains safe and compliant with the requirements. As long as the product remains compliant with the applicable design data, this is not considered a non-compliance and no level 1 finding should be raised. Therefore, it is considered more appropriate to keep the current text in Subpart J of Part 21 that refers to 'non-compliances which may lead to uncontrolled non-compliances. In order to better qualify such conditions, it was thus decided to make a link with the definition of 'unsafe condition' included in point 21.A.3A.

Moreover, the possibility to define a corrective action implementation period up to 21 days, following a level 1 finding, has also been kept for design organisations. This is based on the fact that a finding for a design organisation may not have an immediate impact on the safety of the fleet while an immediate revocation or suspension of a type certificate may have a serious impact on the organisations that operate the fleet. Only when the organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the acceptable time frame, the competent authority may revoke the design organisation approval or to limit or suspend it in whole or in part.

b) 'Level 2' finding: definition common to Part 21 and Part-145

The initial idea at NPA level was to also align the Part 21 definition of 'level 2' findings with that of 145.A.95 (now renumbered 145.B.350). However, it was considered that such text may not



cover all possible cases of non-compliance, such as those related to environmental requirements that cannot be considered to 'lower safety and endanger flight safety'. Therefore, it was decided to use the initial approach of Part 21, defining as 'level 2' findings all non-compliances that are not classified as 'level 1'.

c) Level 3 finding and 'observations'

The current Part 21 contains provisions about the issuance of level 3 findings for which no action is required. There is no other domain where such provisions exist. In the Aerodromes domain though (see Regulation (EU) No 139/2014⁸), the concept of 'observations' is included in ADR.AR.C.055(e). Several competent authorities and industry representatives recommended the use of a mechanism for the assessment of the management system, while ensuring consistency across the domains.

At the same time, not only the outcome of the EASA standardisation visits had already revealed the need to have the definition of 'findings' better adapted to the assessment of the management system but the Regulatory Advisory Group (RAG) experts that developed the EASA management system assessment tool⁹ (based on the SM ICG SMS assessment tool) recommended EASA to introduce, among others:

- the PSOE (present, suitable, operating, effective) grading system to better fit the assessment;
- the concept of 'observations' to differentiate from 'findings', for which instructions on how to use the EASA management system assessment tool were provided.

Therefore, it is proposed to:

- remove level 3 findings from Part 21; and
- for the text of both Part 21 and Part-145, introduce the concept of 'observations', which should not require immediate action but must be considered by the organisation, as follows:

Section B (competent authority):

'For those cases that do not require level 1 or level 2 findings, the competent authority may issue observations:

- *for any item whose performance has been assessed to be ineffective; or*
- *when it has been identified that an item has the potential to cause a non-compliance; or*
- *when suggestion or improvement are of interest for the overall safety performance of the organisation.*

The observations issued under this point shall be communicated in writing to the organisation and recorded by the competent authority.'

⁸ Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 44, 14.2.2014, p. 1).

⁹ <https://www.easa.europa.eu/document-library/general-publications/management-system-assessment-tool>



Section A (organisation):

‘The observations received in accordance with [Section B] shall be given due consideration by the organisation. The organisation shall record the decisions taken in respect of these observations.’

AMC and/or GM will be further developed to better differentiate ‘observation’ from ‘finding’, such as the following EASA instructions on how to use the PSOE grading system¹⁰:

- For the initial evaluation or as part of the transition to the new SMS requirements, all the processes should be ‘Present’ and ‘Suitable’. If not, then the approval or the certificate should not be granted or the transition period accepted.
- Once an SMS is functioning and the transition period has expired, and if during the evaluation a process is found not to be ‘Operating’, a finding should be issued.
- Where a feature is found not to be ‘Effective’, the inspectors may consider issuing an observation and suggesting improvements. However, findings should not be issued if the process is ‘Operating’ but not ‘Effective’.

Harmonisation with the other EASA domains will be proposed at the next opportunity, for the sake of consistency.

Besides, it will be an obligation for the organisation to consider the observations issued by the competent authority. They may be followed or not, but they cannot be completely ignored by the organisation. They may also serve as an indicator of the organisation’s management system maturity.

d) ‘Past performance’ as part of the evaluation of a finding

Reference: 21.B.225, 21.B.125, 145.B.350

Stemming from the adopted text of Part-CAMO, the consideration of the ‘past safety performance’ of the organisation was challenged by the commentators as a criterion for the extension of the 3-month period related to the correction action plan of a level 2 finding. Even in the case of poor safety performance of the organisation, the implementation of the correction action plan may take more than 3 months due to the nature of the level 2 finding, or due to the severity of the finding, and it may be acceptable to allow for more time. It was agreed that, when evidence is justified, more time may be needed. The duration of the period to implement cannot be driven only by ‘past performance’, which has therefore been removed from the final text. This should not prevent the competent authority from checking the evidence why the organisation is not able to implement the corrective action plan within the initially agreed period, in particular when the organisation systematically asks for an extension of the correction action plan beyond the 3-month period.

e) The need to inform the State in which the aircraft is registered

Reference: 145.B.350, 21.B.125, 21.B.225

Clarification was requested as to whether the need to inform the State in which the aircraft is registered should be limited to level 1 findings and to the EU Member States when a finding directly relates to an aircraft.

¹⁰ <https://www.easa.europa.eu/document-library/general-publications/management-system-assessment-tool>



From a criticality point of view, such a requirement makes sense only for level 1 findings.

From a legal perspective, for instance, an airworthiness directive (AD) applicable to EU-registered aircraft may not be applicable to non-EU registered aircraft.

From a regulatory perspective, the adopted EU regulations (Regulation (EU) 2018/1139 and its delegated and implementing acts as well as Regulation (EU) No 376/2014¹¹) generally focus on aviation activities within the EU.

Consequently, the text has been modified as follows: 'If a level 1 finding directly relates to an aircraft, the competent authority shall inform the competent authority of the Member State in which the aircraft is registered.'

f) Should a level 1 finding be raised for the absence of an accountable manager (AM)?

Reference: 145.B.350, 21.B.125, 21.B.225

EASA confirms that a level 1 finding should be raised for the absence of an accountable manager (AM) and proposes to make this explicit in the regulation: an organisation cannot be run without a manager designated as 'accountable'.

Cases have been recorded through standardisation inspections within Europe where the lack of an AM lasted several months with no action taken to appoint a new one.

3.2. Alternative means of compliance (AltMoC)

Reference: 21.A.124A, 21.A.134A, 145.A.120, 21.B.115, 21.B.215, 145.B.120

Many comments were received as regards the introduction of AltMoC in Subparts F and G of Part 21 as well as in Part-145.

Note: The NPA did not propose the introduction of AltMoC into Part 21 Subpart J since in the design domain there is only one competent authority in the EU, i.e. EASA, which means that there is no need to create transparency amongst the competent authorities about the different possibilities to demonstrate compliance with the applicable requirements.

Although a few industry representatives supported the proposal, a number of respondents were against it, advocating that the AltMoC:

- render the AMC quasi-binding, which might be also too prescriptive; and
- create administrative burden with no benefit to safety.

EASA carefully assessed the concerns raised about the proposed AltMoC:

- Organisations are not required to follow the EASA AMC to demonstrate compliance with the requirements of Regulation (EU) No 748/2012 and Regulation (EU) No 1321/2014. They may either demonstrate compliance by using the EASA AMC or any other means of compliance. If they use other means, the AltMoC do not introduce new requirements for them; the introduction of the AltMoC provisions simply imposes a new obligation for the competent authority that accepts the means of compliance to provide information about

¹¹ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18)

them to EASA. With or without the introduction of AltMoC into Part 21 and Part-145, it is already the responsibility of the organisation to demonstrate [to its competent authority] how it will ensure compliance with the IRs of Part 21 and Part-145. In all cases, the demonstration of compliance can be described in the manuals (such as the MOE) or procedures or any other document. EASA provides a way of how compliance can be demonstrated; since it has been widely discussed with stakeholders and competent authorities in the course of the rulemaking process, organisations can consider that those means will be accepted by their competent authority without further assessment.

- When the proposed means to demonstrate compliance with Part 21 and Part-145 is different from an EASA AMC provided and, therefore, may be of interest to the whole industry and could be shared with the stakeholders, then the AltMoC will lay down that the competent authority should provide the information to EASA. This will also allow EASA to assess whether such a means of compliance could be transposed into a new AMC to be issued by EASA for the benefit of the whole industry. Such benefit has been extensively and successfully used in the past during rulemaking activities and for the purpose of improving the rules.
- EASA considers it important that the AltMoC provisions should be consistent among the different domains; wording that is different from that used in other domains would create confusion and legal uncertainty; it would also force competent authorities to follow different processes.

EASA has, therefore, concluded that the comments are not relevant with the intent of the AltMoC provisions proposed to be introduced into the relevant Commission regulations, but rather how the AltMoC process is being applied.

As many comments were submitted during the NPA consultation phase by some of the FCG members, EASA organised an ad hoc webinar on 26 October 2020 with the FCG experts who supported the development of this project, in order to remind that:

- the use of AltMoC is a powerful tool that allows transparency as regards good means of compliance that are accepted by one authority and which could be used by other organisations as well, and eventually giving EASA the visibility and possibility to transpose those means into EASA AMC;
- compliance has to be ensured with the IRs, not the EASA AMC: the organisation or the MS may either demonstrate compliance by using the EASA AMC or any other means of compliance, which further enhances flexibility.

3.3. Use of unannounced inspections

Reference: 145.B.305(b)(1), 21.B.222(b)(1), 21.B.432(b)(1), 145.B.300(b)(3), 21.B.221(b)(3), 21.B.431(b)(3)

The concept of ‘unannounced inspections’ was considered questionable and not always doable although ICAO requests to introduce it in the IRs. The NPA text has been amended and it now indicates that unannounced inspections during oversight are used as a means of oversight ‘only when applicable’ and not ‘systematically required’ during the oversight planning cycle.



In addition, the term ‘unannounced inspections’ has been deleted from 145.B.300(f), 21.B.221(f) and 21.B.431(f).

3.4. Access

Reference: 21.A.9, 145.A.140

A number of comments highlighted the fact that granting access ‘at any time’ to the competent authority was not realistic due to restricted areas and security reasons, or due to health and safety policies. The term ‘at any time’ has been, therefore, removed. This does not prevent the competent authority from organising unannounced inspections, as mentioned in 145.B.300 or 21.B.221 or 21.B.431.

3.5. Initial certification procedure

Reference: 21.B.220(b), 21.B.430(b), 145.B.310(b)

A number of respondents questioned the objective of the meeting with the accountable manager (AM) during the initial certification procedure. This requirement already exists in current Part-145 (145.B.20 and M.B.702) but not in Part 21. Other respondents complained about the requirement being too prescriptive because it lays down a high level of details as regards the agenda of the meeting.

EASA wishes to explain that the meeting between the competent authority and the AM is an important element during the initial certification. The competent authority should ensure that the AM understands their role, accountability and responsibility; the IR provides a legal basis for this meeting to be convened.

The FCG members agreed that the requirement should be more generic and not linked necessarily to the understanding of the management system or the significance of the certification process.

Therefore, the requirement has been kept at the IR level but reformulated more generically, as follows:

‘A meeting with the accountable manager of the organisation shall be convened at least once during the investigation for initial certification to ensure that this person understands his or her role and accountability.’

3.6. Duration and continued validity of a certificate

Reference: 21.A.125C, 21.A.159(a)(5) and 21.A.259(a)(5), 145.A.90(a)(3)

In accordance with Article 19 of Regulation (EU) 2018/1139, it has been added that the organisation’s certificate shall remain valid under the condition that it has not been suspended.

3.7. Amendment of approvals — Changes to approved organisations

Reference: 21.B.240, 21.B.435; 145.B.330

A number of industry representatives proposed to amend the statement in 21.B.240, 21.B.435 and 145.B.330(d), which was found too stringent: if the organisation implements changes requiring prior approval, or that are significant for design and production organisations, without having received the approval of the competent authority, the competent authority should not have the obligation to suspend, limit or revoke the organisation’s certificate, but these actions may be considered.



It is reminded that if the organisation does not notify the changes requiring prior approval, or the changes that are significant, the competent authority may have no other option but to take legal action.

A number of options were envisaged: most of the FCG experts considered that it depends on the nature of the change itself, and that this is a decision to be taken on a case-by-case basis, for which the competent authority needs to consider all the circumstances, as well as whether and which action needs to be taken. The competent authority, therefore, should have the option to decide whether the approval needs to be suspended.

In order to limit the volume of changes, and for the sake of consistency with the other domains, the decision was to use the wording of the ADR rules (i.e. ADR.AR.C.040(e)), as follows:

‘If the organisation implements changes requiring prior approval without having received the approval of the competent authority, the competent authority shall consider the need to suspend, limit or revoke the organisation’s certificate.’

In addition, an AMC will be developed to indicate that this should also be treated as a finding, and categorised as level 1 or level 2 depending on the nature of the finding.

3.8. Suspension, limitation and revocation of a certificate

Reference: 21.B.65 and 145.B.355

Different types of comments related to the suspension, limitation and revocation of a certificate were clustered, as follows:

a) Potential safety threat

Reference: 21.B.65(a), 145.B.355(a)

Many comments questioned the meaning of ‘on reasonable grounds in the case of potential safety threats’ when the competent authority shall suspend a certificate. The recommendation was made to differentiate between a ‘potential threat’ and ‘suspending a certificate’.

This provision addresses the particular situation where the competent authority needs to take action against the organisation on the basis of the elements giving reason to believe it is about a serious safety threat, but not supported by substantial elements to support that decision. This requirement has been used in Part-M and Part-145 since 2003 and did not raise any interpretation issue. It just empowers the competent authority to take action in this particular context and this must be based on ‘reasonable grounds’. It has thus been proposed to amend the text as follows:

‘The competent authority shall:

- (a) suspend a certificate where there are reasonable grounds to believe it is necessary to prevent a credible threat to the safety of the aircraft.’

It should be noted that this provision does not address here the need to suspend the certificate in case of a level 1 finding, notably when a clearly identified hazard, in the context of the (safety) management system, has not been effectively mitigated; this need is already addressed by 21.B.65(b) and 145.B.355(b).

b) Oversight cycle



Reference: 21.B.65(c), 145.B.355(c)

The text has been amended to indicate that when the competent authority fails to discharge its oversight responsibilities, it still has the option to suspend a certificate and also to limit it wholly or partially; this would be the case for a facility that is not accessible to the competent authority due to security reasons. In addition, instead of referring to a period of 24 months, the text now refers to the oversight planning cycle due to the fact that it can vary from 24 (or less, if needed) to 48 months according to 21.B.222 or 21.B.432 or 145.B.305.

c) Security situation

Reference: 21.B.65(c), 145.B.355(c)

The NPA text contains provisions about the suspension of a certificate due to security reasons, something that raised several questions. The final decision was to slightly amend the text by:

- removing the reference to ‘on-site audit’ as the IR is not the best regulatory level to specify this type of information (an AMC would be preferable); and
- removing the reference to ‘security’ situation and indicating that it covers circumstances outside the control of the competent authority (which may not always constitute a ‘security’ situation).

3.9. Information to the Agency

***Reference:* 145.B.125, 21.B.15**

One commentator recommended that the competent authority should provide EASA with any safety-significant information stemming from the suspension, limitation or revocation of a certificate. EASA wishes to refer stakeholders to Article 74 of Regulation (EU) 2018/1139 which lays down the establishment and management of a repository of information. This repository of information shall include, among other things, the certificates issued and declarations received by EASA and the national competent authorities.

No change has thus been proposed to the NPA text.

3.10. Information collected for oversight purposes

***Reference:* 145.B.300(f), 21.B.221(f), 21.B.431(f)**

The provisions for the competent authority to collect and process any relevant information for oversight purposes have been amended as follows: ‘The competent authority shall collect and process any information deemed necessary for conducting oversight activities.’

The reference to unannounced inspections to collect necessary information has been deleted as it was inappropriate within that context.

3.11. Allocation of tasks to qualified entities

***Reference:* 21.B.30, 145.B.205**

A few comments expressed the concern of conflict of interest with regard to qualified entities that could commercially use the information collected or experience gained during the performance of the



oversight activities. No action has been taken in this regard because this issue is addressed by Regulation (EU) 2018/1139 in its Annex VI, point 7.

Finally, one question was raised as to whether an organisation can appeal in case it perceives there is a conflict of interest with the qualified entity selected. According to Recital 66 of Regulation (EU) 2018/1139, 'parties affected by decisions made by the Agency have access to the necessary remedies, which should be suited to the special character of the field of aviation. Therefore, an appropriate appeal mechanism is set up so that decisions of the Agency can be subject to appeal to a Board of Appeal [see Article 106], the decisions of which can be subject to action before the Court of Justice of the European Union in accordance with the TFEU'.

3.12. Personnel requirements

Reference: 21.A.145(c)(2), 21.A.245(d)(1), 145.A.30(cc)

The wording has been amended so that the person or persons nominated shall be simply (instead of 'ultimately', as proposed in the other domains) responsible to the accountable manager. The reason for that change is that only the accountable manager is ultimately responsible. The intention is to prevent reduction of accountability with multiple layers of nominated persons; 'responsibility' must be differentiated from 'accountability'.

For design organisations, it was not considered appropriate to require the whole system to be under the direct accountability of a single manager since the head of a design organisation is not always the chief executive officer. Even if it is clear that the system has to be established under the accountability of one manager, the term 'direct' has been deleted.

3.13. Use of central functions

Reference: 21.A.139(f) and 21.A.239(f), 145.A.200(c)

In the case of large organisations that hold multiple certificates, it is possible to integrate the management system of Part 21/Part-145 with the management system that is required for the issuance of the other certificate(s). One organisation requested to add in the IR that such an integrated management system may include central functions. EASA is of the opinion that the current text does not prevent very large organisations from having central functions addressing partially or fully all the management systems needed for the different approvals. EASA agreed that an AMC or a GM would make clear that such a structure is possible. The IR text has not been changed.



4. Items specific to Part 21 (NPA 2019-05 (B))

4.1. Competent authority

Reference: 21.1

As proposed by some stakeholders, the scope of point 21.1, which defines the competent authority, was extended to cover also the identification of the competent authority for the tasks described in Subpart A of Section A.

Moreover, the identification of the competent authority for Subpart P has been updated to specify that EASA is the competent authority for the approval of flight conditions when these are related to the safety of the design.

4.2. Scope

Reference: 21.2

Some stakeholders noticed that a point defining the scope for Section A was missing while the scope of Section B is defined in point 21.B.5, included in Subpart A of Section B. Since this point describes the scope of the full Section B, its position within Subpart A is incorrect. Therefore, it has been decided to add a new point 21.2 that defines the scope of both Section A and Section B. The contents of point 21.B.5 have been moved in new 21.2.

4.3. Reporting system

Reference: 21.A.3A

Several comments were received on this point asking for clarification or proposing changes, as summarised below:

- The word ‘occurrence’ has been removed from the title since point 21.A.3A covers items that are beyond mere ‘occurrences’, such as internal errors, near misses, and hazards. The title has been made more generic to cover other aspects as well.
- Some questions were raised on the meaning of the term ‘without prejudice’ used when referring to Regulation (EU) No 376/2014. This is a legal term to indicate that Part 21 complements (it does not amend) Regulation (EU) No 376/2014, which remains fully applicable. It should be reminded that the need to include in Part 21 the main requirements defined in Regulation (EU) No 376/2014 originates from the fact that the latter is not applicable to organisations which have their principal place of business in a third country. All applicants for a certificate under Part 21 are required to comply with the reporting requirements defined in point 21.A.3A.
- All the requirements related to reporting, which were previously listed in Subparts F and G, have been moved to point 21.A.3A and merged with the already existing ones. In addition, point 21.A.3A has been complemented with the requirements for mandatory and voluntary reporting systems as defined in Regulation (EU) No 376/2014. An organisation is required to collect occurrences / near misses to be reported to the State (‘mandatory reporting’) and to facilitate the collection of occurrences / near misses and other information that an individual or an organisation may decide to report to the State (‘voluntary reporting’). An individual may also



report through the organisation's reporting systems and this will be sufficient for the individual to discharge their responsibilities in this regard.

- The text has been amended to make clear that the organisation will collect the input originating from internal occurrences, errors, near misses and hazards. The organisation is then required to extract from the system those occurrences whose reporting is mandatory and those for which a voluntary report will be made. Regulation (EU) No 376/2014 requires the report to be made by the organisation within 72 hours after becoming aware of the occurrence, unless exceptional circumstances prevent this. As indicated in Section 2.9 'What is the deadline to report an occurrence?' of the guidance material to Regulation (EU) No 376/2014, published by the European Commission, 'In the case of individuals engaged in design or production organisations (Design Organisation Approval - DOA - or Production Organisation approval - POA) and who are under the obligation to report a potential unsafe or unsafe condition, the 72 hours period starts from the identification of the possible unsafe condition, which is normally reported through a dedicated process in those organisations'¹². Therefore, the text of this point has been made consistent with such approach.
- It has been clarified that the requirement to report does not apply to organisations that design minor changes or minor repairs.
- A clarification was requested on the need to report an occurrence when a non-conformity affects only spare parts which are not yet installed. Regulation (EU) No 376/2014 does not exclude this case, and this will be explained in an AMC.
- In case of production organisations that are located in a non-EU Member State, the reports shall be sent only to EASA, as the competent authority. Therefore, in 21.A.3A(b)(3), 'if applicable' has been added.

4.4. Record-keeping

Reference: 21.A.5

This point contains now all the record-keeping requirements, which were spread over in the different subparts of Section A, in order to ensure consistency. Compared to the text proposed in the NPA, the requirement for record-keeping has been extended also to organisations that design minor changes or minor repairs.

The current text requires that 'all' the details of work should be recorded by production organisations, a requirement which was commented by several stakeholders as being too wide. The text has, therefore, been amended to clarify that the data to be recorded is those relevant to the conformity of the products, parts or appliances.

Design organisations shall also keep records of the requirements that apply to their partners and subcontractors.

The current text did not cover the requirements for design organisations to keep record of the personnel identified as certification verification engineers (CVEs). A specific provision has been, therefore, added.

¹² <https://ec.europa.eu/transport/sites/transport/files/modes/air/safety/doc/guidancematerial376.pdf>



4.5. Access and investigation

Reference: 21.A.9

The scope of point 21.A.9 has been extended to cover also the requirement for the inspected organisation to provide the personnel of the competent authority with access when performing oversight activities, audits and inspections.

4.6. Transferability

Reference: 21.A.47

The scope of this point has been extended to allow the transferability of a certificate also in case it refers to APUs under an ETSO authorisation. Consistently, point 21.A.604 has been amended to exclude point 21.A.621 from the requirements applicable to APUs under an ETSO authorisation.

4.7. Duration and continued validity

Reference: 21.A.125C, 21.A.159, 21.A.181, 21.A.211, 21.A.259, 21.A.619 and 21.A.723

The requirements defined in these points are expressed in a negative permission). To improve their readability, they have been rephrased positively, without altering the meaning. Moreover, the provision to continue to meet the eligibility requirement has been deleted since it was considered a duplication of the first provision which requires the organisation to comply with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts.

4.8. Production and design management system

Reference: 21.A.139 and 21.A.239

Several comments were raised on these points as they describe the core elements of the management system.

It has been clarified that a design or production organisation shall have a management system made of two elements: the safety management element and the design assurance (in case of design organisations) or quality element (in case of production organisations).

As regards the safety management element, the role of the key safety personnel should not be limited to the execution of the safety policy but should be broader.

The duplication of requirements, such as the documentation already provided in point 21.A.143 or 21.A.243, was considered to be unnecessary.

Several comments were raised against the role of the 'independent function to monitor the compliance of the organisation'. The text has been, therefore, improved to clarify that the scope is to monitor the compliance of the organisation with the relevant requirements and the compliance with, and adequacy of, the production or design management system.

The current text includes the possibility of having approved organisations that are part of a larger organisation, such that centrally controlled (corporate) functions and resources may be used. A GM will be developed to make this even clearer.

The text of the NPA included the possibility, for organisations that hold multiple organisational certificates issued on the basis of Regulation (EU) 2018/1139 and its delegated and implementing acts, to integrate them in a single management system. Some commentators proposed to not limit such a



possibility only to certificates issued under Regulation (EU) 2018/1139. This has not been accepted since, in that case, the compatibility of the requirements may not be ensured.

4.9. Resources

Reference: 21.A.145 and 21.A.245

The NPA proposed to specify that a design organisation, depending on its size as well as on the nature or complexity of its activities, should include: a chief of the office of airworthiness; a chief of the independent monitoring of compliance and adequacy function; and any other group of persons needed to ensure that the organisation complies with Part 21. Comments were raised to include some degree of flexibility without imposing the nomination of specific managers. The text has been modified as follows:

- two functions are always required (i.e. a chief of the airworthiness function and a chief of the independent monitoring of compliance and adequacy function) while the need for additional persons to ensure that the organisation complies with Part 21 is based on the size of the organisation as well as on the nature and complexity of its activities;
- the possibility has been added for the head of the design organisation to directly supervise the airworthiness function under certain conditions.

The requirement for a direct authority between the accountable manager and the other managers has been modified also for organisations that produce products or parts according to Subpart G. It has been replaced with the requirement for a direct access to take into account large organisations that hold several approvals.

4.10. Findings, observations and corrective actions

Reference: 21.A.125B, 21.A.158 and 21.A.258

The obligations of the organisation, after receiving the notification of a finding, have been better clarified and harmonised with the same requirement defined in the other aviation domains. The organisation is required to identify the root cause, define an action plan, and demonstrate the implementation of the corrective actions.

4.11. Oversight cycle

Reference: 21.B.222 and 21.B.432

The definition of an oversight cycle by the competent authority has been harmonised with the other aviation domains according to a performance-based oversight. This point was highly commented, especially in relation to design organisations for which the oversight cycle is currently set to 36 months. According to the new approach, the baseline oversight cycle will be 24 months and it may be extended to 36 or even 48 months when some conditions are met. Some stakeholders commented that design organisations may conduct a large variety of activities such as development of the design of different products covered by a type certificate or a supplemental type certificate or a change or a repair to them. Therefore, establishing only a 24-month oversight cycle for a large organisation may be too short. However, during the discussion with the FCG, EASA ensured that all currently approved organisations will start from a 36-month oversight cycle if they meet the eligibility criteria defined in



point (d) of points 21.B.222 or 21.B.432. If the organisation fails to meet those eligibility criteria, then an oversight cycle of 24 months is considered appropriate.



5. Items specific to Part-145 (NPA 2019-05 (C))

5.1. 145.A.10 Scope

Several comments made on the term ‘certificate’ suggested the use of ‘approval certificate’ in the entire Annex II and in the related AMC and GM. EASA has agreed to change the term to ‘approval certificate’ in point 145.A.10 because it refers to the scope of the Annex; the term ‘certificate’ will be kept in other instances (such as in EASA Form 3-145) because following the adoption of Commission Implementing Regulations (EU) 2019/1383¹³ and 2020/270¹⁴, all EASA forms related to the certificates issued pursuant to Regulation (EU) No 1321/2014 are now harmonised with the term ‘certificate’.

One commentator also reported that point 145.A.10 does not contain any requirement to be complied with. EASA’s position is that the rule must be understandable and, therefore, first defines the scope. This reflects the classic way the rules implementing the Basic Regulation are structured.

5.2. 145.A.15 Application for an organisation certificate

As regards the ‘application to be made in a form and manner established by the competent authority’, commentators asked what this form and manner are. In the NPA, EASA proposed to use ‘Form 2’ as indicated in AMC1 to 145.A.15. The manner to communicate the form is left to each competent authority’s discretion to define.

Some stakeholders found the requirement to carry out a pre-audit too prescriptive and believed the intent could be satisfied by other means, such as an ‘assessment’ or a ‘compliance verification’, and could be moved to GM. EASA believes the intent of a ‘pre-audit’ is clear and contributes to demonstrate the organisation’s capability to monitor its compliance for the purpose of initial certification.

Some commentators wondered about the need to have general references to Part-M and Part-ML. This is because, after 24 March 2020, certain aircraft are subject to Part-M, while other aircraft are subject to Part-ML; there is no possibility to voluntarily apply Part-M to Part-ML aircraft. The requirement refers to the ‘applicable’ requirements of Part-M, Part-ML and Part-145; in other instances, Part-145 refers directly to particular points of Part-M and Part-ML.

In the past, several Part-M requirements were applicable to Part-145 organisations although there was no explicit reference to these Part-M requirements in Part-145. After the adoption of the amendments to Part-145, as proposed with this rulemaking task, there will be no more such situation (e.g. addition of point 145.A.48(c)(5)) and all appropriate references will be stated.

One commentator indicated that it is not necessary to refer to the procedure for changes not requiring prior approval in the application, because this requirement is already addressed in points 145.A.85 and 145.A.70. The comment has been accepted, and this part of the provision has been removed.

¹³ Commission Implementing Regulation (EU) 2019/1383 of 8 July 2019 amending and correcting Regulation (EU) No 1321/2014 as regards safety management systems in continuing airworthiness management organisations and alleviations for general aviation aircraft concerning maintenance and continuing airworthiness management (OJ L 228, 4.9.2019, p. 1).

¹⁴ Commission Implementing Regulation (EU) 2020/270 of 25 February 2020 amending Regulation (EU) No 1321/2014 as regards transitional measures for organisations involved in the continuing airworthiness for general aviation and continuing airworthiness management and correcting that Regulation (OJ L 56, 27.2.2020, p. 20).

5.3. 145.A.20 Terms of approval

Stakeholders reported that paragraph (a) is not a requirement with which compliance is to be demonstrated. EASA has accepted the comment and rearranged 145.A.20 based on ORO.GEN.125.

5.4. 145.A.30 Personnel requirements

One commentator reported that the appropriate finance (to be ensured by the accountable manager) should be linked to the work to be carried out by the maintenance organisation, rather than the work required by the customer. EASA accepts this comment and has revised paragraph (a) accordingly.

Several stakeholders reported having difficulties in differentiating the role of the persons nominated under (b) and (c). Paragraph (b) has been revised to make clear reference to the management personnel for the maintenance function. These managers are responsible for ensuring the staff work in accordance with the organisation exposition and procedures, while the manager in paragraph (c) is responsible for monitoring the organisation's compliance with Regulation (EU) No 1321/2014.

One commentator stated that the reference to the feedback system under paragraph (c) is not needed because it is covered in 145.A.200(a)(6). EASA agrees and this reference has been deleted.

One stakeholder suggested requesting specific training on compliance monitoring for all personnel under paragraph (e) (also under recurrent training in 145.A.35(d)). EASA does not agree with this suggestion, which goes beyond the current practice. Besides, safety training covers compliance monitoring to a certain extent.

In relation to paragraphs (j)(1) and (j)(2), commentators reported having difficulties in understanding these provisions. They have been amended to make them clearer.

In relation to paragraphs (j)(3) and (j)(4), one commentator wondered what the consequence of removing the references to the flight engineer would be. This aspect is addressed in the proposed amendment to Article 4(9), which would ensure keeping the validity of the authorisations already established under these paragraphs.

5.5. 145.A.35 Certifying staff and support staff

Some commentators preferred the word 'continuation training' rather than 'recurrent training' to show that the development of the staff competence is a continuous process. In line with the response to comment #57 in CRD 2013-01(A)¹⁵, EASA has used the term 'recurrent' in Part-CAMO and in the related AMC and GM. There are pros and cons with both terms: for example, the term 'continuation training' could also be understood as being incomplete and to be continued 2 years later. EASA has finally decided to keep the term 'recurrent training'.

Several commentators suggested that human factors should be included in the safety management training. EASA agrees and has modified paragraph (d) accordingly.

One commentator stated that the issue of certification authorisations should be more under the responsibility of the 145.A.30(b) manager rather than the compliance monitoring manager. This was discussed with the Focus Consultation Subgroup (FCS) for Part-145 and it was agreed to keep this historical function of the quality manager with the compliance monitoring manager.

¹⁵ CRD 2013-01(A) 'Embodiment of safety management system (SMS) requirements into Commission Regulation (EU) No 1321/2014 — SMS in Part-M' (<https://www.easa.europa.eu/document-library/comment-response-documents/crd-2013-01a>).

5.6. 145.A.37 Airworthiness review staff (ARS)

One commentator observed that paragraph (a) is lacking a reference to Part-ML because the airworthiness review by the maintenance organisation is only possible for Part-ML aircraft. EASA agrees and has added a reference to Part-ML.

One commentator noted a difference with the equivalent provision in Part-CAO. EASA agrees that the Part-CAO and Part-145 provisions should be harmonised in general, but they have to be adapted in the context of Part-145, because Part-145 organisations are only approved for maintenance, as opposed to Part-CAO organisations which may be approved for continuing airworthiness management. So, in this context, the ARS qualification process needs to include a certifying staff authorisation and knowledge of continuing airworthiness management.

One commentator suggested that the organisation, rather than always the competent authority, should be able to 'formally accept' a candidate airworthiness review staff (ARS) that performed an airworthiness review under the supervision of an organisation staff authorised to do so. EASA does not agree with this suggestion. The competent authority should in any case formally accept all ARS (either by a specific acceptance letter or by the approval of the exposition amendment including such person in the list of ARS — ref.: 145.A.70(a)(6)).

5.7. 145.A.45 Maintenance data

Note: Point 145.A.45(b) has been amended by Opinion No 07/2019¹⁶.

Several commentators reported that the word 'any' in paragraph (c) is too prescriptive and could be burdensome, in particular for obvious typos in the maintenance data. EASA agrees and has removed 'any'.

Certain commentators did not agree with the requirement to inform the type-certificate holder when the maintenance organisation modifies maintenance instructions. EASA does not agree to change the principle of this existing requirement, but agrees that it may not always involve a type-certificate holder and has changed the reference to the 'author of the maintenance instructions', similarly to paragraph (c).

One commentator wondered why it is required to hold data that is infrequently used. EASA hereby indicates that this is not the intent of the rule and that point 145.A.45(a) is amended to better reflect the intent which is to hold the applicable current maintenance data which is necessary for the particular maintenance to be carried out.

Commentators suggested taking out the reference to 'human factors' from paragraph (e) because it is covered and addressed in point 145.A.65 for all procedures. EASA agrees and has removed the reference.

5.8. 145.A.47 Production planning

Various commentators considered that the issue of fatigue in paragraph (b) is already captured by 'human performance limitation' and by the requirement to manage risks in 145.A.200 (Management system) and that it does not need to be explicitly listed. EASA has decided to keep this reference to

¹⁶ Opinion 07/2019 'Instructions for continued airworthiness' (RMT.0252 (MDM.056)) and 'Installation of parts and appliances that are released without an EASA Form 1 or equivalent' (RMT.0018) (<https://www.easa.europa.eu/document-library/opinions/opinion-072019>).

fatigue in order to raise awareness on this particular type of issue for the development of an appropriate production planning, and in response to safety recommendations. The EASA's Legal Department has also advised that the introduction of the notion of 'fatigue' in the AMC and GM should be supported by its entry in the implementing rule.

Commentators suggested referring to fatigue 'threat' rather than fatigue 'risk', because it is not suitable to assess the consequences of fatigue in terms of probability and severity. EASA agrees and has modified paragraph (b) accordingly.

One commentator suggested taking out 'carrying out maintenance' in paragraph (b) to encompass other activities (e.g. de-icing) not considered to be maintenance. EASA does not accept the comment because the scope of Part-145 is limited to maintenance activities.

Several commentators reported that the word 'any' in point (d) is too prescriptive. EASA agrees and has removed 'any'.

5.9. 145.A.48 Performance of maintenance

One commentator suggested including a reference to maintenance performed by the subcontractor in paragraph (a). EASA finds this suggestion unnecessary due to the clear description of the conditions on how to subcontract under points 145.A.75(b) and 145.A.205.

Several commentators considered that the last sentence under point (c) is superfluous (because it is covered by the general provisions for hazard identification and risk management in 145.A.200) and can be deleted. EASA agrees and has deleted this sentence.

The term 'multiple' is deleted from paragraph (c)(3) because the term 'multiple error' was confusing. The original intent was to prevent that an error goes undetected despite several checks, but it is simpler and clearer to state that errors are prevented in general. Besides, the prevention of errors that are repeated in identical maintenance tasks is addressed in the second part of the paragraph (c)(3), which is kept.

5.10. 145.A.50 Certification of maintenance

As regards the comments on 'known non-compliances which endanger flight safety': the text is consistent with M.A.801 and ML.A.801.

Other comments pointed to the reference of 'aircraft operator', suggesting that the use of 'person or organisation responsible for the aircraft continuing airworthiness' provides for more consistency and covers the case of private owner requesting maintenance. EASA agrees in this case, but this change would not be repeated in all cases, in particular when it comes to component maintenance (because the continuing airworthiness of components alone is not regulated).

Another comment suggested replacing the references to 'release to service' by 'certification of maintenance'. Although EASA does not oppose to this concept, this could not be introduced in isolation: Part-M, Part-ML and Part-CAO would also be affected.

5.11. 145.A.55 Record-keeping

One commentator wondered why the management system records are kept for 5 years, while other records are kept only for 3 years. EASA considers that in order to improve the safety performance of



an organisation, it may be necessary to monitor data over a period longer than 3 years to be able to identify meaningful trends. This comment has not been accepted.

Commentators found the requirement to record ‘all the details of any maintenance task’ too wide and unrealistic. EASA agrees and has modified the sentence.

5.12. 145.A.60 Occurrence reporting

The text, as proposed in the NPA, was initially based on Part-CAMO (point CAMO.A.160). The text of the Opinion has been improved following the outcome of the extensive work done and consultation conducted for rulemaking task RMT.0681 ‘Alignment of implementing rules and acceptable means of compliance/guidance material with Regulation (EU) No 376/2014 — Occurrence reporting’¹⁷ (similar amendments will be gradually reflected in the other annexes to Regulation (EU) No 1321/2014 at the next suitable opportunity).

5.13. 145.A.65 Maintenance procedures

The principal comment made on this point was about the fact that the organisation had to consider ‘human factors’ in its contracted activities. When the activity is contracted, it is carried out under the contracted organisation’s approval. EASA agrees and has deleted the reference to contracted activities.

Some other stakeholders suggested removing the reference to ‘human factors’ and ‘human performance’ because of the reference to ‘good maintenance practice’. EASA does not accept that comment because the three elements do not fully cover each other and amending the implementing rules as regards these existing elements could be considered as lowering the Part-145 maintenance standards.

5.14. 145.A.70 Maintenance organisation exposition (MOE)

Commentators advised that, in the introductory paragraph, the term ‘instruction’ was not defined. EASA agrees with the comment. Besides, like for Part-CAMO, the two bullet points referring to the intent of the MOE will be moved to the GM level.

One stakeholder highlighted the need to have the possibility of developing several manuals to comply with 145.A.70. EASA wishes to remind that point 145.A.70 has been amended and it now reads ‘directly or by reference’, which allows reference to external documents in the MOE.

Other stakeholders wondered why the base maintenance certifying staff and airworthiness review staff (ARS) were needed on the organisation chart. Reference to base maintenance certifying staff was inadvertently introduced in the NPA and has therefore been deleted. Concerning the reference to ARS, it was considered in the discussion with the focus consultation subgroup that the independence of the ARS was not essential in a Part-145 environment, because:

- under the Part-ML requirements, the airworthiness review must be carried out in conjunction with the annual inspection; and
- the airworthiness review certificate (ARC) should be issued by the person that releases the annual inspection.

¹⁷ <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2016-19>

As a consequence, this reference has also been deleted.

New point (17), added in the MOE as regards the list of AltMoC, also raised a combination of positive and negative reactions. For further details, refer to [Section 3.2](#) in this document. For consistency with Part-CAMO and the continuing airworthiness management exposition (CAME), the item has been kept for the MOE.

5.15. 145.A.75 Privileges of the organisation

When holding the airworthiness review privilege, the organisation is authorised to carry out an airworthiness review in compliance with Part-ML, so one commentator recommended the use of 'may' instead of 'shall'. EASA agrees and has amended the text accordingly.

The proposed amendment to remove the limitation allowing subcontracting to only non-approved organisations raised positive and negative reactions. EASA considers that although the initial intention was to allow a non-approved organisation to work under the management/quality system of an approved organisation, it cannot be excluded that for business, resource or other practical reasons, two approved organisations prefer a subcontracting arrangement rather than a contract with transfer of responsibility. The current limitation for Part-145 is not contained in Part-CAO and Part-CAMO. GM will be developed to state that it is not the intent of the rule to have an approved organisation working solely as a subcontractor.

5.16. 145.A.85 Changes to the organisation

While several positive comments were received on this new concept of 'change (not) requiring prior approval', one association reported that this point raises a major concern related to the fact that changes of nominated persons would require a prior approval. In their view, this would impose an unnecessary burden on the organisation because of its responsibility to select who is best suited for these roles and this could hinder the operations in case of unplanned/unanticipated changes of personnel. It is feared that the NPA eliminates current 145.A.85 provisions referring to notifications in case of 'proposed changes in personnel not known to the management beforehand'.

EASA discussed the comment with the Focus Consultation Subgroup (FCS) and the following summarises the final position:

- The current 145.A.85 provisions require competent authority approval in case of change of nominated persons.
- Deputies are mentioned in 145.A.30(b). This would allow the organisation to continue operating while giving it the time to submit a new name for the nominated person and for the competent authority to approve it before the change effectively takes place.

It has, therefore, been agreed to keep the concept harmonised with that of Part-CAMO (point CAMO.A.130 'Changes to the organisation').

Several commentators wondered what 'changes that affect the scope of the certificate' means. EASA agrees and has amended the text to 'changes to the certificate'.

One competent authority asked the change of the accountable manager to be added to the list of changes that requiring prior approval. EASA originally covered this aspect in GM1 145.A.85(a)(1) in the NPA; after discussion with the FCS and that particular competent authority, EASA agrees that it is



more appropriate to reference the accountable manager in point 145.A.85(a) and has changed this point accordingly.

5.17. 145.A.90 Continued validity

One competent authority recommended to include a reference to 'suspension' in paragraph (a)(3). Having regard to EASA Form 3-145, condition 4, reading 'this approval shall remain valid [...] unless the approval has previously been surrendered, superseded, suspended or revoked', EASA has accepted this addition.

5.18. 145.A.95 Findings

There were questions about the definitions and use of levels of findings. The definitions are now in Section B (145.B.350) and the obligation to categorise findings into level 1 and level 2 applies to the competent authority only. The actions referred to in 145.A.95 only refer to the findings issued by the competent authority.

One competent authority also proposed a new mechanism to address the effectiveness of the management system and the safety performance of the organisation. This comment is addressed in Section 3.1 'Items common to Part 21 and Part-145 (NPA 2019-05 (B) and NPA 2019-05 (C))'. This has led to the introduction of 'observations' issued by the competent authority and which shall be at least considered by the organisation.

5.19. 145.A.140 Access

Several commentators opposed to apply these 'access' provisions to the contracted organisation, while agreeing to include subcontracted organisations. EASA accepts the comment and has removed 'contracted organisations': if an organisation contracts out maintenance work to another organisation, the responsibility for the accomplishment of maintenance is transferred to the contracted organisation.

Several commentators reported that the approved organisation itself may not grant the competent authority access to the facilities of the subcontracted organisation and that an arrangement should be made with the subcontracted organisation. EASA agrees and has modified the text to read 'ensure access is granted'.

5.20. 145.A.155 Immediate reaction to a safety problem

Commentators wondered what type of safety issues/problems are envisaged to be addressed by this point. The measures referred to in (a) include those taken by the competent authority because of an accident (or other data collected showing an immediate risk to civil aviation safety) or pursuant to Article 70(1) of the Basic Regulation or upon receipt of safety information and recommendations from EASA. The measure referred to in (b) is that referred to in Article 76(6) of the Basic Regulation and includes airworthiness directives (ADs).

Regulation (EU) No 965/2012 (the Air Operations Regulation), Regulation (EU) No 1178/2011 (the Aircrew Regulation) and Annex Vc (Part-CAMO) to Regulation (EU) 2019/1383 contain similar provisions.

National focal points for the exchange of safety information have been nominated awaiting the establishment of the repository of information, as per Article 74 of the Basic Regulation, which will



resolve this issue in the future. This will be coordinated with the evaluation of Commission Regulation (EU) No 376/2014, which should lead to the revision of the occurrence-reporting scheme, better addressing the process in case of an ‘immediate reaction to a safety problem’.

5.21. 145.A.200 Management system

Several commentators suggested swapping the ‘lines of responsibility and accountability’ in paragraph (a)(1) because accountability cannot be delegated. EASA agrees and has modified the text accordingly.

Certain commentators considered the reference to ‘aviation safety hazards’ in paragraph (a)(3) too wide for purely maintenance activities. EASA does not accept this comment because the rest of the sentence clearly limits these hazards to those ‘entailed by the activities of the organisation’.

Certain commentators were missing a more visible transposition of the ICAO SMS pillars (e.g. ‘safety assurance’, ‘safety promotion’) in 145.A.200. Other commentators appreciated the consistency with Regulation (EU) No 965/2012 (the Air Operations Regulation) and with Annex Vc (Part-CAMO) to Regulation (EU) No 1321/2014, both of which (together with the related AMC and GM) comply with ICAO Annex 19. As a result, the general approach laid down in 145.A.200 as regards the management system remains unchanged for the sake of consistency with the other aviation domains.

5.22. 145.A.202 Internal safety reporting scheme

Several commentators suggested not referring to ‘safety’ in the title of the scheme (‘Internal safety reporting scheme’). EASA considers that requiring an internal reporting scheme that would include non-safety elements could be too prescriptive and would not add any safety benefit. The title of the scheme has not been changed.

Commentators also highlighted that identifying the causes and contributing factors to any reported errors and hazards would be too demanding and would not reflect the intent described in AMC1 145.A.202. EASA agrees with the proposal to remove ‘any’; in the same spirit, ‘any’ has also been removed from paragraph (d).

Commentators asked for some clarification on the intent of paragraph (e). This provision was introduced in Part-CAMO essentially to ensure CAMO cooperation in case of internal investigation carried out by a maintenance organisation contracted by the CAMO. Following its review with the Focus Consultation Subgroup (FCS), this provision does not seem to be relevant for maintenance organisations, which contract work out to other approved organisation(s) only occasionally. Paragraph (e) has thus been deleted.

Note: Confidentiality and just culture aspects are addressed in AMC1 145.A.202 of the NPA.

5.23. 145.A.205 Contracting and subcontracting

Several commentators suggested removing the reference to ‘purchasing equipment or services’. EASA hereby clarifies that the intent of paragraph (a)(2) is not to analyse the risks inherent to the activity/equipment provided by the external party but to the fact that an external party is involved (e.g. subcontracting the cleaning of the cabin to a non-approved organisation). Such a decision to involve external parties may introduce hazards in the organisation, and such hazards would possibly not be present if the approved organisation carries out such activities itself, with its own staff.



However, EASA considers that the hazards related to ‘purchased services’ are covered by the new point 145.A.47(d) on external working teams, while the hazards related to ‘purchased equipment’ are addressed by 145.A.200, taking also into account point 145.A.40. Therefore, the reference to ‘purchasing equipment or services’ has been removed. The resulting text provides for more commonality with Part-CAMO. Yet, the overall intent of 145.A.205 remains as explained above, i.e. the consideration of hazards created by the decision to contract or subcontract certain activities to another organisation.

5.24. 145.B.005 Scope

As with 145.A.10, the same commentator reported that 145.B.005 does not contain any requirement to be complied with. EASA’s response is that the implementing rule must be understandable and, therefore, the scope is defined first. This is normally how the rules implementing the Basic Regulation are structured.

5.25. 145.B.115 Oversight documentation

One competent authority recommended completing the title to read ‘Certification and oversight documentation’. EASA wishes to explain that in accordance with Part-CAMO, Part-ARO and Part-ARA, the term ‘oversight’ includes both the initial certification and the continued compliance activities.

5.26. 145.B.135 Immediate reaction to a safety problem

Please refer to ‘145.A.155 Immediate reaction to a safety problem’.

5.27. 145.B.200 Management system

Commentators questioned why the competent authority management system only addresses risks internal to the competent authority, and not the risks entailed by the industry. EASA’s position is that the State Safety Programmes (SSPs) and the State Plans for Aviation Safety (SPASs) are a requirement for Member States (as opposed to competent authorities), and are regulated by Articles 7 and 8 respectively of the Basic Regulation. This issue will be further reviewed as part of the SYS¹⁸ Phase II standardisation inspections.

In Section B, however, the oversight principles take into account the safety priorities (145.B.300(c)), and the oversight programme is required to be based on the assessment of the organisation risks (145.B.305(b)).

5.28. 145.B.205 Allocation of tasks to qualified entities

One commentator suggested not including the surveillance of persons because Section B addresses the surveillance of Part-145 organisations. EASA agrees and has removed ‘persons’.

Conflict of interest for qualified entities: please refer to Section 3.11 ‘Allocation of tasks to qualified entities’ (Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))).

¹⁸ SYS refers to the ‘Systemic Enablers for Safety Management’, which are the standardisation inspections with regard to the implementation of Regulation (EU) No 376/2014 and the verification of the CA’s management system. Phase II extends to the implementation of Chapter II of Regulation (EU) 1139/2018, including the State Safety Programme (SSP) and the State Plan for Aviation Safety (SPAS).

5.29. 145.B.210 Changes in the management system

No comments received.

5.30. 145.B.220 Record-keeping

One competent authority suggested adding ‘recommendations’ in paragraph (a)(4)(ii), and ‘action plan when applicable’ in paragraph (a)(4)(vi). EASA accepts the first proposal and has added ‘recommendations for the issue or continuation of a certificate’ in paragraph (a)(4)(vi). However, EASA’s position is that the ‘corrective action plan’ does not form part of the minimum historical records to be kept by the competent authority, which should rather focus on closure actions. EASA also indicates that paragraph ‘(a)(4)(v) copies of all formal correspondence’ includes MOE approvals.

5.31. 145.B.300 Oversight principles

With regard to 145.B.300(e), one competent authority suggested including the obligation for the competent authority to inform non-EU competent authorities when it performs oversight activities outside the EU. EASA understands the comment, but the text of Part-CAMO, which suggested this intent, was modified on purpose in Part-145 as regards the related heavy administrative burden it places on EASA acting as the competent authority for foreign Part-145 organisations. Besides, a Part-145 non-compliance may not be a non-compliance in the foreign regulatory framework when it differs from that of the EASA Part-145. Conversely, the text of Part-CAMO was also modified in the NPA to remove the obligation for an EU competent authority to inform EASA when it performs, in non-EU territory, oversight of a line station that belongs to an EU Part-145 organisation.

EASA also wishes to remind that in accordance with Part-CAMO, Part-ARO and Part-ARA, the term ‘oversight’ and, therefore, point 145.B.300 include both initial certification and continued compliance activities.

Information on ‘oversight and unannounced inspections’: please refer to Section 3.3 ‘Use of unannounced inspections’ (Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))).

5.32. 145.B.305 Oversight programme

There were divergent comments concerning the extension of the oversight cycle to 36 and 48 months. On the one hand, such extension was considered too ambitious, while on the other hand, it was suggested that such extension should be recommended, rather than only being allowed, when the performance of the organisation is good. EASA notes that this approach to oversight cycle in 145.B.305 reflects a concept that has already been introduced in the Air Operations and the Aircrew Regulation, as well as in Part-CAMO, when an organisation management system is in place. EASA’s intent is to keep this oversight approach consistent across all aviation domains.

‘Unannounced inspections’: please refer to Section 3.3 ‘Use of unannounced inspections’ (Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))).

5.33. 145.B.310 Initial certification procedure

One competent authority suggests adding in paragraph (a) the verification of compliance of the organisation with the MOE. EASA’s position, which is shared by the FCG, is that this addition is not necessary because the MOE is not approved at this stage of the initial certification activities.



‘Meeting with the accountable manager’: please refer to Section 3.5 ‘Initial certification procedure’ (Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))).

5.34. 145.B.330 Changes — organisations

One competent authority suggested deleting the word ‘prior’ and the related category of change to be named ‘change without approval’. EASA wishes to confirm that this suggestion does not reflect the intent of the change process prescribed in various aviation domains. ‘Change without approval’ would suggest no control of the organisation by the competent authority whereas, in accordance with the oversight principle of 145.B.300, the competent authority must verify that the organisation remains compliant with the regulation.

Commentators also noted that the rule does not include an indication of when the change requiring prior approval will be reviewed and approved by the competent authority. EASA does not concur with this comment since paragraph (a) refers to the verification of the change upon receipt of the application. Since such changes may vary in extent and complexity, it is not considered appropriate to impose a time limit on the competent authority for the approval of the change. Nevertheless, as per paragraph (b), the competent authority can discuss with the organisation the conditions under which the organisation operates while the change is implemented.

One competent authority suggested the competent authority’s review of the change not requiring prior approval be done via surveys. EASA’s position is that a verification by sampling of the ‘changes not requiring prior approval’ may be suitable for certain organisations and/or certain types/number of changes, but maybe not for all. The intent of 145.B.330(e), together with 145.B.300(a)(2) and (c), and with 145.B.305(b) (like in Part-CAMO, Part-ARO and Part-ARA) is for the competent authority to have assurance that the organisation remains compliant with the regulation and that the oversight level and oversight programme are adapted to the performance of that particular organisation in a risk-based manner.

Case of change requiring prior approval implemented without competent authority approval (paragraph (d)): please refer to Section 3.7 ‘Changes to approved organisations’ (Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))).

5.35. 145.B.350 Findings and corrective actions

In addition to the general comments (see Section 3.1 ‘Findings, observations and corrective actions’ (Comments common to Part 21 and Part-145 (NPA 2019-05 (B) and (C)))), an additional comment was received concerning the word ‘satisfactory’ in point 145.B.350(d)(2)(i). EASA agrees it is superfluous and has deleted it because the extension is subject to competent authority agreement.

5.36. 145.B.355 Suspension, limitation and revocation

Please refer to Section 3.8 ‘Suspension, limitation and revocation of a certificate’ (Items common to Part 21 and Part-145 (NPA 2019-05 (B) and (C))).



6. Appendices (individual comments)

As explained in [Section 1](#) of this document, not all comments have been individually answered, expect for the comments on NPA 2019-05 (A), which can be found in [Appendix I](#).

For NPA 2019-05 (B) and (C), which refer to Part 21 and Part-145, the comments are listed in Appendices [II](#) and [III](#) respectively. The way to provide responses to the comments related to the IRs is further described in Sections [3](#), [4](#) and [5](#) of this document.

Consequently, the changes are only tracked between the NPA requirements and the requirements proposed for adoption; they are included in the draft Annexes to the draft Commission Implementing and Delegated Regulations attached to Opinion No 04/2020, for Part 21 and Part-145 respectively.

At a later stage, EASA will review the comments related to the AMC and GM; a separate CRD will be issued.



6.1. Appendix I – Comments related to NPA 2019-05 (A) (General)

In responding to the comments, the following terminology has been applied to attest EASA's position:

Accepted — EASA agrees with the comment and any proposed amendment is wholly transferred to the revised text.

Partially accepted — EASA either partially agrees with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.

Noted — EASA acknowledges the comment, but no change to the existing text is considered to be necessary.

Not accepted — The comment or proposed amendment is not agreed by EASA.

(General Comments)

-

comment

3

comment by: *CAA-NL*

In general we see that the requirements for the staff of an organisation (both service providers and competent authorities) focus upon the competence of personnel like e.g. flight crew, cabin crew, maintenance staff, and authority inspectors, while the role of the accountable manager / CEO is to deliver the proper resources and the financial means.

This is sufficient on the level of a quality system, but in case of a safety management system and safety culture – where leadership is the most important factor for its success, the role of the accountable manager / CEO is changed and so also requirements should be defined here. Therefore we propose to add requirements in Section A and Section B for the accountable manager / CEO related to the knowledge of the functioning of (safety) management systems and cultural leadership.

response

Noted

It will be considered as part of the review of the AMC and GM during the meetings planned for 2021.

comment

13

comment by: *FOCA Switzerland*

FOCA wants to thank EASA for the opportunity to comment on this NPA.

We welcome the publication of the NPA for the SMS in Part-145, since the ICAO Rule concerning the SMS is in place since November 2013. We appreciate that the proposed text is in general aligned with the new Part-CAMO text and with current OPS regulations.

It is recognized that the text in Section A has been untouched as much as possible in order to ease implementation in the industry. Which is in contrast to text in Section B, which has been completely rearranged/rewritten to match the already published SMS requirements in OPS and Part-CAMO. This allows easier standardisation within the authority and we therefore support this approach.

The implementation of the new rules requires time in the industry. This need is addressed by the envisaged two year period, which we support. However, the NAAs need time as well to adapt to the new requirements, which is currently not foreseen.



<p>response</p>	<p>We think it would therefore be beneficial, if the new rule is applicable only 6 month after entry into force (same as with the Part-CAMO implementation).</p> <p>Accepted</p> <p>This will be addressed by the European Commission during the EASA Committee with the EU Member States. The current text of the Opinion proposes a 2-year period for implementation with an applicability date of 1 year after the adoption.</p>
<p>comment</p>	<p>21 comment by: UK CAA</p> <p>General Comment</p> <p>The descriptions of what is required of the SMS and Safety Manager across each of the regulations (Part 145, Part 21 Subpart M, 21G and 21J) has similar intent but uses different text.</p> <p>Examples of this are: NPA 2019/05 Doc B - Page.138 AMC2 21.A.145(c)(2) Resources, and page.186 AMC2 21.A.245(b) Resources, and NPA 2019/05 Doc C – Page 76 GM5 145.A.30(e) Personnel requirements</p> <p>We suggest as a principle, if the intent is the same then the same text should be used.</p> <p>Justification: Some organisations will hold approvals against all of these (e.g. British Airways) and they should not infer a difference if it is not intended.</p>
<p>response</p>	<p>Noted</p> <p>It will be considered as part of the review of the AMC and GM during the meetings planned for 2021.</p> <p>Please consider that the text needs to be adapted to each aviation domain and to existing text in order to limit the number of significant changes; this may lead to different texts in the two domains of Part 21 and Part-145.</p>
<p>comment</p>	<p>29 comment by: Pilatus Aircraft Ltd</p> <ul style="list-style-type: none"> • Pilatus Aircraft Ltd appreciate the effort from EASA to introduce a SMS into DO, PO and MO domains. Pilatus introduced SMS on company level including all our six approved organisations already in 2011 and gained positive results, which helped to further improve our safety culture. Together with the Pilatus Quality Management System, the SMS forms our Integrated Management System. <p>Based on our experience so far, the oversight of such Integrated Management Systems (IMS) for multiple approval holders seems to be not adequately defined as it caused already issue such us different interpretations between inspectors etc. and duplicated audits in the same area. Although mentioned in AMC1 21.B.222 (c) point (c) that the competent authority may define an integrated oversight schedule, Pilatus would like to point out that the oversight of those management systems of multiple approval holders should be covered on a higher level and not in the individual domains. By doing so, the IMS and therefore the SMS could only</p>



	<p>be checked by a dedicated inspector within the authority who also could act as the single point of contact within the authority towards the organisation. It would also provide the means to address the required background of this dedicated inspector, as he should be more focussed on the management side rather on the technical aspects. This approach would streamline the effort for the oversight on both sides. Pilatus therefore propose to cover the oversight of IMS/SMS for multiple approval holders in more detail and on a higher level (e.g. dedicated Part).</p> <ul style="list-style-type: none"> • Pilatus appreciate the effort towards the Just Culture and practise it within the Pilatus SMS. However, the NPA does not address how the data and information within a SMS is protected. Do we have to provide all safety issues and the associated risk assessments in full detail to the authority? If so, how is it ensured that the information provided is not used against the organisation? • Small suppliers/subcontractors may have difficulties to fulfil the SMS requirements outlined in the NPA. It should be considered that those organisations are only capable to assess the risk for their own organisation but not the risk related to an aircraft. The aircraft level should be fully covered by the design process (e.g. CS2x.1309) and the SMS of the DO and/or the PO. Therefore it should be considered to exclude those organisations from the SMS requirement to avoid additional burden. Instead those organisation should assist the aircraft OEM in their safety efforts (e.g. providing the necessary data/information). • Many of the proposed amendments are not related to the introduction of SMS and therefore the title of the NPA is misleading.
<p>response</p>	<p>Noted</p> <p>Integrated oversight (or not) of IMS/SMS for multiple approval holders should be left to the discretion of the competent authority; it will be considered as part of the review of the AMC and GM during the meetings planned for 2021.</p> <p>Noted</p> <p>The protection of data and just culture are addressed by Regulation (EU) No 376/2014.</p> <p>However, making SMS applicable to small suppliers/subcontractors would be too burdensome, and oversight would be practically impossible due to the absence of approval certificates.</p>
<p>comment</p>	<p>35 comment by: <i>Thales</i></p> <p>Thales is fully committed in the implementation of SMS for its design, production and maintenance organizations.</p> <p>Yet, this NPA appears overly prescriptive and should be more performance-based. The main areas of concern related to this NPA are the following:</p>



- The text should be more concise and focused on the objectives, in order to avoid any unnecessary prescription. Several requirements and AMCs should be moved to guidance material.
- The new concept of AltMoC in Part-21 and Part-145 should be deleted. It makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC would only be permitted subject to the Competent Authority. This will create important administrative burdens with little added value for safety.
- The lack of recognition of the SMS Standard SM0001 in Part 145 is seen as a significant issue for the industry, as it implies that a different SMS should be implemented for maintenance and design/production. This will lead to inefficiencies for both authorities and industry.
- Prescriptive requirements on human resources processes, training programs and communication means have been included in this NPA. These are typically areas where each company should be free to choose its own organization and procedures, and be judged on the effectiveness rather than complying with a prescriptive rule.
- In Part-21 Section B, the requirements related to findings are unclear and inconsistent and should be reviewed to ensure proportionate follow-up of findings by the Competent Authority.
- Multiple references to human factor principles have been included in the text, but not always in a consistent manner.

In addition to these comments, Thales fully supports the comments provided by ASD and GAMA.

response See answer in Section 2 'Items specific to NPA 2019-05 (A) (General)' of this document (comments common to Part 21 and Part-145).

comment 36

comment by: *GE Aviation Czech*

GEA, as a global organisation performed a review across all the GEA sites in Europe and to a lesser extent those in the US. We are very supportive of the regulations being modified to include SMS. The GEA sites are working in all the disciplines ie Design, Production and Maintenance, so are affected by all the changes. We created a lot of individual comments against both the standards, however when we reviewed them against the ASD/GAMA comments, although independently produced they are very similar.

Therefore, rather than send you all the individual comments we decided to send you our higher-level general comments and give our support to the ASD/GAMA comments.

Generally, the changes to the Part 21 (Design) regulations look reasonable, however some of the additional requirements for the for Part 145 / Part 21 Production section will require additional resources and some of the skills, personnel and knowledge required will be difficult for a PO/MO to achieve without a strong interaction with the DO and in some cases not possible.



Generally, the AMCs and GM is unnecessarily prescriptive, it would benefit from being significantly simplified.

Although Part 21 states that compliance with SM0001 (with some additions) will demonstrate compliance with the Part 21 SMS requirements. As the SM0001 is not very a prescriptive document there is a concern where we comply with SM0001 but not with a specific Part21 GM requirement that not all surveyors will consider this acceptable.

SM0001 should be a means of compliance for Part 145 as it is for Part21, currently we could not use SM0001 as Means of Compliance for the Part 145 SMS requirements. We would consider this to be major flaw in the regulations as SM001 was intended to be applicable for Maintenance organisations.

The relationship between Parts 21 / 145 and EU regulation 376 is unclear and where there are differences, which takes precedence, we recognize this is a situation that to an extent exists currently, but that now the 376 is included in Part 21 the conflict may be more real.

Although the Part 21 /145 GM allows the use of a common SMS for an organisation that has multiple approvals, the interpretation of this will be important, eg would this include all the safety functions, safety boards, safety manager, safety organisations, safety risk assessments etc.

For independent Production/Maintenance organisations it would appear to be very difficult to fulfil many of the safety requirements e.g. perform a safety risk assessment. However this depends on the expectation of (for example) a safety risk assessment in a PO or MO, if it means it an assessment at the product level as in the DO, it would be very difficult them to perform this meaningfully, if however it is related to their knowledge it would be acceptable, however the meaning should be clarified.

Although it is defined where competent authority is EASA and where it is the NAA, it is confusing in places particularly as sometimes EASA is referred to as Competent authority and sometimes as EASA

We would be very happy to assist in any future discussion related to the regulations when the agency has reviewed the industry comments

Steve Huck

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response

Noted

Duplicate comments, which are addressed in NPA 2019-05 (A) and (B), in particular through the answers to the ASD/GAMA comments.

SM0001 was not recognised for Part-145 due to the significant volume of differences with the EASA implementing rules (IRs) and the related AMC and GM.



EXECUTIVE SUMMARY

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comment	2	comment by: <i>HUC Jean-Philippe</i>
	<p>For me the benefits of this Proposed Amendment (2019-05 A) will be first of all to have an homogeneous approach between Part 21 & Part 145 : develop sustainably a safety culture.</p> <p>It will be more simple, more efficient to have for both referentials, a common objective.</p>	
response	<p>Noted</p> <p>All along the development of the RMT.0251 rulemaking project, objectives common to both Part 21 and Part-145 have been considered, bearing in mind that some differences specific to each domain may have been retained, when appropriate.</p>	
comment	25	comment by: <i>ATR SMS</i>
	<p><u>General comments on this NPA:</u></p> <p>While we fully support the principle of a regulation on SMS, we have to recognize the challenge for the industry to implement it. In terms of cultural change, setting up all the elements of SMS should not be considered as successfully implementing SMS. SMS drives the idea that everyone in the company has the opportunity to be active, and the change of mindset and of culture is what is really expected from this regulation. The measurement of the performance is also a challenge. We look for example at the number of voluntary reports, but this is a very simple/crude measurement. The document therefore underestimates the significance of the word "implementation".</p>	
response	<p>Noted</p> <p>Implementation support and change of mindset will be part of the future rules.</p>	

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p. 2

comment	11	comment by: <i>ATR SMS</i>
	<p><u>General comments on this NPA:</u></p> <p>An important amount of text has been added to Part 21, AMC & GM to cover SMS for DOA, POA & Part 145. While the first 69 pages provide general information on the background & the rationale, the text remains hard to read, with several repetitions. The text will also be hard to cascade as a stand alone document, hence will require other documents from the industry to explain and promote its intent.</p>	
response	<p>Noted</p> <p>Implementation support and change of mindset will be part of the future rules.</p> <p>Safety promotion as well as International Standard SM0001 from industry are welcome to support in this regard.</p>	



comment	12	comment by: ATR SMS
	General comments on this NPA: Whether it is for Part 21 or Part 145, it is suggested that to encourage reporters to report safety opportunities (and not only safety threats).	
response	Accepted The final text has been amended accordingly.	

2.2. What we want to achieve — objective

p. 5-6

comment	34	comment by: Duane Kritzinger
	In both para 2.2 and 2.3: Alignment across domains is not clear. Operators need to "operate safely" and other airworthiness organisation (such as Part 21 and Part 145 organisations) need to provide products which are "safe to operate". This is the Total Systems Approach.	
response	Noted One of the objectives of an SMS is to fill the gap between the design (product safe to operate), the environment in which the product is designed or maintained, and the operations (how does the product actually behave in operations).	

2.3. How we want to achieve it — overview of the proposal

p. 6-9

comment	7	comment by: DGAC France
	It appears that they do not have the same numbering as in Part-CAMO. Although § 2.3.1 indicates that "some differences may exist with imported Part-CAMO text due to regulatory constraints, such as differences in the regulatory numbering system", these differences can be a source of complication or confusion for both the NAAs and stakeholders.	
response	Noted The two main drivers for this rulemaking project were to: <ul style="list-style-type: none"> — align, as much as possible, Part-145 with Part-CAMO to foster synergies; and — limit, as much as possible, the volume of changes, including those introduced by the numbering system. Unfortunately, these two aforementioned drivers are not always compatible, although the content has been aligned as much as possible between all domains with some specific adjustments for each domain.	

comment	20	comment by: ATR SMS
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	<p>Fatigue: Risks related to fatigue have been introduced for Part-145 but not for Part-21 (Flight tests, production). It would be worthwhile introducing the points for these activities as well.</p>
response	<p>Noted</p> <p>This topic has been discussed with the FCG in charge of issuing recommendations. Introducing such a requirement was found to be grossly excessive because most of the Part 21 organisations work 8 hours a day and 5 days a week, so fatigue does not apply very much.</p> <p>Very few Part 21 organisations work 7/7 and 24 hours/day. However, if it applies locally, specifically or temporarily, this should be indeed considered as part of the SMS as a risk to be mitigated.</p>
comment	<p>30 comment by: <i>Pilatus Aircraft Ltd</i></p> <p>Chapter 2.3.2</p> <ul style="list-style-type: none"> • Pilatus can not follow the EASA statement in 2.3.2 ("Moving to an integrated management system in Part 21 would have too much diluted the importance of the quality (management) system and the design assurance system...") as an IMS is even more important for a company and increases the efficiency by avoiding duplications etc. A QMS is also important in the other domains and should be follow the same principles and methods across the organisation (see also comment under General). • Pilatus appreciate the risk-based oversight for Part-21 however the AMC does not provide clear guidance how such risk assessments should be performed and what the baseline is (acceptable level of risk, etc.).
response	<p>Noted</p> <ul style="list-style-type: none"> • The final text does not prevent an organisation from implementing an IMS — it is left to the discretion of the organisation to opt for an IMS or for an SMS plus QMS, keeping in place the existing structure such as the compliance-monitoring system and the independent compliance function. • EASA has published 'Practices for risk-based oversight'; a similar document is also being developed by SM ICG. This topic is also currently discussed with the EU Member States' competent authorities during the EASA Advisory Bodies' meetings.

4. Impact assessment (IA) | 4.1. What is the issue

p. 12-14

comment	<p>1 comment by: <i>Diamond Aircraft Ind. GmbH</i></p> <p>Next year we celebrate 20 years of our DOA and we want to review the last 20 years with regard to additional requirements posed on our DOA and POA: + OSD became a design holder obligation: The benefit is visible, but from our point of view we would appreciate that OSD is an integrated part of the approved design and covered in the "classification of change to the design" and the "approval of minor changes to the design" as a DOA privilege.</p>
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+ FTOM: Resulting from a flight test incident following the "incorrect washing procedure of an angle of incidence indicator" all DOA and POA had to implement a FTOM! Following the root cause analysis there was no reason to implement a higher qualification of the pilots or missing procedures in the flight test itself. But "risk assessment" became officially a requirement for all flight test activities.

- The intended proportionality of Part 21 and the focus on the result and product was on the way to move into the right direction and to avoid audit and findings on system or wording discussions with the competent authorities. But this proposal has vanished into air.

+ Occurrence Reporting in a mandatory and voluntary manner with the creating of a "just culture". Reporting as a base for safety improvements as defined 21.A.3 and 21.A.165 was given more attention with additional audits on 376/2014.

+ SMS for DOA and POA? In 4.1.3 of NPA 2019-05(A) 3 incidents with human factors or management issues in 145 environment should give a reason for implementing a SMS in DOA and POA? Not even one incident or occurrence is listed where missing safety awareness in the processes of a DOA or POA has caused any accident.

Let us assume that a defined percentage of the budget is available for quality tasks in the organisation, like the DOAs independent checking of compliance, independent system monitoring and analysis of failures, malfunctions and defects and the POAs quality system and system monitoring. Let us further assume that the available resources are up to now used to create an acceptable level of safety with a reasonable allocation of resources to create a safe product which satisfies the regulatory's and customer's needs.

Creating and implementing a full safety management system with creating handbook and procedures, education and training of employees, defining and measuring performance indicators, performing documented risk assessments, run safety board meetings and so on will require a lot of resources which can be only taken from the available budget. This means that this system can be implemented and maintained NOT IN ADDITION, BUT INSTEAD of any other implemented systems and procedures.

We understand the ICAO requirements that an acceptable level of safety shall be achieved throughout the entire aviation activities. Nevertheless if the safety targets and objectives given in the state safety programme are achieved at the present stage and the recent procedures in DOA and POA are sufficient to keep this safety level, we see a lack of arguments to neglect the recent quality processes for the implementation of an additional SMS.

To explain in SMS-wording: The risk assessment of implementing the change "SMS in DOA and POA" has given the result that the resources in the organisation and at the competent authority could focus on this change and neglect the maintenance of the recently active processes which could lead to a decrease in the safety level of the products.

response

Noted

ICAO Annex 19 mandates SMS for DOA and POA.

Safety risk management capabilities at State and industry level is the response to better control the expected growth of air traffic and to achieve an appropriate level of safety; this has been also introduced in many other industry domains.



The safety recommendations stemming from three incidents mentioned in NPA 2019-05 (A) are just drivers from accident investigation bodies to justify the need to introduce fatigue into Part-145.

Finally, there are plenty of incidents or accidents that justify the introduction of SMS into Part 21 for which the recommendations are about the introduction of SMS — the objective of the NPA was not to justify why SMS should be introduced into Part 21, but how to introduce it.

comment 22 comment by: UK CAA

Page No: 12

Paragraph No: 4.1.1

Comment: The statement that UK has already mandated SMS in Part 145 is incorrect.

Justification: To provide factually correct information

response Noted

comment 26 comment by: ATR SMS

4.1.1 Design, production, & maintenance are the last aviation domains into which safety management requirements have not yet been introduced.

We would recommend to change the word introduced to regulated

response Accepted

4.3. How it could be achieved — background and optio p. 14-17

comment 4 comment by: CAA-NL

The Impact Assessment for Part 21 (pg. 15 and onwards) isn't correct. In case of option 1 SMS is limited to the approved design and /or production organisation responsible for the product (aircraft, engine, propeller), which means that only a limited number of DOAs' and POA's have to comply. As a consequence the remaining of this IA should be amended for this. Please note that the CAA-NL agree with the conclusion on page 27 that Option 2 is the preferred option.

response Noted

That was the objective of Option 1 proposed in NPA 2019-05 (A): limit the applicability of SMS to approved organisations that only design or produce aircraft, engines and propellers by comparison with Option 0 which includes 'not approved' organisations, and with Option 2 which includes 'major' equipment such as APU or ETSO articles.

comment 10 comment by: Safran Aircraft Engines



	<p>With regard to the choice of the "Organisations designing or Producing products", Safran Aircraft Engines is supporting the option 2, that would cover the full spectrum of our partners.</p>
response	Noted
comment	<p>14 comment by: ATR SMS</p>
	<p>Part-145: we recommend to mandate SMS for Part 147 organizations.</p>
response	Noted
	<p>The scope of rulemaking task RMT.0251 Phase II is limited to Part-145 and Part 21, in accordance with the related Term of Reference.</p>
comment	<p>23 comment by: SAFRAN AEROSYSTEMS</p>
	<p>1. Descriptions of the different options are really unclear especially the description of the perimeter of the considered approved organisation (either for DOAs or POAs).</p> <ul style="list-style-type: none"> • Option 1 include only design and produce of "products" and exclude organisation that design and produce "parts and appliances". <p>- Do DOAs that have only "minor change" / "minor repair" in their scope and that do not have any products (TCs) are included in option 1 ?</p> <p>- Do DOAs that have only "major change/minor change / minor repair" in their scope and that do not have any products (only STCs) are included in option 1 ?</p> <p>- POA holders who do no manufacture products but only "parts and appliances" are not limited to those who produce ETSO parts. So many parts and appliances are manufactured for TC or STCs under DO-PO agreement by POAs different from the TC Holder. Are they included in option 1 ?</p> <ul style="list-style-type: none"> • Option 2 <p>- Are AP-DOAs for ETSO not within the scope of APU concerned by option 2 ? (because their number is not limited to those 3 indicated in the comparison between option 1 and option 2)</p> <p>Suggestion would be to simplify the wording : either you have an approval DOA / AP DOA / POA (any scope : product, part, appliances whether it is certified as TCs, STC, or ETSO) and you are concerned or not. The implications of type of products is very confusing and adds no value to safety assessment.</p> <p>2. Option 2 should cover as well the fact that many ETSOs other than APUs cover safety equipments (life preservers, safety belts, life rafts, etc.). It seems rather inconsistent regarding a safety approach that ETSO designers are not involved in the SMS process.</p>

	<p>3. Whatever the selected option, it has not be taken into account the fact that all the approval holders will have to integrate into their SMS system their suppliers (either for design, production or maintenance) based on their risk analysis. Therefore, the choice between any of the options will lead somehow to the same result... It should be taken into account that any approval holder may have the choice to fully or partially deploy the SMS requirements to its suppliers based on its risk analysis (nothing automatic, proportionality principles are applicable).</p>
<p>response</p>	<p>Noted</p> <p>The approach, as proposed by the options, was to mandate SMS for organisations that design and produce aircraft, engines and propellers for which a DOA or a POA was currently needed, as well as for the design of APUs and the production of ETSO-covered articles, but not for non-approved organisations nor for the production of articles that are not covered by ETSO authorisations.</p>

<p>comment</p>	<p>32 comment by: <i>Rolls-Royce plc</i></p> <table border="1" data-bbox="391 875 1386 1798"> <thead> <tr> <th data-bbox="391 875 572 1032">Section,table, figure</th> <th data-bbox="572 875 644 1032">Page</th> <th data-bbox="644 875 868 1032">Comment Summary</th> <th data-bbox="868 875 1054 1032">Suggested resolution</th> <th data-bbox="1054 875 1225 1032">Comment is an observation/suggestion*</th> <th data-bbox="1225 875 1386 1032">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 1032 572 1798"> <p>NPA 2019-05 (A), 4.3</p> </td> <td data-bbox="572 1032 644 1798"> <p>Page 15</p> </td> <td data-bbox="644 1032 868 1798"> <p>The reference to ICAO Annex 19 under 'Part-21' is pointing to industry applicability, but is not mentioning the state safety management responsibilities. The Annex 19 concept of a state wide consolidated approach is missed when industry defines individual safety policies and programmes in isolation.</p> </td> <td data-bbox="868 1032 1054 1798"> <p>Include clarification how in future one or more EU state safety programmes (SSPs) will have an effect on Part-21/145 approved organisations and their own developed safety policies and procedures.</p> </td> <td data-bbox="1054 1032 1225 1798"> <p>No</p> </td> <td data-bbox="1225 1032 1386 1798"> <p>Yes</p> </td> </tr> </tbody> </table>	Section,table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	<p>NPA 2019-05 (A), 4.3</p>	<p>Page 15</p>	<p>The reference to ICAO Annex 19 under 'Part-21' is pointing to industry applicability, but is not mentioning the state safety management responsibilities. The Annex 19 concept of a state wide consolidated approach is missed when industry defines individual safety policies and programmes in isolation.</p>	<p>Include clarification how in future one or more EU state safety programmes (SSPs) will have an effect on Part-21/145 approved organisations and their own developed safety policies and procedures.</p>	<p>No</p>	<p>Yes</p>
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<p>NPA 2019-05 (A), 4.3</p>	<p>Page 15</p>	<p>The reference to ICAO Annex 19 under 'Part-21' is pointing to industry applicability, but is not mentioning the state safety management responsibilities. The Annex 19 concept of a state wide consolidated approach is missed when industry defines individual safety policies and programmes in isolation.</p>	<p>Include clarification how in future one or more EU state safety programmes (SSPs) will have an effect on Part-21/145 approved organisations and their own developed safety policies and procedures.</p>	<p>No</p>	<p>Yes</p>								
<p>response</p>	<p>Noted</p>												



The legal provisions for an SSP to complement the State Management System (as introduced by the NPA) are covered by Chapter II of Regulation (EU) 2018/1139.

4.4. What are the impacts

p. 17-24

comment

5

comment by: CAA-NL

Pg. 18 / par. 4.4.1 mentions “the implementation of a management system that includes safety risk management could result in a reduced oversight burden.” It is strange to speak about oversight burden in relation to SMS; in fact a pro-active organisation welcomes every oversight, because it could result in opportunities to improve. Furthermore oversight burden is often used in relation to the oversight activities of the authorities, while in practice the number of oversight activities of the authorities is rather small compared to the number of oversight activities within the business, e.g. from customers and external parties (required to comply with industry standards and customer requirements). And it gives the wrong impression of the purpose of authority oversight.

response

Noted

The wording was indeed not appropriate: the objective was to state that oversight activities could be reduced when a robust, effective SMS is implemented by the organisation as expressed by the option to reduce the oversight cycle under certain conditions.

comment

8

comment by: FAA

Page 19-20

Para 4.4.3.

Referenced Text Regulation (EU) No 376/2014 is applicable to all organisations (including the non-approved ones) that are located in Europe, and it mandates some basic elements of an SMS, such as mandatory and voluntary reporting and the development of a safety culture.

Question This section discussing the safety impact on Part 21 Option 1 (and 2) overtly mentions the EU regulation as applicable to organisations that are located in Europe. What about third country POAs in non-EU member states (i.e. Philippines, China, etc.) that are not linked to a POA holder in Europe? Does the regulation apply? Will SMS be implemented the same way? Is the risk level for third country POAs in non-EU Member States weighted differently?

Proposed Resolution Clarify scope of EU regulation on SMS implementation to production organisation in non-EU member countries

response

This future amendment to Regulation (EU) No 748/2012 will apply to any organisation that needs and wishes to become a POA holder, irrespective of its location. This means that any organisation located in a third country, which would



like to be issued with an EASA POA, will have to comply with Regulation (EU) No 748/2012.

- Point 21.A.139, as proposed to be amended, is the introduction of the [12] SMS elements for a POA, as per Annex 19 Chapter 4 and its Appendix 2.
- However, as usual, in the framework of bilateral agreements between third countries and EASA, the SMS recognition will be addressed differently because, under the current EU–US BASA, there is no requirement for a US organisation to hold an EASA POA.

Article 4(6)(b) of Regulation (EU) No 376/2014 lays down that ‘a person engaged in designing, manufacturing, continuous airworthiness monitoring, maintaining or modifying an aircraft, or any equipment or part thereof, under the oversight of a Member State [of the European Union] or of the Agency [EASA] shall report the occurrences through the system established in accordance with Article 4 by the organisation.

- This covers the mandatory and voluntary occurrence reports as well as the principles of safety culture, as per Annex 19 Chapter 5 and its Appendix 3.
- To complement this approach outside the EU, it is proposed in NPA 2019-05 (B) through the amendment of point 21.A.3A that all natural or legal persons that hold or have applied for a POA [...] shall also establish and maintain a system for collecting and assessing internal mandatory and voluntary occurrence reports, including reports on internal errors, near misses and hazards in order to identify any adverse trends or to address any deficiencies, and extract reportable occurrences. This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information [...].

This means that the principles of Regulation (EU) No 376/2014 will be also valid for a POA holder that is located outside an EU Member State when it is under the oversight of EASA or one of the EU Member States.

comment	16	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>
		Option 2 is the preferred option from my company, as impact on small organisation is minimum.
response	Noted	

comment	24	comment by: <i>SAFRAN AEROSYSTEMS</i>
	4.4.7 It is very important that the SMS Management system and organisation be proportionate to the impact of the related aiworthiness impact of the failure of the product, part and appliance for each approval.	
	A small DOA that designs equipments/parts which failure may lead to a catastrophic event should dedicate enough resources to have a proper SMS management system.	



	<p>On the other hand, an organisation (even large) which designs a product that have no impact on airworthiness (cosmetics effect, etc.) should not have to build a large SMS management system based on their risk analysis.</p> <p>The same approach is necessary for POAs and MOAs.</p>
response	<p>Noted</p> <p>This proportionality approach is proposed in NPA 2019-05 (B) and (C); it should be in 21.A.139 or 21.A.239 or 145.A.200.</p>
comment	<p>27 comment by: <i>ATR SMS</i></p> <p>According to the results from the EASA questionnaire, safety promotion & communication are not considered as predominant. In line with our general comments, we think that this aspect of SMS is underestimated.</p> <p>We would recommend adding cost of promotion and communication. Industry needs to spend significant resource "converting" the regulations into communication/promotion material. This exercise is not a "one-off" and needs to be sustained & convincing.</p>
response	<p>Noted</p> <p>The EASA questionnaire just served the purpose of the survey.</p> <p>Safety promotion and communication are equally considered as essential in the regulatory amendment process. It is true that 'promotion and communication' incur additional costs.</p>

4.5. Conclusion

p. 24-27

comment	<p>9 comment by: <i>Safran Engineering Services</i></p> <p>We also support option 2 as the preferred option.</p>
response	<p>Noted</p>
comment	<p>15 comment by: <i>ATR SMS</i></p> <p><u>Question to stakeholders:</u> We are in favour of Option 0. Indeed, we recognize that EU376/2014 that is mandatory for all organizations (whether approved or not) brings benefits to enhance the reporting culture, but the implementation of a full SMS including safety risk management and safety promotion also adds value by increasing the learning culture.</p>
response	<p>Not accepted</p>



This approach was considered to be consistent with the General Aviation Road Map. In addition, the oversight of non-approved organisations may cause some legal enforcement concerns.

4.6. Monitoring and evaluation

p. 27-28

comment 31

comment by: *Rolls-Royce plc*

Reference	Reference	Summary of Comment	Proposed Solution of Comment	Observation/ suggestion?	Sustantive Objection?
NPA 2019-05 (A), section 4.6	27-28	Unclear on the value of monitoring the data suggested. What would be done with the information? A trend in either direction could be seen as a positive (an increase in reported occurrences would indicate a better/more effective reporting system, whereas a decrease in reported occurrences could indicate a better SMS overall). History tells us that monitoring occurrences CAN lead to poor behaviours if care is not taken.	Depends what the purpose of this monitoring is. If it is to "measure" the impact of implementing this new material, this is going to be extremely difficult. RR for one, already have these principles in place today, so the impact of this material should in theory be minimal.	Yes	No



response	Noted
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5. Proposed actions to support implementation

p. 29-30

comment	17	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>
		As the Industry standard SM-0001 has been recognised during summer time, as an acceptable Means Of Compliance by both FAA and EASA, this NPA must reflect this in order to avoid redundancies and misunderstandings.
response		Noted The text will consequently be fine-tuned when the AMC and GM are finalised following the adoption of the Opinion by the Commission.

7. Appendices I 7.1 Appendix I — Detailed summary of changes to P

p. 33-49

comment	28	comment by: <i>ATR SMS</i>
		appoint key personnel to execute the safety policy: would recommend to add "and promote"
response		Noted This responsibility is already covered by the duties of the accountable manager (AM).

comment	33	comment by: <i>Rolls-Royce plc</i>												
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section, table, figure</th> <th style="width: 10%;">Page</th> <th style="width: 30%;">Comment Summary</th> <th style="width: 20%;">Suggested resolution</th> <th style="width: 15%;">Comment is an observation/suggestion*</th> <th style="width: 10%;">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (A), 7.1</td> <td>Page 35</td> <td>On page 35 the 'use of qualified entities' is explicitly mentioned. In case non-governmental authorities (i.e. those qualified entities) will be involved, more details are required of how industry data is</td> <td>Add details under 21.B.30 to ensure approved organisations are informed about data protection, IP and non-disclosure agreements. Allow escalation options for industry if the selected qualified</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (A), 7.1	Page 35	On page 35 the 'use of qualified entities' is explicitly mentioned. In case non-governmental authorities (i.e. those qualified entities) will be involved, more details are required of how industry data is	Add details under 21.B.30 to ensure approved organisations are informed about data protection, IP and non-disclosure agreements. Allow escalation options for industry if the selected qualified	No	Yes
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		protected and proper non-disclosure agreements will be ensured.	entity is seen as an un-acceptable option.		
response	<p>Noted</p> <p>This point is addressed in CRD to NPA 2019-05 (B).</p>				



6.2. Appendix II — Comments related to NPA 2019-05 (B) (Part 21)

comment	117	comment by: FAA
	<p><u>Referenced Text</u> In EASA’s justification for their rule they said, “Failure to implement an SMS as an ICAO international standard will pose obstacles for the mutual acceptance of approvals under bilateral agreements.”</p> <p><u>Question:</u> If US DAH/PAH have not implemented SMS will there be barriers in validating products in the EU?</p> <p><u>Proposed Resolution</u> Clarify impact on validation projects and EASAs position for SMS on non-EU State of Design organizations</p>	
response	See Section 1.	

comment	118	comment by: FAA
	<p><u>Questions</u> How will this new NPA affect the Shared surveillance program between the US and EASA or member states. If the FAA is doing surveillance of a supplier in the US for a “European” State of Design manufacturer, and this supplier as a result of the rulemaking has to implement SMS, will EASA still allow the FAA to oversee the supplier on their behalf? Would there be a change of expectations that could disrupt the shared surveillance relationship? Shared surveillance is governed through the bilateral agreements but we should get confirmation from EASA that this will not change due to the SMS rule.</p> <p><u>Proposed Resolution</u> Clarify impact of rule on shared surveillance activities</p>	
response	See Section 1.	

comment	120	comment by: FAA
	<p>Question: Will the additional SMS requirements imposed on ETSOA holders have any effect on the existing reciprocal acceptance of TSO/ETSO articles between the US and EU?</p> <p>Rationale: Additional information is needed to understand impact if any.</p>	
response	See Section 1.	

comment	166	comment by: DGAC France
	<p>From NAA point of view, the introduction of SMS in Part 21 should follow the same way (requirements, contents, and intends) as those proposed in Part 145 and CAMO (and AirOPS). However, this NPA show many differences with the NPA for Part145 and CAMO. For example, the term "quality system" is used in Part 21, whereas this term has been replaced by the notion of "compliance monitoring system" in Part 145</p>	



	<p>and CAMO. Again, many AMC / GM on the same general topics are therefore different between Part145 and Part21 (i.e the two GM1 145.A.200 and GM1 21.A.139(c) on the subject of SMS in general are different).</p> <p>These differences between the two requirements should create difficulties for stakeholders and NAAs (i.e. a manufacturer which is also a maintenance organisation will have to develop two SMS systems based on two not consistent requirements instead of a unique SMS system covering all his activities). Considering this matter, we suggest that EASA should publish some recommendations to help stakeholders to implement a unique SMS for organisations holding different approvals.</p>				
response	See Section 1.				
comment	<p>246 comment by: Safran Landing Systems</p> <p>Many additional text have been introduced in the Part 21 and its AMC, GM. The intent is clear but the result might be confusing as it looks that there are repetition and the overall SMS concept seems flooded within a lot of description (and prescriptive where not always necessary) text.</p>				
response	See Section 1.				
comment	<p>343 comment by: Safran Landing Systems</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center;">all AMCs</td> <td style="width: 10%; text-align: center;">N/A</td> <td style="width: 60%;">Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</td> <td style="width: 15%; text-align: center; background-color: yellow;">Move the details of AMCs into GMs.</td> </tr> </table>	all AMCs	N/A	Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.	Move the details of AMCs into GMs.
all AMCs	N/A	Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.	Move the details of AMCs into GMs.		
response	See Section 1.				
comment	<p>428 comment by: Safran Landing Systems</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">NPA 2019-05(B)</td> <td style="width: 15%;">148 - 159/272</td> <td style="width: 50%;">GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b) 99% redundant with same AMC and GM in Subpart G</td> <td style="width: 15%; text-align: center;">Could be simplified</td> </tr> </table>	NPA 2019-05(B)	148 - 159/272	GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b) 99% redundant with same AMC and GM in Subpart G	Could be simplified
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response	See Section 1.																
comment	467	comment by: <i>Safran Landing Systems</i>															
	<p><i>The AMC and GM is unnecessarily prescriptive, it should be simplified currently will require new functions and resources to be present within the PO/MO organisations. The relationship between Parts 21 / 145 and EU regulation 376 are unclear and where there are differences, which takes precedence, we recognize this is a situation that to an extent exists currently, but that now 376 is included in Part 21 the conflict may be more real.</i></p>																
response	See Section 1.																
comment	487	comment by: <i>FOCA Switzerland</i>															
	FOCA welcomes the opportunity to comment on this NPA.																
response	See Section 1.																
comment	665	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>															
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>all</td> <td>all</td> <td> <p>Many additional text have been introduced in the Part 21 and its AMC, GM.</p> <p>The intent is clear but the result might be confusing as it looks that there are repetition and the overall SMS concept seems flooded within a lot of description (and prescriptive where not always necessary) text.</p> </td> <td> <p>it is recommended to make more readable the existing proposal in particular for the AMC and GM</p> </td> <td></td> <td>X</td> </tr> </tbody> </table>					Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	all	all	<p>Many additional text have been introduced in the Part 21 and its AMC, GM.</p> <p>The intent is clear but the result might be confusing as it looks that there are repetition and the overall SMS concept seems flooded within a lot of description (and prescriptive where not always necessary) text.</p>	<p>it is recommended to make more readable the existing proposal in particular for the AMC and GM</p>		X
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response	See Section 1.			
comment	<p data-bbox="384 412 432 443">717</p> <p data-bbox="1126 412 1402 443" style="text-align: right;">comment by: AIRBUS</p> <p data-bbox="384 465 1402 533"><i>Airbus commercial aircraft fully support all the comments raised by ASD and uploaded in CRT.</i></p> <p data-bbox="384 573 1402 640"><i>Only additional comments to those already uploaded on behalf of ASD are entered in CRT on behalf of Airbus commercial aircraft.</i></p> <p data-bbox="384 680 1402 748"><i>Given the size of the NPAs, the importance of the material within them, the timescale for reviewing the NPA content has been very challenging.</i></p> <p data-bbox="384 752 1402 853"><i>Airbus review will continue beyond the formal comment period, taking full advantage of the offer from EASA to keep on working on the AMCs/GMs with the help of the Focused Consultation Groups (Part-145/21 FCGs) until 2021Q3 at the latest. (Ref 1).</i></p> <p data-bbox="384 896 1402 996"><i>One specific area of concern is the use of material already present in Part-CAMO. While we recognise the attraction to EASA of using existing material, if this approach is taken, it is likely to have two effects:</i></p> <p data-bbox="384 1001 1402 1137"><i>Firstly, detailed material is taken out of context with its original - an original for which our industry sector had no part in the consultation, which makes the perception of ‘cutting and pasting’ of another sector’s rules and guidance particularly troubling.</i></p> <p data-bbox="384 1142 1402 1243"><i>Secondly, it has the effect of stifling any attempt to make rules and guidance more performance-based, if there are existing prescriptive measures already available. To-date, both effects have been noted.</i></p> <p data-bbox="384 1285 1402 1352"><i>We look forward to discussing any questions raised by our comments and observations.</i></p> <p data-bbox="384 1395 911 1426"><i>(1) EASA email to ASD dated 21 May 2019).</i></p>			
response	See Section 1.			
comment	<p data-bbox="384 1552 432 1583">977</p> <p data-bbox="1168 1552 1402 1583" style="text-align: right;">comment by: ASD</p> <table border="1" data-bbox="384 1603 1402 1906"> <tr> <td data-bbox="384 1603 472 1906" style="vertical-align: top;">all</td> <td data-bbox="472 1603 1031 1906"> <p data-bbox="472 1615 1031 1682">Many additional text have been introduced in the Part 21 and its AMC, GM.</p> <p data-bbox="472 1686 1031 1861">The intent is clear but the result might be confusing as it looks that there are repetition and the overall SMS concept seems flooded within a lot of description (and prescriptive where not always necessary) text.</p> </td> <td data-bbox="1031 1603 1402 1906" style="vertical-align: top;"> <p data-bbox="1031 1686 1402 1823">It is recommended to make more readable the existing proposal in particular for the AMC and GM</p> </td> </tr> </table>	all	<p data-bbox="472 1615 1031 1682">Many additional text have been introduced in the Part 21 and its AMC, GM.</p> <p data-bbox="472 1686 1031 1861">The intent is clear but the result might be confusing as it looks that there are repetition and the overall SMS concept seems flooded within a lot of description (and prescriptive where not always necessary) text.</p>	<p data-bbox="1031 1686 1402 1823">It is recommended to make more readable the existing proposal in particular for the AMC and GM</p>
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response	See Section 1.		
comment	1066		comment by: ASD
	all AMCs	N/A	<p>Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p> <p>Move the details of AMCs into GMs.</p>
response	See Section 1.		
comment	1146		comment by: LHT DO
	<p>General Comment:</p> <p>We do appreciate to require SMS elements into part 21.</p> <p>However, please <u>do not redefine common expressions</u> for clarity reasons if not absolutely necessary. Any documentary change or change of references will require the review of each DOH as well as the forms and tools within the company. Please be aware that IT tools need to be reprogrammed with time and cost constraints. An example is the new invention of "Design Management System". Currently we do have a Design Assurance System integrated into the Design Organisation System.</p> <p>This Design Organisation System might be amended by SMS, but please do not redefine it and require a new expression. <i>Please keep Design Organisation System.</i></p> <p>The same is valid for the Independent System Monitoring of <u>Compliance (to what?) and Adaquacy</u> which is intended to be introduced. The new expression is long and does not make the content clearer. It might also be confused with Showing of Compliance against the certificatin specifications. In addition the expression is long and will also not be used in practice. <i>Please keep Independent System Monitoring</i> and do not amend by compliance, which would initiate confusion.</p>		
response	See Section 1.		
comment	1205		comment by: ASD
	NPA 2019- 05(B)	148 - 159/272	<p>GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1</p> <p>Could be simplified</p>



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	21.A.245(b)-AMC2 21.A.245(b) 99% redundant with same AMC and GM in Subpart G			
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>1251 comment by: ASD</p> <p>ASD and GAMA comments to NPA 2019-05(B) “Embodiment of SMS into Part 21” and NPA 2019-05(C) “Embodiment of SMS into Part 145” have been uploaded into EASA CRT.</p> <p>The content of NPA 2019-05 (A) “Embodiment of safety management system (SMS) requirements into Part-145 and Part 21” has been taken into consideration when creating these comments.</p> <p>Given the size of the NPAs, the importance of the material within them, and the need to gain consensus within ASD and GAMA membership, the timescale for reviewing the NPA content has been very challenging. The ASD/GAMA task has therefore been prioritised, in keeping with EASA’s explanation of its own priorities (Ref 1). The ASD/GAMA review has concentrated on the content of the proposed rules, and, consequently, less time has been available for review of the NPA content of proposed AMC and GM material.</p> <p>Although the AMC and GM have not all been subject to comprehensive review, generic comments on the nature of the AMC and GM are included, and these are offered for consideration against all AMC and GM, in addition to the specific comments that have been generated so far. The ASD/GAMA review will continue beyond the formal comment period, and we fully intend to take advantage of the offer from EASA to keep on working on the AMCs/GMs with the help of the Focused Consultation Groups (Part-145/21 FCGs) until 2021Q3 at the latest. (Ref 1).</p> <p>One specific area of concern is the use of material already present in Part-CAMO. While we recognise the attraction to EASA of using existing material, if this approach is taken, it is likely to have two effects: Firstly, detailed material is taken out of context with its original - an original for which our industry sector had no part in the consultation, which makes the perception of ‘cutting and pasting’ of another sector’s rules and guidance particularly troubling. Secondly, it has the effect of stifling any attempt to make rules and guidance more performance-based, if there are existing prescriptive measures already available. To-date, we have noted both effects in our review and urge you to use caution in adopting this approach.</p> <p>We look forward to discussing any questions raised by our comments and observations.</p> <p>(1) EASA email to ASD dated 21 May 2019.”</p>			
<p>response</p>	<p>See Section 1.</p>			



comment	<p data-bbox="384 210 448 239">1256</p> <p data-bbox="1086 210 1386 239" style="text-align: right;">comment by: SAFRAN LS</p> <p data-bbox="384 264 1390 331"><i>Safran LS and Safran fully support all the comments raised by ASD and uploaded in CRT.</i></p> <p data-bbox="384 371 1390 439"><i>Given the size of the NPAs, the importance of the material within them, the timescale for reviewing the NPA content has been very challenging.</i></p> <p data-bbox="384 443 1390 546"><i>Safran review will continue beyond the formal comment period, taking full advantage of the offer from EASA to keep on working on the AMCs/GMs with the help of the Focused Consultation Groups (Part-145/21 FCGs) until 2021Q3 at the latest. (Ref 1).</i></p> <p data-bbox="384 586 1390 689"><i>One specific area of concern is the use of material already present in Part-CAMO. While we recognise the attraction to EASA of using existing material, if this approach is taken, it is likely to have two effects:</i></p> <p data-bbox="384 694 1390 904"><i>Firstly, detailed material is taken out of context with its original - an original for which our industry sector had no part in the consultation, which makes the perception of ‘cutting and pasting’ of another sector’s rules and guidance particularly troubling. Secondly, it has the effect of stifling any attempt to make rules and guidance more performance-based, if there are existing prescriptive measures already available. To-date, both effects have been noted.</i></p> <p data-bbox="384 945 1390 1012"><i>We look forward to discussing any questions raised by our comments and observations.</i></p>
response	See Section 1.
comment	<p data-bbox="384 1214 448 1243">1290</p> <p data-bbox="1129 1214 1386 1243" style="text-align: right;">comment by: CAA CZ</p> <p data-bbox="384 1267 1390 1335">CAA CZ Comments on Embodiment of Safety Management System (SMS) Requirements as Proposed in Part 21 (EASA NPA 2019-05)</p> <p data-bbox="384 1339 619 1368">General Comment:</p> <p data-bbox="384 1373 1390 1901">Requirements to implement the safety management system (SMS) in the area of DOA activities are specified in a very general/high-level and unspecific way in the EASA NPA 2019-05. The large DOA holders that have a corporate system of risky management already implemented in the past will undoubtedly be able to implement the SMS requirements as defined in this Part 21 amendment. However, smaller DOA holders not having any corporate system of risk management implemented so far will not be able to comply with the high-level requirements as described in this NPA in a manner that will truly serve the ultimate purpose of this regulatory change proposal. We are seriously concerned that it may lead to implementing a very formal and ineffective SMS system, set up for the sake of appearance only, aiming mostly to satisfy the EASA auditor and not having the true ambition (and capability) to manage and reduce the risks. As a consequence, additional administrative and financial burden will impact both the DOA holder and EASA sides, creating no (or very little of) expected positive contribution to the safety level of the industry.</p> <p data-bbox="384 1906 1390 2009">The main issue concerned is not the requirement to implement the safety management system as such; it is the way/form of the requirements definition and AMC/GM wording provided in this NPA, that is unspecific and thus not sufficient,</p>

hard to understand and even harder to implement, especially for smaller companies having no previous experience with any risk management system.

Specific Comments:

1. 1. Text on page 148, NPA (B), 21.A.239(c), reads about "the criticality of variants" (probably of the type design). Where is the term „variant“ defined?

2. 2. On page 149, the term "the risk assessment model" is used; we couldn't identify what exactly is meant by this and how the DOA holder should use this model practically.

3. 3. AMC1 21.A.239(c)(1)(a)(4) requires, that the safety policy should "be communicated, with visible endorsement". There is no further explanation/guidance on how this requirement is to be understood and implemented.

4. 4. GM1 21.A.239(c)(1) uses on page 152 term „just culture“ not providing any explanation of how this term is to be understood in the context of DOA. There is a reference to Article 16(11) of (EU) 376/2014 (Occurrence reporting), however, this article only contains a principle that the reporting personnel „shall not be subject to any prejudice by their employer or by the organisation for which the services are provided“. This is not sufficient information for proper implementation, especially for the DOA organisations residing in the countries, where the term „just culture“ is not so well known/used.

5. 5. GM1 21.A.239(c)(2) brings the requirement, that "...safety manager or a designated person to remain the unique focal point for the development, administration, and maintenance of the organisation's management system". In case of (especially a larger) organisation has already got a dedicated department responsible for the development, administration, and maintenance of the organisation's management system, we are unclear how such a company will comply with this new requirement asking the DOA safety manager to hold this role of a "unique focal point" for the development of management system.

6. 6. AMC1 21.A.239(c)(3) and (4) – There is the core of the SMS system described under bullets (a) and (b) in this AMC. Even though this is the very functional core of the SMS implementation, the wording of this AMC is very general, unspecific and not providing any practical guidance/clues about how such SMS system should be established. Although, on the very practical level, in principle, the same hazard identification, risk assessment and mitigation principles should be applied here as, for example, in the Level of Involvement area (where the provided information and example of tools for risk management techniques are more specific than here).

7. 7. In subpara. (b)(1)(ii) of AMC1 21.A.239(c)(3) and (4) the term "tolerability of risk" is used, without definition of its meaning available in this NPA.

8. 8. Another new and crucial topic of this NPA is the Management of change of the DOA organisation, as required in para 21.A.239(c)(4)(ii). The text of the GM1 21.A.239(c)(4)(ii) cannot be practically used as guidance material. Again, large companies having a system of change management already in place will not have difficulty to comply. However, smaller DOAs will not be able to implement it based on such a very general description.

Conclusion:

The proposed wording of the EASA NPA 2019-05 will probably be comprehensible and feasible for the large DOAs that have most of the required functions already in place as a part of their existing corporate functions and therefore will only have to adjust them to the requirements of the Part 21 amendment. For smaller DOAs however, these requirements mean completely new functions to be implemented. It will be difficult for these smaller companies to properly understand the requirements; it will be even more difficult for them to implement the new functions



(i.e. safety and change management systems) based on very general description of the requirements and almost no practical guidance included in this NPA (see the similar tools described for Lol).

In general, we are concerned that the proposed NPA does not fully comply with the effort of EASA to make the general aviation more accessible and to support the design of GA aircraft. The open question is whether EASA intends to prepare more proportionate requirements for the general aviation as a part of the Part 21 Light.

response See Section 1.

comment

1294

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B)	general	AMC & GM text is now very complex and hard to read/understand due to the significant increase of cross-references.	Consider reduction of references	Yes	No
NPA 2019-05 (B)	general	AMC text still contains various statements which are Guidance Material because there are no criteria defined to judge compliance consistently. Proposed AMC text allows now often for <u>subjective</u> assessments and hence for various discussions between Industry and Authorities.	Consider conversion of AMC text into GM.	Yes	No



NPA 2019-05 (B)	general	NPA does contain various redundancy content at different places (i.e DOH, resources, DMS,...)	Consider simplification of text by reducing redundancies.	Yes	No
response	See Section 1.				
comment	<p>1374 comment by: Dassault-Aviation</p> <p>Dassault Aviation agree with all the comments made by ASD and have no additional remark.</p>				
response	See Section 1.				
comment	<p>1455 comment by: Thales</p> <p>Thales is fully committed in the implementation of SMS for its design, production and maintenance organizations.</p> <p>Yet, this NPA appears overly prescriptive and should be more performance-based. The main areas of concern related to this NPA are the following:</p> <ul style="list-style-type: none"> • The text should be more concise and focused on the objectives, in order to avoid any unnecessary prescription. Several requirements and AMCs should be moved to guidance material. • The new concept of AltMoC in Part-21 and Part-145 should be deleted. It makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC would only be permitted subject to the Competent Authority. This will create important administrative burdens with little added value for safety. • The lack of recognition of the SMS Standard SM0001 in Part 145 is seen as a significant issue for the industry, as it implies that a different SMS should be implemented for maintenance and design/production. This will lead to inefficiencies for both authorities and industry. • Prescriptive requirements on human resources processes, training programs and communication means have been included in this NPA. These are typically areas where each company should be free to choose its own organization and procedures, and be judged on the effectiveness rather than complying with a prescriptive rule. 				



	<ul style="list-style-type: none"> • In Part-21 Section B, the requirements related to findings are unclear and inconsistent and should be reviewed to ensure proportionate follow-up of findings by the Competent Authority. • Multiple references to human factor principles have been included in the text, but not always in a consistent manner. <p>In addition to these comments, Thales fully supports the comments provided by ASD and GAMA.</p>
response	See Section 1.
comment	<p>1564 comment by: MARPA</p> <p>MARPA applauds the efforts of EASA to improve safety by encouraging companies to take a systems-based approach to identifying and managing risk. However, MARPA also encourages EASA to engage closely with its bilateral partners to ensure that new regulations do not create unnecessary disharmonisation. For many years bilateral and multilateral partners have worked together with the goal of achieving harmonisation that reflects a mutual understanding and trust of one another's certification systems. Such trust allows for efficient approvals across jurisdictions and avoids creating unnecessary or duplicative regulation and effort, consuming the resources of both the regulator and industry. Each regulator should be mindful of possible disharmony created when adopting new regulations that could necessitate the need for new Special Conditions within our bilateral guidance material, such as the Maintenance Annex, and result in confusion, frustration, and disharmonisation across the systems that each regulator and industry stakeholders have worked hard to achieve.</p>
response	See Section 1.

EXECUTIVE SUMMARY	p. 1
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comment	<p>521 comment by: Le Blanc</p> <p>Many additional text have been introduced in the Part 21 and its AMC, GM. The intent is clear but the result might be confusing as it looks that there are repetition and the overall SMS concept seems flooded within a lot of description (and prescriptive where not always necessary) text.</p> <p>Suggested resolution: one single requirement for SMS in each IR (part 21, Part 145, ...) would be OK and actually this is what we proposed through the FCG.</p>
response	See Section 1.

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comment	<p>46 comment by: Duane Kritzinger</p>
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The CRD does not allow us to comment on 21.A.3 and 21.A.5, but I would like to propose the following:

- In 21.A.3A: For non-english speakers, what are the practical implication of the term "without prejudice"?
- For 21.A.3A: Should 376/2014 not also be shown on the Regulation Structure here: <https://www.easa.europa.eu/regulations?>
- For 21.A.3(a)(1)(i): Suggest this text (and similar text elsewhere) be reduced to *"reports of and information related to failures, malfunctions, defects or other occurrences which cause or might cause adverse effects on the continuing airworthiness or safe operation of products or parts approved under this Annex 1"*
- For 21.A.3A(a)(3): If you retain this reference to 2015/1018, then the Regulation Framework Map on your website (Regulation page) should surely be updated to include it.
- For 21.A.3A(b): In an Integrated Management System Approach, why use the term *"natural or legal persons"*, when other regulations (e.g. Part 145) do not?
- For 21.A.3A(d): If you retain this reference to 376/2014, then the Regulation Framework Map on your website (Regulation page) should surely be updated to include it (and illustrate the interrelationships).
- For 21.A.5(a): I recommend that *"continued airworthiness"* needs to be defined (maybe in an 21.3 para?). See EMAD-D for a suggested definition
- For 21.A.5: What happens to the data when the aircraft becomes orphaned? Surely there must be an obligation to hand it over to EASA if an SAS is needed?

response See Section 1.

Proposed amendments to Part21

p. 11

comment 10

comment by: CAA-NL

We suggest some additional changes from those in the NPA:

21.A.3A(a)(2):

Here the text "on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences" is added; for clarity reasons it is proposed to change this text into "on how **operators and others** provide such reports of and information related to failures, malfunctions, defects or other occurrences". However, Point (a)(2) states that the design holder may prescribe how and what information to report to him, point (c) prescribes to report in a form and manner established by the CA. These systems should be aligned to prevent a double administrative burden for the reporter of an occurrence by filling two different forms with the same information.

21.A.3B



The text on Airworthiness Directives remain unchanged. But par. (b) mention an action for EASA (issuing an AD) and par. (d) explains the content of an AD. These items should be transferred to Section B. In addition to this, it should be made clear how a proposal for an AD is approved by EASA.

21.A.5(a)

It is proposed to change the text of 21.A.5(a) into
 “when designing a product, part or appliance or changes or repairs to them, maintain relevant design information/data including those prepared by its partners, suppliers and subcontractors, and retain them at the disposal of EASA in order to provide the information necessary to ensure their continued airworthiness, the continued validity of the operational suitability data, and continued compliance with the applicable environmental protection requirements;”

21.A.5(a) related to design approval holders – and as such also have partners, suppliers and subcontractors – doesn’t contain this any wording related to them; while 5(b) related to production organisations it especially mentions “that incorporates the requirements imposed on its partners, suppliers and subcontractors”.

21.A.5(b)(2)

It mentions to keep records of all details of the work, but missing is the record keeping of the production data which is generated on the basis of the approved design data, and including the way this production data is established and approved (ref. 21.A.145(b)2). It is proposed to change the text of 21.A.5(b)(1) into
 “maintain the relevant records produced under the production system that was used to justify the conformity of the products, parts or appliances, and retain them in order to provide the information necessary to ensure the continued airworthiness of the product, part or appliance including the acceptance of the production data by the design approval holder and evidences of the incorporation of airworthiness and environmental data in the production data;”

21.A.12 Alternative means of compliance (new point)

We suggest to create a general point for the possibility of using Alternative means of compliance by an organisation under the general section, Subpart A.

Copy the text from 21.A.124A to this new point 21.A.12 and delete the specific points in subparts F and G (21.A.124A/134A). Then it is also clear for a DOA how to use AltMOC and what it has to do for that, as this is currently missing in subpart G. When accepted, this has consequences for the position of the related AMC/GM.

response

See Section 1.

21.1 General Competent authority

p. 13

comment

38

comment by: *Duane Kritzinger*

I propose this becomes 21.2. The content of 21.1 would then be: "21.1: General (a) Section A establishes general provisions governing the privileges and obligations of the applicant for, and holder of, any certificate issued or to be issued in accordance with this Annex.



response	<p>(b) Section B establishes consistent oversight obligations on the Competent Authorities."</p> <p>See Section 1.</p>
comment	<p>61 comment by: <i>General Aviation Manufacturers Association</i></p> <p>"Competent Authority": This subpart does not identify the Competent Authority for requirements identified in Section A. Recommend adding a new bullet to include Subpart A or remove reference to "Competent Authority" and replace with "EASA" or "Authority designated by the Member State", as appropriate.</p>
response	<p>See Section 1.</p>
comment	<p>135 comment by: <i>Safran Engineering Services</i></p> <p>This requirement does not identify the competent authority for requirements in Section A Subpart A.</p> <p>It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.</p>
response	<p>See Section 1.</p>
comment	<p>180 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>this requirement does not identify the competent authority for requirement in section A subpartA It is suggested....</p>
response	<p>See Section 1.</p>
comment	<p>247 comment by: <i>Safran Landing Systems</i></p> <p>This requirement does not identify the competent authority for requirements in Section A Subpart A.</p>
response	<p>See Section 1.</p>
comment	<p>468 comment by: <i>Safran HE</i></p> <p>This requirement does not identify the competent authority for requirements in Section A Subpart A.</p> <p>Suggested resolution: It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.</p>



response	See Section 1.

comment	522	comment by: <i>Le Blanc</i>
	<p>This requirement does not identify the competent authority for requirements in Section A Subpart A.</p> <p>Suggested resolution: It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.</p>	

response	See Section 1.
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comment	667	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>
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Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.1	13/272	This requirement does not identify the competent authority for requirements in Section A Subpart A.	It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.		X

response	See Section 1.
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comment	874	comment by: <i>SAFRAN AEROSYSTEMS</i>
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response	<p>This requirement does not identify the competent authority for requirements in Section A Subpart A.</p> <p>It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.</p>												
	See Section 1.												
comment	<p>978 comment by: ASD</p> <table border="1" data-bbox="392 633 1385 898"> <tr> <td data-bbox="392 633 459 898">21.1</td> <td data-bbox="459 633 555 898">13/272</td> <td data-bbox="555 633 858 898">This requirement does not identify the competent authority for requirements in Section A Subpart A.</td> <td data-bbox="858 633 1385 898">It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.</td> </tr> </table>	21.1	13/272	This requirement does not identify the competent authority for requirements in Section A Subpart A.	It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.								
21.1	13/272	This requirement does not identify the competent authority for requirements in Section A Subpart A.	It is suggested either to add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the Member State" or "EASA if so requested by that Member State " as appropriate.										
response	See Section 1.												
comment	<p>979 comment by: ASD</p> <table border="1" data-bbox="392 1178 1385 1619"> <tr> <td data-bbox="392 1178 475 1619">21.1 para. (c)</td> <td data-bbox="475 1178 571 1619">13/272</td> <td data-bbox="571 1178 1098 1619"> <p>Airbus comment only</p> <p>Subpart P responsibilities are shared between EASA for flight conditions approval and the authority designated by the Member state for the permit to fly issuance.</p> <p>Statement in item (c) is partly wrong. Not the authority designated by the Member State but EASA is the competent authority for the approval of flight conditions related to the safety of the design.</p> </td> <td data-bbox="1098 1178 1385 1619">Consider the the sharing of responsibilities for Subpart P</td> </tr> </table>	21.1 para. (c)	13/272	<p>Airbus comment only</p> <p>Subpart P responsibilities are shared between EASA for flight conditions approval and the authority designated by the Member state for the permit to fly issuance.</p> <p>Statement in item (c) is partly wrong. Not the authority designated by the Member State but EASA is the competent authority for the approval of flight conditions related to the safety of the design.</p>	Consider the the sharing of responsibilities for Subpart P								
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response	See Section 1.												
comment	<p>1224 comment by: AIRBUS</p> <table border="1" data-bbox="392 1901 1385 2033"> <thead> <tr> <th data-bbox="392 1901 496 2033">Section Table Figure</th> <th data-bbox="496 1901 592 2033">Page</th> <th data-bbox="592 1901 847 2033">Comment summary</th> <th data-bbox="847 1901 1054 2033">suggested resolution</th> <th data-bbox="1054 1901 1230 2033">Comment is an</th> <th data-bbox="1230 1901 1385 2033">Comment is</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is						
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is								



				observation (suggestion)	substantive (objection)
21.1 para. (c)	13/272	Airbus comment only Subpart P responsibilities are shared between EASA for flight conditions approval and the authority designated by the Member state for the permit to fly issuance. Statement in item (c) is partly wrong. Not the authority designated by the Member State but EASA is the competent authority for the approval of flight conditions related to the safety of the design.	Consider the the sharing of responsibilities for Subpart P	X	

response See Section 1.

comment 1292 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.1	Page 13	This requirement does not identify the competent authority for requirements in Section A Subpart A.	Either add a new bullet (d) in 21.1 relevant to Subpart A or to remove "competent authority" in Subpart A and replace it by "EASA" or "authority designated by the	Yes	No



			Member State" or "EASA if so requested by that Member State " as appropriate.		
response	See Section 1.				

21.A.1 Scope

p. 14

comment	44	comment by: <i>Duane Kritzinger</i>
	<p>Subpart A does not contain all the rights and obligations of Certificate Holders (that is what Section A does). Should it also adress "privileges"? Also where are the "rights" defined, surely it Privileges? Other subparts (e.g. B, D, E, J, O) all contain Privileges and Obligations. Hence my suggestion against 21.1 above.</p>	
response	See Section 1.	

comment	62	comment by: <i>General Aviation Manufacturers Association</i>
	<p>"Occurrence Reporting": We suggest the title is changed to "Reporting System" to better reflect the requirements discussed within 21.A.3A and not consistent with GM 21.A.3(a)(1) and (b)(1).</p>	
response	See Section 1.	

comment	248	comment by: <i>Safran Landing Systems</i>
	<p>The title of this requirement "Occurrence reporting " is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards</p> <p>Suggested to change "Occurrence reporting" by "Reporting system"</p>	
response	See Section 1.	

comment	249	comment by: <i>Safran Landing Systems</i>
	<p>"without prejudice to...": the aim is understood to be that 21.1.3A is to be complied whilst complying with 376/2014</p> <p>To be confirmed or clarified in the text</p>	
response	See Section 1.	



comment	<p data-bbox="379 210 432 239">250</p> <p data-bbox="932 210 1386 239">comment by: <i>Safran Landing Systems</i></p> <p data-bbox="379 266 1393 367">This section begins ‘Without prejudice to Regulation (EU) No 376/2014,’ which we assume to mean that 376/2014 must be complied with in addition to this section 21.A.3A.</p> <p data-bbox="379 374 1393 689">Regulation (EU) No 376/2014 places obligations on individuals to report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6: ‘6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency’.</p> <p data-bbox="379 696 1393 869">The intent of this provision appears to be that the preferred route is for an individual (when an employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation’s reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.</p> <p data-bbox="379 875 1393 1048">Given that the organisation reporting system will have rules for what employees are to report, and filters to extract and combine information before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.</p> <p data-bbox="379 1084 1393 1120">Additional text should be considered as follows:</p> <p data-bbox="379 1126 432 1155">“(a)</p> <p data-bbox="379 1167 416 1196">....</p> <p data-bbox="379 1202 1393 1547">(3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter.”</p> <p data-bbox="379 1554 967 1583">Similar text will be required for point 21.A.3A(b).</p>
response	See Section 1.
comment	<p data-bbox="379 1702 432 1731">251</p> <p data-bbox="932 1702 1386 1731">comment by: <i>Safran Landing Systems</i></p> <p data-bbox="379 1767 1393 1832">(a)(1) the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p> <p data-bbox="379 1868 1393 1904">change the wording as follows:</p> <p data-bbox="379 1910 1393 1975">"in order to identify adverse trends or to address deficiencies which may impact safety..."</p>
response	See Section 1.



comment

252

comment by: Safran Landing Systems

Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for organisations.

We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences.

Additionally, EU 376/2014 requires each State to have a voluntary reporting system, so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences. We also understand that where an individual needs to make a report to the State, reporting an issue through an organisation’s reporting systems is sufficient to discharge the individual’s responsibility. [This is the subject of a separate comment] The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for ‘mandatory and voluntary reports’ capturing (in (i)) ‘occurrences’ and (in (ii)) ‘near-misses’ (paraphrased for brevity).

We believe that this system is required: (a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4(‘Mandatory Reporting’), item 2, and (b) to facilitate the collection of occurrences/near-misses and other information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5(‘Voluntary Reporting’), item 1.

21.A.3A(a)(1) as proposed does not make clear that the organisation is not deciding the ‘mandatory’ nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this.

Furthermore, the inputs to the reporting system should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.

Proposed changed text:
 "Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall:
 (1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences whose reporting is mandatory in accordance with point (3), and those where a voluntary report is to be made. The system shall include:"

response

See Section 1.



comment	<p>253 comment by: Safran Landing Systems</p> <p>(a)(1) It is mandated to perform trends to identify those that show a negative behaviour. The intent is understood and shared however it is considered excessive to include in the Part 21 such a prescriptive method.</p> <p>It would be considered more appropriate to move this methods of analysis in the GM</p>
response	<p>See Section 1.</p>
comment	<p>254 comment by: Safran Landing Systems</p> <p>(a)(1)(ii) It is a very prescriptive requirement. In addition it is not clear where to find the definition of error in the context of SMS, near misses in general. Notwithstanding their interpretation should be obvious there is the risk that is not interpreted same way by all Organisations</p>
response	<p>See Section 1.</p>
comment	<p>255 comment by: Safran Landing Systems</p> <p>(a)(2)the sentence is related to 21.A.3.(a) (1) (i) only. Furthermore, using the term ‘the information’ implies that a specific set of information has been created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn’t ask for any specific information about the system to be created. A reword to ‘information’ implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.</p> <p>Change the wording as follows: "make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences."</p>
response	<p>See Section 1.</p>
comment	<p>523 comment by: Le Blanc</p> <p>21.A.3A(a)(1)</p> <p>It is mandated to perform trends to identify those that show a negative behaviour. The intent is understood and shared however it is considered excessive to include in the Part 21 such a prescriptive method.</p> <p>Suggested resolution: It would be considered more appropriate to move this methods of analysis in the GM</p>
response	<p>See Section 1.</p>
comment	<p>875 comment by: SAFRAN AEROSYSTEMS</p>



- 21.A.3A The title of this requirement "Occurrence reporting " is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards

Suggested to change "Occurrence reporting" by "Reporting system"

- This section begins 'Without prejudice to Regulation (EU) No 376/2014,' which we assume to mean that 376/2014 must be complied with in addition to this section 21.A.3A.

Regulation (EU) No 376/2014 places obligations on individuals to report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6:

'6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency'.

The intent of this provision appears to be that the preferred route is for an individual (when an employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation's reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.

Given that the organisation reporting system will have rules for what employees are to report, and filters to extract and combine information before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation's reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.

Additional text should be considered as follows:

“(a)

....

(3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter."



Similar text will be required for point 21.A.3A(b).

- 21.A.3A(a)(1) : the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.
- Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for organisations.

We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences.

Additionally, EU 376/2014 requires each State to have a voluntary reporting system, so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences.

We also understand that where an individual needs to make a report to the State, reporting an issue through an organisation's reporting systems is sufficient to discharge the individual's responsibility. [This is the subject of a separate comment]

The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for 'mandatory and voluntary reports' capturing (in (i)) 'occurrences' and (in (ii)) 'near-misses' (paraphrased for brevity).

We believe that this system is required:

- (a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4('Mandatory Reporting'), item 2, and
- (b) to facilitate the collection of occurrences/near-misses and other information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5('Voluntary Reporting'), item 1.

21.A.3A(a)(1)as proposed does not make clear that the organisation is not deciding the 'mandatory' nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this.

Furthermore, the inputs to the reporting system should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.

Proposed changed text:

"Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall:



(1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences whose reporting is mandatory in accordance with point (3), and those where a voluntary report is to be made. The system shall include:"

- 21A.3A (b) (4)

"if the production organisation acts as a supplier to another production organisation, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."

Wording deserves identification of the applicable POA

change the wording as follows:

"if the production organisation acts as a supplier to working under another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."

- 21.A.3A(c) :

The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..."

As written, This requirement is for the reports to the Authority only.

change the wording as follows

"The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..."

Additionally, separate the 72 hours requirement in another paragraph

- 21.A.3(d) :

This requirement shall frame the investigation which can only be based on data made available to the organisation responsible for the investigation.

This comment is intended to regulate the support to the investigation needed from other stakeholders (e.g. operators, AMO, CAMO,..)

wording should be changed as follows:

"...shall investigate, based on available data the reason for the deficiency and report to..."

response See Section 1.

21.A.1 Failures, malfunctions and defects Occurrence reporting

p. 14-16

comment 1

comment by: *Aviointeriors Airworthiness*

ref. 21.A.3A(d)



	<p>As per my understanding, if an occurrence reported under point (a)(3) or under point (b)(3) results from a deficiency in design, or a production deficiency, shall be investigated to establish the root cause; results of such investigation and proposed corrective actions should be provided both to the Agency and Competent Authority. Thus, in case of a design deficiency it is required that the occurrence investigation and proposed action/action plan should be submitted both to the Agency and to the Competent Authority.</p> <p>If I am right,</p> <p>The comment is</p> <p>It is not clear who will be the latest responsible for the agreement on the submitted investigation and further action/action plan, if the Competent Authority or the Agency or both.</p> <p>ref. 21.A.3A(e)</p> <p>If the competent authority finds that an action is required to correct such deficiency the company shall submit the relevant data.</p> <p>The comment is:</p> <p>In case of a design change needed to solve a design deficiency, the relevant EASA PCM seems to be not involved in the process.</p>
response	See Section 1.
comment	<p>63 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.3A (a)(1): Delete ‘any’ from “...to address any deficiencies, and to extract reportable occurrences.” – it is not necessary within the statement.</p>
response	See Section 1.
comment	<p>64 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.3A(a)(2): Reference “(a)(1)” should be replaced with “(a)(1)(i)”.</p>
response	See Section 1.
comment	<p>65 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A,3A(a)(2): Revised statement - "make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences".</p>
response	See Section 1.
comment	<p>66 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.3A(a)(3): Revised statement on mandatory and voluntary reporting - "...and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such</p>

	<p>occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter."</p> <p>Similar text will be required for reference 21.A.3A(b).</p>
response	See Section 1.
comment	<p>67 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.3A(b)(1): Clarify to whom reportable occurrences should be sent. Replace with "... and extract occurrences that are reportable in accordance with 21.A.3(b)(3)".</p>
response	See Section 1.
comment	<p>116 comment by: <i>FAA</i></p> <p><u>Page 15</u> 21.A.3A(b)(3) 21.A.3A(d) <u>Reference text:</u> "(3) report to EASA and the competent authority of the Member State the deviations which could lead to an unsafe condition that were identified according to point (2);"</p> <p>"d)... and report to EASA and to the competent authority of the Member State the results of its investigation and any action it is taking or proposes to take to correct that deficiency."</p> <p><u>Comment:</u>Unclear how the reporting is conducted for a non-EU third country POA since the reporting would only go to EASA if the third-country POA is not connected to a Member State, unless this is by way of a linked DOA in a Member State <u>Proposed Resolution:</u> Either clarify applicability of reporting for non-EU third-country POAs OR change text to allow for this condition (i.e. "report to EASA and, if applicable, the competent authority of the Member State"...)</p>
response	See Section 1.
comment	<p>126 comment by: <i>Luftfahrt-Bundesamt</i></p> <p><u>LBA comment to 21.A.3A</u></p> <p>Regarding POA the meaning of an „unsafe condition“ should be clarified. With respect to the risk-management of the company a deviation created by the POA which could lead „potentially“ to an unsafe condition, even no affected part is flying should be reportable to the authorities.</p>
response	See Section 1.
comment	<p>168 comment by: <i>Safran Engineering Services</i></p>



response	<p>The title of this requirement "Occurrence reporting " is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards. It is suggested to change "Occurrence reporting" by "Reporting system"</p> <p>See Section 1.</p>
comment	<p>169 comment by: <i>Safran Engineering Services</i></p> <p>"without prejudice to...": the aim is understood to be that 21.1.3A is to be complied whilst complying with 376/2014. It is suggested to be confirmed or clarified in the text.</p>
response	<p>See Section 1.</p>
comment	<p>170 comment by: <i>Safran Engineering Services</i></p> <p>This section begins ‘Without prejudice to Regulation (EU) No 376/2014,’ which we assume to mean that 376/2014 must be complied with in addition to this section 21.A.3A.</p> <p>Regulation (EU) No 376/2014 places obligations on individuals to report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6: '6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency'.</p> <p>The intent of this provision appears to be that the preferred route is for an individual (when an employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation’s reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.</p> <p>Given that the organisation reporting system will have rules for what employees are to report, and filters to extract and combine information before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.</p> <p>Additional text should be considered as follows:</p> <p>“(a)</p> <p>....</p> <p>(3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A</p>



response	<p>(a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter." Similar text will be required for point 21.A.3A(b).</p> <p>See Section 1.</p>
comment	<p>171 comment by: Safran Engineering Services</p> <p>§21.A.3A(a)(1): The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p> <p>It is suggested to change the wording as follows: "in order to identify adverse trends or to address deficiencies which may impact safety..."</p>
response	<p>See Section 1.</p>
comment	<p>172 comment by: Safran Engineering Services</p> <p>§21.A.3A(a)(2) the sentence is related to 21.A.3.(a) (1) (i) only. Furthermore, using the term 'the information' implies that a specific set of information has been created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn't ask for any specific information about the system to be created. A reword to 'information' implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.</p> <p>It is propose to change the wording as follows: "make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences."</p>
response	<p>See Section 1.</p>
comment	<p>173 comment by: Safran Engineering Services</p> <p>§21.A.3A(b)(1): The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.</p> <p>It is proposed to change the wording as follows: "in order to identify any adverse trends or to any address deficiencies which may impact safety..."</p>
response	<p>See Section 1.</p>
comment	<p>174 comment by: Safran Engineering Services</p>



	<p>21.A.3A(b)(1) : To whom Reportable occurrences shall be reported should be clarified in this paragraph (1). The last sentence "This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information." is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed. What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence? Wording should be changed as follows: " and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".</p>
response	See Section 1.
comment	<p>175 comment by: Safran Engineering Services</p> <p>§ 21.A.3A(b)(4): "if the production organisation acts as a supplier to another production organisation, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data." Wording deserves identification of the applicable POA It is proposed to change the wording as follows: "if the production organisation acts as a supplier to working under another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</p>
response	See Section 1.
comment	<p>176 comment by: Safran Engineering Services</p> <p>§21.A.3A(c) <i>The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..."</i> As written, This requirement is for the reports to the Authority only. It is propose to change the wording as follows: <i>"The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..."</i> Additionally, separate the 72 hours requirement in another paragraph</p>
response	See Section 1.
comment	<p>177 comment by: Safran Engineering Services</p> <p>§21.A.3A(d) This requirement shall frame the investigation which can only be based on data made available to the organisation responsible for the investigation.</p>

response	<p>This comment is intended to regulate the support to the investigation needed from other stakeholders (e.g. operators, AMO, CAMO,..) Wording should be changed as follows: "...shall investigate, based on available data the reason for the deficiency and report to..."</p> <p>See Section 1.</p>
comment	<p>191 comment by: Safran Engineering Services</p> <p>21.A.3A(a)(1): Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for organisations.</p> <p>We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences.</p> <p>Additionally, EU 376/2014 requires each State to have a voluntary reporting system, so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences.</p> <p>We also understand that where an individual needs to make a report to the State, reporting an issue through an organisation’s reporting systems is sufficient to discharge the individual’s responsibility. [This is the subject of a separate comment]</p> <p>The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for ‘mandatory and voluntary reports’ capturing (in (i)) ‘occurrences’ and (in (ii)) ‘near-misses’ (paraphrased for brevity).</p> <p>We believe that this system is required: (a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4(‘Mandatory Reporting’), item 2, and (b) to facilitate the collection of occurrences/near-misses and other information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5(‘Voluntary Reporting’), item 1.</p> <p>21.A.3A(a)(1)as proposed does not make clear that the organisation is not deciding the ‘mandatory’ nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this.</p> <p>Furthermore, the inputs to the reporting system should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.</p> <p>It is proposed to change text as: "Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall: (1) have establish and maintain a system for collecting, investigating and analysing</p>



	<p>mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences whose reporting is mandatory in accordance with point (3), and those where a voluntary report is to be made. The system shall include:</p>
response	See Section 1.
comment	<p>256 comment by: <i>Safran Landing Systems</i></p> <p>(b)(1) The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.</p> <p>change the wording as follows: "in order to identify any adverse trends or to any address deficiencies which may impact safety..."</p>
response	See Section 1.
comment	<p>257 comment by: <i>Safran Landing Systems</i></p> <p>(b)(1) To whom Reportable occurrences shall be reported should be clarified in this paragraph (1). The last sentence "This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information." is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed. What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?</p> <p>Wording should be changed as follows: " and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".</p>
response	See Section 1.
comment	<p>258 comment by: <i>Safran Landing Systems</i></p> <p>(b)(2)</p> <p><i>"report to the holder of the type certificate, restricted type certificate"</i></p> <p>When the production organisation manufactures engine and/or propeller parts/appliances, it should be clarified if the report shall be made to both the engine (or propeller) TC holder and the aircraft TC holder. Similarly, if the POA is manufacturing parts to data provided by a non-TC-holding DOA, to whom should it report its issues?</p> <p>GM1 21.A.3A(a) and 21.A.3A(b) should clarify to which TC holder(s) the report shall be made, and to whom reports should be made if the parts are being made to designs from a DO not holding a TC. Same for requirement 21.A.165(d)</p>

response	See Section 1.	
comment	<p>259</p> <p>(b)(4)</p> <p><i>"if the production organisation acts as a supplier to another production organisation, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</i></p> <p>Wording deserves identification of the applicable POA</p>	<p>comment by: Safran Landing Systems</p> <p>change the wording as follows: <i>"if the production organisation acts as a supplier to working under another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</i></p>
response	See Section 1.	
comment	<p>260</p> <p>(c)</p> <p><i>The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..."</i></p> <p>As written, This requirement is for the reports to the Authority only.</p>	<p>comment by: Safran Landing Systems</p> <p>change the wording as follows <i>"The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..."</i> Additionally, separate the 72 hours requirement in another paragraph</p>
response	See Section 1.	
comment	<p>261</p> <p>(d)</p> <p>This requirement shall frame the investigation which can only be based on data made available to the organisation responsible for the investigation.</p> <p>This comment is intended to regulate the support to the investigation needed from other stakeholders (e.g. operators, AMO, CAMO,..)</p>	<p>comment by: Safran Landing Systems</p> <p>wording should be changed as follows: <i>"...shall investigate, based on available data the reason for the deficiency and report to..."</i></p>



response	See Section 1.
comment	<p>469 comment by: Safran HE</p> <p>The title of this requirement "Occurrence reporting " is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards.</p> <p>Suggested resolution: Suggested to change "Occurrence reporting" by "Reporting system"</p>
response	See Section 1.
comment	<p>470 comment by: Safran HE</p> <p>"without prejudice to...": the aim is understood to be that 21.1.3A is to be complied whilst complying with 376/2014</p> <p>Suggested resolution: To be confirmed or clarified in the text</p>
response	See Section 1.
comment	<p>471 comment by: Safran HE</p> <p>This section begins 'Without prejudice to Regulation (EU) No 376/2014,' which we assume to mean that 376/2014 must be complied with in addition to this section 21.A.3A.</p> <p>Regulation (EU) No 376/2014 places obligations on individuals to report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6: '6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency'.</p> <p>The intent of this provision appears to be that the preferred route is for an individual (when an employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation's reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.</p> <p>Given that the organisation reporting system will have rules for what employees are to report, and filters to extract and combine information before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation's reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.</p>

	<p>Suggested resolution: Additional text should be considered as follows: “(a) (3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter.” Similar text will be required for point 21.A.3A(b).</p>
response	See Section 1.
comment	<p>472 comment by: <i>Safran HE</i></p> <p>the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p> <p>Suggested resolution: change the wording as follows: "in order to identify adverse trends or to address deficiencies which may impact safety..."</p>
response	See Section 1.
comment	<p>473 comment by: <i>Safran HE</i></p> <p>Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for organisations.</p> <p>We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences.</p> <p>Additionally, EU 376/2014 requires each State to have a voluntary reporting system, so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences. We also understand that where an individual needs to make a report to the State,</p>



reporting an issue through an organisation’s reporting systems is sufficient to discharge the individual’s responsibility. [This is the subject of a separate comment] The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for ‘mandatory and voluntary reports’ capturing (in (i)) ‘occurrences’ and (in (ii)) ‘near-misses’ (paraphrased for brevity). We believe that this system is required: (a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4(‘Mandatory Reporting’), item 2, and (b) to facilitate the collection of occurrences/near-misses and other information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5(‘Voluntary Reporting’), item 1. 21.A.3A(a)(1) as proposed does not make clear that the organisation is not deciding the ‘mandatory’ nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this. Furthermore, the inputs to the reporting system should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.

Suggested resolution:

Proposed changed text:

"Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall: (1) have establish and maintain a system for collecting, investigating and analysing **mandatory and voluntary** occurrence reports in order to identify **any** adverse trends or to address any deficiencies, and to extract reportable **occurrences whose reporting is mandatory in accordance with point (3), and those where a voluntary report is to be made.** The system shall include:"

response

See Section 1.

comment

474

comment by: *Safran HE*

the sentence is related to 21.A.3.(a) (1) (i) only. Furthermore, using the term ‘the information’ implies that a specific set of information has been created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn’t ask for any specific information about the system to be created. A reword to ‘information’ implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.

Suggested resolution:

Change the wording as follows:

"make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations, **the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences.**"

response

See Section 1.



comment	<p>475 comment by: Safran HE</p> <p>the sentence is related to 21.A.3A(b)(1) - page 15 The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.</p> <p>Suggested resolution: change the wording as follows: "in order to identify any adverse trends or to any address deficiencies which may impact safety..."</p>
response	<p>See Section 1.</p>

comment	<p>476 comment by: Safran HE</p> <p>21.A.3A(b)(1) - page 15 To whom Reportable occurrences shall be reported should be clarified in this paragraph (1). The last sentence "This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information." is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed. What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?</p> <p>Suggested resolution: Wording should be changed as follows: " ... and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".</p>
response	<p>See Section 1.</p>

comment	<p>477 comment by: Safran HE</p> <p>21.A.3A(b)(4) - page 15 "if the production organisation acts as a supplier to another production organisation, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data." Wording deserves identification of the applicable POA</p> <p>Suggested resolution: change the wording as follows: "if the production organisation acts as a supplier to working under another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</p>
response	<p>See Section 1.</p>



comment	<p>478 comment by: <i>Safran HE</i></p> <p>21.A.3A(c) - page 15 The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..." As written, This requirement is for the reports to the Authority only.</p> <p>Suggested resolution: change the wording as follows "The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..." Additionally, separate the 72 hours requirement in another paragraph</p>
response	<p>See Section 1.</p>
comment	<p>479 comment by: <i>Safran HE</i></p> <p>21.A.3A(d) - page 15 This requirement shall frame the investigation which can only be based on data made available to the organisation responsible for the investigation. This comment is intended to regulate the support to the investigation needed from other stakeholders (e.g. operators, AMO, CAMO,..)</p> <p>Suggested resolution: wording should be changed as follows: "...shall investigate, based on available data the reason for the deficiency and report to..."</p>
response	<p>See Section 1.</p>
comment	<p>524 comment by: <i>Le Blanc</i></p> <p>21.A.3A(a)(1)(ii) It is a very prescriptive requirement. In addition it is not clear where to find the definition of error in the context of SMS, near misses in general. Notwithstanding their interpretation should be obvious there is the risk that is not interpreted same way by all Organisations</p> <p>Suggested resolution: Insert a link with the organizational and human factor</p>
response	<p>See Section 1.</p>
comment	<p>525 comment by: <i>Le Blanc</i></p> <p>21.A.3A(b)(1) To whom Reportable occurrences shall be reported should be clarified in this paragraph (1). The last sentence "This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information." is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed.</p>



	<p>What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?</p> <p>Suggested resolution: Wording should be changed as follows: " and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".</p>
response	See Section 1.

comment	<p>526 comment by: <i>Le Blanc</i></p> <p>21.A.3A(b)(2) "report to the holder of the type certificate, restricted type certificate" When the production organisation manufactures engine and/or propeller parts/appliances, it should be clarified if the report shall be made to both the engine (or propeller) TC holder and the aircraft TC holder. Similarly, if the POA is manufacturing parts to data provided by a non-TC-holding DOA, to whom should it report its issues?</p> <p>Suggested resolution: GM1 21.A.3A(a) and 21.A.3A(b) should clarify to which TC holder(s) the report shall be made, and to whom reports should be made if the parts are being made to designs from a DO not holding a TC. Same for requirement 21.A.165(d)</p>
response	See Section 1.

comment	<p>669 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.A.3A</td> <td>14/272</td> <td>The title of this requirement "Occurrence reporting" is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards</td> <td>Suggested to change "Occurrence reporting" by "Reporting system"</td> <td>X</td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.3A	14/272	The title of this requirement "Occurrence reporting" is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards	Suggested to change "Occurrence reporting" by "Reporting system"	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
21.A.3A	14/272	The title of this requirement "Occurrence reporting" is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards	Suggested to change "Occurrence reporting" by "Reporting system"	X									



response See Section 1.

comment 672 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A	14/272	"without prejudice to...": the aim is understood to be that 21.1.3A is to be complied whilst complying with 376/2014	To be confirmed or clarified in the text	X	

response See Section 1.

comment 674 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A	14/272	This section begins 'Without prejudice to Regulation (EU) No 376/2014,' which we assume to mean that 376/2014 must be complied with in addition to this section 21.A.3A. Regulation (EU) No 376/2014 places obligations on individuals to	Additional text should be considered as follows: “(a) (3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type		X



	<p>report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6:</p> <p><i>‘6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency’.</i></p> <p>The intent of this provision appears to be that the preferred route is for an individual (when an</p>	<p><i>certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter.”</i></p> <p>Similar text will be required for point 21.A.3A(b).</p>		
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	<p>employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation’s reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.</p> <p>Given that the organisation reporting system will have rules for what employees are to report, and filters to extract and combine information before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.</p>			
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response See Section 1.

comment

675

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(a)(1)	14/272	the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.	change the wording as follows: <i>"in order to identify adverse trends or to address deficiencies which may impact safety..."</i>		X

response See Section 1.

comment

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comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(a)(1)	14/272	Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts	Proposed changed text: <i>"Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type</i>		X



	<p>A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for organisations. We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences. Additionally, EU 376/2014 requires each State to have a voluntary reporting system,</p>	<p><i>certificate....., deemed to have been issued under this Regulation Annex shall:</i> <i>(1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any-adverse trends or to address any deficiencies, and to extract reportable occurrences whose reporting is mandatory in accordance with point (3), and those where a voluntary report is to be made. The system shall include:</i>"</p>		
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	<p>so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences. We also understand that where an individual needs to make a report to the State, reporting an issue through an organisation's reporting systems is sufficient to discharge the individual's responsibility. [This is the subject of a separate comment]</p> <p>The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for 'mandatory and voluntary reports' capturing (in (i)) 'occurrences' and (in (ii)) 'near-misses' (paraphrased for brevity).</p>			
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	<p>We believe that this system is required:</p> <p>(a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4('Mandatory Reporting'), item 2, and</p> <p>(b) to facilitate the collection of occurrences/near-misses and other information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5('Voluntary Reporting'), item 1.</p> <p>21.A.3A(a)(1)as proposed does not make clear that the organisation is not deciding the 'mandatory' nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this.</p> <p>Furthermore, the inputs to the reporting system</p>			
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		should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.			
response	See Section 1.				

comment 677 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(a)(1)	14/272	It is mandated to perform trends to identify those that show a negative behaviour. The intent is understood and shared however it is considered excessive to include in the Part 21 such a prescriptive method.	It would be considered more appropriate to move this methods of analysis in the GM		X

response See Section 1.

comment 678 comment by: SAFRAN TRANSMISSION SYSTEMS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(a)(1)(ii)	14/272	It is a very prescriptive requirement. In addition it is not clear where to find the definition of error in the context of SMS, near misses in general. Notwithstanding their interpretation should be obvious there is the risk that is not interpreted same way by all Organisations		X	

response See Section 1.

comment

679 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(a)(2)	14/272	the sentence is related to 21.A.3.(a) (1) (i) only. Furthermore, using the term 'the information' implies that a specific set of information has been	Change the wording as follows: <i>"make available to known operators of the product, part or appliance and, on request, to any person authorised under other</i>		X



		<p>created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn't ask for any specific information about the system to be created. A reword to 'information' implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.</p>	<p><i>associated implementing Regulations, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences."</i></p>		
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response See Section 1.

comment

681 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(b)(1)	15/272	The word "any" is too restrictive. It should be removed and/or a limitations to	change the wording as follows: "in order to identify any adverse		X



		"any" should be defined.	trends or to any address deficiencies which may impact safety..."		
response	See Section 1.				

comment

682

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(b)(1)	15/272	<p>To whom Reportable occurrences shall be reported should be clarified in this paragraph (1).</p> <p>The last sentence "<i>This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information.</i>" is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed.</p>	<p>Wording should be changed as follows: " and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".</p>		X



		What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?			
response	See Section 1.				

comment 683

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(b)(2)	15/272	<i>"report to the holder of the type certificate, restricted type certificate"</i> When the production organisation manufactures engine and/or propeller parts/appliances, it should be clarified if the report shall be made to both the engine (or propeller) TC holder and the aircraft TC holder.	GM1 21.A.3A(a) and 21.A.3A(b) should clarify to which TC holder(s) the report shall be made, and to whom the reports should be made if the parts are being made to designs from a DO not holding a TC Same for	X	



		Similarly, if the POA is manufacturing parts to data provided by a non-TC-holding DOA, to whom should it report its issues?	requirement 21.A.165(d)		
response	See Section 1.				

comment 684 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(b)(4)	15/272	<i>"if the production organisation acts as a supplier to another production organisation, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</i> Wording	change the wording as follows: <i>"if the production organisation acts as a supplier to another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have</i>		X



		deserves identification of the applicable POA	possible deviations from the applicable design data."		
response	See Section 1.				

comment 697 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(c)	15/272	<p><i>The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..."</i></p> <p>As written, This requirement is for the reports to the Authority only.</p>	<p>change the wording as follows</p> <p><i>"The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..."</i></p> <p>Additionally, separate the 72 hours requirement in another paragraph</p>		X
response	See Section 1.				

comment 698 comment by: SAFRAN TRANSMISSION SYSTEMS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.3A(d)	15/272	This requirement shall frame the investigation which can only be based on data made available to the organisation responsible for the investigation. This comment is intended to regulate the support to the investigation needed from other stakeholders (e.g. operators, AMO, CAMO,..)	wording should be changed as follows: <i>"...shall investigate, based on available data the reason for the deficiency and report to..."</i>		X
<p>response See Section 1.</p>					

comment

699 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.5	16/272	<i>"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex</i>	Add: <i>"change to Type certificate approval " remove "major" within "Major repair design approval"</i>	X	



	<p><i>shall...</i>" Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p>			
response	See Section 1.			

comment 700 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.5 (b)(2)	16/272	Within the sentence " <i>all details of the work carried out</i> " the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.	change the wording as follows: <i>"all relevant details of the work carried out"</i>		X

response See Section 1.

comment 968 comment by: Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE

This paragraph deals with occurrence gathering and analysis. Title is confusing as occurrence reporting is only one aspect of it. Suggest to replace it by "Occurrence gathering and reporting"



response	See Section 1.		
comment	969	comment by: Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE	
	Not clear if "internal" is applicable to "errors" or also "near misses and hazards". Suggest to replace by "internal occurrences such as errors, near misses, and hazards"		
response	See Section 1.		
comment	970	comment by: Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE	
	Occurrence definition as per ICAO annex 13 is "Any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident". Database specified here covers much more than occurrences. Suggest to replace "Occurrence reporting" by "Event gathering".		
response	See Section 1.		
comment	980	comment by: ASD	
	21.A.3A	14/272	The title of this requirement "Occurrence reporting" is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards
			Suggested to change "Occurrence reporting" by "Reporting system"
response	See Section 1.		
comment	981	comment by: ASD	
	21.A.3A	14/272	"without prejudice to...": the aim is understood to be that 21.1.3A is to be complied whilst complying with 376/2014
			To be confirmed or clarified in the text
response	See Section 1.		
comment	982	comment by: ASD	
	21.A.3A	14/272	This section begins 'Without prejudice to Regulation (EU) No 376/2014,' which we assume to
			Additional text should be considered as follows: "(a)

	<p>mean that 376/2014 must be complied with in addition to this section 21.A.3A.</p> <p>Regulation (EU) No 376/2014 places obligations on individuals to report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6:</p> <p><i>'6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency'.</i></p> <p>The intent of this provision appears to be that the preferred route is for an individual (when an employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation's reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.</p> <p>Given that the organisation reporting system will have rules for what employees are to report, and filters to extract and combine information</p>	<p>....</p> <p><i>(3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs, contracts or uses the services of the reporter."</i></p> <p>Similar text will be required for point 21.A.3A(b).</p>
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response	<table border="1"> <tr> <td data-bbox="391 203 499 539"></td> <td data-bbox="499 203 592 539"></td> <td data-bbox="592 203 995 539"> before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014. </td> <td data-bbox="995 203 1401 539"></td> </tr> </table> <p data-bbox="391 618 560 649">See Section 1.</p>			before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.	
		before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.			
comment	<p data-bbox="391 768 440 799">983</p> <p data-bbox="1168 768 1385 799" style="text-align: right;">comment by: ASD</p> <table border="1"> <tr> <td data-bbox="391 819 563 1084">21.A.3A(a)(1)</td> <td data-bbox="563 819 660 1084">14/272</td> <td data-bbox="660 819 1050 1084"> the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined. </td> <td data-bbox="1050 819 1401 1084"> change the wording as follows: <i>"in order to identify adverse trends or to address deficiencies which may impact safety..."</i> </td> </tr> </table> <p data-bbox="253 1167 560 1198">response See Section 1.</p>	21.A.3A(a)(1)	14/272	the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.	change the wording as follows: <i>"in order to identify adverse trends or to address deficiencies which may impact safety..."</i>
21.A.3A(a)(1)	14/272	the word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.	change the wording as follows: <i>"in order to identify adverse trends or to address deficiencies which may impact safety..."</i>		
comment	<p data-bbox="391 1312 440 1344">984</p> <p data-bbox="1168 1312 1385 1344" style="text-align: right;">comment by: ASD</p> <table border="1"> <tr> <td data-bbox="391 1364 563 2027">21.A.3A(a)(1)</td> <td data-bbox="563 1364 660 2027">14/272</td> <td data-bbox="660 1364 979 2027"> Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for </td> <td data-bbox="979 1364 1401 2027"> Proposed changed text: <i>"Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall: (1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences</i> </td> </tr> </table>	21.A.3A(a)(1)	14/272	Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for	Proposed changed text: <i>"Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall: (1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences</i>
21.A.3A(a)(1)	14/272	Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for	Proposed changed text: <i>"Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall: (1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences</i>		



	<p>organisations. We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences. Additionally, EU 376/2014 requires each State to have a voluntary reporting system, so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences. We also understand that where an individual needs to make a report to the State, reporting an issue through an organisation’s reporting systems is sufficient to discharge the individual’s responsibility. [This is the subject of a separate comment]</p> <p>The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for ‘mandatory and voluntary reports’</p>	<p><i>whose reporting is mandatory in accordance with point (3), and those where a voluntary report is to be made. The system shall include:</i>"</p>
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		<p>capturing (in (i)) 'occurrences' and (in (ii)) 'near-misses' (paraphrased for brevity).</p> <p>We believe that this system is required:</p> <p>(a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4('Mandatory Reporting'), item 2, and (b) to facilitate the collection of occurrences/near-misses and other information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5('Voluntary Reporting'), item 1.</p> <p>21.A.3A(a)(1)as proposed does not make clear that the organisation is not deciding the 'mandatory' nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this.</p> <p>Furthermore, the inputs to the reporting system should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.</p>	
<p>response</p>	<p>See Section 1.</p>		



comment 985 comment by: ASD

21.A.3A(a)(1)(ii)	14/272	Definitions of terms like "errors, "near misses " are not found in the requirements. Furthermore definitions within GM1 Annex I Definitions seems only valid when these words are used in AMC/GMs quote <i>GM1 Annex I Definitions</i> <i>For the purpose of the AMC & GM to Part 21, the following definitions are used:</i> Thus when used in the requirements, there is the risk that is not interpreted same way by all Organisations	Confirmation of the definitions used in the requirements is needed.
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response See Section 1.

comment 986 comment by: ASD

21.A.3A(a)(2)	14/272	the sentence is related to 21.A.3.(a) (1) (i) only. Furthermore, using the term 'the information' implies that a specific set of information has been created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn't ask for any specific information about the system to be created. A reword to 'information' implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.	Change the wording as follows: <i>"make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences."</i>
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response	See Section 1.		
comment	987		comment by: ASD
	21.A.3A(b)(1)	15/272	<p>The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.</p> <p>change the wording as follows: <i>"in order to identify any adverse trends or to any address deficiencies which may impact safety..."</i></p>
response	See Section 1.		
comment	988		comment by: ASD
	21.A.3A(b)(1)	15/272	<p>To whom Reportable occurrences shall be reported should be clarified in this paragraph (1).</p> <p>The last sentence <i>"This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information."</i> is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed. What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?</p> <p>Wording should be changed as follows: <i>" ... and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".</i></p>
response	See Section 1.		
comment	989		comment by: ASD
	21.A.3A(b)(4)	15/272	<p><i>"if the production organisation acts as a</i></p> <p>change the wording as follows:</p>



		<p>supplier to another production organisation, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data." Wording deserves identification of the applicable POA</p>	<p>"if the production organisation acts as a supplier to working under another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</p>
response	See Section 1.		
comment	990	comment by: ASD	
	21.A.3A(c)	15/272	<p>The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..." As written, This requirement is for the reports to the Authority only.</p>
			<p>change the wording as follows "The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..." Additionally, separate the 72 hours requirement in another paragraph</p>
response	See Section 1.		
comment	991	comment by: ASD	
	21.A.3A(d)	15/272	<p>This requirement shall frame the investigation which can only be based on data made available to the organisation responsible for the investigation. This comment is intended to regulate the support to the investigation needed from other stakeholders (e.g. operators, AMO, CAMO,..)</p>
			<p>wording should be changed as follows: "...shall investigate, based on available data the reason for the deficiency and report to..."</p>



response	See Section 1.		
comment	1152		comment by: ASD
	21.A.3A(a)(1)	14/272	<p>It is mandated to perform trends to identify those that show a negative behaviour. The intent is understood and shared however it is considered excessive to include in the Part 21 such a prescriptive method.</p> <p>It would be considered more appropriate to move this methods of analysis in the GM</p>
response	See Section 1.		
comment	1153		comment by: ASD
	21.A.3A(b)(1)	15/272	<p>To whom Reportable occurrences shall be reported should be clarified in this paragraph (1).</p> <p>The last sentence <i>"This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information."</i> is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed. What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?</p> <p>Wording should be changed as follows: <i>" ... and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)"</i>.</p>
response	See Section 1.		
comment	1154		comment by: ASD
	21.A.3A(b)(2)	15/272	<p><i>"report to the holder of the type certificate, restricted type</i></p> <p>GM1 21.A.3A(a) and 21.A.3A(b) should</p>



		<p><i>certificate"</i> When the production organisation manufactures engine and/or propeller parts/appliances, it should be clarified if the report shall be made to both the engine (or propeller) TC holder and the aircraft TC holder. Similarly, if the POA is manufacturing parts to data provided by a non-TC-holding DOA, to whom should it report its issues?</p>	<p>clarify to which TC holder(s) the report shall be made, and to whom reports should be made if the parts are being made to designs from a DO not holding a TC. Same for requirement 21.A.165(d)</p>												
response	See Section 1.														
comment	1259	comment by: <i>Safran Aero Boosters</i>													
	<p>The title of this requirement "Occurrence reporting " is misleading and not consistent with the content of the requirement itself and the GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrence, i.e. internal errors, near misses, and hazards</p> <p>Suggested to change "Occurrence reporting" by "Reporting system"</p>														
response	See Section 1.														
comment	1260	comment by: <i>Safran Aero Boosters</i>													
	<p>"without prejudice to...": the aim is understood to be that 21.1.3A is to be complied whilst complying with 376/2014</p> <p>To be confirmed or clarified in the text</p>														
response	See Section 1.														
comment	1293	comment by: <i>Rolls-Royce plc</i>													
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) 21.A.3A</td> <td>Page 14</td> <td>The title of this requirement "Occurrence reporting " is not consistent with the content of the requirement itself</td> <td>Change the title from "Occurrence reporting" to "Reporting system" or similar.</td> <td>Yes</td> <td>No</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) 21.A.3A	Page 14	The title of this requirement "Occurrence reporting " is not consistent with the content of the requirement itself	Change the title from "Occurrence reporting" to "Reporting system" or similar.	Yes	No		
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**										
NPA 2019-05 (B) 21.A.3A	Page 14	The title of this requirement "Occurrence reporting " is not consistent with the content of the requirement itself	Change the title from "Occurrence reporting" to "Reporting system" or similar.	Yes	No										

		and GM 21.A.3A(a)(1) & (b)(1) which cover items beyond occurrences, i.e. internal errors, near misses, and hazards.			
NPA 2019-05 (B), 21.A.3A (a) (1)	Page 14	The term 'reportable occurrences' should be clarified by reference to (a) (3).	Revise text to read : ... and to extract reportable occurrences under point (a) (3) . The system ...	Yes	No
NPA 2019-05 (B) 21.A.3A (a) (1)	Page 14	Shouldn't 21.A.3A be updated to cover non compliance with the certification basis as a reportable event ?		Yes	No
NPA 2019-05 (B) 21.A.3A (a) (2)	Page 14	a, 2, ii "(ii) internal errors, near misses, and hazards that do not fall under point (i)." It is not clear if these are to be provided to the Agency or is part of just more clarification on "establish and maintain a system for collecting, investigating and analysing..." from a(1)		Yes	No
NPA 2019-05 (B) 21.A.3A	Page 14	"without prejudice to...": should this be read to mean that 21.1.3A is to be complied whilst complying with 376/2014? This comment is against the	To be confirmed or clarified in the text, but we question whether it is appropriate to insert reminders of other EU regulations that must also be complied with, unless there is a clear direction that two regulations place the	No	Yes



		<p>general principle of these occasional call-outs to other regulation, but see the more detailed point below.</p>	<p>same duty on organisations or individuals, and therefore provide legal clarity that (under certain defined circumstances if not always) compliance with one regulation will also be compliance with the other.</p>		
<p>NPA 2019-05 (B) 21.A.3A</p>	<p>Page 14</p>	<p>This section begins ‘Without prejudice to Regulation (EU) No 376/2014,’ which we assume to mean that 376/2014 must be complied with in addition to this section 21.A.3A.</p> <p>Regulation (EU) No 376/2014 places obligations on individuals to report issues, in addition to organisations, but states in Article 4 (Mandatory Reporting) paragraph 6:</p> <p><i>‘6. The following natural persons shall report the occurrences referred to in paragraph 1 through the system established in accordance with paragraph 2 by the organisation which employs, contracts or uses the services of the</i></p>	<p>Additional text should be considered as follows:</p> <p><i>“(a) ... (3) report to EASA any failure, malfunction, defect or other occurrence of which it is aware related to a product, part, or appliance covered by the type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval or any other relevant approval deemed to have been issued under this Annex, and which has resulted in or may result in an unsafe condition, in accordance with Commission Implementing Regulation (EU) 2015/1018. In respect of Regulation (EU) 376/2014, such reports discharge the responsibility for the reporting of such occurrences of both the natural or legal persons defined in 21.A.3A (a) and the individual required to make the reports when the natural or legal person employs,</i></p>	<p>No</p>	<p>Yes</p>



	<p><i>reporter or, failing that, through the system established in accordance with paragraph 3 by the Member State of establishment of their organisation, or by the State which issued, validated or converted the pilot's licence, or through the system established in accordance with paragraph 4 by the Agency'.</i></p> <p>The intent of this provision appears to be that the preferred route is for an individual (when an employee, or similar, of an organisation subject to 21.A.3A) to report issues considered as mandatory by EU No 376/2014 through the organisation's reporting system, and point 21.A.3 A requires the systems for making such reports to be set up by certificate holders.</p> <p>Given that the organisation reporting system will have rules for</p>	<p><i>contracts or uses the services of the reporter."</i></p> <p>Similar text will be required for point 21.A.3A(b).</p>		
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		<p>what employees are to report, and filters to extract and combine information before determining which reports are to be sent, we ask that 21.A.3A states that compliance with the organisation’s reporting system for mandatory reports is sufficient for the individual reporter to discharge their own obligations under 376/2014.</p>			
<p>NPA 2019-05 (B) 21.A.3A(a)(1)</p>	<p>Page 14</p>	<p>Section 21.A.3A represents a combination of the existing reporting requirements in Part 21, currently separated between SubParts A, F and G, plus the integration of these requirements with the mandatory and voluntary reporting system requirements required by EU 376/2014 for both State and applicant. Unfortunately, the resulting text makes it difficult to determine the exact requirements for</p>	<p>Proposed changed text: "Without prejudice to Regulation (EU) No 376/2014, all natural or legal persons who hold or who have applied for a type certificate....., deemed to have been issued under this Regulation Annex shall: (1) have establish and maintain a system for collecting, investigating and analysing mandatory and voluntary occurrence reports in order to identify any adverse trends or to address any deficiencies, and to extract reportable occurrences whose reporting is mandatory in accordance with point (3), and those where a</p>	No	Yes



	<p>organisations. We understand that EU 376/2014 requires each State to have a mandatory reporting system, so that organisations and individuals have the means to report occurrences required to be reported to the State, and each organisation is required to have a corresponding mandatory reporting system to facilitate the collection of details of those occurrences. Additionally, EU 376/2014 requires each State to have a voluntary reporting system, so that organisations and individuals may elect to provide information to the State, and each organisation is required to have a corresponding voluntary reporting system to facilitate the collection of details of those occurrences. We also understand that where an</p>	<p><i>voluntary report is to be made. The system shall include:</i>"</p>		
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	<p>individual needs to make a report to the State, reporting an issue through an organisation’s reporting systems is sufficient to discharge the individual’s responsibility. [This is the subject of a separate comment]</p> <p>The proposed 21.A.3A(a)(1) requires each organisation to set up a collection system for ‘mandatory and voluntary reports’ capturing (in (i)) ‘occurrences’ and (in (ii)) ‘near-misses’ (paraphrased for brevity).</p> <p>We believe that this system is required: (a) to facilitate collection of occurrences/near misses that are required to be reported to the State, to satisfy EU 376/2014 Article 4(‘Mandatory Reporting’), item 2, and (b) to facilitate the collection of occurrences/near-misses and other</p>			
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		<p>information that an individual or organisation may elect to report to the State to satisfy EU 376/2014 Article 5(‘Voluntary Reporting’), item 1.</p> <p>21.A.3A(a)(1)as proposed does not make clear that the organisation is not deciding the ‘mandatory’ nature of the collected material – EU376/2014 (along with the existing requirements of Part 21) has already determined this.</p> <p>Furthermore, the inputs to the reporting system should not be identified as mandatory or voluntary – it is the resulting reports that should be identified in this way.</p>			
NPA 2019-05 (B) 21.A.3A(a)(1)	Page 14	This section requires analysis of the mandatory and voluntary occurrence reports, to identify adverse trends. The intent is understood,	It would be more appropriate to move this description of the method of analysis into the GM.	No	Yes



		<p>however, the nature of the adverse trends to be identified, and the scope of the analysis expected is very open-ended, and it seems excessive to include in the law such a prescriptive requirement. This should be GM, or reworded to require that adverse trends with a potential product safety impact should be identifiable by the reporting system.</p>			
<p>NPA 2019-05 (B) 21.A.3A(a)(1)(ii)</p>	<p>Page 14</p>	<p>We recognise that this language is consistent with EU 376/2014, however, this is a very open-ended requirement, and subject to widely different interpretation across organisations and organisation types. This It is a very prescriptive requirement to be in the law, in that it requires the system to "include internal errors, near misses and hazards" - without restriction, or definition.</p>	<p>Reword to establish that the system should be 'capable' of collecting 'relevant' near misses and hazards, with appropriate GM to establish considerations for such a system, depending on the organisation type .</p>	<p>No</p>	<p>Yes</p>



<p>NPA 2019-05 (B) 21.A.3A(a)(2)</p>	<p>Page 14</p>	<p>This requirement should be related to the system established in compliance with 21.A.3.(a) (1) (i) only, as the operator is being given instructions on how to provide reports falling into this category. Furthermore, using the term ‘the information’ implies that a specific set of information has been created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn’t ask for any specific information about the system to be created. A reword to ‘information’ implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.</p>	<p>Change the wording as follows: <i>"make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations, the information about the system established in accordance with point (a)(1)(i), and on how to provide such reports of and information related to failures, malfunctions, defects or other occurrences."</i></p>	<p>No</p>	<p>Yes</p>
<p>NPA 2019-05 (B) 21.A.3A(b)(1) & (2)</p>	<p>Page 15</p>	<p>b 1 and 2 should be consistence with the rest of the section and should also cover "European Technical Standard Order (ETSO)</p>		<p>No</p>	<p>Yes</p>



		authorisation, major repair design approval"			
NPA 2019-05 (B) 21.A.3A(b)(1)	Page 15	The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.	change the wording as follows: <i>"in order to identify any adverse trends or to address any deficiencies which may impact safety..."</i>	No	Yes
NPA 2019-05 (B) 21.A.3A(b)(1)	Page 15	To whom Reportable occurrences shall be reported should be clarified in this paragraph (1). The last sentence <i>"This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information."</i> is not understood, in particular the purpose/objective of "promulgation" and what is envisaged by "relevant information". It should be clarified or removed. Furthermore, is the "evaluation" related to(1) the significance of the issue, or (2) whether it is appropriate to communicate it in some way?	Wording should be changed as follows: " and extract reportable occurrences that are reportable in accordance with 21.A.3A(b)(3)".	No	Yes



<p>NPA 2019-05 (B) 21.A.3A(b)(2)</p>	<p>Page 15</p>	<p><i>"report to the holder of the type certificate, restricted type certificate"</i> When the production organisation manufactures engine and/or propeller parts/appliances, it should be clarified that the report shall be made to the engine (or propeller) TC holder rather than the aircraft TC holder. Similarly, if the POA is manufacturing parts to data provided by a non-TC-holding DOA, to whom should it report its issues?</p>	<p>GM1 21.A.3A(a) and 21.A.3A(b) should clarify to which TC holder(s) the report shall be made, and to whom reports should be made if the parts are being made to designs from a DO not holding a TC. A similar change is needed for 21.A.165(d)</p>	<p>Yes</p>	<p>No</p>
<p>NPA 2019-05 (B) 21.A.3A(c)</p>	<p>Page 15</p>	<p><i>The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..."</i> This requirement (since it includes the maximum allowable time period for making reports) is actually for those reports required to be made to the authorities.</p>	<p>change the wording as follows <i>"The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..."</i> It will also be clearer to separate the 72 hours requirement into a separate point.</p>	<p>No</p>	<p>Yes</p>
<p>NPA 2019-05 (B) 21.A.3A(d)</p>	<p>Page 15</p>	<p>This investigation can only be based</p>	<p>wording should be changed as follows:</p>	<p>Yes</p>	<p>No</p>



		on data made available to the organisation responsible for the investigation.	"...shall investigate, based on available data the reason for the deficiency and report to..."		
response	See Section 1.				
comment	1295	comment by: Pratt@Whitney Rzeszow APUs			
	The word "any" may mean not only affecting safety. It is proposed to be replaced by word:"possible", to read: "..., in order to identify possible adverse trends or to address possible deficiencies which may impact safety ..."				
response	See Section 1.				
comment	1299	comment by: Safran Aero Boosters			
	the sentence is related to 21.A.3.(a) (1) (i) only. Furthermore, using the term 'the information' implies that a specific set of information has been created and is being referred to. In fact, point (a)(1) covers the creation of the collection system, and doesn't ask for any specific information about the system to be created. A reword to 'information' implies that information of a general sense (such as a simple description of the system) is to be made available. This is also in line with the original text.				
	Change the wording as follows: "make available to known operators of the product, part or appliance and, on request, to any person authorised under other associated implementing Regulations information about the system established in accordance with point (a)(1)(i)"				
response	See Section 1.				
comment	1301	comment by: Safran Aero Boosters			
	21.A.3A(b)(1) : The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.				
	change the wording as follows: "in order to identify adverse trends or to address deficiencies which may impact safety..."				
response	See Section 1.				
comment	1302	comment by: Safran Aero Boosters			
	21.A.3A(b)(1) : To whom Reportable occurrences shall be reported should be clarified in this paragraph (1).				

	<p>The last sentence "This system shall include the evaluation of relevant information related to occurrences, and the promulgation of the related information." is not understood, in particular the purpose/objective of "promulgation". It should be clarified or removed. What is meant with the word "evaluation" in this context? It is not clear the purpose of this evaluation, is it an evaluation to then communicate or is it the analysis of the occurrence?</p> <p>Wording should be changed as follows: " and extract occurrences that are reportable in accordance with 21.A.3A(b)(3)".</p>
response	See Section 1.
comment	<p>1305 comment by: Safran Aero Boosters</p> <p>21.A.3A(b)(2) : "report to the holder of the type certificate, restricted type certificate"</p> <p>GM1 21.A.3A(a) and 21.A.3A(b) should clarify to which TC holder(s) the report shall be made, and to whom reports should be made if the parts are being made to designs from a DO not holding a TC. Same for requirement 21.A.165(d)</p>
response	See Section 1.
comment	<p>1306 comment by: Safran Aero Boosters</p> <p>21.A.3A(b)(4) : change the wording as follows: "if the production organisation acts as a supplier to working under another production organisation approval, also report to that other organisation all cases in which it has released products, parts or appliances to that organisation and subsequently identified them to have possible deviations from the applicable design data."</p>
response	See Section 1.
comment	<p>1308 comment by: Safran Aero Boosters</p> <p>21.A.3A(c) : The reports defined in points (a) and (b) shall appropriately safeguard the confidentiality of the reporter and..." As written, This requirement is for the reports to the Authority only.</p> <p>change the wording as follows "The reports defined in points (a)(3) and (b)(3) shall appropriately safeguard the confidentiality of the reporter and..." Additionally, separate the 72 hours requirement in another paragraph</p>
response	See Section 1.
comment	<p>1309 comment by: Safran Aero Boosters</p>



	21.A.3A(d) : wording should be changed as follows: "...shall investigate, based on available data the reason for the deficiency and report to..."
response	See Section 1.
comment	<p>1462 comment by: <i>Thales</i></p> <p>The word "any" is too restrictive. It should be removed and/or a limitations to "any" should be defined.</p> <p>Suggested resolution: change the wording as follows: <i>"in order to identify any adverse trends or to address deficiencies which may impact safety..."</i></p>
response	See Section 1.
comment	<p>1565 comment by: <i>MARPA</i></p> <p>Paragraph 21.A.3A(b)(2) requires the holder of a production approval to "report to the holder of the type certificate, restricted type certificate or design approval, all cases in which products, parts or appliances have been released by the production organisation and subsequently identified to have deviations from the applicable design data, and investigate with the holder of the type certificate, restricted type certificate or design approval to identify those deviations which could lead to an unsafe condition." While reporting of such escapes is important, this provision appears to be overbroad in that it would require the producer of replacement parts (who may be a competitor) to report issues identified to TC, RTC, and design approval holders, who may then use that information for commercial, rather than safety, purposes. There is also a risk of a lack of candor when competitors are required to work together (as well as obvious antitrust considerations when competitors share information).</p> <p>The reporting requirement to the TC or other holder to investigate whether an unsafe condition could arise makes perfect sense in the context of a supplier or subcontractor to the TC holder, where such production deviations may have been incorporated into the product. However, where no direct relationship between the TC/RTC/DA holder and the production approval holder exists, it is more appropriate that the production approval holder, upon identification of a deviation, go directly to its customer and work with the repair station or operator to identify whether unsafe conditions may arise.</p> <p>We recommend narrowing paragraph (b)(2)'s requirements to report to the holder of the TC/RTC/DA only those scenarios where a supplier relationship exists with the TC/RTC/DA holder. We further recommend creating a separate paragraph that requires production approval holders that have dealt directly with the end-user to work directly with that end-user when a possible deviation is identified to determine, in conjunction with the end-user, whether an unsafe condition may arise.</p>
response	See Section 1.



21.A.1 Record-keeping

p. 16-17

comment 68 comment by: *General Aviation Manufacturers Association*
 Section 21.A.5(b)(2): Replace "...all details of the work carried out..." with "...all relevant details of the work carried out..."

response See Section 1.

comment 178 comment by: *Safran Engineering Services*
 21.A.5
"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..."
 Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement
 It is proposed to add: "change to Type certificate approval "
 remove "major" within "~~Major~~ repair design approval"

response See Section 1.

comment 179 comment by: *Safran Engineering Services*
 21.A.5 (b)(2)
 Within the sentence "*all details of the work carried out*" the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.
 It is proposed to change the wording as follows:
"~~all~~ relevant details of the work carried out"

response See Section 1.

comment 262 comment by: *Safran Landing Systems*

<p><i>"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..."</i> Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p>	<p>Add: "change to Type certificate approval " remove "major" within "Major repair design approval"</p>
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response See Section 1.



comment	<p>263 comment by: <i>Safran Landing Systems</i></p> <p>(b)(2)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Within the sentence "<i>all details of the work carried out</i>" the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.</p> </div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>change the wording as follows: "all-relevant <i>details of the work carried out</i>"</p> </div>
response	See Section 1.

comment	<p>480 comment by: <i>Safran HE</i></p> <p>21.A.5 - page 16</p> <p>"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..."</p> <p>Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p> <p>Suggested resolution: Add: "change to Type certificate approval" remove "major" within "Major repair design approval"</p>
response	See Section 1.

comment	<p>481 comment by: <i>Safran HE</i></p> <p>21.A.5 (b)(2) - page 16</p> <p>Within the sentence "all details of the work carried out" the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.</p> <p>suggested resolution: change the wording as follows: "all relevant details of the work carried out"</p>
response	See Section 1.

comment	701 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>
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Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.9(a)	17/272	for sake of clarity, compliance should cover initial and continued compliance.	that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.		X
response	See Section 1.				

comment 702 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.9 (b)	17/272	the wording "... and to inspect the technical data files." does not bring added value on the top of the wording " to review any report"	It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this	X	



			Annex, and to inspect the technical data files.		
response	See Section 1.				
comment	876	comment by: SAFRAN AEROSYSTEMS			
	<ul style="list-style-type: none"> 21.A.5 <p>"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..."</p> <p>Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p> <p>Add: "change to Type certificate approval " remove "major" within "Major repair design approval"</p> <ul style="list-style-type: none"> 21.A.5 (b)(2) <p>Within the sentence "all details of the work carried out" the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.</p> <p>change the wording as follows: "all relevant details of the work carried out"</p>				
response	See Section 1.				
comment	992	comment by: ASD			
	21.A.5	16/272	<p>"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..."</p> <p>Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p>	<p>Add: "change to Type certificate approval " remove "major" within "Major repair design approval"</p>	

response	See Section 1.
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comment	993		comment by: ASD
	21.A.5 (b)(2)	16/272	<p>Within the sentence "all details of the work carried out" the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.</p> <p>change the wording as follows: "allrelevant details of the work carried out"</p>

response	See Section 1.
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comment	1289		comment by: Lufthansa Technik AG
	21.A.5(a) is not applicable for POA. (b) not applicable for DOA, etc. This should be made clear when introducing the requirements of (a) and (b).		

response	See Section 1.
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comment	1298		comment by: Rolls-Royce plc												
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) 21.A.5</td> <td>Page 16</td> <td>"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..." Record keeping for</td> <td>Add: " approval of a change to a type certificate " remove "major" within "Major repair design approval"</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) 21.A.5	Page 16	"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..." Record keeping for	Add: " approval of a change to a type certificate " remove "major" within " Major repair design approval"	No	Yes		
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**										
NPA 2019-05 (B) 21.A.5	Page 16	"All natural or legal persons who hold or who have applied for a type certificate, restricted type certificate, supplemental type certificate, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under this Annex shall..." Record keeping for	Add: " approval of a change to a type certificate " remove "major" within " Major repair design approval"	No	Yes										



		minor and major changes to TC (transferred from the former 21.A.105 which is removed) as well as for minor repair design approval (transferred from former 21.A.447) are missing in the statement above.			
NPA 2019-05 (B), 21.A.5 point (a) and (b)(1)	Page 16	The wording 'to ensure the continued airworthiness' is misleading. Data to ensure continued airworthiness of an aircraft is primarily under the control of the State of Registry (ICAO Annex 8) and includes more than TC Holder and Production data.	Delete 'to ensure' and replace by 'to support'.	No	Yes
NPA 2019-05 (B) 21.A.5 (b)(2)	Page 16	Within the sentence " <i>all details of the work carried out</i> " the word "all" is too restrictive. It should be removed and/or a limitations to "all" should be defined.	change the wording as follows: " all <i>relevant details of the work carried out</i> "	No	Yes

response See Section 1.

comment

1465

comment by: *Thales*

Within the sentence "*all details of the work carried out*" the word "*all*" is too inclusive. It should be removed and/or a limitations to "*all*" should be defined.

Suggested resolution: change the wording as follows: "~~all~~ *relevant details of the work carried out*"

response

See Section 1.



21.A.9 Investigations

p. 17

comment	69	comment by: <i>General Aviation Manufacturers Association</i>
	Section 21.A.9(b): Remove the statement "...and to inspect the technical data files.". This statement is redundant, with no added value following "...to review any report...".	
response	See Section 1.	

comment	119	comment by: <i>FAA</i>
	Page 17 Para 21.A.9(a) <u>Referenced Text:</u> All organisations shall make arrangements that allow the competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable requirements of this Annex."	
	<u>Comment:</u> This requirement does not reconcile with the third-country POAs located in non-EU countries. The power of investigation is only in name in such instances because EASA lacks jurisdictional authority over such POA entities, especially when there is no POA linkage to a EU based POA (such as there would be in a PC extension manufacturing arrangement)	
	<u>Proposed Resolution:</u> Clarify scope of investigatory powers for entities holding POAs outside of the EU member countries	
response	See Section 1.	

comment	181	comment by: <i>Safran Engineering Services</i>
	21.A.9(a): for sake of clarity, compliance should cover initial and continued compliance. It is suggested to change as : " that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex."	
response	See Section 1.	

comment	182	comment by: <i>Safran Engineering Services</i>
	21.A.9 (b) the wording "... and to inspect the technical data files." does not bring added value on the top of the wording "to review any report"	



	It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.
response	See Section 1.

comment	264 comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>21.A.9(a)</td> <td>17/272</td> <td>for sake of clarity, compliance should cover initial and continued compliance.</td> <td>that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.</td> </tr> </table>	21.A.9(a)	17/272	for sake of clarity, compliance should cover initial and continued compliance.	that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.
21.A.9(a)	17/272	for sake of clarity, compliance should cover initial and continued compliance.	that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.		
response	See Section 1.				

comment	265 comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>21.A.9 (b)</td> <td>17/272</td> <td>the wording "... and to inspect the technical data files." does not bring added value on the top of the wording "to review any report"</td> <td>It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.</td> </tr> </table>	21.A.9 (b)	17/272	the wording "... and to inspect the technical data files." does not bring added value on the top of the wording "to review any report"	It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.
21.A.9 (b)	17/272	the wording "... and to inspect the technical data files." does not bring added value on the top of the wording "to review any report"	It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.		
response	See Section 1.				

comment	482 comment by: Safran HE
	<p>21.A.9(a) for sake of clarity, compliance should cover initial and continued compliance.</p> <p>Suggested resolution: that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.</p>



response	See Section 1.						
comment	483	comment by: <i>Safran HE</i>					
	<p>21.A.9 (b) the wording "... and to inspect the technical data files." does not bring added value on the top of the wording " to review any report"</p> <p>Suggested resolution: It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.</p>						
response	See Section 1.						
comment	877	comment by: <i>SAFRAN AEROSYSTEMS</i>					
	<p>21.A.9 (b) the wording "... and to inspect the technical data files." does not bring added value on the top of the wording " to review any report"</p> <p>It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.</p>						
response	See Section 1.						
comment	994	comment by: <i>ASD</i>					
	<table border="1"> <tr> <td>21.A.9(a)</td> <td>17/272</td> <td>for sake of clarity, compliance should cover initial and continued compliance.</td> <td>that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.</td> </tr> </table>	21.A.9(a)	17/272	for sake of clarity, compliance should cover initial and continued compliance.	that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.		
21.A.9(a)	17/272	for sake of clarity, compliance should cover initial and continued compliance.	that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.				
response	See Section 1.						
comment	995	comment by: <i>ASD</i>					



21.A.9 (b)	17/272	the wording "... and to inspect the technical data files." does not bring added value on the top of the wording "to review any report"	It is suggested to change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.
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response See Section 1.

comment

1300 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.A.9(a)	Page 17	for sake of clarity, compliance should cover initial and continued compliance.	that are necessary to determine the initial compliance and the continued compliance of the organisation with the applicable requirements of this Annex.	Yes	No
NPA 2019-05 (B) 21.A.9 (b)	Page 17	the wording "... and to inspect the technical data files." does not bring added value on the top of the wording "to review any report"	Change the wording as follows: Design and production organisations and applicants for, or holders of, permits to fly or ETSO authorisations shall allow the competent authority to review any report or data file and make any inspection and perform or witness any test that is	Yes	No



			<p>necessary to check the compliance of the organisation with this Annex, and to inspect the technical data files.</p>		
<p>response</p>	<p>See Section 1.</p>				

21.A.109 Obligations and EPA marking

p. 19

comment

121

comment by: FAA

Page 19

Para (a)

Reference Text: Undertake the obligations laid down in points 21.A.4, 21.A.105, 21.A.5, 21.A.9, 21.A.107 and 21.A.108;

Comment: as Minor changes to type certificates are still changes and could have an impact on safety, it would be recommend to have these holders also monitor their changes and report as needed. Agree that by nature minor changes should not impact safety, but the possibility does exist that an interaction that was not foreseen could occur and be missed due to lack of reporting requirements.

Proposed Resolution: Include 21.A.3A in the obligations.

response

See Section 1.

21.A.124A Alternative means of compliance

p. 21

comment

11

comment by: CAA-NL

Section A, Subpart F

We suggest including a new point to introduce an accountable manager within this organisation. Although it is a product oriented organisation and the requirements are also product oriented, we are of the opinion that an accountable person responsible for the organisation to stay in compliance and a contact point for the authority is an added value.

21.A.124(c)

The application shall be made by the accountable manager of the production organisation, who is accountable to the competent with authority to ensure that all production is performed to the required standards and that the production organisation is continuously in compliance with the requirements of this annex.



response	See Section 1.
comment	<p data-bbox="384 304 1385 338">70 comment by: <i>General Aviation Manufacturers Association</i></p> <p data-bbox="384 365 1393 501">Section 21.A.124A: Alt MoC is too complex and an administrative burden. Alt MoC is too complex and an administrative burden. This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p data-bbox="384 544 1393 1003">Currently, Acceptable Means of Compliance (AMC) published by the Agency are legally non-binding on the Applicant, and binding only on the Competent Authority. They represent 'a means, but not the only means' to comply with a regulation; they act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given and convenience for the CA too. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any AMC may be proposed to a regulation, provided that the CA satisfied. No detailed treatment of the specific deviations from any given AMC is needed - the CA is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable position.</p> <p data-bbox="384 1046 1393 1357">It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their CA as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the Regulator - this is the same as saying that a rule is not binding, because a new rule can be created.</p> <p data-bbox="384 1400 1393 1995">Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>



response	See Section 1.	
comment	266	comment by: <i>Safran Landing Systems</i>
	<p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>



currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

response See Section 1.



comment

484

comment by: Safran HE

This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

Suggested resolution:

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while



	<p>maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>878 comment by: SAFRAN AEROSYSTEMS</p> <p>21.A.124A</p> <p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was</p>



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This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response See Section 1.

comment

996

comment by: ASD

21.A.124A	21/272	<p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable.</p> <p>Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should</p>
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response See Section 1.

comment 1310 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.A.124A	Page 21	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the	No	Yes



	<p>the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on</p>	<p>systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
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	<p>prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC</p>			
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		<p>is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>			
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>1469</p>		<p>comment by: <i>Thales</i></p> <p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance represent 'a means, but not the only</p>		



means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of an alternative, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

Suggested resolution: delete 21.A.124A

response See Section 1.

21.A.125B Findings

p. 21-22

comment 12

comment by: CAA-NL

21.A.125B(a)(2)



response	<p>We suggest to delete the level 3 findings as there is no non-compliance yet and no immediate action is required. See further comments on level 3 in section B</p> <p>See Section 1.</p>												
comment	<p>18 comment by: CAA-NL</p> <p>21.A.158, We suggest to use the wording of 145.A.95 which is clear and simple. (a) After the receipt of a notification of findings according to point 21.B.255, the organisation shall: (1) identify the root cause or causes of, and contributing factors to, the non-compliance; (2) define a corrective action plan; (3) demonstrate the implementation of corrective action to the satisfaction of the competent authority. (b) The actions referred to in points (a)(1), (a)(2) and (a)(3) shall be performed within the period agreed with that competent authority as defined in point 21.B.255.</p> <p>For further suggestion on findings see section B</p>												
response	<p>See Section 1.</p>												
comment	<p>691 comment by: UK CAA</p> <p>Page No: 22; 42; 61; 67/68; 77</p> <p>Paragraph No: 21.A.125B Findings (2); 21.A.258 Findings (2); 21.B.125 Findings and corrective actions (3); 21.B.225 Findings and corrective actions (d) and (f)(3); 21.B.433 Findings and corrective actions (d) and (f)(currently incorrectly numbered (d))(3).</p> <p>Comment: Level 3 finding still remains in Part 21 although it is only an observation. It does not feature in Part 145.</p> <p>Justification: Raising or not raising a level 3 finding should be made uniform across Part 21 and Part 145.</p> <p>Proposed Text: We recommend that the corresponding text to level 3 finding should be deleted.</p> <p>In addition, please note the paragraph numbered (d) beginning “The competent authority shall ...” should be renumbered to paragraph (f)</p>												
response	<p>See Section 1.</p>												
comment	<p>703 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1" data-bbox="389 1843 1383 1995"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)						
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21.A.124A	21/272	<p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should</p>	X
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	<p>offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of</p>			
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	<p>compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the</p>			
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	<p>choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>			
response	See Section 1.			
comment	<p>1566 comment by: MARPA</p> <p>21.A.125B, among many other sections, eliminates the descriptions of level 1, level 2, and level 3 findings, which have been relocated to the correlative provisions of Section B. Although the text references, e.g., 21.B.125, it may be useful and clarifying to clearly state that the degrees of findings are described in the relevant Section B provision.</p>			
response	See Section 1.			

21.A.125C Duration and continued validity



comment	13	comment by: CAA-NL
	<p>21.A.125C(a)(5)</p> <p>We are of the opinion that ‘suspension’ needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules.</p> <p>(54.) the letter of agreement has been <i>suspended</i>, or surrendered, revoked under point 21.B.145, 21.B.65, surrendered or has expired.</p>	
response	See Section 1.	

comment	122	comment by: FAA
	<p>Page: 22 Para: 21.A.125C(a)(2)</p> <p><u>Referenced Text:</u> "the competent authority is prevented by the holder or any of its partners or subcontractors from performing the investigations in accordance with point 21.A.9;"</p> <p><u>Comment:</u> Although this language seems to alleviate the concern with right of access during an investigation of a holder of a certificate, the definition of "competent authority" remains confounding since EASA has no jurisdictional authority or standing over entities with POAs in non-EU countries</p> <p><u>Proposed Resolutions:</u> Define scope of "competent authority" for jurisdictional issues concerning non-EU third country POAs</p>	
response	See Section 1.	

21.A.129 Obligations of the manufacturer

p. 24-25

comment	14	comment by: CAA-NL
	<p>21.A.129(e)</p> <p>For clarity we suggest to include ‘section A’ in this point:</p> <p>(e) comply with Subpart A of Section A of this Annex.</p>	
response	See Section 1.	

comment	47	comment by: Duane Kritzinger
	<p>Delete "of" in the following sentence: "<i>Each organisation producing of a product, part or appliance being manufactured under this Subpart shall</i>".</p> <p>Note the new BR does not distinguish between "parts" and "appliances".</p>	
response	See Section 1.	

comment	72	comment by: General Aviation Manufacturers Association
	<p>Replace “Each organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:” with “Each organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:”.</p>	



response	See Section 1.																
comment	183	comment by: <i>Safran Engineering Services</i>															
	21.A.129	The word "of" should be removed. The wording "being manufactured" should be removed. Wording should be changed as follows: " <i>Each organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:...</i> "															
response	See Section 1.																
comment	267	comment by: <i>Safran Landing Systems</i>															
		The word "of" should be removed. The wording "being manufactured" should be removed.	Wording should be changed as follows: " <i>Each organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:...</i> "														
response	See Section 1.																
comment	485	comment by: <i>Safran HE</i>															
		The word "of" should be removed. The wording "being manufactured" should be removed. Suggested resolution: Wording should be changed as follows: " <i>Each organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:...</i> "															
response	See Section 1.																
comment	704	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>															
		<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.A.129</td> <td>24/272</td> <td>The word "manufacturer of" should be removed. The wording</td> <td>Wording should be changed as follows: "<i>Each organisation</i></td> <td>X</td> <td></td> </tr> </tbody> </table>				Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.129	24/272	The word "manufacturer of" should be removed. The wording	Wording should be changed as follows: " <i>Each organisation</i>	X	
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21.A.129	24/272	The word "manufacturer of" should be removed. The wording	Wording should be changed as follows: " <i>Each organisation</i>	X													



		"being manufactured" should be removed.	<i>producing manufacturer of a product, part or appliance-being manufactured under this Subpart shall:..."</i>			
response	See Section 1.					
comment	880		comment by: SAFRAN AEROSYSTEMS			
	<p>The word "of" should be removed. The wording "being manufactured" should be removed.</p> <p>Wording should be changed as follows: "Each organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:..."</p>					
response	See Section 1.					
comment	997		comment by: ASD			
	21.A.129	24/272	<p>The word "of" should be removed. The wording "being manufactured" should be removed.</p>	<p>Wording should be changed as follows: "Each organisation producing manufacturer of a product, part or appliance-being manufactured under this Subpart shall:..."</p>		
response	See Section 1.					
comment	1315		comment by: Rolls-Royce plc			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B) 21.A.129	Page 24	Editorial correction: The word "of" should be	Wording should be changed as follows: "Each	Yes	No



		removed. The wording "being manufactured" should be removed.	<i>organisation producing manufacturer of a product, part or appliance being manufactured under this Subpart shall:..."</i>		
response	See Section 1.				
comment	1567	comment by: <i>MARPA</i>			
	21.A.129 revised introductory paragraph is amended to read "Each organisation producing of [sic] a product, part or appliance being manufactured under this Subpart shall..." The type should be corrected, or in the alternative the word "manufacturer" should be retained. It is unclear what safety benefit or interpretive benefit is gained by changing "manufacturer" to "organisation producing."				
response	See Section 1.				

21.A.134A Alternative means of compliance

comment	71	comment by: <i>General Aviation Manufacturers Association</i>
	<p>Alt MoC is too complex and an administrative burden. This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance (AMC) published by the Agency are legally non-binding on the Applicant, and binding only on the Competent Authority. They represent 'a means, but not the only means' to comply with a regulation; they act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given and convenience for the CA too. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any AMC may be proposed to a regulation, provided that the CA satisfied. No detailed treatment of the specific deviations from any given AMC is needed - the CA is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable position.</p> <p>It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be</p>	



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Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

response See Section 1.

comment

184

comment by: *Safran Engineering Services*

21.A.134A

This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every



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This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response See Section 1.

comment 268

comment by: Safran Landing Systems

This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.

Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority.

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response See Section 1.

comment

493

comment by: Safran HE

This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the



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Suggested resolution:

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response See Section 1.



comment

705

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.134A	25/272	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot,	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative		X



	<p>however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will</p>	<p>means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
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	<p>have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into</p>			
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	<p>AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular</p>			
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	<p>rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>			
response	See Section 1.			
comment	879		comment by: <i>SAFRAN AEROSYSTEMS</i>	
	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.			



Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of



response	<p>general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p> <p>See Section 1.</p>		
comment	998	comment by: ASD	
21.A.134A	25/272	<p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>



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response	See Section 1.	
comment	<p>1312</p> <p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent</p>	comment by: <i>Safran Aero Boosters</i>



authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

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response See Section 1.

comment 1314

comment by: *Rolls-Royce plc*



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.A.134A	Page 25	Correctness of footnote to be checked.	Revise footnote.	Yes	No
response	See Section 1.				

comment	1316	comment by: <i>Rolls-Royce plc</i>			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.A.134A	Page 25	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a	No	Yes



	<p>mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it</p>	<p>forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
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	<p>will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is</p>			
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	<p>the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the</p>			
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	<p>precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>			
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response	See Section 1.
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21.A.139 Quality Production management Ssystem	p. 25-28
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comment	<p>48 comment by: <i>Duane Kritzinger</i></p> <p>I would recommend that the "<i>Management System</i>" wording in 21.A.139(a) be harmonised with ORO.GEN.200 and 145.A.200 (in particular). Will impact subsequent references to the "<i>Management System</i>" as well as the Management System in 21.A.239</p>
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response	See Section 1.
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comment	<p>73 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.139(a): Replace "...a production management system that includes a safety management system and a quality system with..." with "a production management system that includes two elements: a safety management system and a quality management system with...". Ensure consistency within this Section and the Design Management System approach.</p>
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response	See Section 1.
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comment	<p>74 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.139(c)(3)(i): The statement "...all domains of the organization..." is not appropriate; recommend replacing with "hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A;" to ensure proactive safety risk management. The statement would otherwise limit to reactive safety risk management only (e.g. events that have occurred) and is not consistent with the intent expressed in the AMC / GM.</p>
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response	See Section 1.
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comment	<p>75 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.139(c)(3): This statement is unclear – clarification required at to, it's intent or retain the original wording.</p>
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response	See Section 1.
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comment	<p>76 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.139(e): This statement would be better covered in 21.A.143 – recommend its removal from 21.A.139 and transfer to 21.A.143.</p>
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response	See Section 1.
comment	<p>77 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.139(f): Replace “The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action. Suggest replacing with “the production organization shall include independent monitoring of compliance with, the adequacy of, the documented procedures of the production management system.”.</p>
response	See Section 1.
comment	<p>78 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.139(g): Industry fully support this approach and agree ‘may’ is appropriate and additional supporting GM is included. It is not appropriate to become a ‘shall’ or ‘must’.</p>
response	See Section 1.
comment	<p>185 comment by: <i>Safran Engineering Services</i></p> <p>21.A.139(c) (3)(i): Wording "<i>in all domains of the organisation</i> " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....</p> <p>Wording should be changed as follows: "<i>(3) establish, implement and maintain a safety risk management process that includes:</i> <i>(i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and</i>"</p>
response	See Section 1.
comment	<p>186 comment by: <i>Safran Engineering Services</i></p> <p>21.A.139(c) Referring to following statement : "<i>(c) As part of the safety management element of the production management system, the production organisation shall:</i> <i>(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point</i></p>



	<p>21.A.3A; <i>and</i>" is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>
response	See Section 1.
comment	<p>187 comment by: Safran Engineering Services</p>
	<p>21.A.139(d)(3) The wording : "<i>The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts.</i>" does not provide any clarity versus the current wording in Part21.</p> <p>It is suggested to keep the current wording</p>
response	See Section 1.
comment	<p>188 comment by: Safran Engineering Services</p>
	<p>21.A.139(e) This requirement is already covered by 21.A.143. It should be removed.</p>
response	See Section 1.
comment	<p>189 comment by: Safran Engineering Services</p>
	<p>21.A.139(g) This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".</p>
response	See Section 1.
comment	<p>190 comment by: Safran Engineering Services</p>
	<p>21.A.139(g): "<i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s).</i>" This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21. <i>It is suggest to change as followed :</i> "<i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance</i></p>

	<i>of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i>					
response	See Section 1.					
comment	192	comment by: <i>Safran Engineering Services</i>				
	<p>21.A.139(f): The wording : "(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action." is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p> <p>Wording should be changed as follows: (f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.</p>					
response	See Section 1.					
comment	269	comment by: <i>Safran Landing Systems</i>				
	<table border="1"> <tr> <td>21.A.139(c)(3)(i)</td> <td>26/272</td> <td> Wording "<i>in all domains of the organisation</i> " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products.... </td> <td> wording should be changed as follows: "(3) <i>establish, implement and maintain a safety risk management process that includes:</i> (i) <i>hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and</i>" </td> </tr> </table>	21.A.139(c)(3)(i)	26/272	Wording " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....	wording should be changed as follows: "(3) <i>establish, implement and maintain a safety risk management process that includes:</i> (i) <i>hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and</i> "	
21.A.139(c)(3)(i)	26/272	Wording " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....	wording should be changed as follows: "(3) <i>establish, implement and maintain a safety risk management process that includes:</i> (i) <i>hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and</i> "			
response	See Section 1.					
comment	270	comment by: <i>Safran Landing Systems</i>				

response	<table border="1"> <tr> <td data-bbox="379 183 544 645">21.A.139(c)</td> <td data-bbox="544 183 639 645">26/272</td> <td data-bbox="639 183 1412 645"> Referring to following statement : <i>"(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i> is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A? </td> </tr> <tr> <td colspan="3" data-bbox="379 645 1412 819">See Section 1.</td> </tr> </table>	21.A.139(c)	26/272	Referring to following statement : <i>"(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i> is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?	See Section 1.				
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comment	<p>271 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="379 819 544 1330">21.A.139(d)(3)</td> <td data-bbox="544 819 639 1330">27/272</td> <td data-bbox="639 819 1190 1330"> The wording : <i>"The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts."</i> does not provide any clarity versus the current wording in Part21. </td> <td data-bbox="1190 819 1412 1330"> It is suggested to keep the current wording </td> </tr> <tr> <td colspan="4" data-bbox="379 1330 1412 1532">See Section 1.</td> </tr> </table>	21.A.139(d)(3)	27/272	The wording : <i>"The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts."</i> does not provide any clarity versus the current wording in Part21.	It is suggested to keep the current wording	See Section 1.			
21.A.139(d)(3)	27/272	The wording : <i>"The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts."</i> does not provide any clarity versus the current wording in Part21.	It is suggested to keep the current wording						
See Section 1.									
response	<p>272 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="379 1532 544 1697">21.A.139(e)</td> <td data-bbox="544 1532 639 1697">27/273</td> <td data-bbox="639 1532 1412 1697"> This requirement is already covered by 21.A.143. It should be removed. </td> </tr> <tr> <td colspan="3" data-bbox="379 1697 1412 1756">See Section 1.</td> </tr> </table>	21.A.139(e)	27/273	This requirement is already covered by 21.A.143. It should be removed.	See Section 1.				
21.A.139(e)	27/273	This requirement is already covered by 21.A.143. It should be removed.							
See Section 1.									
comment	<p>273 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="379 1756 544 2038">21.A.139(f)</td> <td data-bbox="544 1756 639 2038">27/272</td> <td data-bbox="639 1756 1070 2038"> The wording : <i>"(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the</i> </td> <td data-bbox="1070 1756 1412 2038"> Wording should be changed as follows: <i>(f) The production organisation shall include in the production</i> </td> </tr> </table>	21.A.139(f)	27/272	The wording : <i>"(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the</i>	Wording should be changed as follows: <i>(f) The production organisation shall include in the production</i>				
21.A.139(f)	27/272	The wording : <i>"(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the</i>	Wording should be changed as follows: <i>(f) The production organisation shall include in the production</i>						



		adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action." is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.	management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.
response	See Section 1.		
comment	274 comment by: Safran Landing Systems		
	21.A.139(g)	27/272	This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".
response	See Section 1.		
comment	275 comment by: Safran Landing Systems		
	21.A.139(g)	27/272	<p>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</p> <p>This is a welcome provision, but it needs to explicitly accommodate approved</p>
			<p>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved</p>



	<p>organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>	<p>organisation is part of a larger organisation.</p>
response	See Section 1.	
comment	<p>494 comment by: <i>Safran HE</i></p> <p>21.A.139(c) (3)(i) - page 26</p> <p>Wording "in all domains of the organisation " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....</p> <p>Suggested resolution:</p> <p>wording should be changed as follows: "(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</p>	
response	See Section 1.	
comment	<p>495 comment by: <i>Safran HE</i></p> <p>21.A.139(c) - page 26</p> <p>Referring to following statement :</p> <p>"(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</p> <p>is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>	
response	See Section 1.	
comment	<p>496 comment by: <i>Safran HE</i></p> <p>21.A.139(d)(3) - page 27</p>	



	<p>The wording : "The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts." does not provide any clarity versus the current wording in Part21.</p> <p>Suggested resolution: It is suggested to keep the current wording</p>
response	See Section 1.
comment	<p>497 comment by: <i>Safran HE</i></p> <p>21.A.139(e) - page 27 This requirement is already covered by 21.A.143. It should be removed.</p>
response	See Section 1.
comment	<p>498 comment by: <i>Safran HE</i></p> <p>21.A.139(f) - page 27 The wording : "(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action." is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p> <p>Suggested resolution : Wording should be changed as follows: (f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.</p>
response	See Section 1.
comment	<p>499 comment by: <i>Safran HE</i></p> <p>21.A.139(g) - page 27 This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".</p>
response	See Section 1.
comment	<p>500 comment by: <i>Safran HE</i></p> <p>21.A.139(g) - page 27</p>



"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."
 This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.

Suggested resolution:

(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.

response See Section 1.

comment

706

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(c) (3)(i)	26/272	Wording " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products, military aeronautical products....	wording should be changed as follows: "(3) <i>establish, implement and maintain a safety risk management process that includes:</i> (i) <i>hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to</i>		X



			point 21.A.3A; and"		
response	See Section 1.				

comment	714	comment by: SAFRAN TRANSMISSION SYSTEMS			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(c)	26/272	Referring to following statement : "(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and" is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?	To clarify	X	



response See Section 1.

comment 715 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(d)(3)	27/272	The wording : <i>"The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts."</i> does not provide any clarity versus the current wording in Part21.	It is suggested to keep the current wording		X

response See Section 1.

comment 716 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(e)	27/273	This requirement is already covered by 21.A.143. It should be removed.	to be removed	X	



response See Section 1.

comment 718 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(f)	27/272	<p>The wording : "(f) <i>The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action.</i>" is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p>	<p>Wording should be changed as follows: (f) <i>The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.</i></p>		X



response	See Section 1.

comment 719 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(g)	27/272	This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".	replace "may" by "shall" or "must"	X	

response See Section 1.

comment 720 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.139(g)	27/272	<i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design</i>	<i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design</i>		X



		<p><i>organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</i></p> <p>This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>	<p><i>organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i></p>		
response	See Section 1.				

comment

881

comment by: SAFRAN AEROSYSTEMS

- 21.A.139(c) (3)(i)

Wording "in all domains of the organisation " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....

wording should be changed as follows:



"(3) establish, implement and maintain a safety risk management process that includes:

(i) hazard identification in ~~all domains of the organisation and~~ its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"

- 21.A.139(c)

Referring to following statement :

"(c) As part of the safety management element of the production management system, the production organisation shall:

(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"

is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?

- 21.A.139(d)(3)

The wording : "The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts." does not provide any clarity versus the current wording in Part21.

It is suggested to keep the current wording

- 21.A.139(e)

This requirement is already covered by 21.A.143. It should be removed.

- 21.A.139(f)

The wording : "(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action." is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.

Wording should be changed as follows:

(f) The production organisation shall include in the production management system ~~An independent quality assurance function to monitor~~ monitoring of compliance



	<p>with, and the adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.</p> <ul style="list-style-type: none"> 21.A.139(g) : This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must". <p>This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p> <p>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</p>
response	See Section 1.

comment	<p>999 comment by: ASD</p> <table border="1" data-bbox="391 1025 1398 1541"> <tr> <td data-bbox="391 1025 550 1541">21.A.139(c) (3)(i)</td> <td data-bbox="550 1025 646 1541">26/272</td> <td data-bbox="646 1025 1045 1541"> <p>Wording "<i>in all domains of the organisation</i> " is not appropriate.</p> <p>Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....</p> </td> <td data-bbox="1045 1025 1398 1541"> <p>wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p> </td> </tr> </table>	21.A.139(c) (3)(i)	26/272	<p>Wording "<i>in all domains of the organisation</i> " is not appropriate.</p> <p>Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....</p>	<p>wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p>
21.A.139(c) (3)(i)	26/272	<p>Wording "<i>in all domains of the organisation</i> " is not appropriate.</p> <p>Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....</p>	<p>wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p>		
response	See Section 1.				

comment	<p>1000 comment by: ASD</p> <table border="1" data-bbox="391 1821 1398 2020"> <tr> <td data-bbox="391 1821 550 2020">21.A.139(c)</td> <td data-bbox="550 1821 646 2020">26/272</td> <td data-bbox="646 1821 1398 2020"> <p>Referring to following statement :</p> <p><i>"(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk</i></p> </td> </tr> </table>	21.A.139(c)	26/272	<p>Referring to following statement :</p> <p><i>"(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk</i></p>
21.A.139(c)	26/272	<p>Referring to following statement :</p> <p><i>"(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk</i></p>		

		<p>management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</p> <p>is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>
<p>response</p>	<p>See Section 1.</p>	
	<p>comment 1001 comment by: ASD</p>	
<p>21.A.139(d)(3)</p>	<p>27/272</p>	<p>The wording : "<i>The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts.</i>" does not provide any clarity versus the current wording in Part21.</p> <p>It is suggested to keep the current wording</p>
<p>response</p>	<p>See Section 1.</p>	
	<p>comment 1002 comment by: ASD</p>	
<p>21.A.139(e)</p>	<p>27/273</p>	<p>This requirement is already covered by 21.A.143. It should be removed.</p>
<p>response</p>	<p>See Section 1.</p>	
	<p>comment 1003 comment by: ASD</p>	
<p>21.A.139(f)</p>	<p>27/272</p>	<p>The wording : "<i>(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to</i></p> <p>Wording should be changed as follows: <i>(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the</i></p>



		<p><i>the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action.</i>" is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p>	<p><i>adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.</i></p>
response	See Section 1.		
comment	1004	comment by: ASD	
	21.A.139(g)	27/272	This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".
response	See Section 1.		
comment	1005	comment by: ASD	
	21.A.139(g)	27/272	<p><i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</i></p> <p>This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This</p>
			<p><i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i></p>



		precedent is already established in Part 21.	
response	See Section 1.		

comment	1275	comment by: <i>On behalf of Airbus Helicopters PO/DO</i>	
	Page 26 of NPA 2019_05_B, Part 21.A.139(c)(3)(i)		
	In deviation from comments provided by European Aerospace organizations summarized by ASD, the Production Organization of Airbus Helicopters explicitly welcomes the notation in Part 21.A.139(c)(3)(i), that Hazard Identification shall be performed in all domains of an organization under subpart G.		
response	See Section 1.		

comment	1317	comment by: <i>Rolls-Royce plc</i>			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
21.A.139(c)(3)(i)	Page 26	The phrase " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....	wording should be changed as follows: " <i>(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected</i> "	No	Yes



			according to point 21.A.3A; and"		
NPA 2019-05 (B) 21.A.139(c)	Page 26	Referring to the following statement : "(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and" is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?	Reword for clarity	Yes	No
NPA 2019-05 (B) 21.A.139(d)(3)	Page 27	The wording : " The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts. " does not appear to provide any clarity versus the current wording in Part21.	The current wording in Part 21 should be retained.	Yes	No
NPA 2019-05 (B) 21.A.139(e)	Page 27	This requirement is already covered by		No	Yes



		21.A.143. It should be removed.			
NPA 2019-05 (B) 21.A.139(f)	Page 27	The wording : " <i>(f) The production organisation shall include in the production management system an independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action.</i> " is unclear, as it appears to require independent monitoring of compliance with a management system. This should be improved to show that it is the procedures of the management system for which compliance is being assessed.	Wording should be changed as follows: <i>(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of the documented procedures of the production management system; and its documented procedures of the quality system.</i>	No	Yes
NPA 2019-05 (B) 21.A.139(g)	Page 27	This item is fully supported provided it remains an option for an organisation, and is not considered mandatory to		No	Yes



		integrate the systems. See additional comment below.			
NPA 2019-05 (B) 21.A.139(g)	Page 27	<p>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</p> <p>In addition to the comment above, this provision needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>	<p>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</p>	No	Yes



response	See Section 1.
comment	<p>1335 comment by: <i>Safran Aero Boosters</i></p> <p>21.A.139(c) (3)(i) : Wording "in all domains of the organisation " is not appropriate. Not all domains in a production organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, production activities for non aeronautical products , military aeronautical products....</p> <p>wording should be changed as follows: "(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</p>
response	See Section 1.
comment	<p>1336 comment by: <i>Safran Aero Boosters</i></p> <p>21.A.139(c) : Referring to following statement : "(c) As part of the safety management element of the production management system, the production organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its production activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</p> <p>Is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>
response	See Section 1.
comment	<p>1337 comment by: <i>Safran Aero Boosters</i></p> <p>21.A.139(d)(3) : The wording : "The control procedures need to include specific provisions for any critical parts in the control procedures for any critical parts." does not provide any clarity versus the current wording in Part21.</p> <p>It is suggested to keep the current wording</p>
response	See Section 1.
comment	<p>1338 comment by: <i>Safran Aero Boosters</i></p> <p>21.A.139(e) : This requirement is already covered by 21.A.143. It should be removed.</p>
response	See Section 1.



comment	<p data-bbox="379 210 448 237">1339</p> <p data-bbox="967 210 1390 237">comment by: <i>Safran Aero Boosters</i></p> <p data-bbox="379 266 1390 584">21.A.139(f) : The wording : "(f) The production organisation shall include in the production management system An independent quality assurance function to monitor monitoring of compliance with, and the adequacy of, the production management system and its documented procedures of the quality system. This monitoring shall include a feedback system to the person or group of persons referred to in point 21.A.145(c)(2) and ultimately to the manager referred to in point 21.A.145(c)(1) to ensure, as necessary, corrective action." is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p> <p data-bbox="379 622 1390 763">Wording should be changed as follows: (f) The production organisation shall include in the production management system independent monitoring of compliance with, and the adequacy of the documented procedures of the production management system.</p>
response	See Section 1.
comment	<p data-bbox="379 887 448 913">1340</p> <p data-bbox="967 887 1390 913">comment by: <i>Safran Aero Boosters</i></p> <p data-bbox="379 943 1390 1010">21.A.139(g) : This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".</p>
response	See Section 1.
comment	<p data-bbox="379 1133 448 1160">1341</p> <p data-bbox="967 1133 1390 1160">comment by: <i>Safran Aero Boosters</i></p> <p data-bbox="379 1189 1390 1507">21.A.139(g) : "(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)." This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p> <p data-bbox="379 1545 1390 1767">(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</p>
response	See Section 1.
comment	<p data-bbox="379 1879 448 1906">1473</p> <p data-bbox="1139 1879 1390 1906">comment by: <i>Thales</i></p>

	<p>The wording of 21.A.239(f) is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p> <p>Suggested resolution: Wording should be changed as follows: "<i>(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include....</i>"</p>
response	See Section 1.
comment	<p>1568 comment by: MARPA</p> <p>21.A.139 changes both the title of the provision and the language of the regulation from the well-known and well-understood "quality system" and replaces it with "Production Management System" in the title and "production management system that includes a safety management system and a quality system" in paragraph (a) and ensuing text.</p> <p>MARPA recognizes the benefit of a single, holistic system. However, production approval holders (aka manufacturers) already maintain quality systems. It is a term with the the industry is familiar. The provision for Production Management System appears to create two parallel tracks: one for SMS and one for quality, under the heading of production management. Safety management should work in conjunction with quality, and touch on those systems where relevant. However, not every element of a quality system will necessarily require a corresponding SMS element. The systems should work in harmony; thus if a quality system incorporates elements of SMS there is benefit, but the system should not attempt to force the fit.</p> <p>We recommend retaining the concept of the quality system and introducing the complimentary concept of the safety management system. Allowing the systems to operate in harmony will aid change management as existing quality systems incorporate SMS principles, without either trying to force overlay a safety management system on top of a quality system where it may not fit or placing SMS on a completely parallel track where it may not touch all the necessary points of the quality system.</p>
response	See Section 1.

21.A.143 Exposition

p. 28-29

comment	<p>15 comment by: CAA-NL</p> <p>21.A.143 title For consistency with other subparts and other regulations, we suggest to change the title into: <i>21.A.143 Production Organisation Exposition (POE)</i> The same terminology and abbreviation is still included in the related AMC/GM.</p>
response	See Section 1.



comment	16	comment by: CAA-NL
	21.A.143(a)(11) It still refers to 21.A.139(b)(1), but because 21.A.139 is changed, reference should be made towards 21.A.139	
response	See Section 1.	

21.A.145 Approval requirements Resources

p. 29-30

comment	17	comment by: CAA-NL
	21.A.145(c)(3) In line with the changes in (b) we suggest to use the word environmental here: (3). staff at all levels have been given appropriate authority to be able to discharge their allocated responsibilities and that there is full and effective coordination within the production organisation in respect of airworthiness <i>and environmental</i> data matters;	
response	See Section 1.	

comment	194	comment by: Safran Engineering Services
	21.A.145(c)(2) Grammatical issue in the wording. wording should be changed as follows: "the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"	
response	See Section 1.	

comment	276	comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>21.A.145(b)</td> <td>29/272</td> <td>"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" This wording change has not be implemented in all relevant instances within this NPA.</td> <td>double chek for all instances within the NPA.</td> </tr> </table>		21.A.145(b)	29/272	"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" This wording change has not be implemented in all relevant instances within this NPA.	double chek for all instances within the NPA.
21.A.145(b)	29/272	"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" This wording change has not be implemented in all relevant instances within this NPA.	double chek for all instances within the NPA.			
response	See Section 1.					

comment	277	comment by: Safran Landing Systems
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	21.A.145(b)	29/272	"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" All necessary data should be clarified.	GM should clarify twwhat is meant by "all necessary airworthiness and environmental data"
response	See Section 1.			
comment	278 comment by: Safran Landing Systems			
	21.A.145(c)(2)	30/272	Grammatical issue in the wording.	wording should be changed as follows: " the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"
response	See Section 1.			
comment	501 comment by: Safran HE			
	Grammatical issue in the wording. Suggested resolution: wording should be changed as follows: " the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"			
response	See Section 1.			
comment	527 comment by: Le Blanc			
	21.A.145(b) "with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" This wording change has not be implemeted in all relevant instances within this NPA. Suggested resolution: double chek for all instances within the NPA.			
response	See Section 1.			



comment	<p>528 comment by: <i>Le Blanc</i></p> <p>21.A.145(b) "with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" All necessary data should be clarified.</p> <p>Suggested resolution: GM should clarify what is meant by "all necessary airworthiness and environmental data"</p>
response	See Section 1.

comment	<p>721 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Section Table Figure</th> <th style="text-align: center;">Page</th> <th style="text-align: center;">Comment summary</th> <th style="text-align: center;">suggested resolution</th> <th style="text-align: center;">Comment is an observation (suggestion)</th> <th style="text-align: center;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">21.A.145(c)(2)</td> <td style="vertical-align: top;">30/272</td> <td style="vertical-align: top;">Grammatical issue in the wording.</td> <td style="vertical-align: top;"> wording should be changed as follows: "the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21)," </td> <td style="vertical-align: top; text-align: center;">X</td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.145(c)(2)	30/272	Grammatical issue in the wording.	wording should be changed as follows: "the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
21.A.145(c)(2)	30/272	Grammatical issue in the wording.	wording should be changed as follows: "the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"	X									
response	See Section 1.												

comment	<p>882 comment by: <i>SAFRAN AEROSYSTEMS</i></p> <p>21.A.145 (c) 2 : Within the sentence: "Such person(s) shall act under the direct authority of the accountable manager". the word "Direct" is subject to interpretation. Futhermore</p>
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	<p>this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.</p> <p>Word "direct" should be removed: Such person(s) shall act under the direct authority of the accountable manager</p> <p>21.A.145(c)(2) Grammatical issue in the wording.</p> <p>wording should be changed as follows: "the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"</p>				
response	See Section 1.				
comment	<p>1007 comment by: ASD</p> <table border="1" data-bbox="391 884 1388 1142"> <tr> <td data-bbox="391 884 539 1142">21.A.145(c)(2)</td> <td data-bbox="539 884 635 1142">30/272</td> <td data-bbox="635 884 837 1142">Grammatical issue in the wording.</td> <td data-bbox="837 884 1388 1142"> wording should be changed as follows: <i>"the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"</i> </td> </tr> </table>	21.A.145(c)(2)	30/272	Grammatical issue in the wording.	wording should be changed as follows: <i>"the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"</i>
21.A.145(c)(2)	30/272	Grammatical issue in the wording.	wording should be changed as follows: <i>"the accountable manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"</i>		
response	See Section 1.				
comment	<p>1155 comment by: ASD</p> <table border="1" data-bbox="391 1429 1388 1650"> <tr> <td data-bbox="391 1429 544 1650">21.A.145(b)</td> <td data-bbox="544 1429 639 1650">29/272</td> <td data-bbox="639 1429 1145 1650"> <i>"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data"</i> This wording change has not be implemented in all relevant instances within this NPA. </td> <td data-bbox="1145 1429 1388 1650">double chek for all instances within the NPA.</td> </tr> </table>	21.A.145(b)	29/272	<i>"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data"</i> This wording change has not be implemented in all relevant instances within this NPA.	double chek for all instances within the NPA.
21.A.145(b)	29/272	<i>"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data"</i> This wording change has not be implemented in all relevant instances within this NPA.	double chek for all instances within the NPA.		
response	See Section 1.				
comment	<p>1156 comment by: ASD</p> <table border="1" data-bbox="391 1937 1388 2016"> <tr> <td data-bbox="391 1937 544 2016">21.A.145(b)</td> <td data-bbox="544 1937 639 2016">29/272</td> <td data-bbox="639 1937 1037 2016"> <i>"with regard to all necessary airworthiness and</i> </td> <td data-bbox="1037 1937 1388 2016">GM should clarify twhat is meant by "all necessary</td> </tr> </table>	21.A.145(b)	29/272	<i>"with regard to all necessary airworthiness and</i>	GM should clarify twhat is meant by "all necessary
21.A.145(b)	29/272	<i>"with regard to all necessary airworthiness and</i>	GM should clarify twhat is meant by "all necessary		



		<p><i>environmental, noise, fuel venting and exhaust emissions data"</i></p> <p>All necessary data should be clarified.</p>	<p>airworthiness and environmental data"</p>
response	See Section 1.		

comment

1318

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.A.145(b)	Page 29	<p><i>"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data"</i></p> <p>This wording change has not been implemented in all relevant instances within this NPA.</p>	An editorial check is needed for consistent wording within the NPA.	Yes	No
NPA 2019-05 (B) 21.A.145(b)	Page 29	<p><i>"with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data"</i></p> <p>"All necessary data" should be clarified.</p>	GM should clarify twwhat is meant by "all necessary airworthiness and environmental data"	Yes	No
NPA 2019-05 (B) 21.A.145(c)(2)	Page 30	Grammatical issue in the wording.	wording should be changed as follows: <i>"the accountable</i>	Yes	No



			<p><i>manager shall nominate a person or group of persons have been nominated by the accountable manager production organisation to ensure that the organisation is in compliance with the requirements of this Annex I (Part 21),"</i></p>		
response	See Section 1.				

comment	<p>1363</p> <p>comment by: <i>Safran Aero Boosters</i></p> <p>21.A.145(b) : "with regard to all necessary airworthiness and environmental, noise, fuel venting and exhaust emissions data" All necessary data should be clarified.</p> <p>GM should clarify what is meant by "all necessary airworthiness and environmental data"</p>
response	See Section 1.

21.A.159 Duration and continued validity

comment	<p>19</p> <p>comment by: <i>CAA-NL</i></p> <p>21.A.159(a)(4) Changed 21.A.159(a)(4) mentions "the production organisation no longer meets the eligibility requirements of point 21.A.133". However, 21.A.133 defines eligibility requirements for applicants, which is not the same as eligibility requirements for approved organisations. Instead, it is relevant for a production organisation that it have performed a complete audit program in the last 24 months. It is therefore proposed to change 21.A.159(a)(4) into: "the production organisation no longer could perform a complete audit program in the last 24 months; or"</p>
response	See Section 1.



comment	20	comment by: CAA-NL
	<p>21.A.159(a)(5)</p> <p>We are of the opinion that 'suspension' needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules. It is also mentioned in the similar paragraph of the ANS/ATM regulation (2017/373).</p> <p>(54.) the certificate has been <i>suspended, or surrendered</i>,—revoked under point 21.B.245, 21.B.65, <i>surrendered</i> or has expired.</p>	
response	See Section 1.	

21.A.165 Obligations of the holder	p. 32-34
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comment	21	comment by: CAA-NL
	<p>21.A.165(h)</p> <p>For clarity we suggest to include 'section A' in this point: (h) <i>comply with Subpart A of Section A</i> of this Annex.</p>	
response	See Section 1.	
comment	81	comment by: <i>General Aviation Manufacturers Association</i>
	<p>Section 21.A.165(h): Delete this statement, it is too open and not consistent with previous statements – alternatively, modify to identify applicable and relevant paragraphs.</p>	
response	See Section 1.	
comment	123	comment by: FAA
	<p>Page: 33 Para: 21.A.165(c)(4)</p> <p><u>Referenced Text:</u> (4) determine that other products, parts or appliances conform to the applicable data before issuing an EASA Form 1 as a conformity certificate."</p> <p><u>Question:</u> Is "applicable data" intended to mean "approved data" or "non-approved" for prototype articles? EASA Form 1 block 13 allows for either approved or non-approved data and does not define applicable data</p> <p><u>Proposed Resolution:</u> Change "applicable data" to more accurate term or consider providing a definition</p>	
response	See Section 1.	
comment	195	comment by: <i>Safran Engineering Services</i>
	21.A.165(h)	



	<p>This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</p> <p>It is suggested to add : "(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex."</p>
response	See Section 1.

comment	279	comment by: <i>Safran Landing Systems</i>			
	21.A.165(h)	34/272	<p>This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</p>	<p>(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex.</p>	
response	See Section 1.				

comment	502	comment by: <i>Safran HE</i>			
	<p>21.A.165(h) - page 34</p> <p>This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</p> <p>Suggested resolution: (i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex.</p>				
response	See Section 1.				

comment	722	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>														
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.A.165(h)</td> <td>34/272</td> <td>This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions</td> <td>(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and</td> <td>X</td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.165(h)	34/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions	(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and	X				
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)											
21.A.165(h)	34/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions	(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and	X												

		of SubPart A that are required of an approved Design Organisation.	21.A.9 of this Annex.		
response	See Section 1.				

comment	883		comment by: SAFRAN AEROSYSTEMS		
	21.A.165 (h) This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation. Should be read : (i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex.				
response	See Section 1.				

comment	1008		comment by: ASD		
	21.A.165(h)	34/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex.	
response	See Section 1.				

comment	1319		comment by: Rolls-Royce plc			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B) 21.A.165(h)	Page 34	This requirement (to comply with SubPart A) should follow the same	(i) comply with points 21.A.3A (b), (c), (d) and	No	Yes



		convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex.		
response	See Section 1.				
comment	1366	comment by: <i>Safran Aero Boosters</i>			
	21.A.165(h) : This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.				
	(i) comply with points 21.A.3A (b), (c), (d) and (e), 21.A.5 (b), (c), (d) and (e) and 21.A.9 of this Annex.				
response	See Section 1.				

21.A.180 Inspections

comment	280	comment by: <i>Safran Landing Systems</i>			
	21.A.180	35/272	<p>Within NPA 2019-05 (A), it is stated that "The requirement has been moved to 21.A.9".</p> <p>This is wrong since 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.180. Furthermore, Part 21 Subpart H being relevant to individual certificates of airworthiness, its content should not be kept in Part 21 but moved to Part M.</p>	<p>Move the content of 21.A.180 to 21.A.9 or even better to Part M.</p>	
response	See Section 1.				
comment	1232	comment by: <i>AIRBUS</i>			



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.180	35/272	<p>Within NPA 2019-05 (A), it is stated that <i>"The requirement has been moved to 21.A.9"</i>. This is wrong since 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.180. Furthermore, Part 21 Subpart H being relevant to individual certificates of airworthiness, its content should not be kept in Part 21 but moved to Part M.</p>	Move the content of 21.A.180 to 21.A.9 or even better to Part M.		X

response See Section 1.

comment

1320

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**
NPA 2019-05 (B) 21.A.180	Page 35	<p>Within NPA 2019-05 (A), it is stated that <i>"The requirement has been moved to 21.A.9"</i>. This does not appear to be correct since the new 21.A.9 requirement (within NPA 2019-05 (B)) does not include the</p>	Move the content of 21.A.180 to 21.A.9 or possibly to Part M.	No	Yes



		content of the former 21.A.180.			
response	See Section 1.				

21.A.181 Duration and continued validity

p. 35

comment	22	comment by: CAA-NL
	<p>21.A.181(a)(4)</p> <p>We are of the opinion that ‘suspension’ needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules. It is also mentioned in the similar paragraph of the ANS/ATM regulation (2017/373).</p> <p>(4.) the certificate not being <i>suspended</i>, or surrendered,—revoked under point 21.B.330, 21.B.65, or surrendered.</p>	
response	See Section 1.	

comment	529	comment by: Le Blanc
	<p>21.A.180</p> <p>Within NPA 2019-05 (A), it is stated that "The requirement has been moved to 21.A.9".</p> <p>This is wrong since 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.180. Furthermore, Pat 21 Subpart H being relevant to individual certificates of airworthiness, its content should not be kept in Part 21 but moved to Part M. Suggested resolution: Move the content of 21.A.180 to 21.A.9 or even better to Part M.</p>	
response	See Section 1.	

21.A.210 Inspections

p. 36

comment	281	comment by: Safran Landing Systems
	<p>Within NPA 2019-05 (A), it is stated that "<i>The requirement has been moved to 21.A.9</i>".</p> <p>This is wrong since 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.210.</p> <p>Furthermore, Pat 21 Subpart I being relevant to individual noise certificates, its content should not be kept in Part 21 but moved to Part M.</p>	<p>Move the content of 21.A.210 to 21.A.9 or even better to Part M.</p>



response See Section 1.

comment 530 comment by: *Le Blanc*

21.A.210
 Within NPA 2019-05 (A), it is stated that "The requirement has been moved to 21.A.9".
 This is wrong since 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.210. Furthermore, Part 21 Subpart I being relevant to individual noise certificates, its content should not be kept in Part 21 but moved to Part M.
 Suggested resolution: Move the content of 21.A.210 to 21.A.9 or even better to Part M.

response See Section 1.

comment 1234 comment by: *AIRBUS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.210	36/272	Within NPA 2019-05 (A), it is stated that "The requirement has been moved to 21.A.9". This is wrong since 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.210. Furthermore, Part 21 Subpart I being relevant to individual noise certificates, its content should not be kept in Part 21 but moved to Part M.	Move the content of 21.A.210 to 21.A.9 or even better to Part M.		X

response See Section 1.



comment

1321

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.A.210	Page 36	Within NPA 2019-05 (A), it is stated that " <i>The requirement has been moved to 21.A.9</i> ". This does not appear to be correct, as the new 21.A.9 requirement (within NPA 2019-05 (B)) does not include the content of the former 21.A.210.	Move the content of 21.A.210 to 21.A.9 or possibly to Part M.	No	Yes

response

See Section 1.

21.A.211 Duration and continued validity

p. 36

comment

23

comment by: *CAA-NL*

21.A.211(a)(4)

We are of the opinion that 'suspension' needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules. It is also mentioned in the similar paragraph of the ANS/ATM regulation (2017/373).

(4.) the certificate not being *suspended, or surrendered*,—revoked under point ~~21.B.430~~, 21.B.65, or *surrendered*.

response

See Section 1.

21.A.239 Design assurance management system

p. 37-39

comment

49

comment by: *Duane Kritzinger*

Replace "*design assurance system*" with "*design management system*"



response	See Section 1.
comment	57 comment by: <i>Duane Kritzinger</i> 21.A.239(g): Why are we referring out to 2018/1139? Part 21 should be self-contained, or refer out to the specific 2018/1139 paragraph. We suggest removing the 2018/1139 reference as it might be amended in future.
response	See Section 1.
comment	82 comment by: <i>General Aviation Manufacturers Association</i> Section 21.A.239(c)(2): This statement is unclear; we suggest either modifying, as follows: “appoint key safety personnel in accordance with 21.A.245(b) to perform the tasks outlined in item 21.A.239(c)(1);” or remove, as the requirement for the appointment of key personnel is outlined in 21.A.245(b) and therefore, redundant.
response	See Section 1.
comment	83 comment by: <i>General Aviation Manufacturers Association</i> Section 21.A.239(c)(3)(i): The statement “...all domains of the organization...” is not appropriate; recommend replacing with “hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A;” to ensure proactive safety risk management. The statement would otherwise limit to reactive safety risk management only (e.g. events that have occurred) and is not consistent with the intent expressed in the AMC / GM.
response	See Section 1.
comment	84 comment by: <i>General Aviation Manufacturers Association</i> Section 21.A.239(d)(1)(ii): This statement is unclear. We suggest “its responsibilities are properly discharged in accordance with the appropriate provisions of this Annex I (Part 21); and the terms of approval issued under point 21.A.251;”.
response	See Section 1.
comment	85 comment by: <i>General Aviation Manufacturers Association</i> 21.A.239(e): This statement would be better covered in 21.A.243 – recommend its removal from 21.A.239 and transfer to 21.A.243.
response	See Section 1.
comment	86 comment by: <i>General Aviation Manufacturers Association</i> Section 21.A.239(f): The proposed wording is unclear; we suggest the following: ““the design organization shall include independent monitoring of compliance with, the adequacy of, the documented procedures of the design management system.”.



response	See Section 1.
comment	<p>87 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.239(g): Industry fully support this approach and agree 'may' is appropriate and additional supporting GM is included. It is not appropriate to become a 'shall' or 'must'.</p>
response	See Section 1.
comment	<p>124 comment by: <i>FAA</i></p> <p>Page 37 Paras: Throughout the sections</p> <p><u>Referenced Text:</u> Text is interchanged between "System" and "Element" through the Design Management System text and associated GM.</p> <p><u>Rationale:</u> Interchange Design assurance System with Design Assurance Element and Safety Management System and Safety Management Element. Using "system" when it is a sub function of the Design Mgmt System can cause confusion.</p> <p><u>Proposed Resolution:</u> Recommended using "Element" in all areas to avoid the confusion of a system with a sub system and the interchanging of titles.</p>
response	See Section 1.
comment	<p>221 comment by: <i>Safran Engineering Services</i></p> <p>§21.A.239(c)(3)(i): Wording "<i>in all domains of the organisation</i>" is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non aeronautical products, military aeronautical products... wording should be changed as follows: "<i>(3) establish, implement and maintain a safety risk management process that includes:</i> <i>(i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and</i>"</p>
response	See Section 1.
comment	<p>222 comment by: <i>Safran Engineering Services</i></p> <p>§21.A.239(c)(3)(i): Referring to following statement: "<i>(c) As part of the safety management element of the design management system, the design organisation shall:</i> <i>(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design</i></p>



	<p><i>activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p> <p>Is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>	
response	See Section 1.	
comment	<p>223</p> <p>comment by: <i>Safran Engineering Services</i></p> <p>§ 21.A.239(d)(1)(ii): Editorial issue in the wording. Wording should better read: "properly discharge its responsibilities are properly discharged in accordance with..."</p>	
response	See Section 1.	
comment	<p>224</p> <p>comment by: <i>Safran Engineering Services</i></p> <p>§ 21.A.239(e): This requirement for process documentation is already covered by 21.A.243. It should be removed. Furthermore, "key processes" introduce the concept of key and therefore non-key processes, which is unclear.</p>	
response	See Section 1.	
comment	<p>225</p> <p>comment by: <i>Safran Engineering Services</i></p> <p>§ 21.A.239(f): The wording is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved. Wording should be changed as follows: "(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include...."</p>	
response	See Section 1.	
comment	<p>226</p> <p>comment by: <i>Safran Engineering Services</i></p> <p>§ 21.A.239(g): This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".</p>	
response	See Section 1.	
comment	<p>227</p> <p>comment by: <i>Safran Engineering Services</i></p>	

	<p>§ 21.A.239(g): <i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</i> This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p> <p><i>It is proposed to add as below:</i> <i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i></p>				
response	See Section 1.				
comment	<p>228 comment by: Safran Engineering Services</p> <p>§ 21.A.239(c) (2): The following statement should be removed: <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i> rationale: the requirement for appointment of key personnel is already the subject of 21.A.245(b), no need as no added value to make a cross reference from 21.A.239(C)(2)</p> <p>It is propose to remove the Statement: <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i></p>				
response	See Section 1.				
comment	<p>229 comment by: Safran Engineering Services</p> <p>§ 21.A.239(c) (2): Key safety personnel is needed to establish, implement and maintain all the elements of the Safety Management System not limited to the safety policy.</p>				
response	See Section 1.				
comment	<p>282 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1841 1396 2004"> <tr> <td data-bbox="391 1841 539 2004">21.A.239(c)(3)(i)</td> <td data-bbox="539 1841 635 2004">37/272</td> <td data-bbox="635 1841 1034 2004">Wording "<i>in all domains of the organisation</i>" is not appropriate. Not all domains in a design</td> <td data-bbox="1034 1841 1396 2004">wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk</i></td> </tr> </table>	21.A.239(c)(3)(i)	37/272	Wording " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design	wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk</i>
21.A.239(c)(3)(i)	37/272	Wording " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design	wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk</i>		



		organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non aeronautical products , military aeronautical products....	management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"
response	See Section 1.		
comment	283	comment by: Safran Landing Systems	
	21.A.239(c)(3)(i)	37/272	Referring to following statement : "(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and" is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?
response	See Section 1.		
comment	284	comment by: Safran Landing Systems	
	21.A.239(d)(1)(ii)	38/272	Editorial issue in the wording. Wording should better read: " properly discharge its responsibilities are properly discharged in accordance with..."
response	See Section 1.		
comment	285	comment by: Safran Landing Systems	
	21.A.239(e)	38/272	This requirement for process documentation is already covered by 21.A.243. It should be removed.



			Furthermore, "key processes" introduce the concept of key and therefore non-key processes, which is unclear.
response	See Section 1.		
comment	286	comment by: Safran Landing Systems	
	21.A.239(f)	38/272	<p>The wording is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p> <p>Wording should be changed as follows: <i>"(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include...."</i></p>
response	See Section 1.		
comment	287	comment by: Safran Landing Systems	
	21.A.239(g)	38/272	This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".
response	See Section 1.		
comment	288	comment by: Safran Landing Systems	
	21.A.239(g)	38/272	<p><i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the</i></p> <p><i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management</i></p>



		<p><i>management system that is required for the issuance of the other certificate(s)."</i></p> <p>This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>	<p>system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</p>
response	See Section 1.		
comment	289	comment by: Safran Landing Systems	
	21.A.239(c) (2)	37/272	<p>The following statement should be removed: <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i></p> <p>rational: the requirement for appointment of key personnel is already the subject of 21.A.245(b), no need as no added value to make a cross reference from 21.A.239(C)(2)</p>
			<p>Statement could be removed : <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i></p>
response	See Section 1.		
comment	290	comment by: Safran Landing Systems	
	21.A.239(c) (2)	37/273	<p>Key safety personnel is needed to establish, implement and maintain all the elements of the Safety Management System not limited to the safety policy.</p>
response	See Section 1.		

comment	<p>503 comment by: Safran HE</p> <p>21.A.239(c)(3)(i) - page 37 Wording "in all domains of the organisation " is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non aeronautical products , military aeronautical products....</p> <p>Suggested resolution: wording should be changed as follows: "(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</p>
response	<p>See Section 1.</p>
comment	<p>504 comment by: Safran HE</p> <p>21.A.239(c)(3)(i) - page 37 Referring to following statement : "(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and" is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>
response	<p>See Section 1.</p>
comment	<p>505 comment by: Safran HE</p> <p>21.A.239(d)(1)(ii) - page 38 Editorial issue in the wording.</p> <p>Suggested resolution: Wording should better read: "properly discharge its responsibilities are properly discharged in accordance with..."</p>
response	<p>See Section 1.</p>
comment	<p>506 comment by: Safran HE</p> <p>21.A.239(e) - page 38</p>



response	<p>This requirement for process documentation is already covered by 21.A.243. It should be removed. Furthermore, "key processes" introduce the concept of key and therefore non-key processes, which is unclear.</p> <p>See Section 1.</p>
comment	<p>507 comment by: Safran HE</p> <p>21.A.239(f) - page 38</p> <p>The wording is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.</p> <p>Suggested resolution: Wording should be changed as follows: "(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include..."</p>
response	<p>See Section 1.</p>
comment	<p>508 comment by: Safran HE</p> <p>21.A.239(g) - page 38</p> <p>This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".</p>
response	<p>See Section 1.</p>
comment	<p>509 comment by: Safran HE</p> <p>21.A.239(g)</p> <p>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</p> <p>This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p> <p>Suggested resolution: (g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance</p>



	<p>of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</p>												
response	See Section 1.												
comment	<p>510 comment by: Safran HE</p> <p>21.A.239(c) (2) The following statement should be removed: "(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);" rational: the requirement for apointment of key personnel is already the subject of 21.A.245(b), no need as no added value to make a cross reference from 21.A.239(C)(2)</p> <p>Suggested resolution: Statement could be removed : "(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</p>												
response	See Section 1.												
comment	<p>511 comment by: Safran HE</p> <p>21.A.239(c) (2)Key safety personnel is needed to establish, implement and maintain all the elements of the Safety Management System not limited to the safety policy.</p>												
response	See Section 1.												
comment	<p>723 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.A.239(c)(3)(i)</td> <td>37/272</td> <td>Wording "<i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting,</td> <td>wording should be changed as follows: "(3) <i>establish, implement and maintain a safety risk management process that includes:</i> (i) <i>hazard identification in</i></td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.239(c)(3)(i)	37/272	Wording " <i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting,	wording should be changed as follows: "(3) <i>establish, implement and maintain a safety risk management process that includes:</i> (i) <i>hazard identification in</i>		X
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		sales, marketing, design activities for non aeronautical products , military aeronautical products....	all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"		
response	See Section 1.				

comment 724 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(c)(3)(i)	37/272	Referring to following statement : "(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and" is it the intent to limit the SRM process to the analysis of occurrences (i.e. an	To clarify	X	



response See Section 1.

comment 725 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(d)(1)(ii)	38/272	Editorial issue in the wording.	Wording should better read: " properly discharge its responsibilities are properly discharged in accordance with...	X	

response See Section 1.

comment 726 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(e)	38/272	This requirement for process documentation is already covered by 21.A.243. It should be removed. Furthermore, "key processes" introduce	to clarify	X	



		the concept of key and therefore non-key processes, which is unclear.			
response	See Section 1.				

comment 727

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(f)	38/272	The wording is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.	Wording should be changed as follows: " <i>(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include....</i> "		X

response See Section 1.

comment 728

comment by: SAFRAN TRANSMISSION SYSTEMS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(g)	38/272	This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".	to clarify "may" shall not become "shall" or "must".	X	
response	See Section 1.				

comment

729

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(g)	38/272	<i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is</i>	<i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is</i>		X



		<p><i>required for the issuance of the other certificate(s)."</i> This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>	<p><i>required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i></p>		
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response See Section 1.

comment

730 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.239(c) (2)	37/272	The following statement should be removed: " (2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b); " rational: the	Statement should be removed : " (2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b); "		X



rational: the requirement for appointment of key personnel is already the subject of 21.A.245(b), no need as no added value to make a cross reference from 21.A.239(C)(2)

Key safety personnel is needed to establish, implement and maintain all the elements of the Safety Management System not limited to the safety policy.

- 21.A.239(d)(1)(ii)

Editorial issue in the wording.

Wording should better read: "properly discharge its responsibilities are properly discharged in accordance with..."

- 21.A.239(e)

This requirement for process documentation is already covered by 21.A.243. It should be removed.

Furthermore, "key processes" introduce the concept of key and therefore non-key processes, which is unclear.

- 21.A.239(f)

The wording is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved.

Wording should be changed as follows:

"(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include...."

- 21.A.239(g)

This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".

This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.

(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). **This may include the use of central functions when the approved organisation is part of a larger organisation.**

response See Section 1.



comment	<p>971 comment by: <i>Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE</i></p> <p>21.A.239 (g) "If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts on the basis thereof (...)"</p> <p>This requirement shall not be limited to "certificates that were issued on the basis of Regulation (EU) 2018/1139". Suggest to delete " that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts on the basis thereof"</p>				
response	<p>See Section 1.</p>				
comment	<p>1009 comment by: <i>ASD</i></p> <table border="1" data-bbox="392 725 1390 1205"> <tr> <td data-bbox="392 725 539 1205">21.A.239(c)(3)(i)</td> <td data-bbox="539 725 635 1205">37/272</td> <td data-bbox="635 725 1034 1205"> <p>Wording "<i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non aeronautical products , military aeronautical products....</p> </td> <td data-bbox="1034 725 1390 1205"> <p>wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p> </td> </tr> </table>	21.A.239(c)(3)(i)	37/272	<p>Wording "<i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non aeronautical products , military aeronautical products....</p>	<p>wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p>
21.A.239(c)(3)(i)	37/272	<p>Wording "<i>in all domains of the organisation</i> " is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non aeronautical products , military aeronautical products....</p>	<p>wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i></p>		
response	<p>See Section 1.</p>				
comment	<p>1010 comment by: <i>ASD</i></p> <table border="1" data-bbox="392 1487 1390 1897"> <tr> <td data-bbox="392 1487 539 1897">21.A.239(c)(3)(i)</td> <td data-bbox="539 1487 635 1897">37/272</td> <td data-bbox="635 1487 1390 1897"> <p>Referring to following statement : <i>"(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i> is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p> </td> </tr> </table>	21.A.239(c)(3)(i)	37/272	<p>Referring to following statement : <i>"(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i> is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>	
21.A.239(c)(3)(i)	37/272	<p>Referring to following statement : <i>"(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i> is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected as per 21.A.3A?</p>			



response	See Section 1.		
comment	1011	comment by: ASD	
	21.A.239(d)(1)(ii)	38/272	Editorial issue in the wording. Wording should better read: " properly discharge its responsibilities are properly discharged in accordance with..."
response	See Section 1.		
comment	1012	comment by: ASD	
	21.A.239(e)	38/272	This requirement for process documentation is already covered by 21.A.243. It should be removed. Furthermore, "key processes" introduce the concept of key and therefore non-key processes, which is unclear.
response	See Section 1.		
comment	1013	comment by: ASD	
	21.A.239(f)	38/272	The wording is unclear. Requiring independent monitoring of compliance with a management system makes no sense. Wording should be improved. Wording should be changed as follows: " <i>(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include....</i> "
response	See Section 1.		

comment	1014		comment by: ASD
	21.A.239(g)	38/272	This item is fully supported provided it remains not compulsory, i.e. "may" shall not become "shall" or "must".
response	See Section 1.		

comment	1015		comment by: ASD
	21.A.239(g)	38/272	<p><i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</i></p> <p>This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>
			<p><i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i></p>
response	See Section 1.		

comment	1016		comment by: ASD
	21.A.239(c) (2)	37/272	<p>The following statement should be removed: <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i> rational: the requirement for</p>
			<p>Statement could be removed : <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i></p>



		apointment of key personnel is already the subject of 21.A.245(b), no need as no added value to make a cross reference from 21.A.239(C)(2)				
response	See Section 1.					
comment	1017	comment by: ASD				
	21.A.239(c) (2)	37/273	Key safety personnel is needed to establish, implement and maintain all the elements of the Safety Management System not limited to the safety policy.			
response	See Section 1.					
comment	1147	comment by: LHT DO				
	239(a)(2) - It is not realistic to establish the whole System under the direct accountability of a single manager since the Head of Design Organisation is not always the CTO or COO. We agree that the system has to be established under the accountability of one manager, but please delete "direct".					
response	See Section 1.					
comment	1322	comment by: Rolls-Royce plc				
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B), 21.A.239 point (b)(2)	Page 37	The reference to 21.A.245(a) might be understood that the 'head of design organisation' must be the 'single manager' mentioned in point (b)(2). But for companies with multiple approvals, the SMS direct accountable person	Delete the reference to 21.A.245(a).	Yes	No



		might not be the HDO (see GM1 21.A.239(c).			
NPA 2019-05 (B) 21.A.239(c) (2)	Page37	The following statement should be removed: <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i> rational: the requirement for appointment of key personnel is already the subject of 21.A.245(b), so it appears that there is no need to cross reference from 21.A.239(c)(2)	Statement could be removed : <i>"(2) appoint key safety personnel to execute the safety policy in accordance with point 21.A.245(b);"</i>	No	Yes
NPA 2019-05 (B) 21.A.239(c) (2)	Page 37	Recognising the point above about not prescribing organisational roles in law, the roles considered key safety personnel would include those needed to establish, implement and maintain all the elements of the Safety Management System (not limited to the safety policy).		Yes	No
NPA 2019-05 (B) 21.A.239(c)(3)(i)	Page 37	The phrase <i>"in all domains of the organisation "</i> is not appropriate. Not all domains in a design organisation are relevant to safety hazard identification e.g. finance, accounting, sales, marketing, design activities for non	wording should be changed as follows: <i>"(3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its</i>	No	Yes



		aeronautical products , military aeronautical products....	<i>design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i>		
NPA 2019-05 (B) 21.A.239(c)(3)(i)	Page 37	Referring to the following statement : " <i>(c) As part of the safety management element of the design management system, the design organisation shall: (3) establish, implement and maintain a safety risk management process that includes: (i) hazard identification in all domains of the organisation and its design activities, resulting from analysis of the occurrences collected according to point 21.A.3A; and"</i> is it the intent to limit the SRM process to the analysis of occurrences (i.e. an event has occurred) collected per 21.A.3A?	Reword for clarity	Yes	No
NPA 2019-05 (B) 21.A.239(d)(1)(ii)	Page 38	Editorial issue in the wording.	Wording should better read: <i>"properly discharge its responsibilities are properly discharged in accordance with...</i>	Yes	No
NPA 2019-05 (B) 21.A.239(e)	Page 38	This requirement for process documentation is already covered by 21.A.243. It should be removed.	Remove requirement	No	Yes



		Furthermore, "key processes" introduce the concept of key and therefore non-key processes, which is unclear.			
NPA 2019-05 (B) 21.A.239(f)	Page 38	The wording is unclear, as it appears to require independent monitoring of compliance with a management system. This should be improved to show that it is the procedures of the management system for which compliance is being assessed.	Wording should be changed as follows: <i>"(f) The design organisation shall include in the design management system independent monitoring of compliance with, and the adequacy of the documented procedures of the design management system. This monitoring shall include...."</i>	No	Yes
NPA 2019-05 (B), 21.A.239 point (f)	Page 38	Paragraph concerning feed-back loop is to prescriptive. The new text in point (f) requires by reference to point 21.A.245(a) and (b) the HDO, Airworthiness Office, Independent Monitoring and others 'to ensure' corrective action takes place. This level of details may not allow company specific roles for that corrective action anymore.	Wording change as follows: 'This monitoring shall include a feed-back to a person or a group of person having the responsibility to ensure corrective actions and to persons referred to in point 21.A.245(a) and (b).	No	Yes
NPA 2019-05 (B) 21.A.239(g)	Page 38	This item is fully supported provided it remains an option for an organisation, and is not considered mandatory to integrate the systems.		No	Yes



NPA 2019-05 (B) 21.A.239(g)	Page 38	<p><i>"(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s)."</i></p> <p>This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. This precedent is already established in Part 21.</p>	<p><i>(g) If the organisation holds other organisation certificates that were issued on the basis of Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof, the design organisation may integrate the design management system with the management system that is required for the issuance of the other certificate(s). This may include the use of central functions when the approved organisation is part of a larger organisation.</i></p>	No	Yes
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response See Section 1.

comment

1569

comment by: MARPA

The creation of a design management system seems duplicative of what the regulations already require with respect to ensuring compliance to the regulations. It appears that overlaying a design management system simply adds expense to the cost of design and the approval process that already exists. Imposing a design management system appears to impose a burden on industry without a corresponding safety benefit, because industry is already required to ensure its products or articles conform to the regulations in order to receive a design approval.

response See Section 1.



21.A.243 Data Handbook

p. 39-40

comment 24 comment by: CAA-NL

21.A.243 title
 For consistency with other subparts and other regulations, we suggest to change the title into:
 21.A.243 *Design Organisation Exposition (DOE)*
 The references to 'Handbook' in the rest of the text as well as in the related AMC/GM need to be amended also.

response See Section 1.

comment 50 comment by: Duane Kritzinger

Why do you refer to a "Handbook" for a DO when all other approved organisations have "Expositions". See also my comment to AMC1 21.A.239(e)(a)

response See Section 1.

comment 88 comment by: General Aviation Manufacturers Association

Section 21.A.243(a): The statement "...the products or changes to products to be designed..." is unclear. We suggest: "...that describe the products and existing capabilities being performed under the approval..." .

response See Section 1.

comment 230 comment by: Safran Engineering Services

§ 21.A.243(a)
 The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.

response See Section 1.

comment 291 comment by: Safran Landing Systems

The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.

response See Section 1.

comment 293 comment by: Safran Landing Systems

21.A.245(c)(1)	40/272	Within the sentence: "(1) act under the direct authority of the head of the design organisation" the word "Direct" is subject	Word "direct" should be removed:
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		to interpretation. Furthermore this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.	(c) The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of the design organisation;
response	See Section 1.		

comment	512	comment by: <i>Safran HE</i>
	The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.	
response	See Section 1.	

comment	732	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>												
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.A.243(a)</td> <td></td> <td>The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.</td> <td></td> <td></td> <td>X</td> </tr> </tbody> </table>		Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.243(a)		The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.			X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)									
21.A.243(a)		The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.			X									
response	See Section 1.													

comment	733	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>
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Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.245(b)	40/272	<p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the vrious nature and complexity in their activities.</p>	<p>Wording should be changed as follows: "(b) <i>Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority:</i> (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p>		X



response See Section 1.

comment 740 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.245(c)(1)	40/272	Within the sentence: "(1) act under the direct authority of the head of the design organisation" the word "Direct" is subject to interpretation. Futhermore this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.	Word "direct" should be removed: (c) The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of the design organisation;		X

response See Section 1.

comment 885 comment by: SAFRAN AEROSYSTEMS

21.A.243
The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.



response	See Section 1.		
comment	1018		comment by: ASD
	21.A.243(a)	The DOA Handbook should not describe the product or changes to products to be designed but the technical domains where design activities are carried out under the DOA.	
response	See Section 1.		
comment	1019		comment by: ASD
	21.A.245(b)	40/272	<p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the vrious nature and complexity in their activities.</p> <p>Wording should be changed as follows: <i>"(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority:</i> <i>(1) a chief of the office of airworthiness;</i> <i>(2) a chief of the independent monitoring of compliance and adequacy function; and</i> <i>(3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</i></p>
response	See Section 1.		
comment	1325		comment by: Rolls-Royce plc



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.A.243(a)	Page 39	The DOA Handbook should not describe the product or specific changes to products to be designed but the technical domains in which design activities are carried out under the DOA.		No	Yes
response	See Section 1.				

comment 1334 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.A.243 point (d)	Page 39	Overlap with 21.A.5	Delete point (d)	Yes	No
response	See Section 1.				

21.A.245 Resources Approval requirements p. 40-41

comment 51 comment by: *Duane Kritzinger*

For 21.A.245(c)(1):

- For an Integrated Management System, a larger organisation with multiple approvals need the flexibility of the ISM to report to the CEO/Accountable Manager (i.e. not under the direct authority of the HoD)
- Inconsistent terminology across these paras: "Head of" versus "Chief of". For consistency across the regulatory framework, consider using the



response	<p>term Nominated Persons or Responsible Managers (e.g. 145.A.30 and 21.A.145</p> <p>For 21.A.245(d)(1): Suggest that this considers human errors/fatigue management by reflecting the intent of 145.A.47 (i.e. fatigue risk management).</p> <p>See Section 1.</p>
comment	<p>89 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.245(b): The ‘hard law’ should not require the specific identification of specific managers e.g. chief of office of airworthiness, chief of independent monitoring. Only the nomination of the Accountable Manager for the design organization and SMS are required by the rule, to appoint key personnel or groups of persons to discharge their responsibilities. Key personnel should be identified within AMC. This will allow the design organization the flexibility required for the size and complexity of their activities. We suggest “Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority, : (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex.”.</p>
response	<p>See Section 1.</p>
comment	<p>90 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.A.245(c)(1): The term “direct” in “act under the direct authority of the head of the design organization...” could lead to misinterpretation in a large or complex organizational structure. We suggest that this term “direct” is removed.</p>
response	<p>See Section 1.</p>
comment	<p>231 comment by: <i>Safran Engineering Services</i></p> <p>§21.A.245(b): The rule (hard law) shall not require that specific managers (i.e. chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnel or groups of persons to discharge his/her responsibilities. Examples of key personnel should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the various nature and complexity in their activities.</p> <p>Wording should be changed as follows: “(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify,</p>



response	<p>together with the extent of their authority: (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p> <p>See Section 1.</p>			
comment	<p>232 comment by: Safran Engineering Services</p> <p>§ 21.A.245(c)(1): Within the sentence: "(1) act under the direct authority of the head of the design organisation" the word "Direct" is subject to interpretation. Furthermore this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.</p> <p>The word "direct" should be removed: (c) The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of the design organisation;</p>			
response	<p>See Section 1.</p>			
comment	<p>292 comment by: Safran Landing Systems</p> <table border="1" data-bbox="389 1057 1385 1966"> <tr> <td data-bbox="389 1057 545 1966"> <p>21.A.245(b) 40/272</p> </td> <td data-bbox="545 1057 1082 1966"> <p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the vrious nature and complexity in their activities.</p> </td> <td data-bbox="1082 1057 1385 1966"> <p>Wording should be changed as follows: "(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority: (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p> </td> </tr> </table>	<p>21.A.245(b) 40/272</p>	<p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the vrious nature and complexity in their activities.</p>	<p>Wording should be changed as follows: "(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority: (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p>
<p>21.A.245(b) 40/272</p>	<p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the vrious nature and complexity in their activities.</p>	<p>Wording should be changed as follows: "(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority: (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p>		



response	See Section 1.
comment	<p>513 comment by: Safran HE</p> <p>21.A.245(b)</p> <p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the vrious nature and complexity in their activities.</p> <p>Suggested resolution:</p> <p>Wording should be changed as follows: "(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority: (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p>
response	See Section 1.
comment	<p>514 comment by: Safran HE</p> <p>21.A.245(c)(1)</p> <p>Within the sentence: "(1) act under the direct authority of the head of the design organisation" the word "Direct" is subject to interpretation. Futhermore this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.</p> <p>Suggested resolution:</p> <p>Word "direct" should be removed: (c) The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of the design organisation;</p>
response	See Section 1.
comment	<p>692 comment by: UK CAA</p> <p>Page No: 40</p> <p>Paragraph No: 21.A.245 Resources</p>



response	<p>Comment: There is no reference to accountable manager in 21.A.245 Resources.</p> <p>Justification: The reference to the accountable manager would help understanding the organisation structure and relationship with the Head of Design. Additionally, its omission makes it inconsistent with the rest of the regulation.</p> <p>See Section 1.</p>
comment	<p>886 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> • 21.A.245 B <p>The rule (hard law) shall not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or other chiefs of) are nominated. Only the appointment of an accountable manager for the whole approved design organisation shall be required through the rule and he/she shall be required to appoint key personnels or groups of persons to discharge his/her responsibilities. examples of key personnels should be given in the GM/AMC. The purpose is to allow the flexibility required to consider the various sizes of design organisations and the various nature and complexity in their activities.</p> <p>Wording should be changed as follows: "(b) Depending on the size of the organisation and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority: (1) a chief of the office of airworthiness; (2) a chief of the independent monitoring of compliance and adequacy function; and (3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</p> <ul style="list-style-type: none"> • 21.A.245(c)(1) <p>Within the sentence: "(1) act under the direct authority of the head of the design organisation" the word "Direct" is subject to interpretation. Furthermore this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.</p> <p>Word "direct" should be removed: (c) The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of the design organisation;</p>
response	<p>See Section 1.</p>
comment	<p>972 comment by: Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE</p> <p>In § 21.A.245 (c): The direct authority shall be limited to the activities covered by the Design Approval. Suggest to modify as follows:</p>



response	<p>"The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of design organisation for the functions identified in point (b);"</p> <p>See Section 1.</p>																	
comment	1020		comment by: ASD															
<p>21.A.245(c) (1)</p>	<p>40/272</p>	<p>Within the sentence: "(1) act under the direct authority of the head of the design organisation" the word "Direct" is subject to interpretation. Furthermore this principle may not work in organisations holding multiple approvals with different accountable managers. AMC/GM already document this provision.</p>	<p>Word "direct" should be removed: (c) The person or group of persons identified in point (b) shall: (1) act under the direct authority of the head of the design organisation;</p>															
response	<p>See Section 1.</p>																	
comment	1148		comment by: LHT DO															
<p>245(c): Please delete "direct" within "direct authority" see 239(a)(2) Otherwise it might force the Design Organisations to define a HoDO at a position which has less connection to the design activities. To our view this would not improve the quality of the design activities.</p>																		
response	<p>See Section 1.</p>																	
comment	1327		comment by: Rolls-Royce plc															
<table border="1"> <thead> <tr> <th data-bbox="389 1570 544 1720">Section, table, figure</th> <th data-bbox="549 1570 616 1720">Page</th> <th data-bbox="620 1570 863 1720">Comment Summary</th> <th data-bbox="868 1570 1054 1720">Suggested resolution</th> <th data-bbox="1059 1570 1225 1720">Comment is an observation/suggestion*</th> <th data-bbox="1230 1570 1398 1720">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 1727 544 2027"> <p>NPA 2019-05 (B) 21.A.245(b)</p> </td> <td data-bbox="549 1727 616 2027"> <p>Page 40</p> </td> <td data-bbox="620 1727 863 2027"> <p>The rule (hard law) should not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or</p> </td> <td data-bbox="868 1727 1054 2027"> <p>Wording should be changed as follows: "(b) Depending on the size of the organisation</p> </td> <td data-bbox="1059 1727 1225 2027"> <p>No</p> </td> <td data-bbox="1230 1727 1398 2027"> <p>Yes</p> </td> </tr> </tbody> </table>							Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	<p>NPA 2019-05 (B) 21.A.245(b)</p>	<p>Page 40</p>	<p>The rule (hard law) should not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or</p>	<p>Wording should be changed as follows: "(b) Depending on the size of the organisation</p>	<p>No</p>	<p>Yes</p>
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**													
<p>NPA 2019-05 (B) 21.A.245(b)</p>	<p>Page 40</p>	<p>The rule (hard law) should not require that specific managers (i.e chief of office of airworthiness, chief of independent monitoring or</p>	<p>Wording should be changed as follows: "(b) Depending on the size of the organisation</p>	<p>No</p>	<p>Yes</p>													



		<p>other 'chiefs of') are nominated. Only the appointment of the Head of the Design Organisation for the whole approved design organisation should be required through the rule and he/she shall be required to appoint key personnel or groups of persons to discharge his/her responsibilities. examples of key functions or roles should be given in the GM. This is to allow the flexibility required to accommodate the various sizes of design organisations and the varied nature and complexity of their activities.</p>	<p><i>and on the nature and complexity of its activities, the head of the design organisation shall nominate and identify, together with the extent of their authority:</i> <i>(1) a chief of the office of airworthiness;</i> <i>(2) a chief of the independent monitoring of compliance and adequacy function; and</i> <i>(3) any other person or group of persons who are needed to ensure that the organisation is in compliance with the requirements of this Annex."</i></p>		
<p>NPA 2019-05 (B) 21.A.245(c)(1)</p>	<p>Page 40</p>	<p>Within the sentence: "<i>(1) act under the direct authority of the head of the design organisation</i>" the word "Direct" is subject to interpretation. Futhermore this principle may not work in organisations holding multiple approvals with</p>	<p>Word "direct" should be removed: <i>(c) The person or group of persons identified in point (b) shall:</i> <i>(1) act under the direct authority of the head of the design organisation;</i></p>	No	Yes



		different accountable managers. AMC/GM already document this provision.				
response	See Section 1.					
comment	1388 comment by: <i>Rolls-Royce plc</i>					
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B), 21.A245 point (c)(1)	Page 40	Direct authority is too prescriptive. In bigger companies group of person might be shared between accountable managers not all of them directly reporting to the HDO and in case of sub-contracting activities a demand for 'direct authority' is permitting various options.	replace 'direct authority' by 'traceable authority'.	No	Yes
response	See Section 1.					

21.A.247 Changes in to the design management assurance system

comment	1326 comment by: <i>Rolls-Royce plc</i>					
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05	Page 41	Clarification of State of Design	Revise the text to read:	No	Yes



	(B), 21.A.247	responsibility. Avoid mixing responsibilities as State of Registry.	' <u>of the type design</u> of the product'		
response	See Section 1.				

21.A.258 Findings

p. 41-42

comment

25

comment by: CAA-NL

21.A.258, We suggest to use the wording of 145.A.95 which is clear and simple.
 (a) After the receipt of a notification of findings according to point 21.B.433, the organisation shall:
 (1) identify the root cause or causes of, and contributing factors to, the non-compliance;
 (2) define a corrective action plan;
 (3) demonstrate the implementation of corrective action to the satisfaction of the competent authority.
 (b) The actions referred to in points (a)(1), (a)(2) and (a)(3) shall be performed within the period agreed with that competent authority as defined in point 21.B.433.

See section B for further suggestions on Findings

response

See Section 1.

comment

691 ❖

comment by: UK CAA

Page No: 22; 42; 61; 67/68; 77

Paragraph No: 21.A.125B Findings (2); 21.A.258 Findings (2); 21.B.125 Findings and corrective actions (3); 21.B.225 Findings and corrective actions (d) and (f)(3); 21.B.433 Findings and corrective actions (d) and (f)(currently incorrectly numbered (d))(3).

Comment: Level 3 finding still remains in Part 21 although it is only an observation. It does not feature in Part 145.

Justification: Raising or not raising a level 3 finding should be made uniform across Part 21 and Part 145.

Proposed Text: We recommend that the corresponding text to level 3 finding should be deleted.

In addition, please note the paragraph numbered (d) beginning “The competent authority shall ...” should be renumbered to paragraph (f)

response

See Section 1.



21.A.259 Duration and continued validity

p. 42

comment	26	comment by: CAA-NL
	<p>21.A.259(a)4</p> <p>Changed 21.A.259(a)(4) mentions “the design organisation no longer meets the eligibility requirements of point 21.A.233”. However, 21.A.233 defines eligibility requirements for applicants, which is not the same as eligibility requirements for approved organisations. Instead, it is relevant for a design organisation that it have performed a complete audit program in the last 24 months and that it is responsible for the continued airworthiness of approved designs. It is therefore proposed to change 21.A.259(a)(4) into:</p> <p>“the design organisation no longer could perform a complete audit program in the last 24 months; or” and add 21.A.259(a)(6) “the design organisation is responsible for the continued airworthiness of approved designs.”</p>	
response	See Section 1.	

comment	27	comment by: CAA-NL
	<p>21.A.259(a)(5)</p> <p>We are of the opinion that ‘suspension’ needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules. It is also mentioned in the similar paragraph of the ANS/ATM regulation (2017/373).</p> <p>(5.) the certificate has been <i>suspended, or surrendered</i>,—revoked under point 21.B.430, 21.B.65, or surrendered.</p>	
response	See Section 1.	

comment	1328	comment by: Rolls-Royce plc															
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B), 21.A.259 point (a)(3)</td> <td>Page 42</td> <td>Repair scope missing.</td> <td>Consider to include 'repair design'.</td> <td>Yes</td> <td>No</td> </tr> </tbody> </table>					Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B), 21.A.259 point (a)(3)	Page 42	Repair scope missing.	Consider to include 'repair design'.	Yes	No
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**												
NPA 2019-05 (B), 21.A.259 point (a)(3)	Page 42	Repair scope missing.	Consider to include 'repair design'.	Yes	No												
response	See Section 1.																

21.A.263 Privileges

p. 43-44



comment	1296	comment by: Pratt@Whitney Rzeszow APUs
	The numbering is not consistent. There are two (7) bullets. Propose to change the numbers of two last bullets - from (7), (8) to (8), (9)	
response	See Section 1.	

comment 1329 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.A.263 point (c)(5)	Page 43	Increased safety risks under new option for major repair design approvals on products not holder the TC or STC.	Add details for risk mitigations (AMC?) if non-TC holders are introducing 'major repair design'.	No	Yes
NPA 2019-05 (B), 21.A.263 points (c)(7) & (8)	Page 44 not 43	incorrect numbering.	point (7) to become (8) and (8) to become (9)	Yes	No
NPA 2019-05 (B), 21.A.263 point (c)(7)	Page 44	Increased safety risks under new option for major change design approvals on products not being holder of the TC or STC.	Establish new 21.B.3 to ensure EASA is reflecting AD scenario of input demands from TC holder configuration in combination with non-TC Holder major change approval holder inputs. Consider major design approvals (non-TC Holder) to be covered by STCs. Ref ICAO Annex 8!	No	Yes
NPA 2019-05 (B),	Page 44	AMC missing for major	Add AMC	Yes	No



	21.A.263 point (c)(5)		repairs (non - TC Holder)			
	NPA 2019-05 (B), 21.A.263 point (c)(7)	Page 45	AMC missing for major design changes (non - TC Holder)	Add AMC	Yes	No
response	See Section 1.					

21.A.265 Obligations of the holder

p. 44-45

comment 28 comment by: CAA-NL
 21.A.265(i)
 For clarity we suggest to include 'section A' in this point:
 (i) comply with Subpart A of Section A of this Annex.

response See Section 1.

comment 91 comment by: General Aviation Manufacturers Association
 Section 21.A.265(i): Delete this statement, it is too open and not consistent with previous statements – alternatively, modify to identify applicable and relevant paragraphs.

response See Section 1.

comment 233 comment by: Safran Engineering Services
 § 21.A.265(i)
 This requirement (to comply with Subpart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of Subpart A that are required of an approved Design Organisation.
 It is propose to add :
 (i) comply with **points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9** of this Annex.

response See Section 1.

comment 294 comment by: Safran Landing Systems

21.A.265(i)	45/272	This requirement (to comply with SubPart A) should follow the same	(i) comply with points 21.A.3A (a),
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response	<table border="1"> <tr> <td data-bbox="391 203 539 360"></td> <td data-bbox="539 203 1129 360">convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</td> <td data-bbox="1129 203 1401 360">(c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.</td> </tr> </table> <p>See Section 1.</p>		convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.									
	convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.											
comment	<p>515 comment by: Safran HE</p> <p>This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</p> <p>Suggested resolution: (i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.</p>												
response	<p>See Section 1.</p>												
comment	<p>742 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1"> <thead> <tr> <th data-bbox="391 1106 539 1263">Section Table Figure</th> <th data-bbox="539 1106 635 1263">Page</th> <th data-bbox="635 1106 890 1263">Comment summary</th> <th data-bbox="890 1106 1066 1263">suggested resolution</th> <th data-bbox="1066 1106 1241 1263">Comment is an observation (suggestion)</th> <th data-bbox="1241 1106 1401 1263">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 1263 539 1697">21.A.265(i)</td> <td data-bbox="539 1263 635 1697">45/272</td> <td data-bbox="635 1263 890 1697">This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</td> <td data-bbox="890 1263 1066 1697">(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.</td> <td data-bbox="1066 1263 1241 1697">X</td> <td data-bbox="1241 1263 1401 1697"></td> </tr> </tbody> </table> <p>See Section 1.</p>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.265(i)	45/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
21.A.265(i)	45/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.	X									
comment	<p>887 comment by: SAFRAN AEROSYSTEMS</p>												



	<p>21.A.265(i) This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</p> <p>(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.</p>
response	See Section 1.

comment	1021	comment by: ASD				
	<table border="1"> <tr> <td>21.A.265(i)</td> <td>45/272</td> <td>This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.</td> <td>(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.</td> </tr> </table>	21.A.265(i)	45/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.	
21.A.265(i)	45/272	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.			
response	See Section 1.					

comment	1330	comment by: Rolls-Royce plc																		
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B), 21.A.265 point (c)</td> <td>Page 44</td> <td>Consistency required</td> <td>Please replace 'specifications and requirements' by 'type certification basis, OSD and EP requirements'</td> <td>Yes</td> <td>No</td> </tr> <tr> <td>NPA 2019-05 (B), 21.A.265 point (h)</td> <td>Page 45</td> <td>The new obligation is unclear to which 'data and information' the statement has to be included: all Type Design data? ICA? What about</td> <td>Please clarify that this statement is required for ICA and is not to be introduced retrospectively.</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B), 21.A.265 point (c)	Page 44	Consistency required	Please replace 'specifications and requirements' by 'type certification basis, OSD and EP requirements'	Yes	No	NPA 2019-05 (B), 21.A.265 point (h)	Page 45	The new obligation is unclear to which 'data and information' the statement has to be included: all Type Design data? ICA? What about	Please clarify that this statement is required for ICA and is not to be introduced retrospectively.	No	Yes	
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**															
NPA 2019-05 (B), 21.A.265 point (c)	Page 44	Consistency required	Please replace 'specifications and requirements' by 'type certification basis, OSD and EP requirements'	Yes	No															
NPA 2019-05 (B), 21.A.265 point (h)	Page 45	The new obligation is unclear to which 'data and information' the statement has to be included: all Type Design data? ICA? What about	Please clarify that this statement is required for ICA and is not to be introduced retrospectively.	No	Yes															



		legacy data treated in the past under 21.A.263 maybe not containing such statement.			
NPA 2019-05 (B) 21.A.265(i)	Page 45	This requirement (to comply with SubPart A) should follow the same convention as the rest of Part 21 and identify only the specific provisions of SubPart A that are required of an approved Design Organisation.	(i) comply with points 21.A.3A (a), (c), (d) and (e), 21.A.5 (a), (c), (d) and (e) and 21.A.9 of this Annex.	No	Yes
response	See Section 1.				

21.A.451 Obligations and EPA marking

comment	1297	comment by: <i>Pratt@Whitney Rzeszow APUs</i>
	Reference to APU authorisation in both paragraphs (a) and (b) is not consistent. Propose to change the reference in 21.A.451 (b) to : "APU ETSO authorisation"	
response	See Section 1.	

comment	1331	comment by: <i>Rolls-Royce plc</i>															
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B), 21.A.451 point (a)(2)</td> <td>Page 46</td> <td>Improvement: Avoid EPA marking requirement for TC holder approvals.</td> <td>Add clarity in point (a) similar to 21.A.433(b).</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>					Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B), 21.A.451 point (a)(2)	Page 46	Improvement: Avoid EPA marking requirement for TC holder approvals.	Add clarity in point (a) similar to 21.A.433(b).	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**												
NPA 2019-05 (B), 21.A.451 point (a)(2)	Page 46	Improvement: Avoid EPA marking requirement for TC holder approvals.	Add clarity in point (a) similar to 21.A.433(b).	No	Yes												



response	See Section 1.
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21.A.604 ETSO Aauthorisation for an Aauxiliary Ppower Uunit (APU)

comment	234	<i>comment by: Safran Engineering Services</i>
		<p>21.A.604(b) <i>"by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and the requirements of or Subpart E shall apply to the approval of design changes by other applicants . When Subpart E is used, a separate ETSO authorisation shall be issued instead of a supplemental type certificate"</i> Part 21 Subpart E (STC) is only relevant to major changes by non TC holders. Which Subpart is applicable for minor changes to the APU by non ETSO holders? Please clarify which Part 21 Subpart is applicable for minor changes to APU by non ETSO APU holders.</p>
response		See Section 1.

comment	516	<i>comment by: Safran HE</i>
		<p>"by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and the requirements of or Subpart E shall apply to the approval of design changes by other applicants . When Subpart E is used, a separate ETSO authorisation shall be issued instead of a supplemental type certificate" Part 21 Subpart E (STC) is only relevant to major changes by non TC holders. Which Subpart is applicable for minor changes to the APU by non ETSO holders? Suggested resolution: Clarify which Part 21 Subpart is applicable for minor changes to APU by non ETSO APU holders</p>
response		See Section 1.

comment	744	<i>comment by: SAFRAN TRANSMISSION SYSTEMS</i>															
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section Table Figure</th> <th style="width: 10%;">Page</th> <th style="width: 30%;">Comment summary</th> <th style="width: 15%;">suggested resolution</th> <th style="width: 15%;">Comment is an observation (suggestion)</th> <th style="width: 15%;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.A.604(b)</td> <td>47/272</td> <td><i>"by way of derogation from point 21.A.611, the requirements of</i></td> <td>Clarify which Part 21 Subpart is</td> <td></td> <td style="text-align: center;">X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.A.604(b)	47/272	<i>"by way of derogation from point 21.A.611, the requirements of</i>	Clarify which Part 21 Subpart is		X			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)												
21.A.604(b)	47/272	<i>"by way of derogation from point 21.A.611, the requirements of</i>	Clarify which Part 21 Subpart is		X												



	<p><i>Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and the requirements of or Subpart E shall apply to the approval of design changes by other applicants . When Subpart E is used, a separate ETSO authorisation shall be issued instead of a supplemental type certificate"</i></p> <p>Part 21 Subpart E (STC) is only relevant to major changes by non TC holders. Which Subpart is applicable for minor changes to the APU by non ETSO holders?</p>	<p>applicable for minor changes to APU by non ETSO APU holders</p>		
response	See Section 1.			

comment	<p>888 comment by: <i>SAFRAN AEROSYSTEMS</i></p> <p>21.A.604 (b)</p> <p>"by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and the requirements of or Subpart E shall apply to the approval of design changes by other applicants . When Subpart E is used, a separate ETSO authorisation shall be issued instead of a supplemental type certificate"</p> <p>Part 21 Subpart E (STC) is only relevant to major changes by non TC holders. Which Subpart is applicable for minor changes to the APU by non ETSO holders?</p> <p>Clarify which Part 21 Subpart is applicable for minor changes to APU by non ETSO APU holders</p>
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response	See Section 1.
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comment	1022		comment by: ASD
	21.A.604(b)	47/272	<p><i>"by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and the requirements of or Subpart E shall apply to the approval of design changes by other applicants . When Subpart E is used, a separate ETSO authorisation shall be issued instead of a supplemental type certificate"</i></p> <p>Part 21 Subpart E (STC) is only relevant to major changes by non TC holders. Which Subpart is applicable for minor changes to the APU by non ETSO holders?</p>
			Clarify which Part 21 Subpart is applicable for minor changes to APU by non ETSO APU holders
response	See Section 1.		

comment	1307		comment by: Pratt@Whitney Rzeszow APUs
		<p>Not clear the reference to 21.A.9. New 21.A.9 (added by this NPA 2019-05 (B)) applies to all organisations (type design and ETSO authorisation) holders (including APU) thus no derogation from 21.A.9 to other paragraphs seem reasonable. Also propose to continue the management of APU design and production as for certificated products to APU transferring process and add derogation from point 21.A.621 to 21.A.47.</p> <p>Thus propose 21.A.604(a) to read: "...by way of derogation from points 21.A.603, 21.A.610 and 21.A.615 21.A.621 , the following points shall apply: points 21.A.15, 21.A.16B, 21.A.17A, 21.A.17B, 21.A.20, 21.A.21, 21.A.31, 21.A.33, 21.A.44, 21.A.47, 21.B.75 and 21.B.80</p>	
response	See Section 1.		

comment	1332		comment by: Rolls-Royce plc												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section, table, figure</th> <th style="width: 10%;">Page</th> <th style="width: 30%;">Comment Summary</th> <th style="width: 15%;">Suggested resolution</th> <th style="width: 15%;">Comment is an observation/suggestion*</th> <th style="width: 15%;">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**										



<p>NPA 2019-05 (B) 21.A.604(b)</p>	<p>Page 47</p>	<p><i>"by way of derogation from point 21.A.611, the requirements of Subpart D shall apply to the approval of design changes by the APU ETSO authorisation holder and the requirements of or Subpart E shall apply to the approval of design changes by other applicants . When Subpart E is used, a separate ETSO authorisation shall be issued instead of a supplemental type certificate"</i> Part 21 Subpart E (STC) is only relevant to major changes by non TC holders. Which Subpart is applicable for minor changes to the APU by non ETSO holders?</p>	<p>Clarify which Part 21 Subpart is applicable for minor changes to APU by non ETSO APU holders</p>	<p>No</p>	<p>Yes</p>
<p>response</p>	<p>See Section 1.</p>				

21.A.619 Duration and continued validity

p. 48

comment

29

comment by: CAA-NL

21.A.619(a)(5)

We are of the opinion that ‘suspension’ needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules. It is also mentioned in the similar paragraph of the ANS/ATM regulation (2017/373).

(5.) the authorisation has been *suspended*, or ~~surrendered~~, revoked under point ~~21.B.430~~, 21.B.65, or ~~surrendered~~.

response

See Section 1.



21.A.723 Duration and continued validity

p. 49

comment 30 comment by: CAA-NL

21.A.723(a)(3)
 We are of the opinion that ‘suspension’ needs to be included here as it is mentioned as an option in the NBR, to be included in the implementing rules. It is also mentioned in the similar paragraph of the ANS/ATM regulation (2017/373).
 (3.) the permit to fly not being *suspended*, or ~~surrendered~~, revoked under point ~~21.B.430~~, 21.B.65, or ~~surrendered~~.

response See Section 1.

comment 235 comment by: Safran Engineering Services

§ 21.A.723(a):
"A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:"
 The wording is not consistent among all Subparts within section A :
 21.A.619: "(a) An ETSO authorisation shall be issued for an unlimited duration. It shall remain valid unless:"
 21.A.259: "(a) A design organisation approval shall be issued for an unlimited duration. It shall remain valid unless:"
 21.A.211: "(a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:"
 21.A.181: "(a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid subject to:"

 Please harmonise the wording in all Subparts: "Unless" or "Subject to".

response See Section 1.

comment 517 comment by: Safran HE

"A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:"
 The wording is not consistent among all Subparts within section A :
 21.A.619: "(a) An ETSO authorisation shall be issued for an unlimited duration. It shall remain valid unless:"
 21.A.259: "(a) A design organisation approval shall be issued for an unlimited duration. It shall remain valid unless:"
 21.A.211: "(a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:"
 21.A.181: "(a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid subject to:"

Suggested resolution:
 Harmonise the wording in all Subparts: "Unless" or "Subject to".



response See Section 1.

comment

745

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.723(a)	49/272	<p>"A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:"</p> <p>The wording is not consistent among all Subparts within section A :</p> <p>21.A.619: "(a) An ETSO authorisation shall be issued for an unlimited duration. It shall remain valid unless:"</p> <p>21.A.259: "(a) A design organisation approval shall be issued for an unlimited duration. It shall remain valid unless:"</p> <p>21.A.211: "(a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:"</p> <p>21.A.181: "(a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid</p>	<p>Harmonise the wording in all Subparts: "Unless" or "Subject to".</p>	X	



		subject to:"			
response	See Section 1.				

comment	1023		comment by: ASD		
	21.A.723(a)	49/272	<p><i>"A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:"</i></p> <p>The wording is not consistent among all Subparts within section A :</p> <p>21.A.619: "(a) An ETSO authorisation shall be issued for an unlimited duration. It shall remain valid unless:"</p> <p>21.A.259: "(a) A design organisation approval shall be issued for an unlimited duration. It shall remain valid unless:"</p> <p>21.A.211: "(a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:"</p> <p>21.A.181: "(a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid subject to:"</p> <p>....</p>	Harmonise the wording in all Subparts: "Unless" or "Subject to".	
response	See Section 1.				

comment	1333		comment by: Rolls-Royce plc			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**



<p>NPA 2019-05 (B) 21.A.723(a)</p>	<p>Page 49</p>	<p>"A permit to fly shall be issued for a maximum of 12 months and shall remain valid subject to:" The wording is not consistent among all Subparts within Section A : 21.A.619: "(a) An ETSO authorisation shall be issued for an unlimited duration. It shall remain valid unless:" 21.A.259: "(a) A design organisation approval shall be issued for an unlimited duration. It shall remain valid unless:" 21.A.211: "(a) A noise certificate shall be issued for an unlimited duration. It shall remain valid subject to:" 21.A.181: "(a) An airworthiness certificate shall be issued for an unlimited duration. It shall remain valid subject to:"</p>	<p>Harmonise the wording in all Subparts: "Unless" or "Subject to".</p>	<p>Yes</p>	<p>No</p>
<p>response See Section 1.</p>					



21.B.5 Scope

p. 51

comment 237 comment by: Safran Engineering Services

§ 21.B.5:
"This section establishes the administrative and management system requirements to be followed by the competent authority that is in charge of the implementation and enforcement of Section A of this Annex."
 Competent Authority (CA) is not in charge of implementation of section A. This is the responsibility of the certificates/approvals' applicants/holders. CA is responsible for the oversight.
 Change the wording as follows:
*"This section establishes the administrative and management system requirements to be **implemented followed** by the competent authority that is in charge of the **oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."***

response See Section 1.

comment 296 comment by: Safran Landing Systems

21.B.5	51/272	<p><i>"This section establishes the administrative and management system requirements to be followed by the competent authority that is in charge of the implementation and enforcement of Section A of this Annex."</i> Competent Authority (CA) is not in charge of implementation of section A . This is the responsibility of the certificates/approvals' applicants/holders. CA is responsible for the oversight.</p>	<p>Change the wording as follows: <i>"This section establishes the administrative and management system requirements to be implemented followed by the competent authority that is in charge of the oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."</i></p>
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response See Section 1.

comment 519 comment by: Safran HE

"This section establishes the administrative and management system requirements to be followed by the competent authority that is in charge of the implementation and enforcement of Section A of this Annex."
 Competent Authority (CA) is not in charge of implementation of section A . This is the responsibility of the certificates/approvals' applicants/holders. CA is responsible for the oversight.



	<p>Suggested resolution: Change the wording as follows: "This section establishes the administrative and management system requirements to be implemented followed by the competent authority that is in charge of the oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."</p>
response	See Section 1.

comment

750 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.5	51/272	<p><i>"This section establishes the administrative and management system requirements to be followed by the competent authority that is in charge of the implementation and enforcement of Section A of this Annex."</i></p> <p>Competent Authority (CA) is not in charge of implementation of section A . This is the responsibility of the certificates/approvals' applicants/holders. CA is responsible for the oversight.</p>	<p>Change the wording as follows: <i>"This section establishes the administrative and management system requirements to be implemented followed by the competent authority that is in charge of the oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."</i></p>		X

response

See Section 1.

comment

1025

comment by: ASD



	21.B.5	51/272	<p><i>"This section establishes the administrative and management system requirements to be followed by the competent authority that is in charge of the implementation and enforcement of Section A of this Annex."</i></p> <p>Competent Authority (CA) is not in charge of implementation of section A . This is the responsibility of the certificates/approvals' applicants/holders. CA is responsible for the oversight.</p>	<p>Change the wording as follows:</p> <p><i>"This section establishes the administrative and management system requirements to be implemented followed by the competent authority that is in charge of the oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."</i></p>												
response	See Section 1.															
comment	<p>1111 comment by: SAFRAN AEROSYSTEMS</p> <p>"This section establishes the administrative and management system requirements to be followed by the competent authority that is in charge of the implementation and enforcement of Section A of this Annex."</p> <p>Competent Authority (CA) is not in charge of implementation of section A . This is the responsibility of the certificates/approvals' applicants/holders. CA is responsible for the oversight.</p> <p>Change the wording as follows:</p> <p>"This section establishes the administrative and management system requirements to be implemented followed by the competent authority that is in charge of the oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."</p>															
response	See Section 1.															
comment	<p>1344 comment by: Rolls-Royce plc</p> <table border="1" data-bbox="391 1601 1418 2027"> <thead> <tr> <th data-bbox="391 1601 539 1758">Section, table, figure</th> <th data-bbox="539 1601 608 1758">Page</th> <th data-bbox="608 1601 890 1758">Comment Summary</th> <th data-bbox="890 1601 1093 1758">Suggested resolution</th> <th data-bbox="1093 1601 1257 1758">Comment is an observation/suggestion*</th> <th data-bbox="1257 1601 1418 1758">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 1758 539 2027">NPA 2019-05 (B) 21.B.5</td> <td data-bbox="539 1758 608 2027">Page 51</td> <td data-bbox="608 1758 890 2027"><i>"This section establishes the administrative and management system requirements to be followed by the competent authority</i></td> <td data-bbox="890 1758 1093 2027">Change the wording as follows: <i>"This section establishes the administrative and</i></td> <td data-bbox="1093 1758 1257 2027">No</td> <td data-bbox="1257 1758 1418 2027">Yes</td> </tr> </tbody> </table>				Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) 21.B.5	Page 51	<i>"This section establishes the administrative and management system requirements to be followed by the competent authority</i>	Change the wording as follows: <i>"This section establishes the administrative and</i>	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**											
NPA 2019-05 (B) 21.B.5	Page 51	<i>"This section establishes the administrative and management system requirements to be followed by the competent authority</i>	Change the wording as follows: <i>"This section establishes the administrative and</i>	No	Yes											



	<p><i>that is in charge of the implementation and enforcement of Section A of this Annex."</i> <i>This should be reworded to clarify that a Competent Authority (CA) is not 'in charge of the implementation of Section A' . This is the responsibility of the certificates/approvals' applicants/holders. The CA is responsible for oversight activities.</i></p>	<p><i>management system requirements to be implemented followed by the competent authority that is in charge of the oversight implementation and enforcement of relevant Subpart(s) within Section A of this Annex."</i></p>		
response	See Section 1.			

21.B.15 Information to EASA

p. 51

comment

31

comment by: CAA-NL

21.B.15

The CAA-NL agrees with the insertion of 21.B.15, where par. (a) deals with problems with the implementation of the EU aviation regulations and par. (b) deals with any safety-significant information stemming from occurrence reports.

Taking into account that level 1 findings (ref. 21.B.225) “lowers safety or seriously endangers flight safety” and also major level 2 findings can have an safety-significant impact, while 21.B.65 Suspension, limitation or revocation doesn’t mention the reporting to EASA, it is proposed to add:

21.B.15(c) The competent authority of the Member State shall provide EASA with any safety-significant information stemming from the suspension, limitation or revocation of certificates.

response

See Section 1.

21.B.25 Requirements for the organisation of the competent authority

p. 52

comment

1110

comment by: SAFRAN AEROSYSTEMS

This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5)). This limits the



scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.
 This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.
 This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.
 Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.

A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation

response See Section 1.

comment

1342

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.B.25 point (a)	Page 52	ICAO ANNEX 19 (Safety policy and objectives, Safety risk management, Safety assurance or Safety promotion) details necessary for harmonisation with industry SMS not included.	Include requirements to align with ICAO Annex 19 on Authority/State(s) level.	No	Yes
NPA 2019-05 (B) 21.B25	Page 53	This requirement establish a Management System which places the Safety Risk management process under compliance monitoring	Reword to explain that a competent authority should implement a Safety Risk Management approach which complements those of the other regulatory bodies, but is not limited	Yes	No



	<p>(bullet (a)(5)). This appears to limit the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This does not appear to be consistent with the EPAS, which explains the links between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level, and aims to define risks across the system.</p>	<p>to items arising from compliance monitoring.</p>		
<p>response</p>	<p>See Section 1.</p>			

21.B.25 Management system

p. 52-53

comment

236

comment by: *Safran Engineering Services*

§ 21.B25:

This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a) (5)). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This is fully in contradiction with the EPAS approach, which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.



response	<p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system. Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p> <p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation.</p>			
	<p>See Section 1.</p>			
comment	<p>295 comment by: <i>Safran Landing Systems</i></p> <table border="1" data-bbox="392 667 1385 1500"> <tr> <td data-bbox="392 667 491 1500">21.B25 53/272</td> <td data-bbox="491 667 1082 1500"> <p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.</p> <p>This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p> <p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.</p> <p>Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p> </td> <td data-bbox="1082 667 1385 1500"> <p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p> </td> </tr> </table>	21.B25 53/272	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.</p> <p>This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p> <p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.</p> <p>Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p>	<p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>
21.B25 53/272	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.</p> <p>This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p> <p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.</p> <p>Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p>	<p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>		
response	<p>See Section 1.</p>			
comment	<p>518 comment by: <i>Safran HE</i></p> <p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p>			



	<p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system. Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p> <p>Suggested resolution: A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>
response	See Section 1.

comment

748

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B25	53/272	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.</p> <p>This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p> <p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in</p>	<p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>		X



		Aviation system. Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.			
response	See Section 1.				

comment	1024				comment by: ASD
	21.B25	53/272	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.</p> <p>This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p> <p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.</p> <p>Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p>		<p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>
response	See Section 1.				
comment	1343				comment by: Rolls-Royce plc



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.B.25 point (a)	Page 52	ICAO ANNEX 19 (Safety policy and objectives, Safety risk management, Safety assurance or Safety promotion) details necessary for harmonisation with industry SMS not included.	Include requirements to align with ICAO Annex 19 on Authority/State(s) level.	No	Yes
NPA 2019-05 (B) 21.B25	Page 53	This requirement establish a Management System which places the Safety Risk management process under compliance monitoring (bullet (a)(5)). This appears to limit the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This does not appear to be consistent with the EPAS, which explains the	Reword to explain that a competent authority should implement a Safety Risk Management approach which complements those of the other regulatory bodies, but is not limited to items arising from compliance monitoring.	Yes	No



		links between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level, and aims to define risks across the system.			
response	See Section 1.				

21.B.30 Documented procedures

p. 54

comment	92	comment by: <i>General Aviation Manufacturers Association</i>
	Section 21.B.30(a)(1): Consideration should be included regarding 'essential requirements' for a qualified entity specific to conflict of interest. How is this to be considered by a Competent Authority and how is standardization between Competent Authorities achieved by EASA?	
response	See Section 1.	

comment	297	comment by: <i>Safran Landing Systems</i>
	21.B.30 54/272	<p>Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products,</p> <p>Add a new point (c) : (c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.</p>



		<p>parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.</p>	<p>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>520</p> <p>Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial</p>	<p>comment by: <i>Safran HE</i></p>	



advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.

Suggested resolution:

Add a new point (c) :

(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it. Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.

response See Section 1.

comment

751

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.30	54/272	Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a	Add a new point (c) : (c) The competent authority shall ensure that system required in (a) (1) includes provision for an		X



	<p>concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such</p>	<p>organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.</p> <p>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</p>		
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	<p>advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.</p>			
<p>response</p>	<p>See Section 1.</p>			



comment

1112

comment by: SAFRAN AEROSYSTEMS

Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.

Add a new point (c) :

(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.

Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.

response

See Section 1.

21.B.30 Allocation of tasks to qualified entities

p. 54

comment

238

comment by: Safran Engineering Services

§ 21.B.30:

Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified



entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.

It is suggested to add a new point (c) as below:

(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.

Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.

response See Section 1.

comment

1026

comment by: ASD

21.B.30	54/272	Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design,	Add a new point (c) : (c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to
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		<p>production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.</p>	<p>resolve it.</p> <p>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</p>
<p>response</p>	<p>See Section 1.</p>		

comment 1345

comment by: *Rolls-Royce plc*



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.B.30	Page 54	Jurisdiction and non-disclosure scenario unclear for qualified entity involvement.	Include requirements to ensure approved organisations have access to the 'documented agreement' and non-disclosure agreements and IP protection can get guaranteed for qualified entity staff.	No	Yes
NPA 2019-05 (B) 21.B.30	Page 54	Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that "a qualified entitymay not be involved, either directly or as authorised	Add a new point (c) : (c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of	No	Yes



	<p>representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is</p>	<p>interest, and take appropriate action to resolve it.</p> <p>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</p>		
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	<p>needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 21.A.9.</p>			
response	See Section 1.			

21.B.35 Changes in the management system organisation and procedures

p. 54-55

comment

754

comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)



21.B.40	55/272	<p><i>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures."</i></p> <p>Disputes with whom? Internal disputes?; disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? with all of them?</p>	<p>Clarify who are concerned with the potential disputes.</p>	X	
response	See Section 1.				

21.B.40 Resolution of disputes

comment	239	comment by: Safran Engineering Services			
<p>§ 21.B.40: <i>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures."</i> Disputes with whom? Internal disputes? Disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? With all of them?</p>					
Please clarify who are concerned with the potential disputes.					
response	See Section 1.				

comment	298	comment by: Safran Landing Systems			
21.B.40	55/272	<p><i>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures."</i></p> <p>Disputes with whom? Internal disputes?; disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? with all of them?</p>	<p>Clarify who are concerned with the potential disputes.</p>		



response	See Section 1.				
comment	569		comment by: <i>Safran HE</i>		
	<p>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures." Disputes with whom? Internal disputes?; disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? with all of them?</p> <p>Suggested resolution: Clarify who are concerned with the potential disputes.</p>				
response	See Section 1.				
comment	1027		comment by: <i>ASD</i>		
	21.B.40	55/272	<p><i>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures."</i></p> <p>Disputes with whom? Internal disputes?; disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? with all of them?</p>	Clarify who are concerned with the potential disputes.	
response	See Section 1.				
comment	1113		comment by: <i>SAFRAN AEROSYSTEMS</i>		
	<p>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures." Disputes with whom? Internal disputes?; disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? with all of them?</p> <p>Clarify who are concerned with the potential disputes.</p>				
response	See Section 1.				
comment	1346		comment by: <i>Rolls-Royce plc</i>		
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an Comment is substantive/objection**

				observation/ suggestion*	
NPA 2019-05 (B), 21.B.40	Page 55	EASA as competent authority seems not included.	Include statement for cases where EASA is the 'competent authority' or delete 'of the Member State'.	Yes	No
NPA 2019-05 (B), 21.B.40	Page 55	Transparency	Include a requirement to make competent authority procedures accessible to industry	Yes	No
response	See Section 1.				

comment 1349 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.40	Page 55	<p><i>"The competent authority of the Member State shall establish a process for the resolution of disputes within its organisation documented procedures."</i></p> <p>It is not clear to whom (or what disputes) this refers. Disputes with whom? Internal disputes?; disputes with EASA? Disputes with applicant/holder of certificate/approval under Section A of Part 21? with all of them?</p>	Clarify to whom or what this section refers.	No	Yes



response	See Section 1.
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21.B.45 Reporting/coordination

p. 55

comment 1347 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), 21.B.45	Page 55	Reporting and coordination demand is even increasing with this NPA.	Do not delete 21.B.45 and GMs.	No	Yes

response See Section 1.

21.B.55 Record-keeping

p. 55-57

comment 240 comment by: *Safran Engineering Services*

§21.B.55 :
 Within this article, there is no requirement supporting the Standardisation of competent Authorities activities by EASA, where such requirement is stated in 21.B25(d)

 Consistency should be ensured between all requirements.

response See Section 1.

comment 299 comment by: *Safran Landing Systems*

21.B.55	56/272	Within this article, there is no requirement supporting the Standardisation of competent Authorities activities by EASA, where such requirement is stated in 21.B25(d)	Consistency should be ensured between all requirements.
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response See Section 1.

comment 571 comment by: Safran HE

Within this article, there is no requirement supporting the Standardisation of competent Authorities activities by EASA, where such requirement is stated in 21.B25(d)

Suggested resolution:
Consistency should be ensured between all requirements.

response See Section 1.

comment 756 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.55	56/272	Within this article, there is no requirement supporting the Standardisation of competent Authorities activities by EASA, where such requirement is stated in 21.B25(d)	Consistency should be ensured between all requirements.		X

response See Section 1.

comment 1028 comment by: ASD

21.B.55	56/272	Within this article, there is no requirement supporting the Standardisation of competent Authorities activities by EASA, where such requirement is stated in 21.B25(d)	Consistency should be ensured between all requirements.		
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response See Section 1.

comment 1114 comment by: SAFRAN AEROSYSTEMS

Within this article, there is no requirement supporting the Standardisation of competent Authorities activities by EASA, where such requirement is stated in 21.B25(d)

Consistency should be ensured between all requirements.

response See Section 1.

comment 1348 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.55	Page 56	Within this article, there is no requirement supporting the standardisation of Competent Authorities' activities by EASA, where this requirement is stated in 21.B25(d)	Consistency should be ensured between all requirements.	Yes	No
NPA 2019-05 (B), 21.B.55 point (a)(4)	Page 56	consistency of terms	Replace 'certified organisations' by 'approved organisations'.	Yes	No
NPA 2019-05 (B), 21.B.55 point (c)	Page 56	Inappropriate record retention period of 5 Years compared with 21.A.5. Why much less time than industry is required?	Align retention period of competent authorities with requirements placed onto approved organisations.	No	Yes



response	See Section 1.
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21.B.65 Suspension, limitation and revocation

p. 57

comment	241	comment by: <i>Safran Engineering Services</i>
	<p>§ 21.B.65: <i>"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a) 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;"</i> "reasonable grounds" is far too much subjective/vague. Safety threat is not a safety risk. It is not on the basis of Safety threat but uncontrolled safety risk that a certificate /approval should be suspended.</p> <p>Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. It is suggested to replace "potential safety threat" by "uncontrolled safety risk"</p>	
response	See Section 1.	

comment	300	comment by: <i>Safran Landing Systems</i>
	21.B.65 57/272	<p><i>"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a) 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;"</i> "reasonable grounds" is far too much-subjective/vague. Safety threat is not a safety risk. It is not on the basis of Safety threat but uncontrolled safety risk that a certificate /approval should be suspended.</p> <p>Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. Replace "potential safety threat" by "uncontrolled safety risk"</p>



response	See Section 1.
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comment	<p>573 comment by: Safran HE</p> <p>"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a) 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;" "reasonable grounds" is far too much subjective/vague. Safety threat is not a safety risk. It is not on the basis of Safety threat but uncontrolled safety risk that a certificate /approval should be suspended.</p> <p>Suggested resolution: Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. Replace "potential safety threat" by "uncontrolled safety risk"</p>
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response	See Section 1.
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comment	<p>707 comment by: FAA</p> <p>Page 57 Para 21.B.65(c) <u>Referenced Text:</u> "suspend a certificate, approval, authorisation or letter of agreement if the competent authority's inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located. <u>Question:</u> How is a "security situation" determined? How is it defined? Is there a specific threat level index that EU Member State follow? <u>Proposed Resolution:</u> Consider further expanding this area to provide more context (for example, there could be a security issue with access to a facility that is restricted to that facility and is not reflective of a security situation in the seovereign state, such as localized violence or instability. This is also poignant with third-country POAs that could engage in manufacturing in areas with more economic and/or political instability than member States)</p>
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response	See Section 1.
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comment	<p>758 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section Table Figure</th> <th style="width: 10%;">Page</th> <th style="width: 20%;">Comment summary</th> <th style="width: 30%;">suggested resolution</th> <th style="width: 10%;">Comment is an</th> <th style="width: 15%;">Comment is</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is						
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is								



				observation (suggestion)	substantive (objection)
21.B.65	57/272	<p>"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a), 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;"</p> <p>"reasonable grounds" is far too much subjective/vague. Safety threat is not a safety risk. It is not on the basis of Safety threat but uncontrolled safety risk that a certificate /approval should be suspended.</p>		<p>Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. Replace "potential safety threat" by "uncontrolled safety risk"</p>	X
response	See Section 1.				

comment 1029 comment by: ASD



21.B.65	57/272	<p>"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a) 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;"</p> <p>"reasonable grounds" is far too much-subjective/vague. Safety threat is not a safety risk. It is not on the basis of Safety threat but uncontrolled safety risk that a certificate /approval should be suspended.</p>	<p>Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. Replace "potential safety threat" by "uncontrolled safety risk"</p>
response	See Section 1.		

comment 1115 comment by: SAFRAN AEROSYSTEMS

"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a) 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;"

"reasonable grounds" is far too much subjective/vague. Safety threat is not a safety risk. It is not on the basis of Safety threat but uncontrolled safety risk that a certificate /approval should be suspended.

Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. Replace "potential safety threat" by "uncontrolled safety risk"

response See Section 1.

comment 1350 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
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<p>NPA 2019-05 (B) 21.B.65</p>	<p>Page 57</p>	<p><i>"(a) suspend a certificate, approval, permit to fly, authorisation or letter of agreement on reasonable grounds in the case of a potential safety threat or if there is evidence that any of the conditions specified in points 21.A.51(a), 21.A.118B(a) 21.A.181(a) or 21.A.211(a), 21.A.619(a), 21A.723(a) is not met;"</i> <i>"reasonable grounds"</i> needs further elaboration, otherwise it is very subjective. The language related to a 'safety threat' needs clarification, and perhaps should reflect that lack of an appropriate level of control of safety risks should be</p>	<p>Clear criteria shall be defined for the suspension of certificates/approvals/permits to fly or letter of agreement. Replace "potential safety threat" by "uncontrolled safety risk"</p>	<p>No</p>	<p>Yes</p>
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		the basis for the suspension of a certificate /approval.			
NPA 2019-05 (B), 21.B.65 point (a)	Page 57	Subjective requirement of 'potential safety threat'.	Replace 'potential' by 'confirmed'. Ref 21.A.3	Yes	No
NPA 2019-05 (B), 21.B.65 point (b)	Page 57	No criteria defined.	Delete point (b). Safety is covered under point (a).	No	Yes
NPA 2019-05 (B), 21.B.65 point (c)	Page 57	Period of 24 months appears arbitrary.	Allow more flexibility for competent authorities (even for shorter period).	Yes	No
response	See Section 1.				

21.B.115 Alternative means of compliance

p. 58

comment

242

comment by: *Safran Engineering Services*

§ 21.B.115:

This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favor of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent



	<p>authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions</p>
response	See Section 1.

comment

301

comment by: Safran Landing Systems

21.B.115	58/272	<p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
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response	See Section 1.
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comment	575		comment by: <i>Safran HE</i>
<p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p> <p>Suggested resolution:</p> <p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>			
response		See Section 1.	

comment	761		comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section Table Figure</th> <th style="width: 10%;">Page</th> <th style="width: 25%;">Comment summary</th> <th style="width: 20%;">suggested resolution</th> <th style="width: 15%;">Comment is an observation (suggestion)</th> <th style="width: 15%;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.115</td> <td>58/272</td> <td>This section instructs the competent authority to require a formal submission for any</td> <td>This section should be deleted, awaiting a cross-domain review of its effectiveness and</td> <td></td> <td style="text-align: center;">X</td> </tr> </tbody> </table>				Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.115	58/272	This section instructs the competent authority to require a formal submission for any	This section should be deleted, awaiting a cross-domain review of its effectiveness and		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)										
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	<p>deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence.</p>	<p>suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to</p>		
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		<p>Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.</p>	<p>identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
<p>response</p>	<p>See Section 1.</p>				

comment

<p>1030</p>	<p>comment by: ASD</p>			
<p>21.B.115</p>	<p>58/272</p>	<p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favours of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is</p>	



	<p>by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.</p> <p>recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>1116 comment by: SAFRAN AEROSYSTEMS</p> <p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favours of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.</p> <p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
<p>response</p>	<p>See Section 1.</p>



comment

1351

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.115	Page 58	This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favours of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for	No	Yes



		to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.	applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.		
response	See Section 1.				

comment	1476	comment by: <i>Thales</i>
	See comment #1469.	
	Suggested resolution: delete 21.B.115	
response	See Section 1.	

21.B.120 Investigation	p. 58-59
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comment	302	comment by: <i>Safran Landing Systems</i>
	21.B.120(b) 59/272	"The competent authority shall record all findings, actions (i.e. 21.B.120(b) should be deleted, or at least



		<p>actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p>	<p>reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</p>													
response	See Section 1.															
comment	303	comment by: Safran Landing Systems														
	21.B.120(c) 59/272	<p>"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p>	<p>Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</p>													
response	See Section 1.															
comment	786	comment by: SAFRAN TRANSMISSION SYSTEMS														
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.120(c)</td> <td>59/272</td> <td>"all findings must be corrected to the satisfaction of the competent authority". This</td> <td>Reword as follows: "all level 1 and level 2 findings must</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.120(c)	59/272	"all findings must be corrected to the satisfaction of the competent authority". This	Reword as follows: "all level 1 and level 2 findings must		X			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)											
21.B.120(c)	59/272	"all findings must be corrected to the satisfaction of the competent authority". This	Reword as follows: "all level 1 and level 2 findings must		X											



		statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.	<i>be corrected to the satisfaction of the competent authority"</i>		
response	See Section 1.				

comment	1352					comment by: <i>Rolls-Royce plc</i>
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	
NPA 2019-05 (B) 21.B.120(b)	Page 59	" <i>The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations.</i> " is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it may only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides	21.B.120(b) should be deleted, or at least reworded as follows: " <i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i> "	No	Yes	



		on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.			
NPA 2019-05 (B) 21.B.120(c)	Page 59	"all findings must be corrected to the satisfaction of the competent authority". This statement should be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings should not prevent the competent authority from issuing a letter of agreement.	Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"	No	Yes
NPA 2019-05 (B) 21.B.120(d)	Page 59	"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". This statement should be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings should not prevent the competent authority from issuing a letter of agreement.	Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"	No	Yes



response	See Section 1.
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21.B.120 Initial certification procedure	p. 59
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comment	243	comment by: <i>Safran Engineering Services</i>
	<p>§ 21.B.120(b): <i>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations."</i> is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p> <p>21.B.120(b) should be deleted, or at least reworded as follows: <i>"The competent authority shall record all findings,—and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</i></p>	
response	See Section 1.	

comment	244	comment by: <i>Safran Engineering Services</i>
	<p>§ 21.B.120(c) <i>"all findings must be corrected to the satisfaction of the competent authority"</i>. This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>It is suggested to reword as follows: <i>"all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</i></p>	
response	See Section 1.	

comment	245	comment by: <i>Safran Engineering Services</i>
	<p>§ 21.B.120(d): <i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction"</i>. His statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement. Reword as follows: <i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i></p>	
response	See Section 1.	



comment	304	comment by: <i>Safran Landing Systems</i>
	21.B.120(d) 59/272	<p>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p>
response	See Section 1.	

comment	576	comment by: <i>Safran HE</i>
	<p>21.B.120(b) "The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p> <p>Suggested resolution: 21.B.120(b) should be deleted, or at least reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</p>	
response	See Section 1.	

comment	578	comment by: <i>Safran HE</i>
	<p>21.B.120(c) "all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>Suggested resolution: Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</p>	
response	See Section 1.	



comment	<p>581</p> <p>comment by: Safran HE</p> <p>21.B.120(d) "When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>Suggested resolution: Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p>
response	<p>See Section 1.</p>

comment 765 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.120(b)	59/272	<p><i>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations."</i></p> <p>is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the</p>	<p>21.B.120(b) should be deleted, or at least reworded as follows: "<i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i>"</p>	X	



		applicant to identify the relevant corrective actions.			
response	See Section 1.				

comment 787 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.120(d)	59/272	"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.	Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"		X

response See Section 1.

comment 1031 comment by: ASD



	<p>21.B.120(b) 59/272</p>	<p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p>	<p>21.B.120(b) should be deleted, or at least reworded as follows: "<i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i>"</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1032</p>		<p>comment by: ASD</p>
	<p>21.B.120(c) 59/272</p>	<p>"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p>	<p>Reword as follows: "<i>all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority</i>"</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1033</p>		<p>comment by: ASD</p>
	<p>21.B.120(d) 59/272</p>	<p>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not</p>	<p>Reword as follows: "<i>When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction</i>"</p>



		prevent the competent authority from issuing a letter of agreement.	
response		See Section 1.	
comment	1117	comment by: SAFRAN AEROSYSTEMS	
		<ul style="list-style-type: none"> 21.B.120(b) <p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p> <p>21.B.120(b) should be deleted, or at least reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</p> <ul style="list-style-type: none"> 21.B.120(c) <p>"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</p> <ul style="list-style-type: none"> 21.B.120(d) <p>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p>	
response		See Section 1.	



comment	1478	comment by: <i>Thales</i>
	<p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p> <p>Suggested resolution: 21.B.120(b) should be deleted, or at least reworded as follows: "<i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i>"</p>	
response	See Section 1.	
comment	1479	comment by: <i>Thales</i>
	<p>"all findings must be corrected to the satisfaction of the competent authority" and "When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". These statements shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p> <p>Suggested resolution: Reword as follows: "<i>all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority" and "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i></p>	
response	See Section 1.	

21.B.125 Findings and corrective actions

p. 60-61

comment	32	comment by: <i>CAA-NL</i>
	<p>21.B.125(d) We suggest to delete the level 3 findings as there is no non-compliance yet and no immediate action is required.</p> <p>21.B.125(f)(3) We suggest to delete the level 3 findings as there is no non-compliance yet and no immediate action is required.</p>	
response	See Section 1.	
comment	33	comment by: <i>CAA-NL</i>
	<p>21.B.125(f)(4) The reference to (d)(1)(i) is not correct it should be (f)(1)(i).</p>	



response	<p>21.B.125(f)(5) The reference to (d)) is not correct it should be (e).</p> <p>See Section 1.</p>
comment	<p>93 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.B.125 (f)(4) and (5): Check cross reference "(d)(1)(i)".</p>
response	<p>See Section 1.</p>
comment	<p>136 comment by: <i>Safran Engineering Services</i></p> <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety.</p> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
response	<p>See Section 1.</p>
comment	<p>137 comment by: <i>Safran Engineering Services</i></p> <p>21.B.125(f)(2)(i) "subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision but the past performance of the organisation in addressing compliance issues.</p> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
response	<p>See Section 1.</p>
comment	<p>138 comment by: <i>Safran Engineering Services</i></p> <p>21.B.125(f)(4) "if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the</p>

	<p>competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> <p>Switch 21.B.125(f)(3)and 21.B125(f)(4).</p>				
response	See Section 1.				
comment	<p>139 comment by: Safran Engineering Services</p> <p>21.B.125(f)(5)</p> <p>Within bullet (4) and (5), the cross references to bulettes (d)(1)(i) and (d) seems not correct. please, double check the cross references from bullet (4) and (5).</p>				
response	See Section 1.				
comment	<p>305 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 913 1390 1644"> <tr> <td data-bbox="391 913 544 1644">21.B.125(b)</td> <td data-bbox="544 913 639 1644">60/272</td> <td data-bbox="639 913 1013 1644"> <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> </td> <td data-bbox="1013 913 1390 1644"> <p>Wording should be changed as follows:</p> <p>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p> </td> </tr> </table>	21.B.125(b)	60/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows:</p> <p>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
21.B.125(b)	60/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows:</p> <p>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>		
response	See Section 1.				
comment	<p>306 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1921 1390 2016"> <tr> <td data-bbox="391 1921 595 2016">21.B.125(f)(2)(i)</td> <td data-bbox="595 1921 691 2016">61/272</td> <td data-bbox="691 1921 1093 2016"><i>"subject to the nature of the finding and the past safety</i></td> <td data-bbox="1093 1921 1390 2016">Wording should be changed as follows:</td> </tr> </table>	21.B.125(f)(2)(i)	61/272	<i>"subject to the nature of the finding and the past safety</i>	Wording should be changed as follows:
21.B.125(f)(2)(i)	61/272	<i>"subject to the nature of the finding and the past safety</i>	Wording should be changed as follows:		

		performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision but the past performance of the organisation in addressing compliance issues.	"subject to the nature of the finding and the past safety performance of the organisation in addressing compliance issues, the competent authority may extend the 3-month period"
response	See Section 1.		
comment	307	comment by: Safran Landing Systems	
	21.B.125(f)(4) 61/272	"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.	Switch 21.B.125(f)(3) and 21.B.125(f)(4).
response	See Section 1.		
comment	308	comment by: Safran Landing Systems	
	21.B.125(f)(5) 61/272	Within bullet (4) and (5), the cross references to bulettes (d)(1)(i) and (d) seems not correct.	double check the cross references from bullet (4) and (5).
response	See Section 1.		
comment	583	comment by: Safran HE	

	<p>21.B.125(b) Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> <p>Suggested resolution: Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
response	See Section 1.
comment	<p>586 comment by: Safran HE</p> <p>21.B.125(f)(2)(i) "subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision but the past performance of the organisation in addressing compliance issues.</p> <p>Suggested resolution: Wording should be changed as follows: "subject to the nature of the finding and the past safety performance of the organisation in addressing compliance issues, the competent authority may extend the 3-month period"</p>
response	See Section 1.
comment	<p>588 comment by: Safran HE</p> <p>21.B.125(f)(4) "if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i)"; as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> <p>Suggested resolution: Switch 21.B.125(f)(3) and 21.B.125(f)(4).</p>
response	See Section 1.



comment	<p>591 comment by: Safran HE</p> <p>21.B.125(f)(5) Within bullet (4) and (5), the cross references to bullettes (d)(1)(i) and (d) seems not correct.</p> <p>Suggested resolution: double check the cross references from bullet (4) and (5).</p>
response	<p>See Section 1.</p>

comment	<p>693 comment by: UK CAA</p> <p>Page No: 60 and 67</p> <p>Paragraph No: 21.B.125 Findings and corrective actions (b) and (c); 21.B.225 Findings and corrective actions (b) and (c)</p> <p>Comment: We believe there needs to be more consistency and alignment in the definition of a level 1 and 2 finding in Part 21 and Part 145. The new definition in Part 21 requirements does not include “with the organisation’s procedures and manuals”.</p> <p>Justification: It could lead to a reduction in the compliance baseline and a potential reduction in safety.</p> <p>Proposed Text: We suggest the definition wording “with the organisation’s procedures and manuals” should be included.</p>
response	<p>See Section 1.</p>

comment	<p>788 comment by: SAFRAN TRANSMISSION SYSTEMS</p>																
<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.125(b)</td> <td>60/272</td> <td>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that</td> <td>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled</td> <td></td> <td>X</td> </tr> </tbody> </table>						Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.125(b)	60/272	Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that	Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled		X
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		<p>there are other safety issues than flight safety issues to be considered. Many, or may be all, non-compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p><i>non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>		
response	See Section 1.				
comment	1034		comment by: ASD		
21.B.125(b)	60/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non-compliances to the regulation may be construed as "lowering safety", but fortunately not all</p>	<p>Wording should be changed as follows: <i>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>		



		are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,	
response	See Section 1.		
comment	1035	comment by: ASD	
	21.B.125(f)(2)(i)	61/272	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i>: the past safety performance of the organisation is not relevant for such decision but the past performance of the organisation in addressing compliance issues.</p> <p>Wording should be changed as follows: <i>"subject to the nature of the finding and the past safety performance of the organisation in addressing compliance issues, the competent authority may extend the 3-month period"</i></p>
response	See Section 1.		
comment	1036	comment by: ASD	
	21.B.125(f)(4)	61/272	<p><i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);"</i>: as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> <p>Switch 21.B.125(f)(3) and 21.B.125(f)(4).</p>



response See Section 1.

comment

1037

comment by: ASD

21.B.125(f)(5)	61/272	Within bullet (4) and (5), the cross references to bulettes (d)(1)(i) and (d) seems not correct.	double check the cross references from bullet (4) and (5).
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response See Section 1.

comment

1118

comment by: SAFRAN AEROSYSTEMS

- 21.A.125 (b)

Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.

Proposed wording suggests that there are other safety issues than flight safety issues to be considered.

Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,

Wording should be changed as follows:

"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data ~~which lowers safety or seriously endanger flight safety~~ may result in an unsafe condition"

- 21.B.125(f)(2)(i)

"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision but the past performance of the organisation in addressing compliance issues.

Wording should be changed as follows:

"subject to the nature of the finding and the past safety performance of the organisation in addressing compliance issues, the competent authority may extend the 3-month period"

- 21.B.125(f)(4)



response	<p>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> <p>Switch 21.B.125(f)(3)and 21.B125(f)(4).</p> <ul style="list-style-type: none"> • 21.B.125(f)(5) <p>Within bullet (4) and (5), the cross references to bulettes (d)(1)(i) and (d) seems not correct. double check the cross references from bullet (4) and (5).</p> <p>See Section 1.</p>
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comment

1353	comment by: <i>Rolls-Royce plc</i>				
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.125(b)	Page 60	A Level 1 finding should only be raised for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. The proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as	The wording should be changed as follows: <i>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i>	No	Yes



		<p>"lowering safety", but fortunately not all create unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>			
<p>NPA 2019-05 (B) 21.B.125(f)(2)(i)</p>	<p>Page 61</p>	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i>. We suggest that this should reflect that the criteria should be the past performance of the organisation in closing out compliance issues - it is not clear what other aspects of an organisations performance should influence the extension of a period in</p>	<p>The wording should be changed as follows: <i>"subject to the nature of the finding and the past safety performance of the organisation in addressing compliance issues, the competent authority may extend the 3-month period"</i></p>	<p>No</p>	<p>Yes</p>



		which to close a finding.			
NPA 2019-05 (B) 21.B.125(f)(4)	Page 61	<p><i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);"</i> as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such an escalation should not be applied. This rule is also too prescriptive, and needs to reflect some degree of discretion on the part of the competent authority, to</p>	Switch 21.B.125(f)(3) and 21.B.125(f)(4), and reword to permit competent authority discretion in reasonable circumstances.	No	Yes



		account for reasonable problems (such as unforeseen circumstances) in meeting the deadline imposed.				
	NPA 2019-05 (B) 21.B.125(f)(5)	Page 61	Within bullet (4) and (5), the cross references to bullets (d)(1)(i) and (d) may be in error.	A check is needed of the cross references from bullet (4) and (5).	No	Yes
response	See Section 1.					
comment	1488		comment by: <i>Thales</i>			
	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance.</i></p> <p>Suggested resolution: reword as follows: <i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p>					
response	See Section 1.					
comment	1489		comment by: <i>Thales</i>			
	<p><i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</i></p> <p>Suggested resolution: Switch 21.B.125(f)(3) and 21.B.125(f)(4).</p>					
response	See Section 1.					



21.B.130 Issue of letter of agreement

p. 61-62

comment

789

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.125(f)(2)(i)	61/272	"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision but the past performance of the organisation in addressing compliance issues.	Wording should be changed as follows: "subject to the nature of the finding and the past safety performance of the organisation in addressing compliance issues, the competent authority may extend the 3-month period"		X

"

response

See Section 1.

comment

790

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
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21.B.125(f)(4)	61/272	<p><i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</i></p>	<p>Switch 21.B.125(f)(3) and X 21.B.125(f)(4).</p>	X	
response	See Section 1.				
comment	791 comment by: SAFRAN TRANSMISSION SYSTEMS				



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.125(f)(5)	61/272	Within bullet (4) and (5), the cross references to bulettes (d)(1)(i) and (d) seems not correct.	double check the cross references from bullet (4) and (5).		X
response	See Section 1.				

21.B.215 Alternative means of compliance

p. 63

comment 140

comment by: *Safran Engineering Services*

This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favours of the deviation proposed, inform EASA of the alternate means of compliance.

This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of



response	<p>general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
response	<p>See Section 1.</p>		
comment	309	comment by: <i>Safran Landing Systems</i>	
21.B.215	63/272	<p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
response	<p>See Section 1.</p>		



comment	594	comment by: <i>Safran HE</i>
<p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p> <p>Suggested resolution: This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
response	See Section 1.	

comment	1038	comment by: <i>ASD</i>				
<table border="1"> <tr> <td data-bbox="395 1697 507 1724">21.B.215</td> <td data-bbox="515 1697 603 1724">63/272</td> <td data-bbox="611 1415 994 2016"> <p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the</p> </td> <td data-bbox="1010 1415 1393 2016"> <p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in</p> </td> </tr> </table>			21.B.215	63/272	<p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in</p>
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	<p>compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence.</p> <p>Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p>	<p>broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
response	See Section 1.	
comment	<p>1119 comment by: <i>SAFRAN AEROSYSTEMS</i></p> <p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p> <p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided,</p>	



and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response See Section 1.

comment 1354 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.215	Page 63	This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favours of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the	No	Yes



	<p>the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p>	<p>systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
response	See Section 1.			
comment	<p>1490</p> <p>See comment #1469</p> <p>Suggested resolution: delete 21.B.215</p>		comment by: <i>Thales</i>	
response	See Section 1.			



21.B.220 Investigation

p. 63-64

comment 310 comment by: Safran Landing Systems

21.B.220(c)	64/272	<p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant/holder to identify the relevant corrective actions.</p>	<p>21.B.220(c) should be deleted, or at least reworded as follows: "<i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i>"</p>
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response See Section 1.

comment 311 comment by: Safran Landing Systems

21.B.220(d)	64/272	<p>"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a certificate.</p>	<p>Reword as follows: "<i>all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority</i>"</p>
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response See Section 1.

comment 312 comment by: Safran Landing Systems

21.B.220(e)	64/272	<p>"When satisfied that the organisation complies with the</p>	<p>Reword as follows: "<i>When satisfied that</i></p>
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		<p>applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a POA.</p>	<p>the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p>
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response See Section 1.

comment	531	comment by: <i>Le Blanc</i>
	<p>21.B.220(d) "all findings must be corrected to the satisfaction of the competent authority ". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a certificate.</p> <p>Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</p>	

response See Section 1.

comment	792	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>															
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.215</td> <td>63/272</td> <td>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in</td> <td>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring</td> <td></td> <td>X</td> </tr> </tbody> </table>					Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.215	63/272	This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring		X
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21.B.215	63/272	This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring		X												



	<p>favours of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We</p>	<p>level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future</p>		
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		oppose this requirement, as increasing the bureucratic burden with no benefit to safety.	Decisions and Opinions.		
response	See Section 1.				

comment

793

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.220(c)	64/272	<p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the</p>	<p>21.B.220(c) should be deleted, or at least reworded as follows: "<i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i>"</p>	X	



		applicant/holder to identify the relevant corrective actions.			
response	See Section 1.				

comment

1355

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.220(c)	Page 64	" <i>The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations.</i> " is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant/holder to identify the	21.B.220(c) should be deleted, or at least reworded as follows: " <i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i> "	No	Yes



		relevant corrective actions.			
NPA 2019-05 (B) 21.B.220(d)	64/272	" <i>all findings must be corrected to the satisfaction of the competent authority</i> ". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a certificate.	Reword as follows: <i>"all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</i>	No	Yes
NPA 2019-05 (B) 21.B.220(e)	Page 64	" <i>When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction</i> ". This statement should be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) should not prevent the competent authority from issuing a POA.	Reword as follows: <i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i>	No	Yes



response	See Section 1.
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21.B.220 Initial certification procedure	p. 64-65
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comment

141

comment by: *Safran Engineering Services*

21.B.220(c)

"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant/holder to identify the relevant corrective actions.

21.B.220(c) should be deleted, or at least reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."

response

See Section 1.

comment

532

comment by: *Le Blanc*

21.B.220(e)

"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a POA.

Suggested resolution: Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all level 1 and level 2 findings to its satisfaction"

response

See Section 1.

comment

596

comment by: *Safran HE*

"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant/holder to identify the relevant corrective actions.

Suggested resolution:



response	<p>21.B.220(c) should be deleted, or at least reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</p>												
response	<p>See Section 1.</p>												
comment	<p>795 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1" data-bbox="392 524 1385 1547"> <thead> <tr> <th data-bbox="392 524 544 678">Section Table Figure</th> <th data-bbox="544 524 636 678">Page</th> <th data-bbox="636 524 884 678">Comment summary</th> <th data-bbox="884 524 1070 678">suggested resolution</th> <th data-bbox="1070 524 1235 678">Comment is an observation (suggestion)</th> <th data-bbox="1235 524 1385 678">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="392 678 544 1547">21.B.220(e)</td> <td data-bbox="544 678 636 1547">64/272</td> <td data-bbox="636 678 884 1547"> <p>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a POA.</p> </td> <td data-bbox="884 678 1070 1547"> <p>Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p> </td> <td data-bbox="1070 678 1235 1547"></td> <td data-bbox="1235 678 1385 1547">X</td> </tr> </tbody> </table> <p data-bbox="247 1738 359 1767">response</p> <p data-bbox="379 1738 552 1767">See Section 1.</p>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.220(e)	64/272	<p>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a POA.</p>	<p>Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p>		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
21.B.220(e)	64/272	<p>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a POA.</p>	<p>Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</p>		X								
comment	<p>796 comment by: SAFRAN TRANSMISSION SYSTEMS</p>												



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.220(d)	64/272	"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a certificate.	Reword as follows: " <i>all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority</i> "		X
response	See Section 1.				
comment	1039	comment by: ASD			
21.B.220(c)	64/272	"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant/holder to identify the relevant corrective actions.		21.B.220(c) should be deleted, or at least reworded as follows: " <i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i> "	



response	See Section 1.		
comment	1120	comment by: SAFRAN AEROSYSTEMS	
	<p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant/holder to identify the relevant corrective actions.</p> <p>21.B.220(c) should be deleted, or at least reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</p>		
response	See Section 1.		
comment	1157	comment by: ASD	
	21.B.220(d) 64/272	<p><i>"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the competent authority from issuing a certificate.</i></p>	<p>Reword as follows: <i>"all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</i></p>
response	See Section 1.		
comment	1158	comment by: ASD	
	21.B.220(e) 64/272	<p><i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". his statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings (not being non compliances with applicable Part 21 requirements) shall not prevent the</i></p>	<p>Reword as follows: <i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i></p>



		competent authority from issuing a POA.	
response	See Section 1.		
comment	1507	comment by: <i>Thales</i>	
	See comments #1478 and #1479		
	<p>Suggested resolution: reword as follows:</p> <p>"(c) The competent authority shall record all findings, closure and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</p> <p>(d) The competent authority shall confirm to the organisation in writing all the findings raised during the verification. For initial certification, all <u>level 1 and level 2</u> findings must be corrected to the satisfaction of the competent authority before the certificate can be issued.</p> <p>(e) When satisfied that the organisation complies with the applicable requirements and has corrected all the <u>level 1 and level 2</u> findings to its satisfaction, the competent authority shall issue a production organisation approval (EASA Form 55, see Appendix X) without undue delay."</p>		
response	See Section 1.		

21.B.221 Oversight principles

comment	34	comment by: <i>CAA-NL</i>	
	<p>21.B.221(e)</p> <p>It is a general practice to inform all competent authorities of another State when performing oversight on their territory. Please remove the limitation to Member States from this point. (in line with CAMO.B.300)</p> <p>(e) For any oversight activities that are performed at facilities located in <i>another State</i> than where the organisation has its principal place of business, the competent authority, as defined in point 145.1, shall inform the competent authority of that State before performing any on-site audit or inspection of the facilities.</p>		
response	See Section 1.		
comment	142	comment by: <i>Safran Engineering Services</i>	
	<p>"(a) The competent authority shall verify:</p> <p>(1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"</p> <p>This statement is relevant to initial certification which is the purpose of 21.A.220</p>		



response	requirement. Furthermore such statement is already in 21.B.220(a), so Remove (a)(1) statement		
	See Section 1.		
comment	143 comment by: Safran Engineering Services		
	<p>"(a) The competent authority shall verify: (3) the implementation of appropriate safety measures mandated by the competent authority as defined in points 21.B.20(c) and (d)." Which Competent Authorities are named here? This statement should be clarified.</p>		
response	See Section 1.		
comment	313 comment by: Safran Landing Systems		
	21.B.221(a)(1)	65/272 <p>"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;" This statement is relevant to initial certification which is the purpose of 21.A.220 requirement. Furthermore such statement is already in 21.B.220(a)</p>	Remove (a)(1) statement
response	See Section 1.		
comment	314 comment by: Safran Landing Systems		
	21.B.221(a)(3)	65/272 <p>"(a) The competent authority shall verify: (3) the implementation of appropriate safety measures mandated by the competent authority as defined in points 21.B.20(c) and (d)." Which Competent Authorities are named here?</p>	Statement should be clarified.
response	See Section 1.		
comment	315 comment by: Safran Landing Systems		
	21.B.221 (b)(3) & (f)	65/272 <p>"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the</p>	Remove "unannounced inspections" from

	<p>option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 ."</p>	<p>the requirements (hard law)</p>
response	See Section 1.	

comment	<p>599</p> <p>21.B.221(a)(1) "(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;" This statement is relevant to initial certification which is the purpose of 21.A.220 requirement. Furthermore such statement is already in 21.B.220(a)</p> <p>Suggested resolution: Remove (a)(1) statement</p>	comment by: <i>Safran HE</i>
response	See Section 1.	

comment	<p>601</p> <p>21.B.221(a)(3) "(a) The competent authority shall verify: (3) the implementation of appropriate safety measures mandated by the competent authority as defined in points 21.B.20(c) and (d)." Which Competent Authorities are named here?</p> <p>Suggested resolution: Statement should be clarified.</p>	comment by: <i>Safran HE</i>
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response	See Section 1.
comment	<p>603 comment by: <i>Safran HE</i></p> <p>21.B.221 (b)(3) & (f) “While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier’s facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p> <p>Suggested resolution: Remove "unannounced inspections "from the requirements (hard law)</p>
response	See Section 1.
comment	<p>708 comment by: <i>FAA</i></p> <p>Page 65 Para 21.B.221(d) <u>Referenced Text</u> (d) If the facilities of an organisation are located in more than one State, the competent authority as defined in point 21.1 may agree to have oversight tasks performed by the competent authority(ies) of the Member State(s) where the facilities are located, or by EASA for facilities that are located in a third country. Any organisation that is subject to such an agreement shall be informed of its existence and of its scope.""</p> <p><u>Comment:</u> Non-EU third country POA facilities with oversight by EASA, as opposed to third-country POAs in EASA member States, raise the question of right-of-access without delegation of oversight to the local non-EU national aviation authority (NAA).</p> <p><u>Proposed Resolution:</u> Consider expanding Point 21.1 to define competent authority in a manner that satisfies right-of-access privileges for POA entities located in a non-EU third-country. EASA, as the recognized authority for civil aviation in the EU, as well the local NAAs of Member States, have a range of action and jurisdictional authority in 21.1(b)(1) that is not matched by EASA’s authority in non-Member States in 21.1(b)(2)</p>
response	See Section 1.
comment	<p>797 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p>



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.221(a)(1)	65/272	"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;" This statement is relevant to initial certification which is the purpose of 21.A.220 requirement. Furthermore such statement is already in 21.B.220(a)	Remove (a)(1) statement	X	

response See Section 1.

comment

798

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.221(a)(3)	65/272	"(a) The competent authority shall verify: (3) the implementation of appropriate safety measures mandated by the	Statement should be clarified.	X	



		competent authority as defined in points 21.B.20(c) and (d)." Which Competent Authorities are named here?			
response	See Section 1.				

comment 799 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.221 (b)(3) & (f)	65/272	"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially	Remove "unannounced inspections" from the requirements (hard law)		X



		<p>where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p>			
response	See Section 1.				
comment	1040			comment by: ASD	
	21.B.221(a)(1)	65/272	<p><i>"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"</i> This statement is relevant to initial certification which is already covered in 21.B.220 (a) requirement.</p>	Remove (a)(1) statement	
response	See Section 1.				
comment	1041			comment by: ASD	



	21.B.221(a)(3)	65/272	<p>"(a) The competent authority shall verify: (3) the implementation of appropriate safety measures mandated by the competent authority as defined in points 21.B.20(c) and (d)." Which Competent Authorities are named here?</p>	Statement should be clarified.
response	See Section 1.			
comment	1042		comment by: ASD	
	21.B.221 (b)(3) & (f)	65/272	<p>"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9."</p>	Remove "unannounced inspections" from the requirements (hard law)
response	See Section 1.			
comment	1121		comment by: SAFRAN AEROSYSTEMS	
	<ul style="list-style-type: none"> 21.B.221(a)(1) <p>"(a) The competent authority shall verify:</p>			

(1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"

This statement is relevant to initial certification which is the purpose of 21.A.220 requirement. Furthermore such statement is already in 21.B.220(a)

Remove (a)(1) statement

- 21.B.221(a)(3)

"(a) The competent authority shall verify:
(3) the implementation of appropriate safety measures mandated by the competent authority as defined in points 21.B.20(c) and (d)."

Which Competent Authorities are named here?

Statement should be clarified.

21.B.221 (b)(3) & (f)

"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 ."

Remove "unannounced inspections "from the requirements (hard law)

response See Section 1.

comment

1356

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.221(a)(1)	Page 65	"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"	Remove the (a)(1) statement	Yes	No



		This statement is relevant to initial certification which is already covered in 21.B.220(a)			
NPA 2019-05 (B) 21.B.221(a)(3)	Page 65	"(a) The competent authority shall verify: (3) the implementation of appropriate safety measures mandated by the competent authority as defined in points 21.B.20(c) and (d)." Please clarify which Competent Authorities are referred to here?	Statement should be clarified.	No	Yes
response	See Section 1.				

comment 1357 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.221 (b)(3) & (f)	Page 65	While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the	Remove "unannounced inspections" from the requirements (hard law)	No	Yes



	<p>inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .</p>			
response	See Section 1.			

comment 1494

comment by: *Thales*



	<p>While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9.</p> <p>Suggested resolution: Remove <i>"unannounced inspections"</i> from the requirements (hard law)</p>
response	See Section 1.

21.B.222 Oversight programme

p. 66-67

comment	113	comment by: DGAC France
	<p>21.B.222(d)(1):</p> <p>The oversight planning cycle may be extended up to 36 months if the competent authority has established that during the previous 24 months no level 1 findings have been issued. Then, what happen if a level 1 finding is raised to an organisation where a 36-month oversight planning cycle is in progress? Is the cycle length to be immediately reduced or only to be reduced at the end of the current oversight cycle? In order to clarify that situation and to ensure continuous compliance with 21.B.432, it is suggested to add the following in AMC1 21.B.432(c):</p> <p><i>"When the competent authority, having regard to the level of risk identified and the effectiveness of the organisation's management system, varies the frequency of an audit or inspection, it should ensure that all aspects of the organisation's activity are audited and inspected within the applicable oversight planning cycle. When the frequency is increased (going back to a 24-month cycle from a 36-month cycle for example) the 24-month interval between two audits for a particular process does not retroactively apply to areas that were not audited since more than 24-month as part of the 36-month cycle. However; the priority should be given to these areas when defining the 24-month oversight programme"</i>.</p>	
response	See Section 1.	
comment	115	comment by: DGAC France
	<p>Point (b)(1) should also indicate that unannounced inspections have to be carried out only if needed.</p>	
response	See Section 1.	
comment	316	comment by: Safran Landing Systems



21.B.222(b)(1)	66/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p>	<p>Remove "unannounced inspections "from the requirements (hard law)</p>
response	See Section 1.		
comment	317	comment by: Safran Landing Systems	
21.B.222(d)(2)	66/272	<p><i>"(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months:</i> <i>(2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes;"</i> Not <u>all</u> changes but changes that may affect the production organisation and/or activities</p>	<p>Change the wording as follows: <i>(2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes that may affect production organisation and/or activities;"</i></p>



response	See Section 1.
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comment	533		comment by: <i>Le Blanc</i>
		<p>21.B.222(d)(2) "(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months: (2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes;" Not all changes but changes that may affect the production organisation and/or activities</p> <p>Suggested resolution: Change the wording as follows: (2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over changes that may affect production organisation and/or activities;"</p>	

response	See Section 1.
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comment	605		comment by: <i>Safran HE</i>
		<p>21.B.222(b)(1) "While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 ."</p> <p>Suggested resolution: Remove "unannounced inspections "from the requirements (hard law)</p>	

response	See Section 1.
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comment	800		comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>												
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section Table Figure</th> <th style="width: 10%;">Page</th> <th style="width: 20%;">Comment summary</th> <th style="width: 15%;">suggested resolution</th> <th style="width: 15%;">Comment is an observation (suggestion)</th> <th style="width: 25%;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.222(b)(1)</td> <td>66/272</td> <td>"While we recognise that</td> <td>Remove "unannounced</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.222(b)(1)	66/272	"While we recognise that	Remove "unannounced		X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)										
21.B.222(b)(1)	66/272	"While we recognise that	Remove "unannounced		X										



	<p>the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity</p>	<p>inspections "from the requirements (hard law)</p>		
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		subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”			
response	See Section 1.				

comment 801 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.222(d)(2)	66/272	"(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months: (2) the organisation has continuously	Change the wording as follows: (2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes that may affect production organisation		X



		<p><i>demonstrated under point 21.A.147 that it has full control over all changes;"</i></p> <p>Not all changes but changes that may affect the production organisation and/or activities</p>	<p><i>and/or activities;"</i></p>		
response	See Section 1.				

comment

1043

comment by: ASD

21.B.222(b)(1)	66/272	<p>"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 ."</p>	<p>Remove "unannounced inspections "from the requirements (hard law)</p>
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response See Section 1.

comment 1159

comment by: ASD

21.B.222(d)(2)	66/272	<p>"(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months:</p> <p>(2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes;"</p> <p>Not all changes but changes that may affect the production organisation and/or activities</p>	<p>Change the wording as follows: (2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes that may affect production organisation and/or activities;"</p>
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response See Section 1.

comment 1359

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.222(b)(1)	Page 66	While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations,	Remove "unannounced inspections" from the requirements (hard law)	No	Yes



		<p>the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .</p>			
NPA 2019-05 (B) 21.B.222(d)(2)	Page 66	"(d) <i>Notwithstanding point (c), the</i>	Change the wording as follows: (2) <i>the</i>	No	Yes



	<p>oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months: (2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes;"</p> <p>This should not refer to all changes but changes that may affect the production organisation and/or activities.</p>	<p>organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes that may affect production organisation and/or activities;"</p>		
response	See Section 1.			
comment	<p>1495</p> <p>See comment #1494.</p> <p>Suggested resolution: Remove "unannounced inspections" from the requirements (hard law)</p>		comment by: <i>Thales</i>	
response	See Section 1.			
comment	<p>1499</p> <p>"(d) Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months: (2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes;"</p> <p>Not all changes but changes should be in the scope, but only the changes that have a substantive impact on safety.</p>		comment by: <i>Thales</i>	



response	<p>Suggested resolution: Change the wording as follows: "(2) the organisation has continuously demonstrated under point 21.A.147 that it has full control over all changes <u>that have a substantive impact on safety</u>"</p>
	<p>See Section 1.</p>
comment	<p>1570 comment by: MARPA</p> <p>Although apparently in line with ICAO requirements, the creation of the competent authority oversight programmes runs the risk of creating significant burdens on industry and absorbing significant amounts of the regulators' scarce resources.</p> <p>The oversight program effectively requires a never-ending string of audits to be performed by the competent authorities on 24-36 month cycles. In the first place, it is unclear if and whether the authorities will have the adequate staffing and funding to perform such oversight responsibilities. Second, although efforts are made to assign objective metrics to risk assessment, merely assigning numbers to subjective determinations does not render those assessments objective. Even two inspectors or auditors working from the same rubric may reach different conclusions in assessing risk, resulting in differing outcomes under the management system assessments and process audits. Finally, the expectation of continuous assessment and mitigation of risk creates a Zeno's Paradox under which the regulated entity may be faced with a situation in which it can never sufficiently satisfy the oversight organizations subjective risk assessments and is thus constantly under threat of findings.</p> <p>Although state oversight is a mandate from ICAO, it seems very likely to be strained for resources and has the potential for, if not abuse, certainly great burden on industry for ever-diminishing safety returns.</p>
response	<p>See Section 1.</p>

21.B.225 Findings and corrective actions

p. 67-68

comment

35

comment by: CAA-NL

21.B.225

We suggest to delete the current use of the level 3 findings as there is no non-compliance yet and no immediate action is required.

Findings as detailed in 21.B.225 are related to compliance based regulations. With the implementation of SMS in Part 21 we try to take the first steps towards performance based oversight. Within the context of performance based oversight there could be circumstances where the issuance of findings could result in a reactive compliance based behaviour instead of the establishment of pro-active improvements. Therefore it is proposed:

Change 21.B.225(d) into "A level 3 finding shall be issued by the competent authority when there is objective evidence that the management system should be improved."

Change 21.B.225(f)(3) into "in case of level 3 findings:



	<p>(i) grant an improvement action implementation period that is appropriate to the nature of the finding, which in any case shall initially not be more than 3 months. The period shall commence from the date of the written communication of the finding to the organisation, requesting improvement action to address the identified process / area. At the end of this period, and subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period provided that a satisfactory improvement action plan has been agreed by the competent authority; and</p> <p>(ii) assess the improvement action and implementation plan proposed by the organisation, and if the assessment concludes that they are sufficient to address the process / area, accept them;</p>
response	See Section 1.
comment	<p>36 comment by: CAA-NL</p> <p>21.B.225(f)(4) The reference to (d)(1)(i) is not correct it should be (f)(1)(i).</p> <p>21.B.225(f)(5) The reference to (d)) is not correct it should be (e).</p>
response	See Section 1.
comment	<p>79 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.B.225(b): The statement “...with the applicable design data which lowers safety or seriously endangers flight safety.” suggests that there are other issues than flight safety – level 1 findings are raised only against serious issues and concerns affecting flight safety. The statement should be replaced with “...with the applicable design data which lowers safety or seriously <u>affects</u> flight safety.”.</p>
response	See Section 1.
comment	<p>80 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 21.B.225(f)(2)(i): Replace the statement “...extend the 3-month period provided that a satisfactory corrective action plan...” with “...extend the 3-month period provided that a satisfactory corrective action plan...”. Redundant wording.</p>
response	See Section 1.
comment	<p>128 comment by: <i>Luftfahrt-Bundesamt</i></p> <p><u>LBA comment to 21.B.225</u></p> <p>In 21.B.225 (b) (4) it is mentioned that a lack of an accountable manager will lead to a level 1 finding. That raises the question if a deputy, maybe nominated for a limited time-period of weeks or months, is sufficient. And if yes, what are the minimum</p>



	requirements regarding budget, legal aspects, registration in the commercial register.
response	See Section 1.
comment	<p>145 comment by: <i>Safran Engineering Services</i></p> <p>21.B.225(b) Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety. Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
response	See Section 1.
comment	<p>146 comment by: <i>Safran Engineering Services</i></p> <p>21.B.225(b)(c), (d) The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases, the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety". Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer and should be kept</p>
response	See Section 1.
comment	<p>147 comment by: <i>Safran Engineering Services</i></p> <p>21.B.225(f)(2)(i) the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority. Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</p>
response	See Section 1.
comment	<p>148 comment by: <i>Safran Engineering Services</i></p> <p>21.A.225(f)(3)</p>



	<p>"(3) in case of level 3 findings, recommend to the organisation to take action so that the item identified does not result in a non-compliance with this Annex;"</p> <p>This statement could be read in one of two ways: one : the competent authority is recommending a specific action or Two: the competent authority is recommending the organisation investigate issue and establish any corrective is needed.</p> <p>Wording should be changed as follows: (3) in case of level 3 findings, recommend to the organisation to investigate issue and determine whether any action is needed take action so that the item identified does not result in a non-compliance with this Annex;"</p>
response	See Section 1.

comment	<p>318 comment by: Safran Landing Systems</p>				
	<table border="1"> <tr> <td data-bbox="367 761 542 1500">21.B.225(b)</td> <td data-bbox="542 761 638 1500">67/272</td> <td data-bbox="638 761 1005 1500"> <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> </td> <td data-bbox="1005 761 1418 1500"> <p>Wording should be changed as follows: <i>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p> </td> </tr> </table>	21.B.225(b)	67/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: <i>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>
21.B.225(b)	67/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: <i>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>		
response	See Section 1.				

comment	<p>319 comment by: Safran Landing Systems</p>				
	<table border="1"> <tr> <td data-bbox="367 1769 542 2016">21.B.225(b)(c), (d)</td> <td data-bbox="542 1769 638 2016">67/272</td> <td data-bbox="638 1769 1149 2016"> <p>The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety".</p> </td> <td data-bbox="1149 1769 1418 2016"> <p>Keep the current the Part 21 wording of the finding definitions</p> </td> </tr> </table>	21.B.225(b)(c), (d)	67/272	<p>The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety".</p>	<p>Keep the current the Part 21 wording of the finding definitions</p>
21.B.225(b)(c), (d)	67/272	<p>The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety".</p>	<p>Keep the current the Part 21 wording of the finding definitions</p>		



response	<table border="1"> <tr> <td data-bbox="389 203 576 434"></td> <td data-bbox="576 203 671 434"></td> <td data-bbox="671 203 1158 434"> <p>Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.</p> </td> <td data-bbox="1158 203 1393 434"></td> </tr> </table> <p>See Section 1.</p>			<p>Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.</p>	
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comment	<p>320 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="389 712 595 1370">21.B.225(f)(2)(i)</td> <td data-bbox="595 712 691 1370">68/272</td> <td data-bbox="691 712 1098 1370"> <p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i>: the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u>.</p> </td> <td data-bbox="1098 712 1393 1370"> <p>Wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p> </td> </tr> </table> <p>See Section 1.</p>	21.B.225(f)(2)(i)	68/272	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i>: the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u>.</p>	<p>Wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p>
21.B.225(f)(2)(i)	68/272	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i>: the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u>.</p>	<p>Wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p>		
comment	<p>321 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="389 1653 595 1877">21.B.225(f)(2)(i)</td> <td data-bbox="595 1653 691 1877">68/272</td> <td data-bbox="691 1653 1142 1877"> <p>The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesment criteria should be defined.</p> </td> <td data-bbox="1142 1653 1393 1877"> <p>Delete the reference to safety performance in this article.</p> </td> </tr> </table>	21.B.225(f)(2)(i)	68/272	<p>The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesment criteria should be defined.</p>	<p>Delete the reference to safety performance in this article.</p>
21.B.225(f)(2)(i)	68/272	<p>The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesment criteria should be defined.</p>	<p>Delete the reference to safety performance in this article.</p>		



response	See Section 1.		
comment	322 comment by: Safran Landing Systems		
21.B.225(f)(2)(i)	68/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: <i>"...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</i>
response	See Section 1.		
comment	323 comment by: Safran Landing Systems		
21.A.225(f)(3)	68/272	<p><i>"(3) in case of level 3 findings, recommend to the organisation to take action so that the item identified does not result in a non-compliance with this Annex;"</i></p> <p>This statement could be read in one of two ways: one : the competent authority is recommending a specific action or Two: the competent authority is recommending the organisation investigate issue and establish any corrective is needed.</p>	Wording should be changed as follows: <i>(3) in case of level 3 findings, recommend to the organisation to investigate issue and determine whether any action is needed take action so that the item identified does not result in a non-compliance with this Annex;"</i>
response	See Section 1.		
comment	324 comment by: Safran Landing Systems		



	21.B.225(f)(4) 68/272	<p>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p>	<p>Switch 21.B.225(f)(3)and 21.B225(f)(4).</p>
response	See Section 1.		
comment	<p>489 comment by: ATR SMS</p> <p>(b): Proposal to change the wording to: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which may result in an unsafe condition."</p>		
response	See Section 1.		
comment	<p>490 comment by: ATR SMS</p> <p>(b), (c) & (d): proposal to keep the current Part 21 definitions.</p>		
response	See Section 1.		
comment	<p>534 comment by: Le Blanc</p> <p>21.B.225(f)(2)(i) "subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u>.</p> <p>Suggested resolution: Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</p>		
response	See Section 1.		

comment	<p>535 comment by: <i>Le Blanc</i></p> <p>21.B.225(f)(2)(i) The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesement criteria should be defined.</p> <p>Suggested resolution: Delete the reference to safety performance in this article.</p>
response	See Section 1.
comment	<p>536 comment by: <i>Le Blanc</i></p> <p>21.B.225(f)(4) "if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> <p>Suggested resolution: Switch 21.B.225(f)(3)and 21.B.225(f)(4).</p>
response	See Section 1.
comment	<p>607 comment by: <i>Safran HE</i></p> <p>21.B.225(b) Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> <p>Suggested resolution: Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
response	See Section 1.
comment	<p>608 comment by: <i>Safran HE</i></p> <p>21.B.225(b)(c), (d) The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety".</p>

response	<p>Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.</p> <p>Suggested resolution: Keep the current the Part 21 wording of the finding definitions</p>
comment	<p>609 comment by: <i>Safran HE</i></p> <p>21.B.225(f)(2)(i) the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.</p> <p>Suggested resolution: Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</p>
response	<p>See Section 1.</p>
comment	<p>691 ❖ comment by: <i>UK CAA</i></p> <p>Page No: 22; 42; 61; 67/68; 77</p> <p>Paragraph No: 21.A.125B Findings (2); 21.A.258 Findings (2); 21.B.125 Findings and corrective actions (3); 21.B.225 Findings and corrective actions (d) and (f)(3); 21.B.433 Findings and corrective actions (d) and (f)(currently incorrectly numbered (d))(3).</p> <p>Comment: Level 3 finding still remains in Part 21 although it is only an observation. It does not feature in Part 145.</p> <p>Justification: Raising or not raising a level 3 finding should be made uniform across Part 21 and Part 145.</p> <p>Proposed Text: We recommend that the corresponding text to level 3 finding should be deleted.</p> <p>In addition, please note the paragraph numbered (d) beginning "The competent authority shall ..." should be renumbered to paragraph (f)</p>
response	<p>See Section 1.</p>
comment	<p>693 ❖ comment by: <i>UK CAA</i></p> <p>Page No: 60 and 67</p> <p>Paragraph No: 21.B.125 Findings and corrective actions (b) and (c); 21.B.225 Findings and corrective actions (b) and (c)</p>



	<p>Comment: We believe there needs to be more consistency and alignment in the definition of a level 1 and 2 finding in Part 21 and Part 145. The new definition in Part 21 requirements does not include “with the organisation’s procedures and manuals”.</p> <p>Justification: It could lead to a reduction in the compliance baseline and a potential reduction in safety.</p> <p>Proposed Text: We suggest the definition wording “with the organisation’s procedures and manuals” should be included.</p>
response	See Section 1.

comment	<p>734 comment by: Safran HE</p> <p>21.A.225(f)(3) "(3) in case of level 3 findings, recommend to the organisation to take action so that the item identified does not result in a non-compliance with this Annex;" This statement could be read in one of two ways: one : the competent authority is recommending a specific action or Two: the competent authority is recommending the organisation investigate issue and establish any corrective is needed.</p> <p>Suggested resolution: Wording should be changed as follows: (3) in case of level 3 findings, recommend to the organisation to investigate issue and determine whether any action is needed take action so that the item identified does not result in a non-compliance with this Annex;"</p>
response	See Section 1.

comment	802 comment by: SAFRAN TRANSMISSION SYSTEMS																	
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.225(b)</td> <td>67/272</td> <td>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other</td> <td>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.225(b)	67/272	Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other	Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-		X					
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21.B.225(b)	67/272	Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other	Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-		X													



		<p>safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p><i>compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>		
response	See Section 1.				

comment

803

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.225(b)(c), (d)	67/272	The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers	Keep the current the Part 21 wording of the finding definitions		X



		<p><i>safety or seriously endanger flight safety".</i></p> <p>Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21).</p> <p>The current Part 21 wording is clearer.</p>			
response	See Section 1.				

comment

804

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.225(f)(2)(i)	68/272	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</i></p> <p>the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long</p>	<p>Wording should be changed as follows:</p> <p>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</p>		X



		implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u> .			
response	See Section 1.				

comment

805 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.225(f)(2)(i)	68/272	The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assessment criteria should be defined.	Delete the reference to safety performance in this article.	X	



response See Section 1.

comment 806 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.225(f)(2)(i)	68/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."	X	

response See Section 1.

comment 807 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.225(f)(3)	68/272	"(3) in case of level 3 findings, recommend to the organisation to take action	Wording should be changed as follows: (3) in case of level 3		X



		<p>so that the item identified does not result in a non-compliance with this Annex;"</p> <p>This statement could be read in one of two ways: one : the competent authority is recommending a specific action or Two: the competent authority is recommending the organisation investigate issue and establish any corrective is needed.</p>	<p>findings, recommend to the organisation to investigate issue and determine whether any action is needed take action so that the item identified does not result in a non-compliance with this Annex;"</p>		
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response See Section 1.

comment 808

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.225(f)(4)	68/272	"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective	Switch 21.B.225(f)(3)and 21.B.225(f)(4).	X	



		<p><i>action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);"</i>: as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p>			
response	See Section 1.				

comment

1044		comment by: ASD			
21.B.225(b)	67/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety</p>	<p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-</p>		



		<p>issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p><i>compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>	
response	See Section 1.			
comment	1045	comment by: ASD		
	21.B.225(b)(c), (d)	67/272	<p>The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "<i>lowers safety or seriously endanger flight safety</i>". Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.</p>	<p>Keep the current the Part 21 wording of the finding definitions</p>
response	See Section 1.			
comment	1046	comment by: ASD		
	21.B.225(f)(2)(i)	68/272	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": We suggest that the past safety</p>	<p>Wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority</i></p>



		performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for corrective action must be based on the potential future safety impact of such an extension. Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).	<i>may extend the 3-month period"</i>
response	See Section 1.		
comment	1047	comment by: ASD	
	21.B.225(f)(2)(i)	68/272	This concept of safety performance should not be used as a mean of assessing organisations as not being properly defined.
			Delete the reference to safety performance in this article.
response	See Section 1.		
comment	1048	comment by: ASD	
	21.B.225(f)(2)(i)	68/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.
			Wording should be changed as follows: <i>"...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</i>



response	See Section 1.
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comment	1049		comment by: ASD
	21.A.225(f)(3)	68/272	<p><i>"(3) in case of level 3 findings, recommend to the organisation to take action so that the item identified does not result in a non-compliance with this Annex;"</i></p> <p>This statement could be read in one of two ways: one : the competent authority is recommending a specific action or Two: the competent authority is recommending the organisation investigate issue and establish any corrective is needed.</p> <p>Wording should be changed as follows: <i>(3) in case of level 3 findings, recommend to the organisation to investigate issue and determine whether any action is needed take action so that the item identified does not result in a non-compliance with this Annex;"</i></p>
response	See Section 1.		

comment	1122		comment by: SAFRAN AEROSYSTEMS
	<ul style="list-style-type: none"> 21.A.225(b) 		<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition.</p> <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>



- 21.B.225(b)(c), (d)

The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety".

Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21).

The current Part 21 wording is clearer.

Keep the current the Part 21 wording of the finding definitions

- 21.B.225(f)(2)(i)

the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.

Wording should be changed as follows:

"...the competent authority can extend the 3-month period provided that a ~~satisfactory~~ corrective action plan has been agreed by the competent authority; and..."

- 21.A.225(f)(3)

"(3) in case of level 3 findings, recommend to the organisation to take action so that the item identified does not result in a non-compliance with this Annex;"

This statement could be read in one of two ways:

one : the competent authority is recommending a specific action or

Two: the competent authority is recommending the organisation investigate issue and establish any corrective is needed.

Wording should be changed as follows: (3) in case of level 3 findings, recommend to the organisation to investigate issue and determine whether any action is needed ~~take action~~ so that the item identified does not result in a non-compliance with this Annex;"

response See Section 1.

comment

1160

comment by: ASD

21.B.225(f)(4)	68/272	<i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as</i>	Switch 21.B.225(f)(3)and 21.B.225(f)(4).
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		<i>laid down in point (d)(1)(i);"</i> : as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.	
response	See Section 1.		

comment

1360

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.225(b)	Page 67	A Level 1 finding should be raised only for serious concerns affecting flight safety, i.e. leading to a potential unsafe condition. The proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non-compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings	Wording should be changed as follows: <i>"A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i>	No	Yes



		should be reserved for such cases that have the potential to significantly affect flight safety.			
NPA 2019-05 (B) 21.B.225(b)(c), (d)	Page 67	The definition of level 1, 2 and 3 is confusing since in all three cases, the finding shall only be raised when there is objective evidence of potential safety impact <i>"lowers safety or seriously endanger flight safety"</i> . Non of these definitions seems to cover a non compliance with Part 21 which does not lead to a safety issue (level 2 as defined in the current applicable Part 21). The current Part 21 wording is clearer.	Keep the current the Part 21 wording of the finding definitions	No	Yes
NPA 2019-05 (B) 21.B.225(f)(2)(i)	Page 68	<i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-</i>	The wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation,</i>	No	Yes



	<p><i>month period":</i> We suggest that the past safety performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for corrective action must be based on the potential future safety impact of such an extension. Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).</p>	<p><i>the competent authority may extend the 3-month period"</i></p>		
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NPA 2019-05 (B) 21.B.225(f)(2)(i)	Page 68	The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assessment criteria should be defined.	Delete the reference to safety performance in this article (see above).	No	Yes
NPA 2019-05 (B) 21.B.225(f)(2)(i)	Page 68	the word "satisfactory" appears to be redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: " <i>...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and...</i> "	Yes	No
NPA 2019-05 (B) 21.A.225(f)(3)	Page 68	"(3) in case of level 3 findings, recommend to the organisation to take action so that the item identified does not result in a non-compliance with this Annex;" This statement could be read in one of two ways: Either (a) the competent authority is recommending a specific action or (b) the	The wording should be changed as follows: (3) in case of level 3 findings, recommend to the organisation to investigate the issue and determine whether any action is needed take action so that the item identified does not result in a non-compliance with this Annex; "	No	Yes



		competent authority is recommending that the organisation investigate the issue and establish any corrective is needed.			
NPA 2019-05 (B) 21.B.225(f)(4)	Page 68	<i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);"</i> as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such an escalation should not be applied. This rule is also too prescriptive, and needs to reflect some degree of discretion on	Switch 21.B.225(f)(3) and 21.B.225(f)(4) and reword to permit competent authority discretion in reasonable circumstances..	No	Yes



		the part of the competent authority, to account for reasonable problems (such as unforeseen circumstances) in meeting the deadline imposed.			
response	See Section 1.				

comment	1501	comment by: <i>Thales</i>
	See comment #1488.	
	Suggested resolution: reword as follows: " <i>subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period</i> "	
response	See Section 1.	

comment	1504	comment by: <i>Thales</i>
	See comment #1489.	
	Suggested resolution: Switch 21.B.225(f)(3) and 21.B.225(f)(4).	
response	See Section 1.	

comment	1571	comment by: <i>MARPA</i>
	21.B.225(b)(4) suggests that the lack of an accountable manager rises to a level 1 finding. This seems excessive and has the greatest likelihood of adversely affecting small business, who may have a difficult time finding or replacing accountable managers. The lack of an accountable manager should not rise to a level 1 finding unless the organisation deliberately or repeatedly fails to hire such an individual.	
response	See Section 1.	

21.B.240 Amendment of a production organisation approval	p. 69-70
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comment	37	comment by: <i>CAA-NL</i>
	21.B.240(a)	



	<p>It mentions “Upon receiving an application for a change that requires prior approval“. Taking into account that according to Part 21 section A an approved organisation only has to file an application for changes that require approval of the authority, whereas minor changes are notified, all applications require an approval. So change the text into “Upon receiving an application for a change,” Furthermore delete “prior” from par. (e) and amend AMC1 accordingly. Note: in addition to this, change this also in the other domains of OPS/FCL/ATM/ADR, so that there is consistency in all areas.</p>				
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>94 comment by: <i>General Aviation Manufacturers Association</i> Section 21.B.240(d): This statement too prescriptive. Revise accordingly: "Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate".</p>				
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>149 comment by: <i>Safran Engineering Services</i> 21.B.240(d) "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation’s certificate." This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context. Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation’s certificate."</p>				
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>325 comment by: <i>Safran Landing Systems</i></p> <table border="1" data-bbox="391 1736 1385 1993"> <tr> <td data-bbox="391 1736 545 1993"> <p>21.B.240(d)</p> </td> <td data-bbox="545 1736 641 1993"> <p>70/272</p> </td> <td data-bbox="641 1736 1050 1993"> <p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to</i></p> </td> <td data-bbox="1050 1736 1385 1993"> <p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval</p> </td> </tr> </table>	<p>21.B.240(d)</p>	<p>70/272</p>	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to</i></p>	<p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval</p>
<p>21.B.240(d)</p>	<p>70/272</p>	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to</i></p>	<p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval</p>		



	<p><i>point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive, the suspension, limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.</p>	<p>without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>												
<p>response</p>	<p>See Section 1.</p>													
<p>comment</p>	<p>735 comment by: Safran HE</p> <p>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate." This requirement is far too much prescriptive, the suspension, limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.</p> <p>Suggested resolution: Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>													
<p>response</p>	<p>See Section 1.</p>													
<p>comment</p>	<p>809 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1" data-bbox="389 1675 1418 2027"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>21.B.240(d)</td> <td>70/272</td> <td>"(d) Without prejudice to any additional enforcement measures, if the</td> <td>Wording shall be changed as follows: "(d) Without prejudice to</td> <td></td> <td>X</td> </tr> </tbody> </table>		Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	21.B.240(d)	70/272	"(d) Without prejudice to any additional enforcement measures, if the	Wording shall be changed as follows: "(d) Without prejudice to		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)									
21.B.240(d)	70/272	"(d) Without prejudice to any additional enforcement measures, if the	Wording shall be changed as follows: "(d) Without prejudice to		X									



		<p><i>organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive , the suspension, limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.</p>	<p>any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	See Section 1.				

comment	1050	comment by: ASD			
21.B.240(d)	70/272	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive , the suspension, limitation, revocation of the certificate shall</p>		<p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>	



		be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.	
response	See Section 1.		
comment	1123	comment by: SAFRAN AEROSYSTEMS	
	21.A.240 (d)		
	<p>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</p> <p>This requirement is far too much prescriptive , the suspension, limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.</p> <p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	See Section 1.		

21.B.240 Changes to a production organisation approval

comment	1361	comment by: Rolls-Royce plc				
				Comment is an observation/suggestion*	Comment is substantive/objection**	
	NPA 2019-05 (B) 21.B.240(d)	Page 70	"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the	Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation	No	Yes



	<p><i>competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is too prescriptive - the suspension, limitation, revocation of the certificate should be left to the discretion of the competent authority, if it considers the issue a serious breach, depending on the context of the issue.</p>	<p>implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	See Section 1.			

21.B.430 Suspension and revocation of a noise certificate

comment 1362

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.430 (b)	Page 74	<p><i>(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the significance of the certification process, and the reason for signing</i></p>	<p>Wording should be changed as follows: <i>"(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the principles of the</i></p>	Yes	No



		<p><i>the statement specified in point 21.A.243(b)."</i></p> <p>This appears to be too specific. While the certification process is significant, perhaps a broader understanding of the Design Organisation requirements and the responsibilities of the Head Of the DO should be established.</p>	<p><i>Design management system as required by the DOA regulation significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p>		
<p>NPA 2019-05 (B) 21.B.430(c)</p>	<p>Page 74</p>	<p><i>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations."</i></p> <p>This statement is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p>	<p>21.B.430(c) should be deleted, or at least reworded as follows: <i>"The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</i></p>	No	Yes



NPA 2019-05 (B), 21.B.430 point (b)	Page 74	Safety Management missed.	amend sentence to read: ' of the certification and safety management process'.	Yes	No
NPA 2019-05 (B) 21.B.430(d)	Page 74	<i>"all findings must be corrected to the satisfaction of the competent authority"</i> . This statement should be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings should not prevent the competent authority from issuing a certificate.	Reword as follows: <i>"all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</i>	No	Yes
NPA 2019-05 (B) 21.B.430(e)	Page 74	<i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction"</i> . This statement should be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings should not prevent the competent authority from issuing a letter of agreement.	Reword as follows: <i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i>	No	Yes
response See Section 1.					



comment

326

comment by: Safran Landing Systems

21.B.430 (b)	74/272	<p><i>(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p> <p>Not the significance of the certification process but far more the principles of the Design Management system required by the DOA regulation should be understood by the Head of Design Organisation.</p>	<p>Wording should be changed as follows:</p> <p><i>"(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the principles of the Design management system as required by the DOA regulation significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p>
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response

See Section 1.

comment

327

comment by: Safran Landing Systems

21.B.430(c)	74/272	<p><i>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations."</i> This statement is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p>	<p>21.B.430(c) should be deleted, or at least reworded as follows: <i>"The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</i></p>
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response See Section 1.

comment 328 comment by: Safran Landing Systems

21.B.430(d)	74/273	<p><i>"all findings must be corrected to the satisfaction of the competent authority"</i>. This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a certificate.</p>	<p>Reword as follows: <i>"all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</i></p>
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response See Section 1.

comment 329 comment by: Safran Landing Systems

21.B.430(e)	74/274	<p><i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction"</i>. This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p>	<p>Reword as follows: <i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i></p>
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response See Section 1.

comment 537 comment by: Le Blanc

21.B.430 (b)
 (b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."
 Not the significance of the certification process but far more the principles of the Design Management system required by the DOA regulation should be understood by the Head of Design Organisation.



	<p>Suggested resolution: Wording should be changed as follows: "(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the principles of the Design management system as required by the DOA regulation significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</p>
response	See Section 1.
comment	<p>538 comment by: <i>Le Blanc</i></p> <p>21.B.430(c) "The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations." This statement is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p> <p>Suggested resolution: 21.B.430(c) should be deleted, or at least reworded as follows: "The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</p>
response	See Section 1.
comment	<p>539 comment by: <i>Le Blanc</i></p> <p>21.B.430(d) "all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a certificate.</p> <p>Suggested resolution: Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</p>
response	See Section 1.
comment	<p>540 comment by: <i>Le Blanc</i></p> <p>21.B.430(e) "When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</p>



	Suggested resolution: Reword as follows: "When satisfied that the organisation complies with the applicable requirements and has corrected all level 1 and level 2 findings to its satisfaction"
response	See Section 1.

comment

810

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.430 (b)	74/272	<p><i>(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p> <p>Not the significance of the certification process but far more the principles of the Design Management system required by the DOA regulation should be understood by the Head of Design Organisation.</p>	<p>Wording should be changed as follows: <i>"(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the principles of the Design management system as required by the DOA regulation significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p>		X



response See Section 1.

comment

811

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.430(c)	74/272	<p>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations."</p> <p>This statement is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p>	<p>21.B.430(c) should be deleted, or at least reworded as follows: "<i>The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i>"</p>	X	



response See Section 1.

comment 812 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.430(d)	74/273	"all findings must be corrected to the satisfaction of the competent authority". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a certificate.	Reword as follows: "all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"		X

response See Section 1.

comment 813 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.430(e)	74/274	"When satisfied that the organisation complies with the applicable requirements and has corrected all	Reword as follows: "When satisfied that the organisation complies with the applicable		X



	<p><i>the findings to its satisfaction". This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.</i></p>	<p><i>requirements and has corrected all the level 1 and level 2 findings to its satisfaction"</i></p>	
response	See Section 1.		
comment	1051		comment by: ASD
21.B.430 (b)	74/272	<p><i>(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p> <p>Not the significance of the certification process but far more the principles of the Design Management System required by the DOA regulation should be understood by the Head of Design Organisation.</p>	<p>Wording should be changed as follows: <i>"(b) A meeting with the head of the design organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the principles of the Design management system as required by the DOA regulation significance of the certification process, and the reason for signing the statement specified in point 21.A.243(b)."</i></p>
response	See Section 1.		



comment	1161			comment by: ASD
21.B.430(c)	74/272	<p><i>"The competent authority shall record all findings, actions (i.e. actions required to close a finding), and recommendations."</i> This statement is redundant with article 21.B.55(4)(vi), and suggests that the competent authority issues recommendations, whereas it shall only issue findings (level 1, 2 or 3). Furthermore, the wording "actions required to close a finding" may suggest that the competent authority decides on the nature of such actions, whereas it is the role of the applicant to identify the relevant corrective actions.</p>	<p>21.B.430(c) should be deleted, or at least reworded as follows: <i>"The competent authority shall record all findings, and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations."</i></p>	
response	See Section 1.			
comment	1162			comment by: ASD
21.B.430(d)	74/273	<p><i>"all findings must be corrected to the satisfaction of the competent authority"</i>. This statement shall be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a certificate.</p>	<p>Reword as follows: <i>"all level 1 and level 2 findings must be corrected to the satisfaction of the competent authority"</i></p>	
response	See Section 1.			
comment	1163			comment by: ASD
21.B.430(e)	74/274	<p><i>"When satisfied that the organisation complies with the applicable requirements and has corrected all the findings to its satisfaction"</i>. This statement shall</p>	<p>Reword as follows: <i>"When satisfied that the organisation complies with the applicable requirements and has</i></p>	



		be limited to level 1 and level 2 findings, but not extended to level 3 findings. Level 3 findings shall not prevent the competent authority from issuing a letter of agreement.	<i>corrected all the level 1 and level 2 findings to its satisfaction"</i>
response	See Section 1.		

comment	1397		comment by: <i>Rolls-Royce plc</i>			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B), AMC1 21.B.220 and 21.B.430 point (c)(3)	Page 266	Compliance with certification basis missing	amend sentence to read: 'processes used for certification basis compliance , safety risk management ...'	Yes	No
	NPA 2019-05 (B), AMC1 21.B.220 and 21.B.430 point (c)(4)	Page 266	Consistency of terms	use 'terms of approval' instead of 'scope of work'	Yes	No
response	See Section 1.					

comment	1510		comment by: <i>Thales</i>			
	See comments #1478 and #1479					
	Suggested resolution: reword as follows: <i>"(c) The competent authority shall record all findings, closure and associated corrective actions taken by organisations (i.e. actions required to close a finding), and recommendations.</i> <i>(d) The competent authority shall confirm to the organisation in writing all the findings raised during the verification. For initial certification, all <u>level 1 and level 2</u> findings must be corrected to the satisfaction of the competent authority before the certificate can be issued.</i>					



	<i>(e) When satisfied that the organisation complies with the applicable requirements and has corrected all the level 1 and level 2 findings to its satisfaction, the competent authority shall issue a production organisation approval (EASA Form 55, see Appendix X) without undue delay."</i>
response	See Section 1.

21.B.431 Oversight principles

p. 74-75

comment	96	comment by: <i>General Aviation Manufacturers Association</i>
	Section 21.B.431(b)(3) and Section 21.B.431(d): The statement: "unannounced inspections". While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9. We suggest deletion of this requirement and associated AMC and GM.	
response	See Section 1.	

comment	98	comment by: <i>General Aviation Manufacturers Association</i>
	Section 21.B.431(b)(3) and Section 21.B.431(d): "unannounced inspections" - While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9. We suggest deletion of this requirement and associated AMC and GM.	
response	See Section 1.	

comment	150	comment by: <i>Safran Engineering Services</i>
	21.B.431 (b)(3) "While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that,	



	<p>especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p> <p>Remove "unannounced inspections "from the requirements (hard law)</p>
response	See Section 1.

comment	330	comment by: Safran Landing Systems	
	21.B.431 (b)(3)	75/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p> <p>Remove "unannounced inspections "from the requirements (hard law)</p>
response	See Section 1.		

comment	331	comment by: Safran Landing Systems	
	21.B.431 (d)	75/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the</p> <p>Remove "unannounced inspections "from</p>



	<p>option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>	<p>the requirements (hard law)</p>
response	See Section 1.	

comment

736

comment by: Safran HE

21.B.431 (b)(3)

“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”

Suggested resolution:

Remove "unannounced inspections "from the requirements (hard law)

response

See Section 1.

comment

737

comment by: Safran HE

21.B.431 (d)

“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that,



especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”

Suggested resolution:

Remove "unannounced inspections "from the requirements (hard law)

response See Section 1.

comment

814

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.431 (b)(3)	75/272	“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's	Remove "unannounced inspections "from the requirements (hard law)		X



	<p>facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p>				
response	See Section 1.				

comment

815

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.431 (d)	75/272	“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that,	Remove "unannounced inspections "from the requirements (hard law)		X



	<p>especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>			
<p>response</p>	<p>See Section 1.</p>			



comment

816

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.432(b)(1)	75/272	“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special	Remove "unannounced inspections" from the requirements (hard law)		X



	<p>arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>			
response	See Section 1.			
comment	<p>1124 comment by: SAFRAN AEROSYSTEMS</p> <p>21.A.431 (b) (3)</p> <p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p> <p>Remove "unannounced inspections "from the requirements (hard law)</p>			



response See Section 1.

comment

1364

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) 21.B.431 (b)(3)	Page 75	“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared	Remove "unannounced inspections "from the requirements (hard law)	No	Yes



		with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”			
NPA 2019-05 (B) 21.B.431 (d)	Page 75	“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the	Remove "unannounced inspections "from the requirements (hard law)	No	Yes



	<p>time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>			
response	See Section 1.			
comment	<p>1511 comment by: <i>Thales</i> See comment #1494. Suggested resolution: Remove "<i>unannounced inspections</i>" from the requirements (hard law)</p>			
response	See Section 1.			

21.B.432 Oversight programme

p. 75-76

comment	<p>97 comment by: <i>General Aviation Manufacturers Association</i> Section 21.B.432(b)(1): The statement: "unannounced inspections". While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including</p>
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	supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9. We suggest deletion of this requirement and associated AMC and GM.
response	See Section 1.
comment	99 <i>comment by: General Aviation Manufacturers Association</i> Section 21.B.432(b)(1): "unannounced inspections" - While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9. We suggest deletion of this requirement and associated AMC and GM.
response	See Section 1.
comment	151 <i>comment by: Safran Engineering Services</i> "(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied." Currently (and from the set up of EASA in 2003) , the oversight planning cycle from DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and continued airworthiness. This makes a significant difference with other types of approved organisations change the wording as follows: "(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 36 months shall be applied."
response	See Section 1.
comment	152 <i>comment by: Safran Engineering Services</i> d) "Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24



	<p>months"</p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involmtment in product certification and and continued airworthiness. This makes a significant diferrence with other types of approved organisations</p> <p>Change the wording as follows: "Notwithstanding point (c), the oversight planning cycle may be extended to 36 48 months if the competent authority has established that during the previous 24 36 months"</p>
response	See Section 1.

comment	<p>332 comment by: Safran Landing Systems</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; vertical-align: top;">21.B.432(b)(1)</td> <td style="width: 10%; vertical-align: top;">75/272</td> <td style="width: 50%; padding: 5px;"> <p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p> </td> <td style="width: 15%; vertical-align: top; padding: 5px;"> <p>Remove "unannounced inspections "from the requirements (hard law)</p> </td> </tr> </table>	21.B.432(b)(1)	75/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>	<p>Remove "unannounced inspections "from the requirements (hard law)</p>
21.B.432(b)(1)	75/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>	<p>Remove "unannounced inspections "from the requirements (hard law)</p>		
response	See Section 1.				



comment	333 comment by: Safran Landing Systems		
21.B.432(b)(2)	75/272	<p><i>"(2) meetings convened between the head of the design organisation and the competent authority to ensure that both remain informed of significant issues"</i></p> <p>Requirement not relevant in the hard law since there is already a requirement for the DOA holder independent monitoring function to report to the HDO (21.A.239(f)).</p> <p>The competent Authority is monitoring compliance with 21.A.239(f) requirement during its oversight programme implementation .</p>	remove this requirement
response	See Section 1.		
comment	334 comment by: Safran Landing Systems		
21.A.432(c)	75/272	<p><i>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied."</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant diferrence with other types of approved organisations</p>	<p>change the wording as follows:</p> <p><i>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 36 months shall be applied."</i></p>
response	See Section 1.		
comment	335 comment by: Safran Landing Systems		



<p>21.A.432(d)</p>	<p>75/273</p>	<p><i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvment in product certification and and continued airworthiness. This makes a significant diferrence with other types of approved organisations</p>	<p>Change the wording as follows: <i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36-48 months if the competent authority has established that during the previous 24 36 months"</i></p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>336 comment by: Safran Landing Systems</p>		
<p>21.B.432 (d)</p>	<p>76/272</p>	<p><i>"Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (1) to (4) above, the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself"</i></p>	<p>Move relevant part of the content of this requirement in (d)(4) bullet</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>491 comment by: ATR SMS</p>		



response	<p>(c):Proposal to keep the 36 months (instead of 24 months) and 48 months (instead of 36 months).</p> <p>See Section 1.</p>
comment	<p>541 comment by: <i>Le Blanc</i></p> <p>21.B.432(b)(2) "(2) meetings convened between the head of the design organisation and the competent authority to ensure that both remain informed of significant issues" Requirement not relevant in the hard law since there is already a requirement for the DOA holder independent monitoring function to report to the HDO (21.A.239(f)). The competent Authority is monitoring compliance with 21.A.239(f) requirement during its oversight programme implementation .</p> <p>Suggested resolution: remove this requirement</p>
response	<p>See Section 1.</p>
comment	<p>542 comment by: <i>Le Blanc</i></p> <p>21.B.432 (d) "Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (1) to (4) above, the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself"</p> <p>Suggested resolution: Move relevant part of the content of this requirement in (d)(4) bullet</p>
response	<p>See Section 1.</p>
comment	<p>738 comment by: <i>Safran HE</i></p> <p>21.B.432(b)(1) "While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc."</p> <p>Suggested resolution: Remove "unannounced inspections "from the requirements (hard law)</p>



response	See Section 1.
comment	<p>739 comment by: <i>Safran HE</i></p> <p>21.A.432(c)</p> <p>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied." Currently (and from the set up of EASA in 2003) , the oversight planning cycle from DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and continued airworthiness. This makes a significant difference with other types of approved organisations</p> <p>Suggested resolution: change the wording as follows: "(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 36 months shall be applied."</p>
response	See Section 1.
comment	<p>741 comment by: <i>Safran HE</i></p> <p>21.A.432(d)</p> <p>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle from DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and continued airworthiness. This makes a significant difference with other types of approved organisations</p> <p>Suggested resolution: Change the wording as follows: "Notwithstanding point (c), the oversight planning cycle may be extended to 36 48 months if the competent authority has established that during the previous 24 36 months"</p>
response	See Section 1.
comment	<p>817 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p>



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.432(c)	75/272	<p><i>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied."</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle for DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and continued airworthiness. This makes a significant difference with other types of approved organisations</p>	<p>change the wording as follows: <i>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 36 months shall be applied."</i></p>		X
response	See Section 1.				



comment

818

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.A.432(d)	75/273	<p><i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations</p>	<p>Change the wording as follows: <i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36-48 months if the competent authority has established that during the previous 24 36 months"</i></p>		X



response See Section 1.

comment 819 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.432 (d)	76/272	<i>"Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (1) to (4) above, the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself"</i>	Move relevant part of the content of this requirement in (d)(4) bullet		X

response See Section 1.

comment 1052 comment by: ASD

21.B.431 (b)(3)	75/272	"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain	Remove "unannounced inspections "from the requirements (hard law)
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	<p>access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 21.A.9 .”</p>	
response	See Section 1.	

comment	1054		comment by: ASD
21.B.431 (d)	75/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>	Remove "unannounced inspections "from the requirements (hard law)



response	See Section 1.		
comment	1056		comment by: ASD
21.B.432(b)(1)	75/272	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc.”</p>	Remove "unannounced inspections "from the requirements (hard law)
response	See Section 1.		
comment	1058		comment by: ASD
21.A.432(c)	75/272	<p><i>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied."</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall</p>	<p>change the wording as follows: <i>"(c) For organisations certified by the competent authority, an oversight planning cycle that does not</i></p>



		<p>remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations</p>	<p><i>exceed 24 36 months shall be applied."</i></p>				
<p>response</p>	<p>See Section 1.</p>						
<p>comment</p>	<p>1059</p>	<p>comment by: ASD</p> <table border="1" data-bbox="391 855 1388 1691"> <tr> <td data-bbox="391 855 534 1691"> <p>21.A.432(d))</p> </td> <td data-bbox="534 855 635 1691"> <p>75/273</p> </td> <td data-bbox="635 855 1082 1691"> <p><i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations</p> </td> <td data-bbox="1082 855 1388 1691"> <p>Change the wording as follows: <i>"Notwithstanding point (c), the oversight planning cycle may be extended to 3648 months if the competent authority has established that during the previous 24 36 months"</i></p> </td> </tr> </table>		<p>21.A.432(d))</p>	<p>75/273</p>	<p><i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations</p>	<p>Change the wording as follows: <i>"Notwithstanding point (c), the oversight planning cycle may be extended to 3648 months if the competent authority has established that during the previous 24 36 months"</i></p>
<p>21.A.432(d))</p>	<p>75/273</p>	<p><i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations</p>	<p>Change the wording as follows: <i>"Notwithstanding point (c), the oversight planning cycle may be extended to 3648 months if the competent authority has established that during the previous 24 36 months"</i></p>				
<p>response</p>	<p>See Section 1.</p>						
<p>comment</p>	<p>1125</p>		<p>comment by: SAFRAN AEROSYSTEMS</p>				



- 21.B.432 (c)

"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied."

Currently (and from the set up of EASA in 2003) , the oversight planning cycle for DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations

change the wording as follows:

"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed ~~24~~ 36 months shall be applied."

- 21.B.432 (d)

"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"

Currently (and from the set up of EASA in 2003) , the oversight planning cycle for DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations

Change the wording as follows:

"Notwithstanding point (c), the oversight planning cycle may be extended to ~~36~~ 48 months if the competent authority has established that during the previous ~~24~~ 36 months"

response

See Section 1.

comment

1164

comment by: ASD

21.B.432(b)(2)	75/272	<p><i>"(2) meetings convened between the head of the design organisation and the competent authority to ensure that both remain informed of significant issues"</i></p> <p>Requirement not relevant in the hard law since there is already a requirement for the DOA holder independent monitoring function to report to the HDO (21.A.239(f)).</p> <p>The competent Authority is monitoring</p>	remove this requirement
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		compliance with 21.A.239(f) requirement during its oversight programme implementation .	
response	See Section 1.		

comment	1165		comment by: ASD
	21.B.432 (d)	76/272	<p><i>"Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (1) to (4) above, the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself"</i></p> <p>Move relevant part of the content of this requirement in (d)(4) bullet</p>
response	See Section 1.		

comment	1367		comment by: Rolls-Royce plc			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive / objection*
	NPA 2019-05 (B) 21.B.432(b)(1)	Page 75	<p>"While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice</p>	Remove "unannounced inspections" from the requirements (hard law)	No	Yes



		means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140 etc."			
NPA 2019-05 (B) 21.B.432(b)(2)	Page 75	<i>"(2) meetings convened between the head of the design organisation and the competent authority to ensure that both remain informed of significant issues"</i>	remove this requirement	No	Yes



		Requirement not relevant in the hard law since there is already a requirement for the DOA holder independent monitoring function to report to the HDO (21.A.239(f)). The competent Authority is monitoring compliance with 21.A.239(f) requirement during its oversight programme implementation .			
NPA 2019-05 (B) 21.A.432(c)	Page 75	"(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 months shall be applied." Currently (and from the set up of EASA in 2003) , the oversight planning cycle fro DOAs is 36 months. Except objective evidence that this cycle is no more relevant/appropriate, it shall remain at 36 months (Safety based regulation principles). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but as	change the wording as follows: "(c) For organisations certified by the competent authority, an oversight planning cycle that does not exceed 24 36 months shall be applied."	No	Yes



		well on their involvement in product certification and and continued airworthiness. This makes a significant difference with other types of approved organisations			
NPA 2019-05 (B) 21.A.432(d)	Page 75	<p><i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 months if the competent authority has established that during the previous 24 months"</i></p> <p>Currently (and from the set up of EASA in 2003) , the oversight planning cycle for DOAs is 36 months. Except in the case where objective evidence shows that this cycle is not appropriate, it should remain at 36 months (this assumes that the regulation is relevant to limiting safety risk). One reason for the 36 months current DOA oversight cycle is that EASA relies not only on inspections and audits over the organisation but also on its involvement in product</p>	Change the wording as follows: <i>"Notwithstanding point (c), the oversight planning cycle may be extended to 36 48 months if the competent authority has established that during the previous 24 36 months"</i>	No	Yes



		certification, product change approvals and continued airworthiness. This is significantly different to other types of approved organisations, and justifies a different audit cycle.			
NPA 2019-05 (B) 21.B.432 (d)	Page 76	<i>"Notwithstanding point (c), the oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the conditions provided in points (1) to (4) above, the organisation has established, and the competent authority has approved, an effective continuous system for reporting to the competent authority on the safety performance and regulatory compliance of the organisation itself"</i>	Move relevant part of the content of this requirement in (d)(4)	No	Yes

response

See Section 1.

comment

1512

comment by: *Thales*

See comment #1494.

Suggested resolution: Remove *"unannounced inspections"* from the requirements (hard law)

response

See Section 1.



comment

1572

comment by: MARPA

Although apparently in line with ICAO requirements, the creation of the competent authority oversight programmes runs the risk of creating significant burdens on industry and absorbing significant amounts of the regulators' scarce resources.

The oversight program effectively requires a never-ending string of audits to be performed by the competent authorities on 24-36 month cycles. In the first place, it is unclear if and whether the authorities will have the adequate staffing and funding to perform such oversight responsibilities. Second, although efforts are made to assign objective metrics to risk assessment, merely assigning numbers to subjective determinations does not render those assessments objective. Even two inspectors or auditors working from the same rubric may reach different conclusions in assessing risk, resulting in differing outcomes under the management system assessments and process audits. Finally, the expectation of continuous assessment and mitigation of risk creates a Zeno's Paradox under which the regulated entity may be faced with a situation in which it can never sufficiently satisfy the oversight organizations subjective risk assessments and is thus constantly under threat of findings.

Although state oversight is a mandate from ICAO, it seems very likely to be strained for resources and has the potential for, if not abuse, certainly great burden on industry for ever-diminishing safety returns.

response

See Section 1.

21.B.433 Findings and corrective actions

p. 76-77

comment

39

comment by: CAA-NL

21.B.433(d)

We suggest to delete the current use of the level 3 findings as there is no non-compliance yet and no immediate action is required.

Findings as detailed in 21.B.433 are related to compliance based regulations. With the implementation of SMS in Part 21 we try to take the first steps towards performance based oversight. Within the context of performance based oversight there could be circumstances where the issuance of findings could result in a reactive compliance based behaviour instead of the establishment of pro-active improvements. Therefore it is proposed:

Change 21.B.433(d) into "A level 3 finding shall be issued by the competent authority when there is objective evidence that the management system should be improved."

Change 21.B.433(f)(3) into "in case of level 3 findings:

(i) grant an improvement action implementation period that is appropriate to the nature of the finding, which in any case shall initially not be more than 3 months. The period shall commence from the date of the written communication of the finding to the organisation, requesting improvement action to address the identified process / area. At the end of this period, and subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-



response	<p>month period provided that a satisfactory improvement action plan has been agreed by the competent authority; and</p> <p>(ii) assess the improvement action and implementation plan proposed by the organisation, and if the assessment concludes that they are sufficient to address the process / area, accept them;</p> <p>See Section 1.</p>
comment	<p>40 comment by: CAA-NL</p> <p>21.B.433(f)(4) The reference to (d)(1)(i) is not correct it should be (f)(1)(i).</p> <p>21.B.433(f)(5) The reference to (d)) is not correct it should be (e).</p>
response	<p>See Section 1.</p>
comment	<p>153 comment by: Safran Engineering Services</p> <p>21.B.433(b) Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety.</p> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
response	<p>See Section 1.</p>
comment	<p>154 comment by: Safran Engineering Services</p> <p>21.B.433(d)(2)(i) the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority. Wording should be changed as follows: "...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</p>
response	<p>See Section 1.</p>
comment	<p>155 comment by: Safran Engineering Services</p>



	<p>21.B.433(d)(4) "if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i)"; as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied. So, Switch 21.B.433(d)(3) and 21.B.433(d)(4).</p>				
response	<p>See Section 1.</p>				
comment	<p>337 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 660 1396 1400"> <tr> <td data-bbox="391 660 542 1400">21.B.433(b)</td> <td data-bbox="542 660 638 1400">76/272</td> <td data-bbox="638 660 1013 1400"> <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> </td> <td data-bbox="1013 660 1396 1400"> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p> </td> </tr> </table>	21.B.433(b)	76/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
21.B.433(b)	76/272	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>		
response	<p>See Section 1.</p>				
comment	<p>338 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1668 1396 2016"> <tr> <td data-bbox="391 1668 598 2016">21.B.433(d)(2)(i)</td> <td data-bbox="598 1668 694 2016">77/272</td> <td data-bbox="694 1668 1101 2016"> <p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may</p> </td> <td data-bbox="1101 1668 1396 2016"> <p>Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority</p> </td> </tr> </table>	21.B.433(d)(2)(i)	77/272	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may</p>	<p>Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority</p>
21.B.433(d)(2)(i)	77/272	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may</p>	<p>Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority</p>		



		require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u> .	may extend the 3-month period"
response	See Section 1.		
comment	339	comment by: Safran Landing Systems	
	21.B.433(d)(2)(i) 77/272	The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesment criterias should be defined.	Delete the reference to safety performance in this article.
response	See Section 1.		
comment	340	comment by: Safran Landing Systems	
	21.B.433(d)(2)(i) 77/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: "...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."
response	See Section 1.		
comment	341	comment by: Safran Landing Systems	



21.B.433(d)(4)	77/272	<p>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i)"; as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p>	<p>Switch 21.B.433(d)(3) and 21.B.433(d)(4).</p>
response	See Section 1.		
comment	543		comment by: <i>Le Blanc</i>
	<p>21.B.433(d)(2)(i) "subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u>.</p> <p>Suggested resolution: subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</p>		
response	See Section 1.		
comment	544		comment by: <i>Le Blanc</i>
	<p>21.B.433(d)(2)(i) The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assessment criterias should be defined.</p> <p>Suggested resolution: Delete the reference to safety performance in this article.</p>		
response	See Section 1.		
comment	545		comment by: <i>Le Blanc</i>
	21.B.433(d)(4)		

	<p>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> <p>Suggested resolution: Switch 21.B.433(d)(3)and 21.B.433(d)(4).</p>
response	<p>See Section 1.</p>
comment	<p>691 ❖ comment by: UK CAA</p> <p>Page No: 22; 42; 61; 67/68; 77</p> <p>Paragraph No: 21.A.125B Findings (2); 21.A.258 Findings (2); 21.B.125 Findings and corrective actions (3); 21.B.225 Findings and corrective actions (d) and (f)(3); 21.B.433 Findings and corrective actions (d) and (f)(currently incorrectly numbered (d))(3).</p> <p>Comment: Level 3 finding still remains in Part 21 although it is only an observation. It does not feature in Part 145.</p> <p>Justification: Raising or not raising a level 3 finding should be made uniform across Part 21 and Part 145.</p> <p>Proposed Text: We recommend that the corresponding text to level 3 finding should be deleted.</p> <p>In addition, please note the paragraph numbered (d) beginning "The competent authority shall ..." should be renumbered to paragraph (f)</p>
response	<p>See Section 1.</p>
comment	<p>743 comment by: Safran HE</p> <p>21.B.433(b)</p> <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> <p>Suggested resolution:</p> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>



response	See Section 1.					
comment	746	comment by: <i>Safran HE</i>				
	21.B.433(b), (c), (d)					
	Idem comments from 21.B.225 on finding definitions					
	The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety". Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.					
	Suggested resolution: Keep the current the Part 21 wording of the finding definitions					
response	See Section 1.					
comment	747	comment by: <i>Safran HE</i>				
	21.B.433(d)(2)(i)					
	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.					
	Suggested resolution: Wording should be changed as follows: "...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."					
response	See Section 1.					
comment	820	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>				
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	21.B.433(b)	76/272	Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed	Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that		X



		<p>wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non-compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p><i>may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>		
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response See Section 1.

comment

821 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.433(b), (c), (d)	76/272	The definition of level 1, 2 and 3 is fully confusing	Keep the current the		X



		<p>since in all the 3 cases , the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety". Non of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.</p>	<p>Part 21 wording of the finding definitions</p>		
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response **See Section 1.**

comment 822

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.433(d)(2)(i)	77/272	"subject to the nature of the finding and the past safety performance of the organisation, the competent	Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety		X



		<p>authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential <u>future safety impact</u> of such extension, <u>not the past safety performance</u>.</p>	<p>performance of the organisation, the competent authority may extend the 3-month period"</p>		
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response

See Section 1.

comment

823

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
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21.B.433(d)(2)(i)	77/272	The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesment criterias should be defined.	Delete the reference to safety performance in this article.	X	
response	See Section 1.				

comment

825

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.433(d)(2)(i)	77/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: "...the <i>competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and...</i> "	X	



response See Section 1.

comment 826 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.433(d)(4)	77/272	"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);" as this sentence only applies to level 2 findings, it should be	Switch 21.B.433(d)(3)and 21.B.433(d)(4).	X	



	<table border="1"> <tr> <td data-bbox="379 183 576 577"></td> <td data-bbox="576 183 842 577"> <p>put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p> </td> <td data-bbox="842 183 1070 577"></td> <td data-bbox="1070 183 1412 577"></td> </tr> </table>		<p>put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p>		
	<p>put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.</p>				
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>1060 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="379 958 544 1693"> <p>21.B.433(b)</p> </td> <td data-bbox="544 958 639 1693"> <p>76/272</p> </td> <td data-bbox="639 958 1011 1693"> <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> </td> <td data-bbox="1011 958 1412 1693"> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p> </td> </tr> </table>	<p>21.B.433(b)</p>	<p>76/272</p>	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>
<p>21.B.433(b)</p>	<p>76/272</p>	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p>		
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>1061 comment by: ASD</p>				



response	<table border="1"> <tr> <td data-bbox="379 183 630 297">21.B.433(b), (c), (d)</td> <td data-bbox="630 183 730 297">76/272</td> <td data-bbox="730 183 1412 297">copy paste comments from 21.B.225 on finding definitions</td> </tr> </table>	21.B.433(b), (c), (d)	76/272	copy paste comments from 21.B.225 on finding definitions			
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	See Section 1.						
comment	<table border="1"> <tr> <td data-bbox="379 499 598 566">1062</td> <td colspan="2" data-bbox="598 499 1412 566">comment by: ASD</td> </tr> <tr> <td data-bbox="379 566 598 1552">21.B.433(d)(2)(i)</td> <td data-bbox="598 566 699 1552">77/272</td> <td data-bbox="699 566 1412 1552"> <p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</p> <p>We suggest that the past safety performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for corrective action must be based on the potential future safety impact of such an extension. Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).</p> </td> </tr> </table>	1062	comment by: ASD		21.B.433(d)(2)(i)	77/272	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</p> <p>We suggest that the past safety performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for corrective action must be based on the potential future safety impact of such an extension. Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).</p>
1062	comment by: ASD						
21.B.433(d)(2)(i)	77/272	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</p> <p>We suggest that the past safety performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for corrective action must be based on the potential future safety impact of such an extension. Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).</p>					
response	See Section 1.						
comment	<table border="1"> <tr> <td data-bbox="379 1720 598 1821">1063</td> <td colspan="2" data-bbox="598 1720 1412 1821">comment by: ASD</td> </tr> <tr> <td data-bbox="379 1821 598 2027">21.B.433(d)(2)(i)</td> <td data-bbox="598 1821 699 2027">77/272</td> <td data-bbox="699 1821 1412 2027"> <p>This concept of safety performance should not be used as a mean of assessing organisations as not being properly defined.</p> <p>Delete the reference to safety performance in this article.</p> </td> </tr> </table>	1063	comment by: ASD		21.B.433(d)(2)(i)	77/272	<p>This concept of safety performance should not be used as a mean of assessing organisations as not being properly defined.</p> <p>Delete the reference to safety performance in this article.</p>
1063	comment by: ASD						
21.B.433(d)(2)(i)	77/272	<p>This concept of safety performance should not be used as a mean of assessing organisations as not being properly defined.</p> <p>Delete the reference to safety performance in this article.</p>					



response	See Section 1.
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comment	1064		comment by: ASD				
		<table border="1" style="width: 100%;"> <tr> <td style="width: 25%; vertical-align: top;">21.B.433(d)(2)(i)</td> <td style="width: 10%; vertical-align: top;">77/272</td> <td style="width: 45%; vertical-align: top;">the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.</td> <td style="width: 20%; vertical-align: top;">Wording should be changed as follows: "<i>...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and...</i>"</td> </tr> </table>	21.B.433(d)(2)(i)	77/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: " <i>...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and...</i> "	
21.B.433(d)(2)(i)	77/272	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: " <i>...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and...</i> "				
response	See Section 1.						

comment	1126		comment by: SAFRAN AEROSYSTEMS
		<ul style="list-style-type: none"> • 21.B.433 (b) <p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> <p>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</p> <ul style="list-style-type: none"> • 21.B.433(b), (c), (d) <p>The definition of level 1, 2 and 3 is fully confusing since in all the 3 cases, the finding shall only be raised when there is objective evidence of potential safety impact "lowers safety or seriously endanger flight safety". None of these definitions seems covering non compliance with Part 21 which does not lead to safety issue (level 2 as defined in current applicable Part 21). The current Part 21 wording is clearer.</p>	



	<p>Keep the current the Part 21 wording of the finding definitions</p> <ul style="list-style-type: none"> 21.B.433(d)(2)(i) <p>the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.</p> <p>Wording should be changed as follows: "...the competent authority may extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</p>
response	See Section 1.

comment	1166		comment by: ASD				
		<table border="1"> <tr> <td style="width: 15%;">21.B.433(d)(4)</td> <td style="width: 15%;">77/272</td> <td> "if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied. </td> <td style="width: 15%;">Switch 21.B.433(d)(3)and 21.B.433(d)(4).</td> </tr> </table>	21.B.433(d)(4)	77/272	"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.	Switch 21.B.433(d)(3)and 21.B.433(d)(4).	
21.B.433(d)(4)	77/272	"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);": as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.	Switch 21.B.433(d)(3)and 21.B.433(d)(4).				
response		See Section 1.					

comment	1369		comment by: Rolls-Royce plc												
		<table border="1"> <thead> <tr> <th style="width: 15%;">Section, table, figure</th> <th style="width: 15%;">Page</th> <th style="width: 20%;">Comment Summary</th> <th style="width: 20%;">Suggested resolution</th> <th style="width: 15%;">Comment is an observation / suggestion*</th> <th style="width: 15%;">Comment is substantive / objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) 21.B.433(b)</td> <td>Page 76</td> <td>A Level 1 finding should be raised only for serious concerns affecting flight safety, i.e.</td> <td>Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**	NPA 2019-05 (B) 21.B.433(b)	Page 76	A Level 1 finding should be raised only for serious concerns affecting flight safety, i.e.	Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it	No	Yes	
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**										
NPA 2019-05 (B) 21.B.433(b)	Page 76	A Level 1 finding should be raised only for serious concerns affecting flight safety, i.e.	Wording should be changed as follows: "A level 1 finding shall be issued by the competent authority when it	No	Yes										



		<p>leading to a potential unsafe condition. The proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non-compliances to the regulation may be construed as "lowering safety", but fortunately not all create unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p><i>detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition"</i></p>		
<p>NPA 2019-05 (B) 21.B.433(b), (c), (d)</p>	<p>Page 76</p>	<p>The definition of level 1, 2 and 3 is confusing since in all three cases, the finding shall only be raised when there is objective evidence of potential safety impact <i>"lowers safety or seriously endanger flight"</i></p>	<p>Keep the current the Part 21 wording of the finding definitions</p>	<p>No</p>	<p>Yes</p>



		<p>safety". Non of these definitions seems to cover a non compliance with Part 21 which does not lead to a safety issue (level 2 as defined in the current applicable Part 21). The current Part 21 wording is clearer.</p>			
<p>NPA 2019-05 (B) 21.B.433(d)(2)(i)</p>	<p>Page 77</p>	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": We suggest that the past safety performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for corrective action must be based on the potential future safety impact of such an extension.</p>	<p>Wording should be changed as follows: "<i>subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period</i>"</p>	No	Yes



		Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).			
NPA 2019-05 (B) 21.B.433(d)(2)(i)	Page 77	The concept of safety performance is not defined here. If this concept is used as a mean of assessing organisations, common assessment criteria should be defined.	Delete the reference to safety performance in this article.	No	Yes
NPA 2019-05 (B) 21.B.433(d)(2)(i)	Page 77	the word "satisfactory" is redundant since the action plan is subject to the agreement of	Wording should be changed as follows: "...the competent authority may extend the 3-	Yes	No



		the competent authority.	<i>month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</i>		
NPA 2019-05 (B) 21.B.433(d)(4)	Page 77	<i>"if an organisation fails to submit an acceptable corrective action plan, or fails to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding, and action shall be taken as laid down in point (d)(1)(i);"</i> as this sentence only applies to level 2 findings, it should be put under point (f)(2), to avoid confusion with level 3 findings, where such escalation shall not be applied.	Switch 21.B.433(d)(3) and 21.B.433(d)(4).	No	Yes
response	See Section 1.				



comment	1513	comment by: <i>Thales</i>
	See comment #1488.	
	Suggested resolution: reword as follows: " <i>subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period</i> "	
response	See Section 1.	
comment	1514	comment by: <i>Thales</i>
	See comment #1489.	
	Suggested resolution: Switch 21.B.433(d)(3) and 21.B.433(d)(4).	
response	See Section 1.	
comment	1573	comment by: <i>MARPA</i>
	21.B.433(b)(4) suggests that the lack of a head of the design organisation rises to a level 1 finding. This seems excessive and has the greatest likelihood of adversely affecting small business, who may have a difficult time finding or replacing heads of design organisation. The lack of a head of design organisation should not rise to a level 1 finding unless the organisation deliberately or repeatedly fails to hire such an individual.	
response	See Section 1.	

21.B.435 Changes to a design organisation approval

p. 78

comment	41	comment by: <i>CAA-NL</i>
	21.B.435(a) It mentions "Upon receiving an application for a change that requires prior approval". Taking into account that according to Part 21, section A an approved organisation only has to file an application for changes that require approval of the authority, whereas minor changes are notified, all applications require an approval. So change the text into "Upon receiving an application for a change," Furthermore delete "prior" from par. (e) and amend AMC1 accordingly.	
response	See Section 1.	
comment	95	comment by: <i>General Aviation Manufacturers Association</i>
	Section 21.B.435(d): This statement too prescriptive. Revise accordingly: "Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate".	



response	See Section 1.		
comment	156	comment by: Safran Engineering Services	
	21.B.435(d)		
	<p>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate." This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.</p> <p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	See Section 1.		
comment	342	comment by: Safran Landing Systems	
	21.B.435(d)	78/272	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.</p> <p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>
response	See Section 1.		
comment	749	comment by: Safran HE	



21.B.435(d)
 "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."
 This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.

Suggested resolution:
 Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority ~~shall~~ **may** suspend, limit or revoke the organisation's certificate."

response **See Section 1.**

comment 827 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
21.B.435(d)	78/272	"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate." This requirement is far too much prescriptive , the suspension,limitation	Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority		X



		, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.	pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."		
response	See Section 1.				

comment	1065	comment by: ASD			
	21.B.435(d) 78/272	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive , the suspension, limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.</p>	<p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	See Section 1.				

comment	1127	comment by: SAFRAN AEROSYSTEMS			
	<p>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the</p>				



approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation’s certificate."
 This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.

Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority ~~shall~~ may suspend, limit or revoke the organisation’s certificate."

response

See Section 1.

comment

1370

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
NPA 2019-05 (B) 21.B.435(d)	Page 78	"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation’s certificate." This requirement is too prescriptive - the suspension,limitation , revocation of the certificate should be left to the discretion of the competent authority, depending on the specific context.	Wording change as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or	No	Yes



response				revoke the organisation's certificate."		
	See Section 1.					

Appendix VII I— Aircraft statement of conformity — EASA For

p. 81-84

comment

344

comment by: Safran Landing Systems

Appendix VIII	81/272	Form 52 block 8 states about "Manufacturers" when the instruction for use of the Form 52 states for block 8 in page 83/272 "the identification number assigned by the production organisation"	change "Manufacturers" within the Form 52 -block 8 by " production organisation " This change should be implemented for all "Manufacturer" instances within the Part 21 (e.g. 21.A.801, 21.A.804, ...)
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response

See Section 1.

comment

546

comment by: Le Blanc

Appendix VIII
 Form 52 block 8 states about "Manufacturers" when the instruction for use of the Form 52 states for block 8 in page 83/272 "the identification number assigned by the production organisation"
 Suggested resolution: change "Manufacturers" within the Form 52 -block 8 by " production organisation "
 This change should be implemented for all "Manufacturer" instances within the Part 21 (e.g. 21.A.801, 21.A.804, ...)

response

See Section 1.

comment

1167

comment by: ASD

Appendix VIII	81/272	Form 52 block 8 states about "Manufacturers" when the instruction for use of the Form 52 states for block 8 in page 83/272 "the identification number	change "Manufacturers" within the Form 52 -block 8 by " production organisation " This change should
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		assigned by the production organisation"	be implemented for all "Manufacturer" instances within the Part 21 (e.g. 21.A.801, 21.A.804, ...)		
response	See Section 1.				
comment	1403	comment by: <i>Rolls-Royce plc</i>			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) Appendix VIII	Page 81	Form 52 block 8 refers to "Manufacturers" when the instruction for use of the Form 52 states for block 8 in page 83/272 "the identification number assigned by the production organisation"	change "Manufacturers" within the Form 52 -block 8 by "production organisation " This change should be implemented for all "Manufacturer" instances within the Part 21 (e.g. 21.A.801, 21.A.804, ...)	No	Yes
response	See Section 1.				

Draft AMC & GM to Annex I(Part21) to Regulation (EU) No748/2012 (Draft EASA Decision) p. 88-90

comment	8	comment by: <i>Universal Alloy Corporation Design</i>
<p>Considering that: ISO 19011 is an internationally recognised auditing guidance standard ICAO established USOAP (Universal Safety Oversight Audit Programme) to monitor states, using principles laid down in ISO 19011 Ref: https://www.icao.int/NACC/Documents/eDOCS/FS/FS--Flyer_US-Letter_ANB-USOAP_2013-08-30.pdf Basic regulation mentions use of international standards</p>		



response	<p>Regarding "Human Performance" the last part of the definition provides more questions that solutions for DOs and PO's (i.e.does not cater for organisations far removed from operations).</p> <p>"Human Factors" is not consistently defined in Part 21 and Part 145</p> <p>See Section 1.</p>
comment	<p>157 comment by: <i>Safran Engineering Services</i></p> <p>All AMC</p> <p>Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p> <p>So, we suggest to move the details of AMCs into GMs.</p>
response	<p>See Section 1.</p>
comment	<p>158 comment by: <i>Safran Engineering Services</i></p> <p>GM1 Annex 1</p> <p>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</p> <p>Corrective action is not only to eliminate root cause but as well the related effect(s)</p> <p>Wording should be changed as follows:</p> <p>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</p>
response	<p>See Section 1.</p>
comment	<p>159 comment by: <i>Safran Engineering Services</i></p> <p>GM1 Annex 1</p> <p>The term "certificate" is already defined in article 3 of the Basic Regulation. This definition here can be deleted.</p>
response	<p>See Section 1.</p>
comment	<p>160 comment by: <i>Safran Engineering Services</i></p> <p>GM1 Annex 2</p> <p>"Preventive action is the action to eliminate the cause(s) of a potential non-compliance, or any other undesirable potential situation."</p> <p>Potential non compliance is not understood. Non compliance with what?? to be</p>

response	<p>clarified Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p> <p>Wording should be changed as follows: "Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</p> <p>See Section 1.</p>				
comment	<p>345 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 703 1385 831"> <tr> <td data-bbox="391 703 518 831">GM1 Annex 1</td> <td data-bbox="518 703 614 831">88/272</td> <td data-bbox="614 703 1102 831">The term "certificate" is already defined in article 3 of the Basic Regulation.</td> <td data-bbox="1102 703 1385 831">Delete the definition of "certificate"</td> </tr> </table> <p>See Section 1.</p>	GM1 Annex 1	88/272	The term "certificate" is already defined in article 3 of the Basic Regulation.	Delete the definition of "certificate"
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comment	<p>346 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1106 1385 1621"> <tr> <td data-bbox="391 1106 486 1621">GM1 Annex 1</td> <td data-bbox="486 1106 582 1621">88/272</td> <td data-bbox="582 1106 975 1621"> <p><i>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p> <p>Corrective action is not only to eliminate root cause but as well the related effect(s)</p> </td> <td data-bbox="975 1106 1385 1621"> <p>Wording should be changed as follows: <i>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p> </td> </tr> </table> <p>See Section 1.</p>	GM1 Annex 1	88/272	<p><i>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p> <p>Corrective action is not only to eliminate root cause but as well the related effect(s)</p>	<p>Wording should be changed as follows: <i>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p>
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	<table border="1"> <tr> <td data-bbox="379 183 491 582"></td> <td data-bbox="491 183 911 582"> <p><i>non-compliance, or any other undesirable potential situation.</i>"</p> <p>Potential non compliance is not understood. Non compliance with what??</p> <p>Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p> </td> <td data-bbox="911 183 1412 582"> <p>Wording should be changed as follows:</p> <p><i>"Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</i></p> </td> </tr> </table>		<p><i>non-compliance, or any other undesirable potential situation.</i>"</p> <p>Potential non compliance is not understood. Non compliance with what??</p> <p>Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p>	<p>Wording should be changed as follows:</p> <p><i>"Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</i></p>
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response	<p>See Section 1.</p>			
comment	<p>694 comment by: UK CAA</p> <p>Page No: 89</p> <p>Paragraph No: Human factors</p> <p>Comment: The definition of human factors does not refer to production.</p> <p>Justification: Human factors also apply to production.</p> <p>Proposed Text: We recommend the definition should have a reference to 'production' incorporated.</p>			
response	<p>See Section 1.</p>			
comment	<p>752 comment by: Safran HE</p> <p>Concerned all AMCs</p> <p>Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p> <p>Suggested resolution: Move the details of AMCs into GMs.</p>			
response	<p>See Section 1.</p>			
comment	<p>753 comment by: Safran HE</p> <p>GM1 Annex 1</p> <p>The term "certificate" is already defined in article 3 of the Basic Regulation.</p> <p>Suggested resolution:</p>			



response	<p>Delete the definition of "certificate"</p> <p>See Section 1.</p>												
comment	<p>755 comment by: <i>Safran HE</i></p> <p>GM1 Annex 1 "Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences." Corrective action is not only to eliminate root cause but as well the related effect(s)</p> <p>Suggested resolution: Wording should be changed as follows: "Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</p>												
response	<p>See Section 1.</p>												
comment	<p>757 comment by: <i>Safran HE</i></p> <p>GM1 Annex 2 "Preventive action is the action to eliminate the cause(s) of a potential non-compliance, or any other undesirable potential situation." Potential non compliance is not understood. Non compliance with what?? Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p> <p>Suggested resolution: Potential non compliance should be clarified. Wording should be changed as follows: "Preventive action is the action to eliminate /mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</p>												
response	<p>See Section 1.</p>												
comment	<p>828 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" data-bbox="384 1877 1385 1995"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an</th> <th>Comment is</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is						
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				observation (suggestion)	substantive (objection)
all AMCs	N/A	Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.	Move the details of AMCs into GMs.		X
response	See Section 1.				

comment

829

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 Annex 1	88/272	<i>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent</i>	Wording should be changed as follows: <i>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is</i>		X



		reoccurrences." Corrective action is not only to eliminate root cause but as well the related effect(s)	crucial for defining effective corrective actions to prevent reoccurrences."			
response	See Section 1.					
comment	830		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	GM1 Annex 1	88/272	The term "certificate" is already defined in article 3 of the Basic Regulation.	Delete the definition of "certificate"	X	
response	See Section 1.					
comment	831		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	GM1 Annex 2	89/272	"Preventive action is the action to eliminate the cause(s) of a potential non-compliance,	Potential non compliance should be clarified. Wording should be changed as follows: "Preventive action is the action to		X

		<p>or any other undesirable potential situation." Potential non compliance is not understood. Non compliance with what?? Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p>	<p>eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</p>		
response	See Section 1.				
comment	973	comment by: Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE			
	<p>Definition of "Occurrence" is missing. Suggest to add "Occurrence: Any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident."</p>				
response	See Section 1.				
comment	1067	comment by: ASD			
	GM1 Annex 1	88/272	The term "certificate" is already defined in article 3 of the Basic Regulation.	Delete the definition of "certificate"	
response	See Section 1.				
comment	1068	comment by: ASD			



	<table border="1"> <tr> <td data-bbox="379 179 486 716">GM1 Annex 1</td> <td data-bbox="486 179 582 716">88/272</td> <td data-bbox="582 179 981 716"> <p><i>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p> <p>Corrective action is not only to eliminate root cause but as well the related effect(s)</p> </td> <td data-bbox="981 179 1396 716"> <p>Wording should be changed as follows: <i>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p> </td> </tr> </table>	GM1 Annex 1	88/272	<p><i>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p> <p>Corrective action is not only to eliminate root cause but as well the related effect(s)</p>	<p>Wording should be changed as follows: <i>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p>
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response	See Section 1.				
comment	<p>1069 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="379 996 486 1489">GM1 Annex 2</td> <td data-bbox="486 996 582 1489">89/272</td> <td data-bbox="582 996 909 1489"> <p><i>"Preventive action is the action to eliminate the cause(s) of a potential non-compliance, or any other undesirable potential situation."</i></p> <p>Potential non compliance is not understood. Non compliance with what?? Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p> </td> <td data-bbox="909 996 1396 1489"> <p>Potential non compliance should be clarified.</p> <p>Wording should be changed as follows: <i>"Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</i></p> </td> </tr> </table>	GM1 Annex 2	89/272	<p><i>"Preventive action is the action to eliminate the cause(s) of a potential non-compliance, or any other undesirable potential situation."</i></p> <p>Potential non compliance is not understood. Non compliance with what?? Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p>	<p>Potential non compliance should be clarified.</p> <p>Wording should be changed as follows: <i>"Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</i></p>
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response	See Section 1.				
comment	<p>1128 comment by: SAFRAN AEROSYSTEMS</p> <p>Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p> <p>Move the details of AMCs into GMs</p>				



	<p>GM1 Annex 1 The term "certificate" is already defined in article 3 of the Basic Regulation.</p> <p>Delete the definition of "certificate"</p> <p>GM1 Annex 2</p> <p>"Preventive action is the action to eliminate the cause(s) of a potential non-compliance, or any other undesirable potential situation." Potential non compliance is not understood. Non compliance with what?? Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p> <p>Potential non compliance should be clarified.</p> <p>Wording should be changed as follows: "Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</p>
response	See Section 1.

comment	<p>1282 comment by: <i>On behalf of Airbus Helicopters PO/DO</i></p> <p>Page 88 of NPA 2019_05_B, GMA Annex 1 Definitions:</p> <p>Justification of Comment by Airbus Helicopters DO Rules & Regulation:</p> <p>The term "human factors" is defined in the Annex I Definitions to be anything that affects human performance and refers to principles that apply to [] and which seek safe interfaces between human and other system components by proper consideration of human performance. However the NPA refers to the subject in a variety of ways:" human factors principles"integrating human factors into the management of change is to minimise the potential risks by specifically considering the impact of the change on the people within a system."Human factors principles, including human performance and limitations",human factors and human performance issues related to their tasks. In NPA 2019-A paragraph 7.2 page 50 it is indicated that "All references to personnel 'human factors training' are replaced by 'safety training'." It is clear that human factors are part of the safety training as defined in AMC1 21.A.239(c)(5)(i) Design management system SAFETY TRAINING and GM1 21.A.239(c)(5)(i) . It is therefore not necessary to repeat the specific requirement related to human factors in the competence of the ressources related GM&AMC. The initial PArt-145 before SMS introduction was referring to human factors and human performance only. The proposed SMS NPA added the safety management principles to the competency requirements where it should now be considered as including it. In NPA 2019-05 (C) proposed GM1 145.A.65 on page 97 Human factors principles are explicitied for the subject of maintenance procedures design and presentation.</p> <p>Proposed Solution:</p>
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response	<p>The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I. The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.</p>												
	See Section 1.												
comment	<p>1372 comment by: Safran Aero Boosters</p> <p>all AMCs : Given the detail of AMC introduced for SMS it's highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p>												
response	See Section 1.												
comment	<p>1373 comment by: Safran Aero Boosters</p> <p>GM1 Annex 1 : "Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences." Corrective action is not only to eliminate root cause but as well the related effect(s)</p> <p>Wording should be changed as follows: "Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</p>												
response	See Section 1.												
comment	<p>1380 comment by: Rolls-Royce plc</p> <table border="1" data-bbox="392 1592 1386 1832"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/ suggestion*</th> <th>Comment is substantive/ objection**</th> </tr> </thead> <tbody> <tr> <td>GM 21.A.265(b)</td> <td>n/a</td> <td>covered by new NPA text</td> <td>delete GM</td> <td>Yes</td> <td>No</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**	GM 21.A.265(b)	n/a	covered by new NPA text	delete GM	Yes	No
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**								
GM 21.A.265(b)	n/a	covered by new NPA text	delete GM	Yes	No								
response	See Section 1.												



comment	1383 comment by: <i>Rolls-Royce plc</i>					
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	GM 21.A.437	n/a	GM update to align with revised 21.A.263 and 21.A.265 (h)	GM to be updated	Yes	No
response	See Section 1.					
comment	1384 comment by: <i>Rolls-Royce plc</i>					
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	GM 21.A.441	n/a	PO allowance limited to aircraft only.	replace 'aircraft' by 'products' to allow for engines and propeller same options to apply repairs under POA.	No	Yes
response	See Section 1.					
comment	1391 comment by: <i>Safran Aero Boosters</i>					
	<p>GM1 Annex 2 : "Preventive action is the action to eliminate the cause(s) of a potential non-compliance, or any other undesirable potential situation." Potential non compliance is not understood. Non compliance with what?? Preventive action is not only to eliminate the cause but to eliminate or mitigate the effects.</p> <p>Potential non compliance should be clarified. Wording should be changed as follows: "Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</p>					
response	See Section 1.					
comment	1399 comment by: <i>Rolls-Royce plc</i>					



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) all AMCs	N/A	<p>We are concerned by the level of detail introduced in AMC in this NPA, which limits the flexibility of organisations to organise their structure and procedures to suit the size and complexity of their business. The detail also creates the risk that different NAAs acting as CAs will interpret and apply the AMC inconsistently, creating an unlevel playing field and (particularly when combined with our concerns about the new 'Means of Compliance' rule) feel unable to agree different interpretations. Although EASA is committed at senior level to the development of performance-based rulemaking, introducing prescriptive detail in 'soft law' creates a contradiction with this position. The level of detail in this NPA also appears unbalanced when compared with the existing unchanged</p>	<p>Move the details of AMCs into GMs, and maximise performance-based items in AMC.</p>	No	Yes



		parts of Part 21. We strongly recommend that the AMC and GM proposed in this NPA is re-evaluated to maximise the performance-based elements in AMC, with detailed considerations left to GM. We would be happy to participate constructively in such a review.			
response	See Section 1.				

GM 2 Annex I Acronyms

p. 90-91

comment

1404

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 Annex 1	Page 88	The term "certificate" is already defined in Article 3 of the Basic Regulation.	Delete the definition of "certificate"	No	Yes

response

See Section 1.

comment

1405

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**



<p>NPA 2019-05 (B) GM1 Annex 1</p>	<p>Page 88</p>	<p><i>"Corrective action is the action to eliminate or mitigate the root cause(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences. "</i> Corrective action is not only to eliminate root cause but to correct the specific issue as well (this might also include actions to limit the effects of the issue, sometimes referred to as 'containment'.)</p>	<p>Wording should be changed as follows: <i>"Corrective action is the action to eliminate or mitigate the root cause(s) and/or related effect(s) and prevent the recurrence of an existing detected non-compliance, or any other undesirable condition or situation. The proper determination of the root cause(s) is crucial for defining effective corrective actions to prevent reoccurrences."</i></p>	<p>No</p>	<p>Yes</p>
<p>NPA 2019-05 (B) GM1 Annex 1</p>	<p>Page 89</p>	<p><i>"Preventive action is the action to eliminate the cause(s) of a potential non-</i></p>	<p>Potential non compliance should be clarified. Wording should be changed as follows:</p>	<p>No</p>	<p>Yes</p>



	<p><i>compliance, or any other undesirable potential situation."</i> .</p> <p>We understand that corrective action refers to issues that have occurred, while preventative action refers to issues which may occur without intervention.</p> <p>Preventive action is not only to eliminate the cause(which may not always be possible) but also to eliminate or mitigate the effects of the potential issue.</p>	<p><i>"Preventive action is the action to eliminate/mitigate the cause(s) and/or the effect(s) of a potential non-compliance, or any other undesirable potential situation."</i></p> <p>Also consider a review of this definition with the one for 'corrective action' to better establish the difference between the two.</p>		
<p>response</p>	<p>See Section 1.</p>			

AMC1No 1 to21.A.3A(a)(1) Occurrence reporting Collection, investigation and analysis of data related to Flammability Reduction Means (FRM) Reliability p. 93

comment **100** comment by: *General Aviation Manufacturers Association*
 Section AMC1 21.A.3A(a)(1): Consider moving the FRM data collection and reporting requirements into CS-25 Appendix M.

response **See Section 1.**



comment	<p>547</p> <p>AMC1 21.A.3A(a)(1) Effects of aeroplane component failures on FRM reliability should not be in this AMC to Part 21 but in Appendix of CS-25 Suggested resolution: Remove this AMC and move its contents to appendix M of CS-25 for harmonization with FAA.</p>	comment by: <i>Le Blanc</i>
response	See Section 1.	

GM121.A.3A(a) and 21.A.3A(b) Occurrence reporting The system for collection, investigation and analysis of data

p. 94

comment	348	comment by: <i>Safran Landing Systems</i>		
	<p>GM1 21.A.3A(a)(1) and (b)(1)</p>	<p>94 to 97/272</p>	<p>wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/paste statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.</p>	<p>Remove the copy/paste statements from the 376/2014.</p>
response	See Section 1.			

comment	349	comment by: <i>Safran Landing Systems</i>		
	<p>GM2 21.A.3A(a) and (b)</p>	<p>94/272</p>	<p>"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria</p>	<p>replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.</p>
response	See Section 1.			



comment	350 comment by: Safran Landing Systems		
GM1 21.A.3A(a)(1) and (b)(1)	94/272	Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.	GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting
response	See Section 1.		
comment	351 comment by: Safran Landing Systems		
GM1 21.1.3A(a) and (b)	94/272	For voluntary reporting, not only "malfunctions, failures and defects" should be collected. What about near- misses and events related to the processes / organisation which could ultimately have an impact on the product safety ?	To avoid confusion, define separately the mandatory reporting system and the voluntary reporting.
response	See Section 1.		
comment	352 comment by: Safran Landing Systems		
GM1 21.1.3A(a)(1) and (b) (1)(a)	94/272	Note 2 talks about "details of occurrences" and "safety-related information". As we are in the voluntary reporting where it is not yet ascertained where the reported event is an occurrence, it might be considered misleading to use the words "occurrences" and "safety- related information"	change the wording as follows: "Note 2: the voluntary reporting system is intended to facilitate the collection of details of occurrences internal errors, near misses and all other data not necessarily occurrences at first instances that may not be captured by the mandatory system, and that have (as perceived by the voluntary reporter) the of other safety-related information which is perceived by the reporting organisation as indicating



				that there is an actual or perceived potential to become an hazard to aviation safety."
response	See Section 1.			
comment	353	comment by: Safran Landing Systems		
	GM1 21.1.3A(a)(1) and (b)(1)	94/273	(b) Designation of one or more persons to "independently" handle the collection... What does "independently" mean?	word "independently" needs to be clarified
response	See Section 1.			
comment	548	comment by: Le Blanc		
	GM1 21.1.3A(a) and (b) For voluntary reporting, not only "malfunctions, failures and defects" should be collected. What about near-misses and events related to the processes / organisation which could ultimately have an impact on the product safety ? Suggested resolution: Insert cross-reference to articles 4 & 5 of 376/2014			
response	See Section 1.			
comment	759	comment by: Safran HE		
	wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/past statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate. Suggested resolution: Remove the copy/paste statements from the 376/2014.			
response	See Section 1.			
comment	1072	comment by: ASD		

	<table border="1"> <tr> <td data-bbox="379 183 592 510">GM1 21.A.3A(a)(1) and (b)(1)</td> <td data-bbox="592 183 692 510">94/272</td> <td data-bbox="692 183 1131 510">Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.</td> <td data-bbox="1131 183 1412 510">GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting</td> </tr> </table>	GM1 21.A.3A(a)(1) and (b)(1)	94/272	Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.	GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting				
GM1 21.A.3A(a)(1) and (b)(1)	94/272	Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.	GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting						
response	See Section 1.								
	<table border="1"> <tr> <td colspan="2" data-bbox="379 678 1131 779">comment 1073</td> <td colspan="2" data-bbox="1131 678 1412 779">comment by: ASD</td> </tr> <tr> <td data-bbox="379 779 592 981">GM1 21.1.3A(a)(1) and (b)(1)</td> <td data-bbox="592 779 692 981">94/273</td> <td data-bbox="692 779 1102 981">(b) Designation of one or more persons to “independently” handle the collection... What does “independently” mean?</td> <td data-bbox="1102 779 1412 981">word "independently" needs to be clarified</td> </tr> </table>	comment 1073		comment by: ASD		GM1 21.1.3A(a)(1) and (b)(1)	94/273	(b) Designation of one or more persons to “independently” handle the collection... What does “independently” mean?	word "independently" needs to be clarified
comment 1073		comment by: ASD							
GM1 21.1.3A(a)(1) and (b)(1)	94/273	(b) Designation of one or more persons to “independently” handle the collection... What does “independently” mean?	word "independently" needs to be clarified						
response	See Section 1.								
	<table border="1"> <tr> <td colspan="2" data-bbox="379 1151 1131 1252">comment 1129</td> <td colspan="2" data-bbox="1131 1151 1412 1252">comment by: SAFRAN AEROSYSTEMS</td> </tr> <tr> <td colspan="4" data-bbox="379 1252 1412 2018"> <ul style="list-style-type: none"> • "For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." <p>376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria</p> <p>replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.</p> <ul style="list-style-type: none"> • Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" <p>This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.</p> <p>GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting</p> <ul style="list-style-type: none"> • For voluntary reporting, not only “malfunctions, failures and defects” should be collected. What about near-misses and events related to the processes / organisation which could ultimately have an impact on the product safety ? </td> </tr> </table>	comment 1129		comment by: SAFRAN AEROSYSTEMS		<ul style="list-style-type: none"> • "For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." <p>376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria</p> <p>replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.</p> <ul style="list-style-type: none"> • Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" <p>This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.</p> <p>GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting</p> <ul style="list-style-type: none"> • For voluntary reporting, not only “malfunctions, failures and defects” should be collected. What about near-misses and events related to the processes / organisation which could ultimately have an impact on the product safety ? 			
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To avoid confusion, define separately the mandatory reporting system and the voluntary reporting.

☐ (b) Designation of one or more persons to “independently” handle the collection... What does “independently” mean?

☐ "(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them."
This is not reporting but safety promotion
Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.

this wording should be moved to GM relevant to Safety promotion and changed as follows:

"(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt ~~and hazards~~ is distributed so that other persons and organisations may learn from them."

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- "In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. "

This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...

Change the wording as follows:
"In all other cases in which the possible unsafe condition is not assessed ~~does not result in an immediate and more significant hazard~~"

response **See Section 1.**

comment 1401 comment by: Safran Aero Boosters

GM1 21.A.3A(a)(1) and (b)(1) : Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting"
This tittle should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.

GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting

response **See Section 1.**

comment 1407 comment by: Safran Aero Boosters

GM1 21.1.3A(a)(1) and (b)(1) : (b) Designation of one or more persons to “independently” handle the collection...
What does “independently” mean?



	word "independently" needs to be clarified
response	See Section 1.

GM221.A.3A(b)(a) and (b) Occurrence reporting

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comment	492	comment by: ATR SMS
	Would recommend to refer to IR 2015/1018 instead of AMC 20-8.	
response	See Section 1.	

comment	760	comment by: Safran HE
	"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria	
	Suggested resolution: replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.	
response	See Section 1.	

comment	1071	comment by: ASD				
	<table border="1"> <tr> <td>GM2 21.A.3A(a) and (b)</td> <td>94/272</td> <td>"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria</td> <td>replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.</td> </tr> </table>		GM2 21.A.3A(a) and (b)	94/272	"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria	replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.
GM2 21.A.3A(a) and (b)	94/272	"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria	replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.			
response	See Section 1.					

comment	1400	comment by: Safran Aero Boosters
	GM2 21.A.3A(a) and (b) : "For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria	
	replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.	
response	See Section 1.	



comment	1408					comment by: <i>Rolls-Royce plc</i>
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**
	NPA 2019-05 (B) GM2 21.A.3A(a) and (b)	Page 94	"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which is intended to supersede the AMC 20-8 related criteria	replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.	Yes	NO
response	See Section 1.					

GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting

p. 94-98

comment	161					comment by: <i>Safran Engineering Services</i>
	GM1 21A.3A(a)(1) and (b)(1)					
	<p>wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/past statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate .</p> <p>Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.</p> <p>Remove the copy/paste statements from the 376/2014.</p>					
response	See Section 1.					
comment	162					comment by: <i>Safran Engineering Services</i>
	GM2 21.A.3A(a) and (b)					



response	<p>"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria.</p> <p>Replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.</p> <p>See Section 1.</p>				
comment	<p>163 comment by: Safran Engineering Services</p> <p>GM1 21.A.3A(a)(1) and (b)(1)</p> <p>(b) Designation of one or more persons to “independently” handle the collection... What does “independently” mean? need to be clarified</p>				
response	<p>See Section 1.</p>				
comment	<p>164 comment by: Safran Engineering Services</p> <p>GM1 21.A.3A(a)(1) and (b)(1)</p> <p>Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.</p> <p>Title should be : "GM1 21.A.3A(a)(1) and (b)(1) and (c) Occurrence reporting"</p>				
response	<p>See Section 1.</p>				
comment	<p>165 comment by: Safran Engineering Services</p> <p>GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)</p> <p>The term "shall" is used whereas this is a GM. "shall" should be replaced by "should"</p>				
response	<p>See Section 1.</p>				
comment	<p>354 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1731 1385 1888"> <tr> <td data-bbox="391 1731 667 1888">GM1 21.A.3A(a)(1) and (b)(1) (h)</td> <td data-bbox="667 1731 762 1888">96/272</td> <td data-bbox="762 1731 1066 1888">The term "shall" is used whereas this is a GM</td> <td data-bbox="1066 1731 1385 1888">Replace "shall" by "should". Double check for all other potential instances</td> </tr> </table>	GM1 21.A.3A(a)(1) and (b)(1) (h)	96/272	The term "shall" is used whereas this is a GM	Replace "shall" by "should". Double check for all other potential instances
GM1 21.A.3A(a)(1) and (b)(1) (h)	96/272	The term "shall" is used whereas this is a GM	Replace "shall" by "should". Double check for all other potential instances		

response See Section 1.

comment 355 comment by: Safran Landing Systems

GM1 21.A.3A(a)(1) and (b)(1) (h)(1)	96/272	In the case of DOA for major repairs, ETSO the TC Holder is not mandated. Also for STC it is not clear whether the TCH has to provide a formal position	Wording should be clarified
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response See Section 1.

comment 356 comment by: Safran Landing Systems

GM1 21.A.3A(a)(1) and (b)(1) (g)	96/272	<p><i>“(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences: (1) they can delay the reporting to EASA up to the issuance of the final report and report the occurrence as closed on issue (data exchange). In such cases, no follow-up report should be submitted. However, the report to EASA should include confirmation and justification that no unsafe condition exists. It is requested that the organisation provides information on the cause(s) of the occurrence and on the corrective or preventive actions (if any) put in place by the organisation; or....”</i></p> <p>This guidance suggests that when an organisation has carried out an analysis of occurrences, that even if it concludes that there is no unsafe condition, a report of that conclusion is still expected by EASA. This means that every internal investigation of an ‘occurrence’ needs to be</p>	<p>Wording should be changed as follows: <i>“(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences previously reported: (1) they can delay the reporting to EASA”</i></p>
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			<p>reported at some stage to EASA, which cannot be the intention. It is not clear whether the term ‘occurrences’ also includes near misses, etc. We suggest that this guidance is intended to ensure that items required to be reported to EASA are not then left without a follow-up input to EASA to establish the nature of the safety issue, if any. We therefore propose that the GM is changed to make this clear.</p>	
response	See Section 1.			
comment	357		comment by: Safran Landing Systems	
	GM1 21.A.3A(a)(1) and (b)(1) (h)	96/272	<p>"(h) If the organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences, it should transmit.." it should be clarified that this paragraph is relevant to voluntary reporting scheme.</p>	<p>wording should be changed as follows: "(h) If the organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences and decide to report under voluntary scheme, it should transmit..."</p>
response	See Section 1.			
comment	358		comment by: Safran Landing Systems	
	GM1 21.A.3A(a)(1) and (b)(1) (i)	97/272	<p>The definition of staff representatives should be expanded at least to indicate their function in the context of this point (i).</p> <p>When referring to "mutual agreement", it is between who? Who are here the Stakeholders?</p> <p>The reference to "Unions" into a Part 21 is not understood, even if it is a GM.</p>	



response See Section 1.

comment 359 comment by: Safran Landing Systems

GM1 21.A.3A(a)(1) and (b)(1) (j)	97/272	<p>The intent is understood but reference to contracted personnel should be defined. Cleaning personnel are contracted personnel and considering Human Factors they might be included into the DOA. It is clearly an extreme, to highlight the need to better define the contracted personnel (any contracted personnel working under the DOA, POA or other agreement provided through this Part 21).</p> <p>The word "information" might lead to interpretation in particular during audit phase. An information can be that an organisation is dealing with X Occurrences, nothing more. or to enter into the details of these X Occurrences.</p>
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response See Section 1.

comment 360 comment by: Safran Landing Systems

GM1 21.A.3A(a)(1) and (b)(1) (k)	97/272	It is not understood what is meant by "personal details" in the context of this GM
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response See Section 1.

comment 549 comment by: Le Blanc

GM1 21.1.3A(a)(1) and (b) (1)(a)
 Note 2 talks about "details of occurrences" and "safety-related information". As we are in the voluntary reporting where it is not yet ascertained where the reported event is an occurrence, it might be considered misleading to use the words "occurrences" and "safety-related information"

Suggested resolution: change the wording as follows:
 "Note 2: the voluntary reporting system is intended to facilitate the collection of ~~details of occurrences~~ internal errors, near misses and all other data not necessarily occurrences at first instances that may not be captured by the mandatory system, and that have (as perceived by the voluntary reporter) ~~the of other safety-related~~



response	<p>information which is perceived by the reporting organisation as indicating that there is an actual or perceived potential to become an hazard to aviation safety."</p> <p>See Section 1.</p>
comment	<p>550 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (h)(1) In the case of DOA for major repairs, ETSO the TC Holder is not mandated. Also for STC it is not clear whether the TCH has to provide a formal position</p> <p>Suggested resolution: Wording should be clarified</p>
response	<p>See Section 1.</p>
comment	<p>551 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (g) "(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences :(1) they can delay the reporting to EASA..." This request for reporting non potential unsafe conditions is not understood, being considered as voluntary reporting. Paragraph (c) addresses mandatory reporting and paragraph(h) addresses voluntary reporting</p> <p>Suggested resolution: Reconsider the content of paragraph (g) taking into account non potential unsafe conditions already addressed in paragraph (h).</p>
response	<p>See Section 1.</p>
comment	<p>552 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (g) “(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences: (1) they can delay the reporting to EASA up to the issuance of the final report and report the occurrence as closed on issue (data exchange). In such cases, no follow-up report should be submitted. However, the report to EASA should include confirmation and justification that no unsafe condition exists. It is requested that the organisation provides information on the cause(s) of the occurrence and on the corrective or preventive actions (if any) put in place by the organisation; or....” This guidance suggests that when an organisation has carried out an analysis of occurrences, that even if it concludes that there is no unsafe condition, a report of that conclusion is still expected by EASA. This means that every internal investigation of an ‘occurrence’ needs to be reported at some stage to EASA, which cannot be the intention. It is not clear whether the term ‘occurrences’ also includes near misses, etc. We suggest that this guidance is intended to ensure that items required to be reported to EASA are not then left without a follow-up input to EASA to establish the nature of the safety issue, if any. We therefore propose that the GM is changed to make this clear.</p>



response	<p>Suggested resolution: Wording should be changed as follows: "(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences previously reported: (1) they can delay the reporting to EASA"</p> <p>See Section 1.</p>
comment	<p>553 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (h) "(h) If the organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences, it should transmit.." it should be clarified that this paragraph is relevant to voluntary reporting scheme.</p> <p>Suggested resolution: wording should be changed as follows: "(h) If the organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences and decide to report under voluntary scheme, it should transmit..."</p>
response	<p>See Section 1.</p>
comment	<p>554 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (i) The definition of staff representatives should be expanded at least to indicate their function in the context of this point (i). When referring to "mutual agreement", it is between who? Who are here the Stakeholders? The reference to "Unions" into a Part 21 is not understood, even if it is a GM. All staff is concerned by The reference to Unions is not understood</p>
response	<p>See Section 1.</p>
comment	<p>555 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (j) The intent is understood but reference to contracted personnel should be defined. Cleaning personnel are contracted personnel and considering Human Factors they might be included into the DOA. It is clearly an extreme, to highlight the need to better define the contracted personnel (any contracted personnel working under the DOA, POA or other agreement provided through this Part 21). The word "information" might lead to interpretation in particular during audit phase. An information can be that an organisation is dealing with X Occurrences, nothing more. or to enter into the details of these X Occurrences.</p>
response	<p>See Section 1.</p>
comment	<p>556 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.3A(a)(1) and (b)(1) (k)</p>



response	<p>It is not understood what is meant by "personal details" in the context of this GM</p> <p>See Section 1.</p>
comment	<p>695 comment by: UK CAA</p> <p>Page No: 94</p> <p>Paragraph No: GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting</p> <p>Comment: We suggest the text shown here to implement the requirements of the occurrence reporting regulation (EU 376/2014) should be copied across into NPA 2019-05 Part C to ensure the Part 145 requirements are aligned.</p> <p>Justification: This would promote a more standardised implementation of the occurrence reporting regulation within production, design and maintenance approvals.</p> <p>Proposed Text: We recommend that current Part B text is copied across to NPA 2019-05 Part C text (minor adjustments required).</p>
response	<p>See Section 1.</p>
comment	<p>762 comment by: Safran HE</p> <p>Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.</p> <p>Suggested resolution: GM1 21.A.3A(a)(1) and (b)(1) and (c) Occurrence reporting</p>
response	<p>See Section 1.</p>
comment	<p>763 comment by: Safran HE</p> <p>(b) Designation of one or more persons to "independently" handle the collection... What does "independently" mean?</p> <p>Suggested resolution: word "independently" needs to be clarified</p>
response	<p>See Section 1.</p>
comment	<p>764 comment by: Safran HE</p> <p>GM1 21.A.3A(a)(1) and (b)(1) (h)</p> <p>The term "shall" is used whereas this is a GM</p> <p>Suggested resolution:</p>



response	Replace "shall" by "should". Double check for all other potential instances												
	See Section 1.												
comment	832 comment by: SAFRAN TRANSMISSION SYSTEMS <table border="1" data-bbox="392 528 1388 1805"> <thead> <tr> <th data-bbox="392 528 560 678">Section Table Figure</th> <th data-bbox="560 528 655 678">Page</th> <th data-bbox="655 528 911 678">Comment summary</th> <th data-bbox="911 528 1066 678">suggested resolution</th> <th data-bbox="1066 528 1233 678">Comment is an observation (suggestion)</th> <th data-bbox="1233 528 1388 678">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="392 678 560 1805">GM1 21A.3A(a)(1) and (b)(1)</td> <td data-bbox="560 678 655 1805">94 to 97/272</td> <td data-bbox="655 678 911 1805">wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/paste statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.</td> <td data-bbox="911 678 1066 1805">Remove the copy/paste statements from the 376/2014.</td> <td data-bbox="1066 678 1233 1805"></td> <td data-bbox="1233 678 1388 1805">X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21A.3A(a)(1) and (b)(1)	94 to 97/272	wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/paste statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.	Remove the copy/paste statements from the 376/2014.		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
GM1 21A.3A(a)(1) and (b)(1)	94 to 97/272	wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/paste statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.	Remove the copy/paste statements from the 376/2014.		X								
response	See Section 1.												



comment	833	comment by: SAFRAN TRANSMISSION SYSTEMS			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM2 21.A.3A(a) and (b)	94/272	"For occurrence reporting, refer to the latest edition of AMC 20-8 (see the AMC-20 document)." 376/2014 refers to EC 2015/1018 which intends to supersede the AMC 20-8 related criteria	replace cross reference to AMC 20-8 by cross reference to EC 2015/1018.	X	
response	See Section 1.				

comment	834	comment by: SAFRAN TRANSMISSION SYSTEMS			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.3A(a)(1) and (b)(1)	94/272	Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This tittle should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are	GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting	X	



		mentioned in the (c) bullet.			
response	See Section 1.				

comment 835 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.1.3A(a)(1) and (b)(1)	94/273	(b) Designation of one or more persons to "independently" handle the collection... What does "independently" mean?	word "independently" needs to be clarified	X	

response See Section 1.

comment 836 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.3A(a)(1) and (b)(1) (h)	96/272	The term "shall" is used whereas this is a GM	Replace "shall" by "should". Double check for all other	X	



			potential instancies		
response	See Section 1.				
comment	837		comment by: SAFRAN TRANSMISSION SYSTEMS		
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)
	GM1 21.A.3A(a)(1) and (b)(1) (g)	96/272	<p><i>"(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences :(1) they can delay the reporting to EASA..."</i></p> <p>This request for reporting non potential unsafe conditions is not understood, being considered as voluntary reporting. Paragraph (c) addresses mandatory reporting and paragraph(h) addresses voluntary reporting</p>	Reconsider the content of paragraph (g) taking into account non potential unsafe conditions already addressed in paragraph (h).	X
response	See Section 1.				



comment

838

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.3A(a)(1) and (b)(1) (g)	96/272	<i>"(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences: (1) they can delay the reporting to EASA up to the issuance of the final report and report the occurrence as closed on issue (data exchange). In such cases, no follow-up report should be submitted. However, the report to EASA should include confirmation and justification that no unsafe condition exists. It is requested that the organisation provides information on the cause(s) of the occurrence and on the corrective or preventive actions (if any) put in place by</i>	Wording should be changed as follows: <i>"(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences previously reported: (1) they can delay the reporting to EASA"</i>		X



	<p><i>the organisation; or....”</i></p> <p>This guidance suggests that when an organisation has carried out an analysis of occurrences, that even if it concludes that there is no unsafe condition, a report of that conclusion is still expected by EASA. This means that every internal investigation of an ‘occurrence’ needs to be reported at some stage to EASA, which cannot be the intention. It is not clear whether the term ‘occurrences’ also includes near misses, etc. We suggest that this guidance is intended to ensure that items required to be reported to EASA are not then left without a follow-up input to EASA to establish the nature of the safety issue, if</p>			
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		any. We therefore propose that the GM is changed to make this clear.			
response	See Section 1.				
comment	839 comment by: SAFRAN TRANSMISSION SYSTEMS				
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)
	GM1 21.A.3A(a)(1) and (b)(1) (h)	96/272	"(h) If the organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences, it should transmit.." it should be clarified that this paragraph is relevant to voluntary reporting scheme.	<i>wording should be changed as follows: "(h) If the organisation identifies an actual or potential aviation safety risk as a result of its analysis of occurrences or group of occurrences and decide to report under voluntary scheme, it should transmit..."</i>	X
response	See Section 1.				
comment	840 comment by: SAFRAN TRANSMISSION SYSTEMS				



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.3A(a)(1) and (b)(1) (i)	97/272	<p>The definition of staff representatives should be expanded at least to indicate their function in the context of this point (i).</p> <p>When referring to "mutual agreement", it is between who? Who are here the Stakeholders?</p> <p>The reference to "Unions" into a Part 21 is not understood, even if it is a GM.</p>			X

response

See Section 1.

comment

841

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.3A(a)(1) and (b)(1) (j)	97/272	<p>The intent is understood but reference to contracted personnel should be defined. Cleaning personnel are contracted personnel and considering Human</p>		X	



		<p>Factors they might be included into the DOA. It is clearly an extreme, to highlight the need to better define the contracted personnel (any contracted personnel working under the DOA, POA or other agreement provided through this Part 21).</p> <p>The word "information" might lead to interpretation in particular during audit phase. An information can be that an organisation is dealing with X Occurrences, nothing more. or to enter into the details of these X Occurrences.</p>			
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response **See Section 1.**

comment **842** comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.3A(a)(1) and (b)(1) (k)	97/272	It is not understood what is meant by "personal details" in the		X	



		context of this GM			
response	See Section 1.				
comment	843		comment by: SAFRAN TRANSMISSION SYSTEMS		
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)
	GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)	98/272	"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." This is not reporting but safety promotion Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.	this wording should be moved to GM relevant to Safety promotion and changed as follows: "(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them."	X
response	See Section 1.				
comment	844		comment by: SAFRAN TRANSMISSION SYSTEMS		



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21.A.3A(d)	98/272	<p><i>“REPORTING TO EASA “Within the overall limit of 72 hours, the degree of urgency for the submission of a report should be determined by the level of hazard that is judged to have resulted from the occurrence.”</i></p> <p>Hazards are defined as ‘conditions’ that have the potential to adversely affect safety. As such, the ‘level’ of the threat should be defined in terms of the risk (likelihood/probability and severity/consequences) that arise from the hazard.</p>	<p>Reword as follows: “...the degree of urgency for the submission of a report should be determined by the level of hazard risk that is judged to have resulted from the occurrence ...”</p>		X

response

See Section 1.

comment

1070

comment by: ASD

GM1 21A.3A(a)(1) and (b)(1)	94 to 97/272	<p>wording like : <i>“(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1)).”</i> is almost a copy/past statement</p>	Remove the copy/paste statements from the 376/2014.
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			from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.	
response	See Section 1.			
comment	1074		comment by: ASD	
	GM1 21.A.3A(a)(1) and (b)(1) (h)	96/272	The term "shall" is used whereas this is a GM	Replace "shall" by "should". Double check for all other potential instances
response	See Section 1.			
comment	1075		comment by: ASD	
	GM1 21.A.3A(a)(1) and (b)(1) (g)	96/272	<p><i>"(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences: (1) they can delay the reporting to EASA up to the issuance of the final report and report the occurrence as closed on issue (data exchange). In such cases, no follow-up report should be submitted. However, the report to EASA should include confirmation and justification that no unsafe condition exists. It is requested that the organisation provides information on the cause(s) of the occurrence and on the corrective or preventive actions (if any) put in place by the organisation; or...."</i></p> <p>This guidance suggests that when an organisation has carried out</p>	<p>Wording should be changed as follows: <i>"(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences previously reported: (1) they can delay the reporting to EASA"</i></p>



		<p>an analysis of occurrences, that even if it concludes that there is no unsafe condition, a report of that conclusion is still expected by EASA. This means that every internal investigation of an ‘occurrence’ needs to be reported at some stage to EASA, which cannot be the intention. It is not clear whether the term ‘occurrences’ also includes near misses, etc. We suggest that this guidance is intended to ensure that items required to be reported to EASA are not then left without a follow-up input to EASA to establish the nature of the safety issue, if any. We therefore propose that the GM is changed to make this clear.</p>	
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1076</p>		<p>comment by: ASD</p>
	<p>GM1 21.A.3A(a)(1) and (b)(1) (j)</p>	<p>97/272</p>	<p>The intent is understood but reference to contracted personnel should be defined. Cleaning personnel are contracted personnel and considering Human Factors they might be included into the DOA. It is clearly an extreme, to highlight the need to better define the contracted personnel (any contracted personnel working under the DOA, POA or other agreement provided through this Part 21).</p> <p>The word "information" might lead to interpretation in particular during audit phase. An information can be that an organisation is dealing with X Occurrences, nothing more. or to enter into the details of these X Occurrences.</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1303</p>		<p>comment by: Rolls-Royce plc</p>



	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B), GM 21.A.3(A)(a)(1) and (b)(1)	Page 96	The GM under point (g) is not in line with 21.A.3A(a)(3) requesting reports only for occurrences 'which has resulted in or may result in an unsafe condition', while GM point (g) talks about reporting to EASA on 'no potential unsafe condition' occurrences.	GM to be clarified to align with 21.A.3A(a)(3)	No	Yes
response	See Section 1.					
comment	<p>1311 comment by: Pratt@Whitney Rzeszow APUs</p> <p>Should be "with point(b)". Point (c) refers to: "...no later than 72 hours" Point (b) refers to: designation of one or more persons. Proposed text: "... the persons designated in accordance with point (b) if this is necessary ..."</p>					
response	See Section 1.					
comment	<p>1394 comment by: Safran Aero Boosters</p> <p>GM1 21A.3A(a)(1) and (b)(1) : wording like : "(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/paste statement from the EU 376/2014. Such copy/paste shall be avoided as not appropriate . Stating (as already done in 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." is enough and appropriate.</p> <p>Remove the copy/paste statements from the 376/2014.</p>					



response

See Section 1.

comment

1406

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 21A.3A(a)(1) and (b)(1)	Page 94	"(b) The designation of one or more persons to independently handle the collection, evaluation, processing, analysis and storage of details of occurrences with regard to data collection and hazard identification (see Article 6(1))." is almost a copy/paste statement from the EU 376/2014. Such a copy/paste should be avoided as not appropriate . Stating (as already done in the 21.A.3A requirement that "Without prejudice to Regulation (EU) No 376/2014..." achieves the same effect, though may also not be appropriate (see earlier comment).	Remove the copy/paste statements from the 376/2014.	No	Yes

response

See Section 1.

comment

1409

comment by: *Rolls-Royce plc*



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 21.A.3A(a)(1) and (b)(1)	Page 94	Title "GM1 21.A.3A(a)(1) and (b)(1) Occurrence reporting" This title should include the (c) bullet to be consistent with the structure of the 21.A.3A requirement itself where the 72 hours are mentioned in the (c) bullet.	GM1 21.A.3A(a)(1) and (b)(1) and (c)Occurrence reporting	Yes	No

response

See Section 1.

comment

1412

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection*
NPA 2019-05 (B) GM1 21.A.3A(a)(1) and (b)(1) (h)	Page 96	The term "shall" is used whereas this is a GM	Replace "shall" by "should". Double check for all other potential instances	Yes	No
NPA 2019-05 (B) GM1 21.A.3A(a)(1) and (b)(1) (g)	Page 96	<i>"(g) If the organisations identify that no potential aviation unsafe condition exists as a result of their analysis of occurrences: (1) they can delay the</i>	Wording should be changed as follows: <i>"(g) If the organisations identify that no potential aviation</i>	No	Yes



	<p><i>reporting to EASA up to the issuance of the final report and report the occurrence as closed on issue (data exchange). In such cases, no follow-up report should be submitted. However, the report to EASA should include confirmation and justification that no unsafe condition exists. It is requested that the organisation provides information on the cause(s) of the occurrence and on the corrective or preventive actions (if any) put in place by the organisation; or....”</i></p> <p>This guidance suggests that when an organisation has carried out an analysis of occurrences, that even if it concludes that there is no unsafe condition, a report of that conclusion is still expected by EASA. This means that every internal investigation of an ‘occurrence’ needs to be reported at some stage to EASA, which cannot be the</p>	<p><i>unsafe condition exists as a result of their analysis of occurrences previously reported: (1) they can delay the reporting to EASA</i></p>		
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		<p>intention. It is not clear whether the term 'occurrences' also includes near misses, etc. We suggest that this guidance is intended to ensure that items required to be reported to EASA are not then left without a follow-up input to EASA to establish the nature of the safety issue, if any. We therefore propose that the GM is changed to make this clear.</p>			
<p>NPA 2019-05 (B) GM1 21.A.3A(a)(1) and (b)(1) (i)</p>	<p>Page 97</p>	<p>This item is presented in an "overview of the main elements of an occurrence reporting system that is compliant with Regulation (EU) No 376/2014", which reads like it is AMC, rather than GM. As this is GM, we suggest this should be introduced as elements which may be taken into consideration when establishing such a system.</p> <p>Noting the 'soft-law' style of the statement above, while we understand the desire to involve staff</p>	<p>Reword the GM introduction as suggested.</p> <p>Remove the expectation of involvement of staff representatives, in favour of a more flexible suggestion to establish a means to confirm the suitability of the protection mechanisms.</p>	No	Yes



	<p>representatives, it is inappropriate to suggest in GM that this is a necessary component of the reporting systems. The need for protection of staff in reporting under just culture principles is understood, but not all staff should be presumed to be formally represented in different organisations across the EU (more often true of management staff, for example). To avoid the interpretation that non-represented individuals should all be expected to agree the suitability of the protection mechanisms, the definition of staff representatives would need to be expanded at least to indicate their function in the context of this point (i), and the reference to "mutual agreement" needs clarification, to establish who are the parties/stakeholders making the agreement. As it will be difficult to establish a generic</p>			
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		<p>explanation that can be used by all organisations, it is hard to see why this point should be included, rather than reminding the organisation that it should check the effectiveness and suitability of its protections, possibly by the consultation/surveys of staff (in addition to the need to audit the system as part of overall assurance activities).</p>			
<p>NPA 2019-05 (B) GM1 21.A.3A(a)(1) and (b)(1) (j)</p>	<p>Page 97</p>	<p>The intent is understood but reference to contracted personnel should be defined. This is presumed to be similar to the considerations in Regulation (EU) No 376/2014, which recognises that people not directly employed by an organisation may still be considered to be working on behalf of, or under the direction of the organisation, and perhaps this form of words should be used. Different types of staff may be considered 'contracted', and so there needs to be consideration of their function</p>		<p>Yes</p>	<p>No</p>



		<p>when determining the extent to which briefings on safety issues are appropriate. The GM needs to recognise that the promulgation of existing safety issues (or actions taken) to staff across the organisation needs to be managed carefully, to protect confidentiality (both of the organisation and the reporter) while encouraging the involvement of staff in identifying and reporting issues.</p> <p>The word "information" might lead to interpretation in particular during audit phase. An information can be that an organisation is dealing with X Occurrences, nothing more. or to enter into the details of these X Occurrences.</p>			
<p>NPA 2019-05 (B) GM1 21.A.3A(a)(1) and (b)(1) (k)</p>	<p>Page 97</p>	<p>It is not understood what is meant by "personal details" in the context of this GM. Is this the identification of the reporter?</p>	<p>Suggest this is clarified.</p>	<p>Yes</p>	<p>No</p>



<p>NPA 2019-05 (B) GM1 21.A.3A(a)(1)(i) and (b)(1)(i)</p>	<p>Page 98</p>	<p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." We suggest that this item is not part of the reporting system, but is more aligned with Safety Promotion, and we suggest that this item belongs in a separate GM. Even when properly located, the GM needs to recognise that the promulgation of existing safety issues (or actions taken) to staff needs to be managed carefully, to protect confidentiality (of the organisation and the reporter) while encouraging the involvement of staff in identifying and reporting issues. Assuming it is relocated away from the internal reporting system, the GM also needs to recognise that distribution of issues to other organisations will be even more limited by confidentiality issues.</p>	<p>this wording should be moved to GM relevant to Safety promotion and changed as follows: "(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed appropriately so that other persons and organisations may learn from them."</p>	<p>No</p>	<p>Yes</p>
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response	See Section 1.
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GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) Occurrence reporting

p. 98

comment	196		comment by: <i>Safran Engineering Services</i>
		<p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." This is not reporting but safety promotion Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.</p> <p>this wording should be moved to GM relevant to Safety promotion and changed as follows:</p> <p>"(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them.</p>	
response		See Section 1.	

comment	361		comment by: <i>Safran Landing Systems</i>			
		<table border="1" style="width: 100%;"> <tr> <td style="width: 30%; vertical-align: top;">GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)</td> <td style="width: 10%; vertical-align: top;">98/272</td> <td style="width: 60%;"> <p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them."</p> <p>This is not reporting but safety promotion Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.</p> </td> </tr> </table>	GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)	98/272	<p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them."</p> <p>This is not reporting but safety promotion Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.</p>	<p>this wording should be moved to GM relevant to Safety promotion and changed as follows:</p> <p>"(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them."</p>
GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)	98/272	<p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them."</p> <p>This is not reporting but safety promotion Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.</p>				
response		See Section 1.				

comment	362		comment by: <i>Safran Landing Systems</i>			
		<table border="1" style="width: 100%;"> <tr> <td style="width: 30%; vertical-align: top;">AMC1.21.A.3A(d)</td> <td style="width: 10%; vertical-align: top;">98/272</td> <td style="width: 60%;"> <p>"REPORTING TO EASA "Within the overall limit of 72</p> </td> </tr> </table>	AMC1.21.A.3A(d)	98/272	<p>"REPORTING TO EASA "Within the overall limit of 72</p>	<p>Reword as follows:</p>
AMC1.21.A.3A(d)	98/272	<p>"REPORTING TO EASA "Within the overall limit of 72</p>				



		<p>hours, the degree of urgency for the submission of a report should be determined by the level of hazard that is judged to have resulted from the occurrence.”</p> <p>Hazards are defined as ‘conditions’ that have the potential to adversely affect safety. As such, the ‘level’ of the threat should be defined in terms of the risk (likelihood/probability and severity/consequences) that arise from the hazard.</p>	<p>“...the degree of urgency for the submission of a report should be determined by the level of hazard risk that is judged to have resulted from the occurrence...”</p>				
<p>response</p>	<p>See Section 1.</p>						
<p>comment</p>	<p>766 comment by: Safran HE</p> <p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." This is not reporting but safety promotion Furthermore Hazards shall not be subject of such distribution for lesson learnt. They are usually confidential.</p> <p>Suggested resolution: this wording should be moved to GM relevant to Safety promotion and changed as follows: "(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them."</p>						
<p>response</p>	<p>See Section 1.</p>						
<p>comment</p>	<p>1077 comment by: ASD</p> <table border="1" data-bbox="391 1608 1401 2016"> <tr> <td data-bbox="391 1608 614 2016"> <p>GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)</p> </td> <td data-bbox="614 1608 710 2016"> <p>98/272</p> </td> <td data-bbox="710 1608 1034 2016"> <p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." This is not reporting but safety promotion Furthermore Hazards shall not be subject of</p> </td> <td data-bbox="1034 1608 1401 2016"> <p>this wording should be moved to GM relevant to Safety promotion and changed as follows: "(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them."</p> </td> </tr> </table>			<p>GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)</p>	<p>98/272</p>	<p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." This is not reporting but safety promotion Furthermore Hazards shall not be subject of</p>	<p>this wording should be moved to GM relevant to Safety promotion and changed as follows: "(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them."</p>
<p>GM1 21.A.3A(a)(1)(ii) and (b)(1)(i)</p>	<p>98/272</p>	<p>"(2) ensure that knowledge of relevant incidents, safety issues and hazards is distributed so that other persons and organisations may learn from them." This is not reporting but safety promotion Furthermore Hazards shall not be subject of</p>	<p>this wording should be moved to GM relevant to Safety promotion and changed as follows: "(2) ensure that knowledge of relevant incidents, safety issues and associated lessons learnt and hazards is distributed so that other persons and organisations may learn from them."</p>				



	learnt and hazards is distributed so that other persons and organisations may learn from them."
response	See Section 1.

AMC121.A.3A(b)(2)(d) Occurrence reporting Reporting to the Agency

p. 98-99

comment	197	comment by: Safran Engineering Services
	<p>AMC1.21.A.3A(d) "In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. "</p> <p>This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p> <p>Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</p>	
response	See Section 1.	

comment	363	comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>AMC1.21.A.3A(d)</td> <td>99/272</td> <td> <p>"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. "</p> <p>This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p> </td> <td> <p>Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</p> </td> </tr> </table>		AMC1.21.A.3A(d)	99/272	<p>"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. "</p> <p>This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p>	<p>Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</p>
AMC1.21.A.3A(d)	99/272	<p>"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. "</p> <p>This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p>	<p>Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</p>			
response	See Section 1.					

comment	557	comment by: Le Blanc
	<p>AMC1.21.A.3A(d) "REPORTING TO EASA "Within the overall limit of 72 hours, the degree of urgency for the submission of a report should be determined by the level of hazard that is judged to have resulted from the occurrence."</p>	



response	<p>Hazards are defined as ‘conditions’ that have the potential to adversely affect safety. As such, the ‘level’ of the threat should be defined in terms of the risk (likelihood/probability and severity/consequences) that arise from the hazard. Suggested resolution: Reword as follows: "....the degree of urgency for the submission of a report should be determined by the level of hazard-risk that is judged to have resulted from the occurrence..."</p> <p>See Section 1.</p>												
comment	<p>767 comment by: <i>Safran HE</i></p> <p>AMC1.21.A.3A(d) "In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. " This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p> <p>Suggested resolution: Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</p>												
response	<p>See Section 1.</p>												
comment	<p>845 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" data-bbox="389 1272 1385 2011"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1.21.A.3A(d)</td> <td>99/272</td> <td>"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. " This sentence is confusing since this does not stick to hazard definition in the ICAO annex</td> <td>Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1.21.A.3A(d)	99/272	"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. " This sentence is confusing since this does not stick to hazard definition in the ICAO annex	Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more		X
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		<p>19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p>	<p><i>significant hazard</i></p>	
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>1078</p>		<p>comment by: ASD</p>	
	<p>AMC1.21.A.3A(d) 99/272</p>	<p><i>"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. "</i> This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...</p>	<p>Change the wording as follows: <i>"In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</i></p>	
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>1168</p>		<p>comment by: ASD</p>	
	<p>AMC1.21.A.3A(d) 98/272</p>	<p><i>"REPORTING TO EASA Within the overall limit of 72 hours, the degree of urgency for the submission of a report should be determined by the level of hazard that is judged to have resulted from the occurrence."</i></p>	<p>Reword as follows: <i>"....the degree of urgency for the submission of a report should be determined by the level of hazard risk"</i></p>	



		Hazards are defined as ‘conditions’ that have the potential to adversely affect safety. As such, the ‘level’ of the threat should be defined in terms of the risk (likelihood/probability and severity/consequences) that arise from the hazard.	<i>that is judged to have resulted from the occurrence...</i> "
response	See Section 1.		

comment 1411 comment by: Safran Aero Boosters

AMC1.21.A.3A(d) : “REPORTING TO EASA
 “Within the overall limit of 72 hours, the degree of urgency for the submission of a report should be determined by the level of hazard that is judged to have resulted from the occurrence.”

Hazards are defined as ‘conditions’ that have the potential to adversely affect safety. As such, the ‘level’ of the threat should be defined in terms of the risk (likelihood/probability and severity/consequences) that arise from the hazard.

Reword as follows:

"....the degree of urgency for the submission of a report should be determined by the level of risk that is judged to have resulted from the occurrence..."

response See Section 1.

comment 1413 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1.21.A.3A(d)	Page 98	“REPORTING TO EASA “Within the overall limit of 72 hours, the degree of urgency for the submission of a report should be determined by the level of hazard that is judged to have resulted from the occurrence.”	Reword as follows: “....the degree of urgency for the submission of a report should be determined by the level	No	Yes



		Hazards are defined as ‘conditions’ that have the potential to adversely affect safety. As such, the ‘level’ of the threat should be defined in terms of the risk (likelihood/probability and severity/consequences) that arise from the hazard.	<i>of hazard risk that is judged to have resulted from the occurrence ..."</i>		
NPA 2019-05 (B) AMC1.21.A.3A(d)	Page 99	"In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. " This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...	Change the wording as follows: " <i>In all other cases in which the possible unsafe condition is not assessed does not result in an immediate and more significant hazard"</i>	No	Yes

response

See Section 1.

comment

1414

comment by: Safran Aero Boosters

AMC1.21.A.3A(d) : "In all other cases in which the possible unsafe condition does not result in an immediate and more significant hazard. " This sentence is confusing since this does not stick to hazard definition in the ICAO annex 19 where the hazard is at the earliest start of risk management steps and not the opposite! We identify hazards, then mitigate risks before resulting in unsafe event...



response	Change the wording as follows: "In all other cases in which the possible unsafe condition is not assessed"
	See Section 1.

AMC1 21.A.5 Record-keeping

p. 99

comment	198	comment by: Safran Engineering Services
	<p>GM1 21.A.5 "For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:" Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement. So, add: "change to Type certificate approval" remove : "major repair design approval"</p>	
response	See Section 1.	

comment	364	comment by: Safran Landing Systems
	<p>AMC1 21.A.5</p> <p>99/272</p>	<p>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation. 2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified.</p> <p>Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information.</p>



response	<table border="1"> <tr> <td data-bbox="391 203 491 324"></td> <td data-bbox="491 203 1123 324">3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</td> <td data-bbox="1123 203 1390 324"></td> </tr> </table> <p>See Section 1.</p>		3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?	
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comment	<p>365 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="391 607 491 1010">GM1 21.A.5</td> <td data-bbox="491 607 1203 1010">99/272 <i>"For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:"</i> Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</td> <td data-bbox="1203 607 1390 1010">add: "change to Type certificate approval" remove: "major repair design approval"</td> </tr> </table> <p>See Section 1.</p>	GM1 21.A.5	99/272 <i>"For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:"</i> Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement	add: "change to Type certificate approval" remove: "major repair design approval"
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comment	<p>558 comment by: Le Blanc</p> <p>AMC1 21.A.5</p> <p>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation.</p> <p>2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified.</p> <p>3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</p> <p>Suggested resolution: Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information.</p> <p>See Section 1.</p>			
response	<p>See Section 1.</p>			



comment	<p>559</p> <p style="text-align: right;">comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.5</p> <p>“(e) The organisation should ensure that copies of all the documents and supporting information developed: (1) under the privileges according to points 21.A.163 and 21.A.263; or (2) for major repairs, major changes, STCs, and RTCs not issued under privileges according to point 21.A.263, are retained until 3 years after the date when the organisation ceases to hold the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval.”</p> <p>It is not clear why such data has to be retained for three years after the approval is surrendered/revoked. The three year period appears to be chosen arbitrarily. Indeed, if the organisation does not hold the approval, it could be argued that its obligations cease at that point, including those of retention of data, and therefore that this AMC is creating a new rule....</p> <p>Suggested resolution: Remove the 3 years request or transfer this topic in a GM, provided clear rational is added on why it is important to retain information apparently beyond the point that the holder has any obligations.</p>
response	<p>See Section 1.</p>

comment	<p>847</p> <p style="text-align: right;">comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p>																
<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.5</td> <td>99/272</td> <td>“(e) The organisation should ensure that copies of all the documents and supporting information developed: (1) under the privileges according to points 21.A.163 and 21.A.263; or (2) for major repairs, major changes, STCs, and RTCs not issued under privileges according to point 21.A.263, are retained until 3 years after the date when the organisation ceases to hold the TC, RTC, STC, ETSO</td> <td>Remove the 3 years request or transfer this topic in a GM, provided clear rational is added on why it is important to retain information apparently beyond the point that the holder has any obligations.</td> <td></td> <td>X</td> </tr> </tbody> </table>						Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.5	99/272	“(e) The organisation should ensure that copies of all the documents and supporting information developed: (1) under the privileges according to points 21.A.163 and 21.A.263; or (2) for major repairs, major changes, STCs, and RTCs not issued under privileges according to point 21.A.263, are retained until 3 years after the date when the organisation ceases to hold the TC, RTC, STC, ETSO	Remove the 3 years request or transfer this topic in a GM, provided clear rational is added on why it is important to retain information apparently beyond the point that the holder has any obligations.		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)												
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		<p><i>authorisation, major repair design approval, or production organisation approval.”</i></p> <p>It is not clear why such data has to be retained for three years after the approval is surrendered/revoked. The three year period appears to be chosen arbitrarily. Indeed, if the organisation does not hold the approval, it could be argued that its obligations cease at that point, including those of retention of data, and therefore that this AMC is creating a new rule....</p>			
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response **See Section 1.**

comment **848** comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.5	99/272	<i>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system</i>	Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information.		X



	<p><i>key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</i></p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation. 2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified. 3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</p>			
response	<p>See Section 1.</p>			
comment	<p>849 comment by: SAFRAN TRANSMISSION SYSTEMS</p>			



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5	99/272	<p><i>"For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:"</i></p> <p>Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p>	<p>add: "change to Type certificate approval " remove : "major repair design approval"</p>		X

response

See Section 1.

comment

850

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5	100/272	<p><i>"— conformity justification data with a specific focus on the production and inspection phases; and"</i></p> <p>It's not clear what is meant by 'the</p>	<p>Wording should be changed as follows: "— conformity justification data with a specific focus</p>		X



		<p>production and inspection phases’, nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation.</p>	<p>on the production and inspection phases; and”</p>		
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>1079 comment by: ASD</p>				
<p>AMC1 21.A.5</p>	<p>99/272</p>	<p><i>“(e) The organisation should ensure that copies of all the documents and supporting information developed: (1) under the privileges according to points 21.A.163 and 21.A.263; or (2) for major repairs, major changes, STCs, and RTCs not issued under privileges according to point 21.A.263, are retained until 3 years after the date when the organisation ceases to hold the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval.”</i></p> <p>It is not clear why such data has to be retained for three years after the approval is surrendered/revoked. The three year period appears to be chosen arbitrarily. Indeed, if the organisation does not hold the approval, it could be argued that its obligations cease at that point, including those of retention of data, and therefore that this AMC is creating a new rule....</p>	<p>Remove the 3 years request or transfer this topic in a GM, provided clear rational is added on why it is important to retain information apparently beyond the point that the holder has any obligations.</p>		



response	See Section 1.						
comment	<p>1149</p> <p>21(a)(5)(d)2.: Please define that the only contracts to be kept are contracts with effect to continuous airworthiness. Project related contracts with the customer or other companies, supporting the project without effect on airworthiness shall not be kept.</p>		comment by: LHT DO				
response	See Section 1.						
comment	<p>1169</p> <table border="1" data-bbox="392 786 1394 1800"> <tr> <td data-bbox="392 1256 488 1323">AMC1 21.A.5</td> <td data-bbox="491 1272 580 1303">99/272</td> <td data-bbox="587 792 1114 1794"> <p><i>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</i></p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation. 2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified. 3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</p> </td> <td data-bbox="1123 1189 1394 1397">Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information.</td> </tr> </table>		AMC1 21.A.5	99/272	<p><i>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</i></p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation. 2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified. 3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</p>	Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information.	comment by: ASD
AMC1 21.A.5	99/272	<p><i>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</i></p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation. 2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified. 3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</p>	Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information.				
response	See Section 1.						



comment	1313					comment by: <i>Rolls-Royce plc</i>	
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	
	NPA 2019-05 (B), AMC1 21.A.5	Page 99	The AMC identifies under point (e) the duration for record retention, which is not demanded under 21.A.5. The requirement newly mentioned in this AMC creates administrative burden to existing DOAs and leaves handling of legacy data unanswered.	Include provisions to allow compliance with current industry practise for existing data. Avoid retrospective application of point (e).	No	Yes	
	NPA 2019-05 (B), AMC1 21.A.5	Page 99	Point (g) is too prescriptive and no Part-21 requirement.	Allow agreement for legacy records between involved parties.	No	Yes	
NPA 2019-05 (B), AMC1 21.A.5(e)	Page 102 + 103	This point (e) requires now personnel data to be kept in detail and for a dedicated duration period. This creates potential conflict with data protection rights for individual person. No provisions included to avoid retrospective application.	Revise point (e) to read: ' A design organisation should retain the records as long as the individual person carries out activities...'	No	Yes		
response	See Section 1.						

comment 1415

comment by: *Rolls-Royce plc*



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
NPA 2019-05 (B) AMC1 21.A.5	Page 99	<p><i>“(d) Organisations approved according to Subparts G and J of Part 21 should ensure that the following records related to the management system defined in accordance with 21.A.139 and 21.A.239 are retained as long as the organisation carries out activities related to Part 21: (1) the relevant records of management system key processes as defined in points 21.A.126A, 21.A.139, 21.A.239; and (2) contracts, including with partners, subcontractors and suppliers,”</i></p> <p>1) This should be GM, unless it is rewritten to provide a performance-based expectation. 2) It is not clear why contracts are required to be kept. As there are many different contracts (employment, insurance, financial services, contracts to provide technical support services, contracts to supply a particular number of services.....) and</p>	Transfer to GM and rewrite to establish guidance on the purpose of keeping particular specified types of information	No	Yes



		<p>these are inevitably of a sensitive nature, AMC requiring contracts (without restriction) to be kept cannot be justified.</p> <p>3) Additionally, does this imply that every version of every procedure of significance should be kept for the life of the approval?</p>			
<p>NPA 2019-05 (B) AMC1 21.A.5</p>	<p>99/27 2</p>	<p><i>“(e) The organisation should ensure that copies of all the documents and supporting information developed: (1) under the privileges according to points 21.A.163 and 21.A.263; or (2) for major repairs, major changes, STCs, and RTCs not issued under privileges according to point 21.A.263, are retained until 3 years after the date when the organisation ceases to hold the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval.”</i></p> <p>It is not clear why such data has to be retained for three years after the approval is surrendered/revoked</p>	<p>Remove the 3 years request or transfer this topic in a GM, provided clear rational is added on why it is important to retain information apparently beyond the point that the holder has any obligations.</p>	<p>No</p>	<p>Yes</p>



		. The three year period appears to be chosen arbitrarily. Indeed, if the organisation does not hold the approval, it could be argued that its obligations cease at that point, including those of retention of data, and therefore that this AMC is creating a new rule....			
NPA 2019-05 (B) GM1 21.A.5	Page 99	<p><i>"For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:"</i></p> <p>Record keeping for minor and major changes to TC (previously contained in the former 21.A.105 which is removed) as well as for minor repair design approval (from the former 21.A.447) appears to be missing in the above statement.</p>	add: "change to Type certificate approval " remove : " major repair design approval"	No	Yes
NPA 2019-05 (B) GM1 21.A.5	Page 100	<i>"— conformity justification data with a specific focus on the production and inspection phases; and"</i>	Wording should be changed as follows: " — conformity	No	Yes



		<p>It's not clear what is meant by 'the production and inspection phases', nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation.</p>	<p><i>justification data with a specific focus on the production and inspection phases; and"</i></p>		
<p>response</p>	<p>See Section 1.</p>				

<p>comment</p>	<p>1575</p> <p>Under the record keeping requirement, a mechanism should be created whereby an organisation may transfer its records to an authority after the organisation ceases to hold TC, RTC, STC, ETSOA, major repair design approval, or POA. This is because in some cases, notably in the dissolution of a company, the mechanisms for retaining the record may be wound down, or simply neglected or abandoned after the company has ceased operations. If a company ceases to hold any approval, there should be a mechanism by which the company may transfer to a regulator the necessary documentation and supporting information to be retained. In an era of digitization this is no longer the burden it once was, and ensures safety by delegating to the regulator the responsibility for retaining such documentation in the even of an organisation's dissolution or discontinuation as a going concern.</p>	<p>comment by: MARPA</p>
<p>response</p>	<p>See Section 1.</p>	

GM1 21.A.5 Record-keeping

p. 99-100

<p>comment</p>	<p>560</p> <p>GM1 21.A.5 “— conformity justification data with a specific focus on the production and inspection phases; and” It's not clear what is meant by 'the production and inspection phases', nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest</p>	<p>comment by: Le Blanc</p>
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	<p>deleting it, and leaving the nature of the information justifying conformance to the production organisation. Suggested resolution: Wording should be changed as follows: “— conformity justification data with a specific focus on the production and inspection phases; and”</p>
response	See Section 1.

comment	<p>768 comment by: Safran HE</p> <p>"For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:" Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p> <p>Suggested resolution: add: "change to Type certificate approval " remove : "major repair design approval"</p>
response	See Section 1.

comment	<p>851 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.5(a) and 21.A.433(a)</td> <td>100/272</td> <td>This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as ‘scheme’ and ‘approval sheet’. It is also not clear why this level of detail is prescribed for record retention</td> <td>This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg ‘records showing the evaluation of the effects of the repair; records showing the technical contribution</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.5(a) and 21.A.433(a)	100/272	This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as ‘scheme’ and ‘approval sheet’. It is also not clear why this level of detail is prescribed for record retention	This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg ‘records showing the evaluation of the effects of the repair; records showing the technical contribution		X
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	<p>is intended that this is the document approved by EASA, then it is not clear whether a TC holder creating a major repair under privilege is expected to organise its records in the same way? The LOI rules will make it more likely that non-TC holders will also approve major repairs under privilege, so this issue is also relevant for non-TC holders too.</p> <p>Related to the topic above, item (e) states that ‘repairs towill not normally be accepted....’. Does this also refer to acceptance by EASA? If not, who is accepting the repair design? The use of this language (‘normally’) makes it unclear whether, in the case where a non-TC holder independently creates a repair to such a component, this</p>			
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	<p>is compliant or non-compliant with this AMC? (This is very important considering previous comments on AMC being made effectively mandatory)</p> <p>Items (c) and (d) discuss ‘special considerations’ being given to repairs with limitations or where life-limited parts are affected. While this is certainly true, these considerations are more related to the evaluation of the design and in one case, the creation of technical instructions (and/or ICA) than for special consideration in record retention.</p> <p>This material should be moved to GM, and expanded to address all forms of change and repair as general principles for data retention. If specific terms are needed</p>			
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response	See Section 1.				
comment	1080				comment by: ASD
	GM1 21.A.5	99/272	<p><i>"For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:"</i></p> <p>Record keeping for minor and major changes to TC (coming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p>	add: "change to Type certificate approval " remove : " major repair design approval "	
response	See Section 1.				
comment	1130				comment by: SAFRAN AEROSYSTEMS
	<ul style="list-style-type: none"> "Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle." <p>1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.</p> <p>Come back to the technical content of 21.A.55 and 21.A.165(h)</p>				



	<ul style="list-style-type: none"> “production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle” <p>What does “controlling data” mean? Does it relate to inspection? airworthiness? Approved design data?</p> <p>Change the wording as follows: “controlling applicable data”</p> <ul style="list-style-type: none"> “For organisations approved according to Subparts G and J” – What about ETSOA holders? Especially when the POA is held by another legal entity than the one holding the AP-DOA or DOA? <p>To be clarified</p>
response	See Section 1.

comment	<p>1170 comment by: ASD</p> <table border="1" data-bbox="391 1025 1388 1433"> <tr> <td data-bbox="391 1025 486 1433">GM1 21.A.5</td> <td data-bbox="486 1025 598 1433">100/272</td> <td data-bbox="598 1025 1117 1433"> <p>“— conformity justification data with a specific focus on the production and inspection phases; and”</p> <p>It’s not clear what is meant by ‘the production and inspection phases’, nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation.</p> </td> <td data-bbox="1117 1025 1388 1433"> <p>Wording should be changed as follows: “— conformity justification data with a specific focus on the production and inspection phases; and”</p> </td> </tr> </table>	GM1 21.A.5	100/272	<p>“— conformity justification data with a specific focus on the production and inspection phases; and”</p> <p>It’s not clear what is meant by ‘the production and inspection phases’, nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation.</p>	<p>Wording should be changed as follows: “— conformity justification data with a specific focus on the production and inspection phases; and”</p>
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response	See Section 1.				

comment	<p>1416 comment by: Safran Aero Boosters</p> <p>GM1 21.A.5 : "For organisations that hold or have applied for a TC, RTC, STC, ETSO authorisation, major repair design approval, permit to fly, production organisation approval or letter of agreement under Part 21, the relevant design information/data includes at least, as applicable:" Record keeping for minor and major changes to TC (comming from former 21.A.105 which is removed) as well as for minor repair design approval (coming from former 21.A.447) are missing in above statement</p>
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	add: "change to Type certificate approval" remove : "repair design approval"
response	See Section 1.
comment	1418 comment by: Safran Aero Boosters GM1 21.A.5 : “— conformity justification data with a specific focus on the production and inspection phases; and” It’s not clear what is meant by ‘the production and inspection phases’, nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation. Wording should be changed as follows: “— conformity justification data and”
response	See Section 1.

AMC1 21.A.5(a) and 21.A.433(a) Record-keeping

p. 100-101

comment	366 comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>GM1 21.A.5</td> <td>100/272</td> <td> <p>“— conformity justification data with a specific focus on the production and inspection phases; and”</p> <p>It’s not clear what is meant by ‘the production and inspection phases’, nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation.</p> </td> <td> <p>Wording should be changed as follows: “— conformity justification data with a specific focus on the production and inspection phases; and”</p> </td> </tr> </table>	GM1 21.A.5	100/272	<p>“— conformity justification data with a specific focus on the production and inspection phases; and”</p> <p>It’s not clear what is meant by ‘the production and inspection phases’, nor indeed what is outside this specific focus. As this has the potential for confusion, we suggest deleting it, and leaving the nature of the information justifying conformance to the production organisation.</p>	<p>Wording should be changed as follows: “— conformity justification data with a specific focus on the production and inspection phases; and”</p>
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response	See Section 1.				

comment	367 comment by: Safran Landing Systems				
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		<p>and ‘approval sheet’. It is also not clear why this level of detail is prescribed for record retention for repairs – it is more prescriptive than that already considered necessary for the record retention for changes, and if the existing text is considered inadequate, then both changes and repairs could be addressed in a few performance-based expectations.</p> <p>Furthermore, there is some duplication, in that the effect of the repair on the aircraft, engine and/or propeller referenced in items (a)(5) to (a)(9) will be included in the justification of the repair required earlier in the AMC (item (a)(2)).</p> <p>It is not clear whether item (a)(2) is an internal document, or whether it presumes that the approval is being given by EASA. In case it is intended that this is the document approved by EASA, then it is not clear whether a TC holder creating a major repair under privilege is expected to organise its records in the same way? The LOI rules will make it more likely that non-TC holders will also approve major repairs under privilege, so this issue is also relevant for non-TC holders too.</p> <p>Related to the topic above, item (e) states that ‘repairs towill not normally be accepted....’. Does this also refer to acceptance by EASA?</p>	<p>the repair; records showing the technical contribution from the TC/STC holder; records defining the justification for the damage that may be left unrepaired, etc.). If specific terms are needed (‘scheme’, ‘approval sheet’ etc.) these need to be described in terms of their function, not as document titles. Restrictions on the type of repair considered acceptable should be defined to make it clearer what is considered acceptable, especially for those not submitting changes or repairs to EASA for approval.</p>
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	<p>If not, who is accepting the repair design? The use of this language ('normally') makes it unclear whether, in the case where a non-TC holder independently creates a repair to such a component, this is compliant or non-compliant with this AMC? (This is very important considering previous comments on AMC being made effectively mandatory)</p> <p>Items (c) and (d) discuss 'special considerations' being given to repairs with limitations or where life-limited parts are affected. While this is certainly true, these considerations are more related to the evaluation of the design and in one case, the creation of technical instructions (and/or ICA) than for special consideration in record retention.</p> <p>This material should be moved to GM, and expanded to address all forms of change and repair as general principles for data retention. If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles.</p>	
<p>response</p>	<p>See Section 1.</p>	
<p>comment</p>	<p>368</p>	<p>comment by: Safran Landing Systems</p>



<p>GM1 21.A.5(a) and (b)</p>	<p>101/272</p>	<p><i>"Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle."</i></p> <p>1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.</p>	<p>Come back to the technical content of 21.A.55 and 21.A.165(h)</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>369 comment by: Safran Landing Systems</p>		
<p>GM1 21.A.5 (a) and (b)</p>	<p>101/272</p>	<p><i>"Secondly, certain records of milestone events are needed to subsequently provide objective evidence that all the prescribed stages of the design or production process have been satisfactorily completed."</i></p> <p>It is unclear what is meant by "all the prescribed stages of the design or production process"</p>	<p>the GM should clarify what is meant by ""all the prescribed stages of the design or production process "</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>370 comment by: Safran Landing Systems</p>		
<p>GM1 21.A.5 (a) and (b)</p>	<p>101/272</p>	<p><i>All forms of recording media are acceptable (paper, film, magnetic, etc.) provided they can meet the required duration for archiving under the conditions provided.</i></p> <p>"digital" means is missing as it is the one now mostly used.</p>	<p>Further example of "digital" means should be added</p>

response **See Section 1.**

comment 371 comment by: Safran Landing Systems

GM1 21.A.5(a) and (b)	101/272	<p><i>“production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle”</i></p> <p>What does “controlling data” mean? Does it relate to inspection? airworthiness? Approved design data?</p>	<p>Change the wording as follows: “controlling applicable data”</p>
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response **See Section 1.**

comment 561 comment by: Le Blanc

AMC1 21.A.5(a) and 21.A.433(a)

This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as ‘scheme’ and ‘approval sheet’. It is also not clear why this level of detail is prescribed for record retention for repairs – it is more prescriptive than that already considered necessary for the record retention for changes, and if the existing text is considered inadequate, then both changes and repairs could be addressed in a few performance-based expectations.

Furthermore, there is some duplication, in that the effect of the repair on the aircraft, engine and/or propeller referenced in items (a)(5) to (a)(9) will be included in the justification of the repair required earlier in the AMC (item (a)(2)).

It is not clear whether item (a)(2) is an internal document, or whether it presumes that the approval is being given by EASA. In case it is intended that this is the document approved by EASA, then it is not clear whether a TC holder creating a major repair under privilege is expected to organise its records in the same way? The LOI rules will make it more likely that non-TC holders will also approve major repairs under privilege, so this issue is also relevant for non-TC holders too.

Related to the topic above, item (e) states that ‘repairs towill not normally be accepted....’. Does this also refer to acceptance by EASA? If not, who is accepting the repair design? The use of this language (‘normally’) makes it unclear whether, in the case where a non-TC holder independently creates a repair to such a component, this is compliant or non-compliant with this AMC? (This is very important considering previous comments on AMC being made effectively mandatory)

Items (c) and (d) discuss ‘special considerations’ being given to repairs with limitations or where life-limited parts are affected. While this is certainly true, these considerations are more related to the evaluation of the design and in one case, the creation of technical instructions (and/or ICA) than for special consideration in record retention.



response	<p>This material should be moved to GM, and expanded to address all forms of change and repair as general principles for data retention. If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles.</p> <p>Suggested resolution: This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg 'records showing the evaluation of the effects of the repair; records showing the technical contribution from the TC/STC holder; records defining the justification for the damage that may be left unrepaired, etc.). If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles. Restrictions on the type of repair considered acceptable should be defined to make it clearer what is considered acceptable, especially for those not submitting changes or repairs to EASA for approval.</p>				
	See Section 1.				
comment	<p>974 comment by: <i>Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE</i></p> <p>"(e) Repairs to engines or to APU critical parts would normally only be accepted with the involvement of the TC holder". This requirement should also apply to Propellers critical parts: CS-P defines critical parts, with similar level of criticality as CS-E critical parts.</p>				
response	See Section 1.				
comment	<p>1081 comment by: <i>ASD</i></p> <table border="1" data-bbox="392 1205 1385 2004"> <tr> <td data-bbox="392 1536 552 1671">AMC1 21.A.5(a) and 21.A.433(a)</td> <td data-bbox="564 1585 667 1619">100/272</td> <td data-bbox="679 1216 1031 1955">This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as 'scheme' and 'approval sheet'. It is also not clear why this level of detail is prescribed for record retention for repairs – it is more prescriptive than that already considered necessary for the record retention for changes, and if the existing text is considered inadequate, then both changes and repairs could be addressed in a few performance-based expectations.</td> <td data-bbox="1043 1216 1385 1989">This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg 'records showing the evaluation of the effects of the repair; records showing the technical contribution from the TC/STC holder; records defining the justification for the damage that may be left unrepaired, etc.). If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles. Restrictions on the type of repair considered acceptable should be</td> </tr> </table>	AMC1 21.A.5(a) and 21.A.433(a)	100/272	This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as 'scheme' and 'approval sheet'. It is also not clear why this level of detail is prescribed for record retention for repairs – it is more prescriptive than that already considered necessary for the record retention for changes, and if the existing text is considered inadequate, then both changes and repairs could be addressed in a few performance-based expectations.	This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg 'records showing the evaluation of the effects of the repair; records showing the technical contribution from the TC/STC holder; records defining the justification for the damage that may be left unrepaired, etc.). If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles. Restrictions on the type of repair considered acceptable should be
AMC1 21.A.5(a) and 21.A.433(a)	100/272	This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as 'scheme' and 'approval sheet'. It is also not clear why this level of detail is prescribed for record retention for repairs – it is more prescriptive than that already considered necessary for the record retention for changes, and if the existing text is considered inadequate, then both changes and repairs could be addressed in a few performance-based expectations.	This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg 'records showing the evaluation of the effects of the repair; records showing the technical contribution from the TC/STC holder; records defining the justification for the damage that may be left unrepaired, etc.). If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles. Restrictions on the type of repair considered acceptable should be		



		<p>Furthermore, there is some duplication, in that the effect of the repair on the aircraft, engine and/or propeller referenced in items (a)(5) to (a)(9) will be included in the justification of the repair required earlier in the AMC (item (a)(2)).</p> <p>It is not clear whether item (a)(2) is an internal document, or whether it presumes that the approval is being given by EASA. In case it is intended that this is the document approved by EASA, then it is not clear whether a TC holder creating a major repair under privilege is expected to organise its records in the same way? The LOI rules will make it more likely that non-TC holders will also approve major repairs under privilege, so this issue is also relevant for non-TC holders too.</p> <p>Related to the topic above, item (e) states that ‘repairs towill not normally be accepted....’. Does this also refer to acceptance by EASA? If not, who is accepting the repair design? The use of this language (‘normally’) makes it unclear whether, in the case where a non-TC holder independently creates a repair to such a component, this is compliant or non-compliant with this AMC? (This is very important considering previous comments on AMC being made effectively mandatory)</p> <p>Items (c) and (d) discuss</p>	<p>defined to make it clearer what is considered acceptable, especially for those not submitting changes or repairs to EASA for approval.</p>
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	<p>‘special considerations’ being given to repairs with limitations or where life-limited parts are affected. While this is certainly true, these considerations are more related to the evaluation of the design and in one case, the creation of technical instructions (and/or ICA) than for special consideration in record retention.</p> <p>This material should be moved to GM, and expanded to address all forms of change and repair as general principles for data retention. If specific terms are needed (‘scheme’, ‘approval sheet’ etc.) these need to be described in terms of their function, not as document titles.</p>	
response	See Section 1.	
comment	1150	comment by: LHT DO
	5(a) and 433(a) - Record-keeping (d) - Please define specific requirement, the text is very vague.	
response	See Section 1.	
comment	1151	comment by: LHT DO
	5(a) and 433(a) Record-keeping (e) sais "Repairs to engines or tho APU critical parts would normally only be accepted with the involvement of the TC holder". This does not make sense in this context. What is the intent of this sentence?	
response	See Section 1.	
comment	1417	comment by: Rolls-Royce plc



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.5(a) and 21.A.433(a)	Page 100	<p>This AMC goes into some detail on the nature of the records to be retained for major repairs, and presumes a particular means of organising the records, as it uses terms such as 'scheme' and 'approval sheet'. It is also not clear why this level of detail is prescribed for record retention for repairs – it is more prescriptive than that already considered necessary for the record retention for changes, and if the existing text is considered inadequate, then both changes and repairs could be addressed in a few performance-based expectations.</p> <p>Furthermore, there is some duplication, in that the effect of the repair on the aircraft, engine and/or propeller referenced in items (a)(5) to</p>	<p>This should be moved to GM, and expanded to address all forms of change and repair as performance-based requirements (eg 'records showing the evaluation of the effects of the repair; records showing the technical contribution from the TC/STC holder; records defining the justification for the damage that may be left unrepaired, etc.). If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles.</p> <p>Restrictions on the type of repair considered acceptable should be defined to make it clearer what is</p>	No	Yes



	<p>(a)(9) will be included in the justification of the repair required earlier in the AMC (item (a)(2)).</p> <p>It is not clear whether item (a)(2) is an internal document, or whether it presumes that the approval is being given by EASA. In case it is intended that this is the document approved by EASA, then it is not clear whether a TC holder creating a major repair under privilege is expected to organise its records in the same way? The LOI rules will make it more likely that non-TC holders will also approve major repairs under privilege, so this issue is also relevant for non-TC holders too.</p> <p>Related to the topic above, item (e) states that ‘repairs towill not normally be accepted....’.</p> <p>Does this also</p>	<p>considered acceptable, especially for those not submitting changes or repairs to EASA for approval.</p>		
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	<p>refer to acceptance by EASA? If not, who is accepting the repair design? The use of this language ('normally') makes it unclear whether, in the case where a non-TC holder independently creates a repair to such a component, this is compliant or non-compliant with this AMC? (This is very important considering previous comments on AMC being made effectively mandatory)</p> <p>Items (c) and (d) discuss 'special considerations' being given to repairs with limitations or where life-limited parts are affected. While this is certainly true, these considerations are more related to the evaluation of the design and in one case, the creation of technical instructions (and/or ICA) than for special consideration in</p>			
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	<p>record retention.</p> <p>This material should be moved to GM, and expanded to address all forms of change and repair as general principles for data retention. If specific terms are needed ('scheme', 'approval sheet' etc.) these need to be described in terms of their function, not as document titles.</p>			
response	<p>See Section 1.</p>			

comment

1576

comment by: MARPA

AMC 21.A.5(a) and 12.A.433(a) (e) states that "Repairs to engines or to APU critical parts would normally only be accepted with the involvement of the TC holder." This may unfairly and anticompetitively exclude repairs by third parties that could result in significant savings to the flying public as well as safety enhancement through the development of new repair techniques. TC holders are very unlikely to welcome the participation of third parties in the repair of engines or APU critical parts. Such a restriction allows for the government-sanctioned monopolization of this segment of the repair market, and will result in a loss of safety innovation and increase in prices to the flying public. Such issues were among those at the heart of the recent European Competition Committee inquiry into CFMI and Honeywell, and as such, this provision should be stricken from the AMC.

response

See Section 1.

GM1 21.A.5(a) and (b) Record-keeping

p. 101-102

comment

101

comment by: General Aviation Manufacturers Association

Records are not required during the design and /or production processes; however, they are required to support production and continued airworthiness of in-service products. Suggest the retention of the previous GM in part-21 record keeping for design and production organizations.



response	See Section 1.	
comment	102	comment by: <i>General Aviation Manufacturers Association</i>
	Section GM1 21.A.5(a) and (b), second bullet: The statement "production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle". Replace with "controlling data" with "applicable data".	
response	See Section 1.	
comment	199	comment by: <i>Safran Engineering Services</i>
	<p>"Records within a design or production environment satisfy two purposes. Firstly, they are required, during the:</p> <ul style="list-style-type: none"> — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle." <p>1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM. Suggestion is to Come back to the technical content of 21.A.55 and 21.A.165(h)</p>	
response	See Section 1.	
comment	200	comment by: <i>Safran Engineering Services</i>
	<p>"production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle" What does "controlling data" mean? Does it relate to inspection? airworthiness? Approved design data? Change the wording as follows: "controlling applicable data"</p>	
response	See Section 1.	
comment	201	comment by: <i>Safran Engineering Services</i>
	<p>"For organisations approved according to Subparts G and J" – What about ETSOA holders? Especially when the POA is held by another legal entity than the one holding the AP-DOA or DOA? to be clarified</p>	
response	See Section 1.	
comment	373	comment by: <i>Safran Landing Systems</i>

response	<table border="1"> <tr> <td data-bbox="391 197 564 398">GM1 21.A.5(a) and (b)</td> <td data-bbox="564 197 678 398">102/272</td> <td data-bbox="678 197 1093 398"> <i>"design data which supports the compliance of a product, part, or appliance..."</i> to support the compliance with what? </td> <td data-bbox="1093 197 1401 398">GM should clarify the purpose of this compliance</td> </tr> </table>	GM1 21.A.5(a) and (b)	102/272	<i>"design data which supports the compliance of a product, part, or appliance..."</i> to support the compliance with what?	GM should clarify the purpose of this compliance
GM1 21.A.5(a) and (b)	102/272	<i>"design data which supports the compliance of a product, part, or appliance..."</i> to support the compliance with what?	GM should clarify the purpose of this compliance		
comment	<p>374 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="391 674 549 981">GM1 21.A.5(a) and (b)</td> <td data-bbox="549 674 662 981">102/272</td> <td data-bbox="662 674 1133 981"> <i>"data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;"</i> It is unclear which data are concerned in this paragraph on the top of the data relevant to the 2 previous bullets. </td> <td data-bbox="1133 674 1401 981">GM should clarify the requested data within this paragraph</td> </tr> </table>	GM1 21.A.5(a) and (b)	102/272	<i>"data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;"</i> It is unclear which data are concerned in this paragraph on the top of the data relevant to the 2 previous bullets.	GM should clarify the requested data within this paragraph
GM1 21.A.5(a) and (b)	102/272	<i>"data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;"</i> It is unclear which data are concerned in this paragraph on the top of the data relevant to the 2 previous bullets.	GM should clarify the requested data within this paragraph		
response	<p>See Section 1.</p>				
comment	<p>562 comment by: Le Blanc</p> <p>GM1 21.A.5 (a) and (b) "Secondly, certain records of milestone events are needed to subsequently provide objective evidence that all the prescribed stages of the design or production process have been satisfactorily completed." It is unclear what is meant by "all the prescribed stages of the design or production process"</p> <p>Suggested resolution: the GM should clarify what is meant by ""all the prescribed stages of the design or production process "</p>				
response	<p>See Section 1.</p>				
comment	<p>563 comment by: Le Blanc</p> <p>GM1 21.A.5 (a) and (b) All forms of recording media are acceptable (paper, film, magnetic, etc.) provided they can meet the required duration for archiving under the conditions provided. "digital" means is missing as it is the one now mostly used.</p>				

	Suggested resolution: Further example of "digital" means should be added; insert a link to document and archives management rules and paper / electronic recognition (European law)
response	See Section 1.
comment	<p>564 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.5(a) and (b)</p> <p>The description of why design and production records are needed is not complete, and not necessarily always true. It is not clear what is intended by the phrase for the design process ‘to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis’; It is true that the records of certain stages in the design/production process are sometimes needed to show that activities needed for later stages in the process have been completed, but it is not necessary, particularly for simple activities. It is necessary to record precisely what has finally been created, through the retention of the final design, or the complete record of an inspected component, so that the final release is based on a specified entity, and it is certainly needed in case of future enquiry, either through audit, or event investigation.</p> <p>Separately, it is not clear why ‘design data which supports the compliance of a product, part, or appliance’ must be kept ‘for not less than 3 years after the surrender or revocation of the TC, RTC, STC, major repair or ETSO authorisation This may include minor changes and minor repairs to those TCs, RTCs, STCs, major repairs, or ETSO authorisations’. This implies a duty for the design approval holder that extends beyond the period for which they have obligations for that role. It is also in contrast with the bullet immediately following it, which states:</p> <p>“data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance”;</p> <p>This last bullet has been taken from the current requirements for production organisations, but in its new context applies to both design and production. In the case of a design, does the operational life of the product cease at the withdrawal of the type certificate?</p> <p>Suggested resolution: Consider revising to address the lack of clarity. Remove references to the three-year additional retention period.</p>
response	See Section 1.
comment	<p>565 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.5(a) and (b)</p> <p>"design data which supports the compliance of a product, part, or appliance..." to support the compliance with what?</p> <p>Suggested resolution: GM should clarify the purpose of this compliance</p>
response	See Section 1.
comment	<p>566 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.5(a) and (b)</p>

response	<p>"data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;" It is unclear which data are concerned in this paragraph on the top of the data relevant to the 2 previous bullets.</p> <p>Suggested resolution: GM should clarify the requested data within this paragraph</p> <p>See Section 1.</p>
comment	<p>769 comment by: Safran HE</p> <p>"Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle." 1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.</p> <p>Suggested resolution: Come back to the technical content of 21.A.55 and 21.A.165(h)</p>
response	<p>See Section 1.</p>
comment	<p>770 comment by: Safran HE</p> <p>"production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle" What does "controlling data" mean? Does it relate to inspection? airworthiness? Approved design data?</p> <p>Suggested resolution: Change the wording as follows: "controlling applicable data"</p>
response	<p>See Section 1.</p>
comment	<p>771 comment by: Safran HE</p> <p>"For organisations approved according to Subparts G and J" – What about ETSOA holders? Especially when the POA is held by another legal entity than the one holding the AP-DOA or DOA?</p> <p>Suggested resolution: To be clarified</p>
response	<p>See Section 1.</p>
comment	<p>852 comment by: SAFRAN TRANSMISSION SYSTEMS</p>



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5(a) and (b)	101/272	<p><i>"Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle."</i></p> <p>1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.</p>	Come back to the technical content of 21.A.55 and 21.A.165(h)		X
response	See Section 1.				
comment	853	comment by: SAFRAN TRANSMISSION SYSTEMS			



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5 (a) and (b)	101/272	"Secondly, certain records of milestone events are needed to subsequently provide objective evidence that all the prescribed stages of the design or production process have been satisfactorily completed." It is unclear what is meant by "all the prescribed stages of the design or production process"	the GM should clarify what is meant by ""all the prescribed stages of the design or production process "		X

response See Section 1.

comment 854 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5 (a) and (b)	101/272	All forms of recording media are acceptable (paper, film, magnetic, etc.) provided they can meet the required duration for archiving under the conditions provided. "digital" means is missing as it is the one now mostly used.	Further example of "digital" means should be added	X	



response See Section 1.

comment 855 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5(a) and (b)	101/272	<p>“production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle”</p> <p>What does “controlling data” mean? Does it relate to inspection? airworthiness? Approved design data?</p>	Change the wording as follows: “controlling applicable data”	X	

response See Section 1.

comment 856 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5(a) and (b)	101/272	The description of why design and production records are needed is not complete, and not necessarily always	Consider revising to address the lack of clarity.		X



	<p>true. It is not clear what is intended by the phrase for the design process ‘to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis’; It is true that the records of certain stages in the design/production process are sometimes needed to show that activities needed for later stages in the process have been completed, but it is not necessary, particularly for simple activities. It is necessary to record precisely what has finally been created, through the retention of the final design, or the complete record of an inspected component, so that the final release is based on a specified entity, and it is certainly needed in case of future enquiry, either through audit, or event investigation.</p> <p>Separately, it is not clear why ‘design data which supports the compliance of a product, part, or appliance’ must be kept ‘for not less than 3 years after the surrender or revocation of the TC, RTC, STC, major repair or ETSO authorisation</p>	<p>Remove references to the three-year additional retention period.</p>		
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	<p>This may include minor changes and minor repairs to those TCs, RTCs, STCs, major repairs, or ETSO authorisations'. This implies a duty for the design approval holder that extends beyond the period for which they have obligations for that role. It is also in contrast with the bullet immediately following it, which states:</p> <p><i>“data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance”;</i></p> <p>This last bullet has been taken from the current requirements for production organisations, but in its new context applies to both design and production. In the case of a design, does the operational life of the product cease at the withdrawal of the type certificate?</p>			
response	See Section 1.			
comment	857 comment by: SAFRAN TRANSMISSION SYSTEMS			



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5(a) and (b)	102/272	“For organisations approved according to Subparts G and J” – What about ETSOA holders? Especially when the POA is held by another legal entity than the one holding the AP-DOA or DOA?	To be clarified	X	
response	See Section 1.				
comment	858 comment by: SAFRAN TRANSMISSION SYSTEMS				
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5(a) and (b)	102/272	“design data which supports the compliance of a product, part, or appliance...” to support the compliance with what?	GM should clarify the purpose of this compliance		X
response	See Section 1.				
comment	859 comment by: SAFRAN TRANSMISSION SYSTEMS				



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.5(a) and (b)	102/272	<i>"data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;"</i> It is unclear which data are concerned in this paragraph on the top of the data relevant to the 2 previous bullets.	GM should clarify the requested data within this paragraph		X
response	See Section 1.				

comment	1082	comment by: ASD			
GM1 21.A.5(a) and (b)	101/272	<i>"Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle."</i> 1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.			Come back to the technical content of 21.A.55 and 21.A.165(h)
response	See Section 1.				

comment	1083	comment by: ASD			
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<p>GM1 21.A.5(a) and (b)</p>	<p>101/272</p>	<p><i>“production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle”</i> What does “controlling data” mean? Does it relate to inspection? airworthiness? Approved design data?</p>	<p>Change the wording as follows: “controlling applicable data”</p>
<p>response</p>	<p>See Section 1.</p>		

comment

1084

comment by: ASD

<p>GM1 21.A.5(a) and (b)</p>	<p>101/272</p>	<p>The description of why design and production records are needed is not complete, and not necessarily always true. It is not clear what is intended by the phrase for the design process ‘to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis’; It is true that the records of certain stages in the design/production process are sometimes needed to show that activities needed for later stages in the process have been completed, but it is not necessary, particularly for simple activities. It is necessary to record precisely what has finally been created, through the retention of the final design, or the complete record of an inspected component, so that the final release is based on a specified entity, and it is certainly needed in case of future enquiry, either through audit, or event investigation.</p> <p>Separately, it is not clear why ‘design data which supports the compliance of a product, part, or appliance’ must be kept ‘for not less than 3 years after the surrender or revocation of the TC, RTC, STC, major repair or ETSO authorisation This may include minor changes and minor repairs to those TCs, RTCs, STCs, major repairs, or ETSO authorisations’. This implies a duty for the design approval holder that extends beyond the period for which they have obligations for that role. It is also in contrast with the bullet immediately following it, which states:</p>	<p>Consider revising to address the lack of clarity. Remove references to the three-year additional retention period.</p>
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		<p><i>“data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance”;</i></p> <p>This last bullet has been taken from the current requirements for production organisations, but in its new context applies to both design and production. In the case of a design, does the operational life of the product cease at the withdrawal of the type certificate?</p>	
response	See Section 1.		
comment	1085	comment by: ASD	
	GM1 21.A.5(a) and (b)	102/272	<p><i>“For organisations approved according to Subparts G and J” – What about ETSOA holders? Especially when the POA is held by another legal entity than the one holding the AP-DOA or DOA?</i></p> <p>To be clarified</p>
response	See Section 1.		
comment	1171	comment by: ASD	
	GM1 21.A.5 (a) and (b)	101/272	<p><i>“Secondly, certain records of milestone events are needed to subsequently provide objective evidence that all the prescribed stages of the design or production process have been satisfactorily completed.”</i></p> <p>It is unclear what is meant by "all the prescribed stages of the design or production process"</p> <p>the GM should clarify what is meant by ""all the prescribed stages of the design or production process "</p>
response	See Section 1.		
comment	1172	comment by: ASD	

	GM1 21.A.5 (a) and (b)	101/272	All forms of recording media are acceptable (paper, film, magnetic, etc.) provided they can meet the required duration for archiving under the conditions provided. "digital" means is missing as it is the one now mostly used.	Further example of "digital" means should be added		
response	See Section 1.					
comment	1173 comment by: ASD					
	GM1 21.A.5(a) and (b)	102/272	"design data which supports the compliance of a product, part, or appliance..." to support the compliance with what?	GM should clarify the purpose of this compliance		
response	See Section 1.					
comment	1174 comment by: ASD					
	GM1 21.A.5(a) and (b)	102/272	"data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;" It is unclear which data are concerned in this paragraph on the top of the data relevant to the 2 previous bullets.	GM should clarify the requested data within this paragraph		
response	See Section 1.					
comment	1419 comment by: Rolls-Royce plc					
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**



<p>GM1 21.A.5(a) and (b)</p>	<p>Page 101</p>	<p><i>"Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle."</i> One of the key purposes of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.</p>	<p>Come back to the technical content of 21.A.55 and 21.A.165(h)</p>	<p>No</p>	<p>Yes</p>
<p>GM1 21.A.5 (a) and (b)</p>	<p>Page 101</p>	<p><i>"Secondly, certain records of milestone events are needed to subsequently provide objective evidence that all the prescribed stages of the design or production process have been satisfactorily completed."</i> It is unclear what is meant by "all the prescribed stages of the design or production process</p>	<p>the GM should clarify what is meant by ""all the prescribed stages of the design or production process "</p>	<p>No</p>	<p>Yes</p>
<p>NPA 2019-05 (B) GM1</p>	<p>Page 101</p>	<p><i>All forms of recording media are acceptable (paper, film, magnetic, etc.) provided they can</i></p>	<p>An extra example of "digital"</p>	<p>Yes</p>	<p>No</p>



21.A.5 (a) and (b)		<p><i>meet the required duration for archiving under the conditions provided.</i></p> <p>We suggest that "digital" media should be included in the examples as it is becoming very common.</p>	should be added		
NPA 2019-05 (B) GM1 21.A.5(a) and (b)	Page 101	<p><i>“production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle”</i></p> <p>The term “controlling data” is not clear, in terms of the need for a recording and archiving system within a production organisation . Does it relate to inspection, airworthiness, approved/unapproved design data, manufacturing drawings? See also the comment below.</p>	Change the wording as follows: “ controlling applicable data”	Yes	No
NPA 2019-05 (B) GM1 21.A.5(a) and (b)	Page 101	<p>The description of why design and production records are needed is not complete, and not necessarily always true. It is not clear what is intended by the phrase for the design process ‘to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis’; It is true that the records of certain stages in the</p>	Consider revising to address the lack of clarity. Remove references to the three-year additional retention period.	No	Yes



	<p>design/production process are sometimes needed to show that activities needed for later stages in the process have been completed, but it is not necessary, particularly for simple activities. It is necessary to record precisely what has finally been created, through the retention of the final design, or the complete record of an inspected component, so that the final release is based on a specified entity, and it is certainly needed in case of future enquiry, either through audit, or event investigation.</p> <p>Separately, it is not clear why ‘design data which supports the compliance of a product, part, or appliance’ must be kept ‘for not less than 3 years after the surrender or revocation of the TC, RTC, STC, major repair or ETSO authorisation This may include minor changes and minor repairs to those TCs, RTCs, STCs, major repairs, or ETSO authorisations’. This implies a duty for the design approval holder that extends beyond the period for which they have obligations for that</p>			
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		<p>role. It is also in contrast with the bullet immediately following it, which states:</p> <p><i>“data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance”;</i></p> <p>This last bullet has been taken from the current requirements for production organisations, but in its new context applies to both design and production. In the case of a design, does the operational life of the product cease at the withdrawal of the type certificate?</p>			
NPA 2019-05 (B) GM1 21.A.5(a) and (b)	Page 102	<p><i>“design data which supports the compliance of a product, part, or appliance...”</i></p> <p>We presume this is the compliance with the certification basis, but can this be confirmed?</p>	GM should clarify the purpose of this compliance	No	Yes
NPA 2019-05 (B) GM1 21.A.5(a) and (b)	Page 102	<p><i>“data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;”</i></p> <p>It is unclear what data is covered by this paragraph as distinct from that required to</p>	GM should clarify the requested data within this paragraph	No	Yes



		be retained by the previous two bullets.			
NPA 2019-05 (B) GM1 21.A.5(a) and (b) Record-keeping	Page 102	Even this requirement is already in today's GM the sentence "data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance;" allows a lot of room for interpretation	become more concrete which (production) data are expected to be kept for life time.	Yes	No
response	See Section 1.				
comment	1420	comment by: Safran Aero Boosters			
	<p>GM1 21.A.5(a) and (b) : "Records within a design or production environment satisfy two purposes. Firstly, they are required, during the: — design process to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis; or — production process to ensure that products, parts, or appliances are in conformity with the controlling data throughout the manufacturing cycle."</p> <p>1st and top purpose of the record keeping in design and production is to ensure the retrieval of data for the continued airworthiness of the in service products. This purpose is not addressed in this GM.</p> <p>Come back to the technical content of 21.A.55 and 21.A.165(h)</p>				
response	See Section 1.				
comment	1421	comment by: Safran Aero Boosters			
	<p>GM1 21.A.5 (a) and (b) : "Secondly, certain records of milestone events are needed to subsequently provide objective evidence that all the prescribed stages of the design or production process have been satisfactorily completed." It is unclear what is meant by "all the prescribed stages of the design or production process"</p> <p>the GM should clarify what is meant by ""all the prescribed stages of the design or production process "</p>				
response	See Section 1.				



comment	<p>1423 comment by: Safran Aero Boosters</p> <p>GM1 21.A.5(a) and (b) : “production process to ensure that products, parts or appliances are in conformity with the controlling data throughout the manufacturing cycle” What does “controlling data” mean? Does it relate to inspection? airworthiness? Approved design data?</p> <p>Change the wording as follows: “applicable data”</p>
response	<p>See Section 1.</p>
comment	<p>1431 comment by: Safran Aero Boosters</p> <p>GM1 21.A.5(a) and (b) : The description of why design and production records are needed is not complete, and not necessarily always true. It is not clear what is intended by the phrase for the design process ‘to ensure that the configuration of products, parts, or appliances is in compliance with the certification basis’; It is true that the records of certain stages in the design/production process are sometimes needed to show that activities needed for later stages in the process have been completed, but it is not necessary, particularly for simple activities. It is necessary to record precisely what has finally been created, through the retention of the final design, or the complete record of an inspected component, so that the final release is based on a specified entity, and it is certainly needed in case of future enquiry, either through audit, or event investigation.</p> <p>Separately, it is not clear why ‘design data which supports the compliance of a product, part, or appliance’ must be kept ‘for not less than 3 years after the surrender or revocation of the TC, RTC, STC, major repair or ETSO authorisation This may include minor changes and minor repairs to those TCs, RTCs, STCs, major repairs, or ETSO authorisations’. This implies a duty for the design approval holder that extends beyond the period for which they have obligations for that role. It is also in contrast with the bullet immediately following it, which states: “data that is considered essential for continuing airworthiness is kept throughout the operational life of the product, part or appliance”;</p> <p>This last bullet has been taken from the current requirements for production organisations, but in its new context applies to both design and production. In the case of a design, does the operational life of the product cease at the withdrawal of the type certificate?</p> <p>Consider revising to address the lack of clarity. Remove references to the three-year additional retention period.</p>
response	<p>See Section 1.</p>
comment	<p>1434 comment by: Safran Aero Boosters</p> <p>GM1 21.A.5(a) and (b) : "design data which supports the compliance of a product, part, or appliance..." to support the compliance with what?</p> <p>GM should clarify the purpose of this compliance</p>



response

See Section 1.

AMC1 21.A.5(e) Record-keeping

p. 102-103

comment

372

comment by: Safran Landing Systems

GM1 21.A.5(a) and (b)	102/272	"For organisations approved according to Subparts G and J" – What about ETSOA holders? Especially when the POA is held by another legal entity than the one holding the AP-DOA or DOA?	To be clarified
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response

See Section 1.

comment

375

comment by: Safran Landing Systems

AMC1 21.A.5(e)	102/273	An identification number of authorisation for a CVE is not considered essential provided that the relevant authorisation Form includes data relevant to that CVE only.	It is proposed to write: "(10) identification number of the authorisation or personnel authorisation Form (or other media to authorise the signature) "
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response

See Section 1.

comment

376

comment by: Safran Landing Systems

AMC1 21.A.5(e)	102/272	<p>"(d) A production organisation should keep the record for at least 3 years after the:</p> <p>(1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner.</p> <p>(2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "</p> <p>Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?</p>	<p>Consider revising to address the lack of clarity.</p> <p>Remove references to the three-year additional retention period.</p>
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	<p>If this is somehow the case, the obligations of such an approval cease when the approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.</p> <p>This is in contrast with the point immediately below, which does not fall into the same trap:</p> <p><i>"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."</i></p> <p>However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....</p> <p>If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably through the DO/PO link? Should this be clarified?</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>567 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.5(e) An identification number of authorisation for a CVE is not considered essential provided that the relevant authorisation Form includes data relevant to that CVE only.</p> <p>Suggested resolution: It is proposed to write: "(10) identification number of the authorisation or personnel authorisation Form (or other media to authorise the signature) "</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>568 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.5(e)</p>



"(d) A production organisation should keep the record for at least 3 years after the: (1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner. (2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "

Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?

If this is somehow the case, the obligations of such an approval cease when the approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.

This is in contrast with the point immediately below, which does not fall into the same trap:

"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."

However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....

If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably through the DO/PO link? Should this be clarified?

Suggested resolution: Consider revising to address the lack of clarity. Remove references to the three-year additional retention period.

response **See Section 1.**

comment

860

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.5(e)	102/273	An identification number of authorisation for a CVE is not considered essential provided that the relevant authorisation Form includes data relevant to that CVE only.	It is proposed to write: "(10) <i>identification number of the authorisation or personnel authorisation Form (or other media to authorise the signature) "</i>	X	

response **See Section 1.**



comment

861

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.5(e)	102/272	<p><i>"(d) A production organisation should keep the record for at least 3 years after the:</i></p> <p><i>(1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner.</i></p> <p><i>(2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "</i></p> <p>Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?</p> <p>If this is somehow the case, the obligations of such an approval cease</p>	<p>Consider revising to address the lack of clarity.</p> <p>Remove references to the three-year additional retention period.</p>		X



	<p>when the approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.</p> <p>This is in contrast with the point immediately below, which does not fall into the same trap:</p> <p><i>"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."</i></p> <p>However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....</p> <p>If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably through the DO/PO link? Should this be clarified?</p>			
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response	See Section 1.						
comment	1086	comment by: ASD	<table border="1"> <tr> <td data-bbox="384 465 528 2016"> <p>AMC1 21.A.5(e)</p> </td> <td data-bbox="528 465 639 2016"> <p>102/272</p> </td> <td data-bbox="639 465 1168 2016"> <p><i>"(d) A production organisation should keep the record for at least 3 years after the: (1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner. (2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "</i></p> <p>Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?</p> <p>If this is somehow the case, the obligations of such an approval cease when the approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.</p> <p>This is in contrast with the point immediately below, which does not fall into the same trap:</p> <p><i>"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."</i></p> <p>However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....</p> <p>If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably</p> </td> <td data-bbox="1168 465 1402 2016"> <p>Consider revising to address the lack of clarity.</p> <p>Remove references to the three-year additional retention period.</p> </td> </tr> </table>	<p>AMC1 21.A.5(e)</p>	<p>102/272</p>	<p><i>"(d) A production organisation should keep the record for at least 3 years after the: (1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner. (2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "</i></p> <p>Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?</p> <p>If this is somehow the case, the obligations of such an approval cease when the approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.</p> <p>This is in contrast with the point immediately below, which does not fall into the same trap:</p> <p><i>"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."</i></p> <p>However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....</p> <p>If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably</p>	<p>Consider revising to address the lack of clarity.</p> <p>Remove references to the three-year additional retention period.</p>
<p>AMC1 21.A.5(e)</p>	<p>102/272</p>	<p><i>"(d) A production organisation should keep the record for at least 3 years after the: (1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner. (2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "</i></p> <p>Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?</p> <p>If this is somehow the case, the obligations of such an approval cease when the approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.</p> <p>This is in contrast with the point immediately below, which does not fall into the same trap:</p> <p><i>"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."</i></p> <p>However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....</p> <p>If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably</p>	<p>Consider revising to address the lack of clarity.</p> <p>Remove references to the three-year additional retention period.</p>				



		through the DO/PO link? Should this be clarified?				
response	See Section 1.					
comment	1175	comment by: ASD				
	AMC1 21.A.5(e)	102/273	An identification number of authorisation for a CVE is not considered essential provided that the relevant authorisation Form includes data relevant to that CVE only.			
			It is proposed to write: " <i>(10) identification number of the authorisation or personnel authorisation Form (or other media to authorise the signature)</i> "			
response	See Section 1.					
comment	1252	comment by: LHT DO				
	<p>5 (e) (e) says: A design organisation should retain the records (of the personnel) as long as it carries out activities related to Part 21.</p> <p>This might be in contradiction to data protection regulations. Therefore please check compliance.</p>					
response	See Section 1.					
comment	1422	comment by: Rolls-Royce plc				
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B) AMC1 21.A.5(e)	Page 102	An separate identification number of the authorisation for a CVE is not considered essential provided that the relevant authorisation mechanism is	It is proposed to write: " <i>(10) identification number of the authorisation or personnel authorisation Form (or other media to</i>	Yes	No



		specific to that CVE only (eg with a reference to an existing staff ID).	<i>authorise the signature) "</i>		
NPA 2019-05 (B) AMC1 21.A.5(e)	Page 102	<p><i>"(d) A production organisation should keep the record for at least 3 years after the: (1) person has ceased employment with the organisation or has changed his or her position in the organisation, or the withdrawal of the authorisation in the case of certifying staff, whichever is the sooner. (2) the organisation surrendered the TC, RTC, STC, ETSO authorisation, major repair design approval, or production organisation approval. "</i></p> <p>Item 2 does not appear to be relevant here, unless it is assumed that the production organisation holds a TC, RTC, ETSO, major repair design approval?</p> <p>If this is somehow the case, the obligations of such an approval cease when the</p>	<p><i>authorise the signature) "</i></p> <p>Consider revising to address the lack of clarity.</p> <p>Remove references to the three-year additional retention period.</p>	No	Yes



	<p>approval is withdrawn, so holding personnel records beyond this point appears to be creating a new obligation.</p> <p>This is in contrast with the point immediately below, which does not fall into the same trap:</p> <p><i>"(e) A design organisation should retain the records as long as it carries out activities related to Part 21."</i></p> <p>However, this point (e) does appear to contradict is in contrast with the need expressed earlier to keep records for only three years after the individual has ceased to hold the authorisation, and we note that currently, this DOA requirement is for two years....</p> <p>If the organisation in(2) is a design organisation, is it presumed that the withdrawal of the TC etc. is known to the production organisation, presumably</p>			
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		through the DO/PO link? Should this be clarified?			
response	See Section 1.				

GM 21.A.126(b)(6) Production inspection system – Recording and record keepi p. 109

comment	202	comment by: <i>Safran Engineering Services</i>
	<p>"2. Any unintentional deviation from the manufacturing/inspection data should be recorded and handled in accordance with Part 21 Section A Subpart D or E as changes to the approved design." This statement is not acceptable since it imposes within the Subpart F applicable only to production organisation, requirements to Design approval holder. Such requirement or guidance material does not exist in Part 21 Subparts applicable to design approval holders. In addition, only deviation from applicable design data issued by design organization will require design organization approval. Any deviation from manufacturing data/inspection data is under the responsibility of the production organisation having issued such data. Change the statement as follows: 2. Any unintentional deviation from the applicable design data manufacturing/inspection data should be recorded and handled by production in coordination with design holder for getting its approval accordance with Part 21 Section A Subpart D or E as changes to the approved design.</p>	
response	See Section 1.	

comment	377	comment by: <i>Safran Landing Systems</i>
	<p>GM 21.A.126 (b) (5) (unchanged by the NPA)</p> <p>N/A</p> <p>"2. Any unintentional deviation from the manufacturing/inspection data should be recorded and handled in accordance with Part 21 Section A Subpart D or E as changes to the approved design." This statement is not acceptable since it imposes within the Subpart F applicable only to production organisation, requirements to Design approval holder. Such</p>	<p>Change the statement as follows: 2. Any unintentional deviation from the applicable design data manufacturing/inspection data should be recorded and handled by production in coordination with design holder for getting its approval accordance with Part 21 Section A Subpart D or E as changes to the approved design.</p>



	<p>requirement or guidance material does not exist in Part 21 Subparts applicable to design approval holders. In addition, only deviation from applicable design data issued by design organization will require design organization approval. Any deviation from manufacturing data/inspection data is under the responsibility of the production organisation having issued such data.</p>
response	<p>See Section 1.</p>
comment	<p>772 comment by: Safran HE</p> <p>GM 21.A.126 (b) (5) (unchanged by the NPA)</p> <p>"2. Any unintentional deviation from the manufacturing/inspection data should be recorded and handled in accordance with Part 21 Section A Subpart D or E as changes to the approved design." This statement is not acceptable since it imposes within the Subpart F applicable only to production organisation, requirements to Design approval holder. Such requirement or guidance material does not exist in Part 21 Subparts applicable to design approval holders. In addition, only deviation from applicable design data issued by design organization will require design organization approval. Any deviation from manufacturing data/inspection data is under the responsibility of the production organisation having issued such data.</p> <p>Suggested resolution: Change the statement as follows: 2. Any unintentional deviation from the applicable design data manufacturing/inspection data should be recorded and handled by production in coordination with design holder for getting its approval accordance with Part 21 Section A Subpart D or E as changes to the approved design.</p>
response	<p>See Section 1.</p>
comment	<p>862 comment by: SAFRAN TRANSMISSION SYSTEMS</p>



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM 21.A.126 (b) (5) (unchanged by the NPA)	N/A	<p>"2. Any unintentional deviation from the manufacturing/inspection data should be recorded and handled in accordance with Part 21 Section A Subpart D or E as changes to the approved design."</p> <p>This statement is not acceptable since it imposes within the Subpart F applicable only to production organisation, requirements to Design approval holder. Such requirement or guidance material does not exist in Part 21 Subparts applicable to design approval holders. In addition, only deviation from applicable design data issued by design organization will require design organization approval. Any deviation from manufacturing data/inspection data is under the responsibility of the production organisation having issued such data.</p>	<p>Change the statement as follows: 2. Any unintentional deviation from the applicable design data manufacturing/inspection data should be recorded and handled by production in coordination with design holder for getting its approval accordance with Part 21 Section A Subpart D or E as changes to the approved design.</p>		X



response

See Section 1.

comment

1087

comment by: ASD

<p>GM 21.A.126 (b) (5) (unchanged by the NPA)</p>	<p>N/A</p>	<p><i>"2. Any unintentional deviation from the manufacturing/inspection data should be recorded and handled in accordance with Part 21 Section A Subpart D or E as changes to the approved design."</i></p> <p>This statement is not acceptable since it imposes within the Subpart F applicable only to production organisation, requirements to Design approval holder. Such requirement or guidance material does not exist in Part 21 Subparts applicable to design approval holders. In addition, only deviation from applicable design data issued by design organization will require design organization approval. Any deviation from manufacturing data/inspection data is under the responsibility of the production organisation having issued such data.</p>	<p><i>Change the statement as follows: 2. Any unintentional deviation from the applicable design data manufacturing/inspection data should be recorded and handled by production in coordination with design holder for getting its approval accordance with Part 21 Section A Subpart D or E as changes to the approved design.</i></p>
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response

See Section 1.

comment

1131

comment by: SAFRAN AEROSYSTEMS

"2. Any unintentional deviation from the manufacturing/inspection data should be recorded and handled in accordance with Part 21 Section A Subpart D or E as changes to the approved design."

This statement is not acceptable since it imposes within the Subpart F applicable only to production organisation, requirements to Design approval holder. Such



	<p>requirement or guidance material does not exist in Part 21 Subparts applicable to design approval holders.</p> <p>In addition, only deviation from applicable design data issued by design organization will require design organization approval. Any deviation from manufacturing data/inspection data is under the responsibility of the production organisation having issued such data.</p> <p>Change the statement as follows:</p> <p>2. Any unintentional deviation from the applicable design data manufacturing/inspection data should be recorded and handled by production in coordination with design holder for getting its approval accordance with Part 21 Section A Subpart D or E as changes to the approved design.</p>
response	See Section 1.

AMC1 21.A.134 Application

p. 110-111

comment	127	comment by: <i>Luftfahrt-Bundesamt</i>
	<u>LBA comment to AMC1 21.A.134</u>	
	The application Form 50 provides an entry of the tradename of the company. In the past we had discussions with applicants to enter the tradename on the certificate (Form 55a). Is it the intention to use tradenames instead the legal entry in the commercial register?	
response	See Section 1.	

GM1 21.A.139(c) Production management system

p. 112-113

comment	103	comment by: <i>General Aviation Manufacturers Association</i>
	Section GM1 21.A.139(c): "If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system)." Delete this statement, as it is misleading and will not achieve the stated aims of an SMS.	
response	See Section 1.	
comment	203	comment by: <i>Safran Engineering Services</i>
	'If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'	
	This sentence is indicating the opposite of what does mean SMS. SMS is implemented to collect hazards and safety-related events that may result in safety risks. Here we	



are describing the opposite by considering that a part that is not "safety" may not contribute to an accident. This is wrong. It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targetted appropriately (and errors contained quickly, if they occur).

response

See Section 1.

comment

379

comment by: Safran Landing Systems

<p>GM1.21A.139(c))</p>	<p>112/272</p>	<p><i>If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'</i></p> <p>This sentence is indicating the opposite of what does mean SMS. SMS is implemented to collect hazards and safety-related events that may result in safety risks. Here we are describing the opposite by considering that a part that is not "safety" may not contribute to an accident. This is wrong. It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that</p>	<p>Remove the sentence "If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'" Or reword as deccribed in the comment</p>
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	<p>any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targetted appropriately (and errors contained quickly, if they occur).</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>486 comment by: FOCA Switzerland</p> <p>In our opinion, the new requirements for SMS and OR for Part 21 organisations are in general too comprehensive for small organisations in terms of administrative and organisational burden. For this particular group, no description or guidance (AMC, GM) exists which would describe how these requirements could be introduced and maintained in an acceptable and economically sensible manner.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>572 comment by: Le Blanc</p> <p>GM1.21A.139(c)</p> <p>'If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'</p> <p>This sentence is indicating the opposite of what does mean SMS. SMS is implemented to collect hazards and safety-related events that may result in safety risks. Here we are describing the opposite by considering that a part that is not "safety" may not contribute to an accident. This is wrong. It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems</p>



	<p>from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targetted appropriately (and errors contained quickly, if they occur).</p> <p>Suggested resolution: Remove the sentence "If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system)." Or reword as deccribed in the comment</p>
response	See Section 1.
comment	<p>574 comment by: <i>Le Blanc</i></p> <p>GM1.21A.139(c) 'As a consequence, scalability should be a function of the inherent safety risk capability of the organisation. For instance: — the risk assessment model used may be very simple in small organisations where the identified hazards are easy to mitigate' It is not because it is a small organisation that hazards are easier to be identified...in addition it can be understood as identification of hazards may be reduced to those which are easy to be mitigated...</p> <p>Suggested resolution: Wording is proposed to be changed as follows: "The risk assessment model used may be very simple in small organisations focusing at minimum on areas where continued airworthiness is challenged but encompassing also human factors and organisational factors in the risk management."</p>
response	See Section 1.
comment	<p>686 comment by: <i>ATR SMS</i></p> <p>"If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system)."</p> <p>This sentence is ambiguous, considering that a production organization does not have the competency "on its own" to assess the safety effect of a part. We recommend to remove this sentence.</p>
response	See Section 1.
comment	<p>774 comment by: <i>Safran HE</i></p>



'If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'

This sentence is indicating the opposite of what does mean SMS. SMS is implemented to collect hazards and safety-related events that may result in safety risks. Here we are describing the opposite by considering that a part that is not "safety" may not contribute to an accident. This is wrong.

It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targetted appropriately (and errors contained quickly, if they occur).

Suggested resolution:

Remove the sentence
 "If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system)."

Or reword as decribed in the comment

response

See Section 1.

comment

863

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)	113/272	The principle for the recognition of the SMS industry standard as an acceptable mean of compliance is supported.		X	

response

See Section 1.



comment

865

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1.21A.139(c)	112/272	<p><i>If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'</i></p> <p>This sentence is indicating the opposite of what does mean SMS. SMS is implemented to collect hazards and safety-related events that may result in safety risks. Here we are describing the opposite by</p>	<p>Remove the sentence "<i>If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'</i>"</p> <p>Or reword as described in the comment</p>		X



		<p>considering that a part that is not "safety" may not contribute to an accident. This is wrong. It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be</p>			
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		better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targeted appropriately (and errors contained quickly, if they occur).			
response	See Section 1.				
comment	1088		comment by: ASD		
	AMC1 21.A.139(c)	113/272	The principle for the recognition of the SMS industry standard as an acceptable mean of compliance is supported.		
response	See Section 1.				
comment	1089		comment by: ASD		
	GM1.21A.139(c)	113/272	As a consequence, scalability should be a function of the inherent safety risk capability of the organisation. For instance: — the risk assessment	Wording is proposed to be changed as follows: "The risk assessment model used may be very simple in small organisations focusing at minimum on	



		<p><i>model used may be very simple in small organisations where the identified hazards are easy to mitigate'</i></p> <p>It is not because it is a small organisation that hazards are easier to be identified...in addition it can be understood as identification of hazards may be reduced to those which are easy to be mitigated...</p>	<p><i>areas where continued airworthiness is challenged but encompassing also human factors and organisational factors in the risk management."</i></p>
response	See Section 1.		
comment	1090	comment by: ASD	
	AMC1.21A.139(c)	113/272	<p>No cross reference to GMs should be made within this table dealing with comparison with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements.</p> <p>Remove references to GMs within the entire table.</p>
response	See Section 1.		
comment	1176	comment by: ASD	
	GM1.21A.139(c)	112/272	<p><i>If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'</i></p> <p>This sentence is indicating the opposite of what does mean SMS. SMS is</p> <p>Remove the sentence "If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'"</p>



		<p>implemented to collect hazards and safety-related events that may result in safety risks. Here we are describing the opposite by considering that a part that is not "safety" may not contribute to an accident. This is wrong.</p> <p>It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targetted appropriately (and errors contained quickly, if they occur).</p>	<p>Or reword as deccribed in the comment</p>		
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>1424</p>		<p>comment by: <i>Rolls-Royce plc</i></p>		
<p>Section, table, figure</p>	<p>Page</p>	<p>Comment Summary</p>	<p>Suggested resolution</p>	<p>Comment i san</p>	<p>Comment i s</p>



				observation / suggestion*	substantive / objection**
NPA 2019-05 (B) GM1.21A.139(c)	Page 112	<p><i>If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'</i></p> <p>We suggest that this provision may have the opposite effect from that intended. It is not in the competency of a production organisation to determine the effect on aircraft safety of the</p>	<p>Remove the sentence "If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).'"</p> <p>Or reword as described in the comment</p>	No	Yes



	<p>components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-</p>			
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		conformity, so that improvements to the production system can be targeted appropriately (and errors contained quickly, if they occur).			
NPA 2019-05 (B) GM1.21A.139(c)	Page 113	<p><i>As a consequence, scalability should be a function of the inherent safety risk capability of the organisation. For instance:</i></p> <ul style="list-style-type: none"> <i>— the risk assessment model used may be very simple in small organisations where the identified hazards are easy to mitigate'</i> <p>This example may be misleading. It implies that because an organisation is small that hazards are easier to identify. In addition it could also be interpreted to mean that for a small</p>	<p>Wording is proposed to be changed as follows: <i>"The risk assessment model used may be very simple in small organisations, where the identified hazards are easy to mitigate"</i></p> <p>particularly when the hazards are easily mitigated.</p>	No	Yes



		organisation, the identification of hazards may be reduced to those which are easy to mitigate.			
NPA 2019-05 (B) GM1.21A.139(c)	Page 113	As a general comment, linked to those that follow on this specific AMC, the use of this table to summarise the use of the industry standard as a means of compliance is misleading as presented. The table currently seems to identify where the standard does not contain means of compliance that are identical to the AMC produced by the Agency. This information was requested by EASA from ASD, and provided as requested, to make the review of the	It is requested that the table should be rewritten to address any missing elements in the standard's compliance with the rule, not the gaps with the Agency's AMC, taking into account the justifications for the alternate approaches proposed by industry that are contained in the detailed comments on this AMC that follow. Any additional material identified in the table should be reserved for those items where the rule is not addressed. This is consistent with the approach taken for the use of industry quality management standards (such as ISO9001) in existing GM 21.A.139(b)(1).	No	Yes



	<p>standard as easy as possible. The standard, however, should be read as a <u>different</u> means of compliance to that produced by the Agency, so the table should show how the standard achieves compliance with the rule, not where it differs from the Agency's AMC.</p>		
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1442 comment by: Safran Aero Boosters</p> <p>GM1.21A.139(c) : 'If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system).' This sentence is indicating the opposite of what does mean SMS. SMS is implemented to collect hazards and safety-related events that may result in safety risks. Here we are describing the opposite by considering that a part that is not "safety" may not contribute to an accident. This is wrong. It is not in the competency of a production organisation to determine the effect on aircraft safety of the components or articles that they produce. Their only risk stems from producing non-conformity of some sort, and this is the reason that any released non-conformity has to be referred to the design organisation. Acting alone, a production organisation cannot be expected to understand the tolerance of any given component to production errors, and therefore cannot meet this expectation. It would be better to explain that the contribution of the safety management system is to enable a better understanding of the potential causes of non-conformity, so that improvements to the production system can be targetted appropriately (and errors contained quickly, if they occur).</p>		



	<p>Remove the sentence "— If an organisation produces parts that have a limited effect on safety, it may limit the scope of its safety management system to cover only the areas that contribute to safety (e.g. the criticality will be different for the production of parts such as safety belts, or major elements such as an autopilot system)." Or reword as deccribed in the comment</p>
response	See Section 1.
comment	<p>1460 comment by: Safran Aero Boosters</p> <p>GM1.21A.139(c) : 'As a consequence, scalability should be a function of the inherent safety risk capability of the organisation. For instance: — the risk assessment model used may be very simple in small organisations where the identified hazards are easy to mitigate'</p> <p>It is not because it is a small organisation that hazards are easier to be identified...in addition it can be understood as identification of hazards may be reduced to those which are easy to be mitigated...</p> <p>Wording is proposed to be changed as follows: "The risk assessment model used may be very simple in small organisations focusing at minimum on areas where continued airworthiness is challenged but encompassing also human factors and organisational factors in the risk management."</p>
response	See Section 1.
comment	<p>1480 comment by: Safran Aero Boosters</p> <p>AMC1.21A.139(c) : 'No cross reference to GMs should be made within this table dealing with comparaisn with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements.</p> <p>Remove references to GMs within the entire table.</p>
response	See Section 1.

AMC1 21.A.139(c) Production management system	p. 113-115
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comment	<p>42 comment by: CAA-NL</p> <p>AMC1 21.A.139(c) & AMC1 21.A.239(c)</p> <p>These AMC's create the possibility to show compliance with the SMS requirements based on compliance with industry standard SM001. However missing is the acceptable method of showing this compliance respectively the way the competent authority is accepting such showing. It is proposed that the compliance with this industry standard is shown by a (valid) certificate of an independent outside party. Further it is proposed that the competent authority accepts this certificate for initial certification of the SMS (status 'present') but that the competent authority performs the checks related to 'suitable', 'operational' and 'effective' and that, in case this</p>
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	results in findings related to the compliance with Part 21/SM001, the competent authority findings prevail. Additional AMC/GM to 21.B220 and 21.B.430 could be drawn to clarify this.
response	See Section 1.
comment	104 comment by: <i>General Aviation Manufacturers Association</i> Section AMC1 21.A.139(c): The statement: "Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)". Remove this statement from this section as it is referenced in Section 6.2 of SM0001 and we further believe it is overly prescriptive and not appropriate for reference within the Safety Policy; however, 'human behavior and performance' would be more appropriate reference within GM, as a proposed safety objective.
response	See Section 1.
comment	105 comment by: <i>General Aviation Manufacturers Association</i> Section AMC1 21.A.139(c)(1)(b)(3): The statement: "Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)". Remove this statement from this section as it is referenced in Section 6.2 of SM0001 and we further believe it is overly prescriptive and not appropriate for reference within the Safety Policy; however, 'human behavior and performance' would be more appropriate reference within GM, as a proposed safety objective.
response	See Section 1.
comment	106 comment by: <i>General Aviation Manufacturers Association</i> Section AMC1 21.A.139(c)(3): The statement: "Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)" - this is overly prescriptive, as this is a significant burden for many organizations. This activity should be limited to organizations that have a or contribute a significant impact on safety; this provides a more flexible approach to managing interface risks between organizations. Suggest this type of material is moved to GM.
response	See Section 1.
comment	108 comment by: <i>General Aviation Manufacturers Association</i> The statement: "Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the requirements" - EU 376/2014 is cross-referenced in various places within SM-0001 International SMS Standard e.g. Section 6.3 and Appendix II.
response	See Section 1.
comment	109 comment by: <i>General Aviation Manufacturers Association</i>



	<p>The statement: "Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)" - this statement is too prescriptive, limiting methods for complying with 21.A.139(c); it is up to the organization to determine appropriate governance. AMC1 21.A.139(c)(2) should be removed and transferred to GM. We recommend the removal of "Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)" from the 'Additional topics' column.</p>	
response	See Section 1.	
comment	167	comment by: DGAC France
	<p>We note that the SMS Industry Standard (which is a guide) in its Issue A is considered as an AMC. We think that is necessary that an AMC/GM clarify how the design/manufacture organisations have to manage their conformity to this guide and if they can deviate from it, how is manage the deviation?</p>	
response	See Section 1.	
comment	204	comment by: Safran Engineering Services
	<p>'No cross reference to GMs should be made within this table dealing with comparison with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements. Remove references to GMs within the entire table.</p>	
response	See Section 1.	
comment	205	comment by: Safran Engineering Services
	<p>"Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the requirements)" EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.</p>	
response	See Section 1.	
comment	206	comment by: Safran Engineering Services
	<p>'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles. It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p>	

response	<p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p>
	<p>See Section 1.</p>
comment	<p>207 comment by: <i>Safran Engineering Services</i></p> <p>'Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)" Refer to comment raised against AMC 1 21.A.139(c)(2). Remove the sentence " Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</p>
response	<p>See Section 1.</p>
comment	<p>208 comment by: <i>Safran Engineering Services</i></p> <p>'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance) Refer to comment raised against AMC 1 21.A.139(c)(3). Remove the sentence 'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)'</p>
response	<p>See Section 1.</p>
comment	<p>209 comment by: <i>Safran Engineering Services</i></p> <p>'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance) Refer to comment raised against AMC 1 21.A.139(c)(4)(ii). Remove the sentence 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)'</p>
response	<p>See Section 1.</p>
comment	<p>210 comment by: <i>Safran Engineering Services</i></p> <p>"More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)." This sentence is not clear. What is meant by "more structured" training. The SM-0001 Standard chapter 6.4.1 provide sufficuent guidance and means of compliance for the purpose of safety training Refer to comment raised against AMC 1 21.A.139(c)(5)(i) Remove the sentence "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"</p>



response	See Section 1.		
comment	380	comment by: Safran Landing Systems	
	GM1.21A.139(c)	113/272	<p>As a consequence, scalability should be a function of the inherent safety risk capability of the organisation. For instance: — the risk assessment model used may be very simple in small organisations where the identified hazards are easy to mitigate'</p> <p>It is not because it is a small organisation that hazards are easier to be identified...in addition it can be understood as identification of hazards may be reduced to those which are easy to be mitigated...</p> <p>Wording is proposed to be changed as follows: <i>"The risk assessment model used may be very simple in small organisations focusing at minimum on areas where continued airworthiness is challenged but encompassing also human factors and organisational factors in the risk management."</i></p>
response	See Section 1.		
comment	381	comment by: Safran Landing Systems	
	AMC1.21A.139(c)	113/272	<p>No cross reference to GMs should be made within this table dealing with comparison with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements.</p> <p>Remove references to GMs within the entire table.</p>
response	See Section 1.		
comment	382	comment by: Safran Landing Systems	
	AMC1.21A.139(c)	113/272	<p>"Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the requirements)"</p>

<p>response</p>	<table border="1"> <tr> <td data-bbox="379 183 611 293"></td> <td data-bbox="611 183 1418 293"> <p>EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.</p> </td> </tr> <tr> <td colspan="2" data-bbox="379 293 1418 465"> <p>See Section 1.</p> </td> </tr> </table>		<p>EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.</p>	<p>See Section 1.</p>									
	<p>EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.</p>												
<p>See Section 1.</p>													
<p>comment</p>	<table border="1"> <tr> <td colspan="2" data-bbox="379 465 930 566"> <p>383</p> </td> <td colspan="2" data-bbox="930 465 1418 566"> <p>comment by: Safran Landing Systems</p> </td> </tr> <tr> <td data-bbox="379 566 611 1664"> <p>AMC1.21A.139(c)</p> </td> <td data-bbox="611 566 719 1664"> <p>114/272</p> </td> <td data-bbox="719 566 1090 1664"> <p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i> It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be encompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p> </td> <td data-bbox="1090 566 1418 1664"> <p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p> </td> </tr> <tr> <td colspan="2" data-bbox="379 1664 930 1865"> <p>response</p> </td> <td colspan="2" data-bbox="930 1664 1418 1865"> <p>See Section 1.</p> </td> </tr> </table>	<p>383</p>		<p>comment by: Safran Landing Systems</p>		<p>AMC1.21A.139(c)</p>	<p>114/272</p>	<p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i> It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be encompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p>	<p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p>	<p>response</p>		<p>See Section 1.</p>	
<p>383</p>		<p>comment by: Safran Landing Systems</p>											
<p>AMC1.21A.139(c)</p>	<p>114/272</p>	<p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i> It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be encompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p>	<p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p>										
<p>response</p>		<p>See Section 1.</p>											
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<p>384</p>		<p>comment by: Safran Landing Systems</p>											
<p>AMC1.21A.139(c)</p>	<p>114/272</p>	<p><i>Functions of safety review board & safety</i></p>	<p>Remove the sentence " <i>Functions of safety review</i></p>										



			<p>action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(2).</p>	<p>board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</p>
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>385</p>	<p>comment by: Safran Landing Systems</p>		
	<p>AMC1.21A.139(c)</p>	<p>114/272</p>	<p>Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(3).</p>	<p>Remove the sentence 'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)'</p>
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>386</p>	<p>comment by: Safran Landing Systems</p>		
	<p>AMC1.21A.139(c)</p>	<p>114/272</p>	<p>Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(4)(ii).</p>	<p>Remove the sentence 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)'</p>
<p>response</p>	<p>See Section 1.</p>			

comment 387 comment by: Safran Landing Systems

AMC1.21A.139(c)	114/272	<p><i>"More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)."</i> This sentence is not clear. What is meant by "more structured" training. The SM-0001 Standard chapter 6.4.1 provide sufficuient guidance and means of compliance for the purpose of safety training Refer to comment raised against AMC 1 21.A.139(c)(5)(i)</p>	<p>Remove the sentence "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"</p>
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response **See Section 1.**

comment 388 comment by: Safran Landing Systems

AMC1.21A.139(c)(f)	114/272	<p><i>Independency of the monitoring of compliance and adequacy as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance)"</i> This is too much prescriptive to require that independancy of Safety performance is possible only in the Independant monitoring organisation. In multi-approved organisations this independancy can be also adressed by Corporate SMS (direct reporting to CeO) for safety performance. This flexibility should be kept at organisation level</p>	<p>Independency of the monitoring of compliance and adequacy: 1) as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance) 2) and/or by Independent Safety organisation at Corporate SMS level</p>
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response **See Section 1.**



comment	<p>577 comment by: <i>Le Blanc</i></p> <p>AMC1.21A.139(c) (f) 'Independency of the monitoring of compliance and adequacy as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance)"</p> <p>“Independency shall be required for compliance monitoring only, not for safety performance measurement. Safety performance is indeed measured not only based on audit results, but also on the risk assessment performed by the safety team. Therefore, independence is not relevant here”. Suggested resolution: “remove this line”.</p>
response	<p>See Section 1.</p>
comment	<p>773 comment by: <i>Safran HE</i></p> <p>The principle for the recognition of the SMS industry standard as an acceptable mean of compliance is supported.</p>
response	<p>See Section 1.</p>
comment	<p>775 comment by: <i>Safran HE</i></p> <p>'No cross reference to GMs should be made within this table dealing with comparaison with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements.</p> <p>Suggested resolution: Remove references to GMs within the entire table.</p>
response	<p>See Section 1.</p>
comment	<p>776 comment by: <i>Safran HE</i></p> <p>""Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the requirements)" EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.</p>
response	<p>See Section 1.</p>
comment	<p>777 comment by: <i>Safran HE</i></p> <p>'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles. It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define</p>



	<p>concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p> <p>Suggested resolution: Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p>
response	<p>See Section 1.</p>
comment	<p>778 comment by: Safran HE</p> <p>'Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)" Refer to comment raised against AMC 1 21.A.139(c)(2).</p> <p>Suggested resolution: Remove the sentence " Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</p>
response	<p>See Section 1.</p>
comment	<p>779 comment by: Safran HE</p> <p>'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance) Refer to comment raised against AMC 1 21.A.139(c)(3).</p> <p>Suggested resolution: Remove the sentence 'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)'</p>
response	<p>See Section 1.</p>
comment	<p>780 comment by: Safran HE</p> <p>'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance) Refer to comment raised against AMC 1 21.A.139(c)(4)(ii).</p> <p>Suggested resolution: Remove the sentence 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)'</p>
response	<p>See Section 1.</p>
comment	<p>781 comment by: Safran HE</p>



	<p>"More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)." This sentence is not clear. What is meant by "more structured" training. The SM-0001 Standard chapter 6.4.1 provide sufficient guidance and means of compliance for the purpose of safety training Refer to comment raised against AMC 1 21.A.139(c)(5)(i)</p> <p>Suggested resolution: Remove the sentence "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"</p>
response	See Section 1.

comment	<p>864 comment by: SAFRAN TRANSMISSION SYSTEMS</p>												
	<table border="1"> <thead> <tr> <th data-bbox="391 806 582 963">Section Table Figure</th> <th data-bbox="582 806 694 963">Page</th> <th data-bbox="694 806 917 963">Comment summary</th> <th data-bbox="917 806 1061 963">suggested resolution</th> <th data-bbox="1061 806 1236 963">Comment is an observation (suggestion)</th> <th data-bbox="1236 806 1396 963">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 963 582 1265">AMC1 21.A.139(c)(1)</td> <td data-bbox="582 963 694 1265">115/275</td> <td data-bbox="694 963 917 1265">(d)(2) "reflect the organisation's commitment to maintain or continuously improve" Should be "and"</td> <td data-bbox="917 963 1061 1265">Replace "or" by "and"</td> <td data-bbox="1061 963 1236 1265">X</td> <td data-bbox="1236 963 1396 1265"></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.139(c)(1)	115/275	(d)(2) "reflect the organisation's commitment to maintain or continuously improve" Should be "and"	Replace "or" by "and"	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.139(c)(1)	115/275	(d)(2) "reflect the organisation's commitment to maintain or continuously improve" Should be "and"	Replace "or" by "and"	X									
response	See Section 1.												

comment	<p>866 comment by: SAFRAN TRANSMISSION SYSTEMS</p>												
	<table border="1"> <thead> <tr> <th data-bbox="391 1612 582 1769">Section Table Figure</th> <th data-bbox="582 1612 694 1769">Page</th> <th data-bbox="694 1612 917 1769">Comment summary</th> <th data-bbox="917 1612 1061 1769">suggested resolution</th> <th data-bbox="1061 1612 1236 1769">Comment is an observation (suggestion)</th> <th data-bbox="1236 1612 1396 1769">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 1769 582 2004">GM1.21A.139(c)</td> <td data-bbox="582 1769 694 2004">113/272</td> <td data-bbox="694 1769 917 2004">As a consequence, scalability should be a function of the inherent</td> <td data-bbox="917 1769 1061 2004">Wording is proposed to be changed as follows: "The risk assessment</td> <td data-bbox="1061 1769 1236 2004"></td> <td data-bbox="1236 1769 1396 2004">X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1.21A.139(c)	113/272	As a consequence, scalability should be a function of the inherent	Wording is proposed to be changed as follows: "The risk assessment		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
GM1.21A.139(c)	113/272	As a consequence, scalability should be a function of the inherent	Wording is proposed to be changed as follows: "The risk assessment		X								



		<p>safety risk capability of the organisation. For instance: — the risk assessment model used may be very simple in small organisations where the identified hazards are easy to mitigate' It is not because it is a small organisation that hazards are easier to be identified...in addition it can be understood as identification of hazards may be reduced to those which are easy to be mitigated...</p>	<p>model used may be very simple in small organisations focusing at minimum on areas where continued airworthiness is challenged but encompassing also human factors and organisational factors in the risk management."</p>		
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response

See Section 1.

comment

867

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is
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				observation (suggestion)	substantive (objection)
AMC1.21A.139(c)	113/272	No cross reference to GMs should be made within this table dealing with comparison with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements.	Remove references to GMs within the entire table.		X

response

See Section 1.

comment

868

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21A.139(c)	113/272	"Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the requirements)" EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.			



response See Section 1.

comment 869 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21A.139 (c)	114/272	<p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)</i></p> <p>AMC1 21.A.139(c)(1) : (3) apply human factors principles. It is recognised that human factors (like organisationn al factors) are part of the SMS, however, the sentence "Applied human factors principles" is <u>seen</u> as overly prescriptive within a safety policy. Huma</p>	<p>Human factors are addressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: '<i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)</i>'</p>		X



		<p>n factors need to be encompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p>			
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response

See Section 1.

comment

870

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
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AMC1.21A.139(c)	114/272	<p><i>Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</i></p> <p>Refer to comment raised against AMC 1 21.A.139(c)(2).</p>	<p>Remove the sentence "<i>Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</i></p>		X
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response

See Section 1.

comment

871

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21A.139(c)	114/272	<p><i>Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)</i></p> <p>Refer to comment</p>	<p>Remove the sentence '<i>Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)</i>'</p>		X



		raised against AMC 1 21.A.139(c)(3).			
response	See Section 1.				

comment	872	comment by: SAFRAN TRANSMISSION SYSTEMS			
				Comment is an observation (suggestion)	Comment is substantive (objection)
	AMC1.21A.139(c)	114/272	<p><i>Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(i) for acceptable means of compliance)</i></p> <p>Refer to comment raised against AMC 1 21.A.139(c)(4)(ii).</p>	<p>Remove the sentence 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(i) for acceptable means of compliance)'</p>	X
response	See Section 1.				

comment	873	comment by: SAFRAN TRANSMISSION SYSTEMS
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Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21A.139(c)	114/272	<p>"More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)."</p> <p>This sentence is not clear. What is meant by "more structured" training. The SM-0001 Standard chapter 6.4.1 provide sufficient guidance and means of compliance for the purpose of safety training Refer to comment raised against AMC 1 21.A.139(c)(5)(i)</p>	<p>Remove the sentence "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"</p>		X

response

See Section 1.

comment

889

comment by: SAFRAN TRANSMISSION SYSTEMS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21A.139(c) (f)	114/272	<p><i>Independency of the monitoring of compliance and adequacy as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance)"</i></p> <p>Independency shall be required for compliance monitoring only, not for safety performance measurement. Safety performance is indeed measured not only based on audit results, but also on the risk assessment performed by the safety team. Therefore, independence is not relevant here".</p>	Suggested resolution: "remove this line".		X
response	See Section 1.				
comment	1091 comment by: ASD				
AMC1.21A.139(c))	113/272	"Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the			



response	See Section 1.	<p>requirements)"</p> <p>EU no 376/2014 is cross referenced in various instances with the SMS Industry Standard SM-0001.</p>				
comment	1092	comment by: ASD				
response	See Section 1.	<table border="1"> <tr> <td data-bbox="391 1122 603 1182">AMC1.21A.139(c)</td> <td data-bbox="608 1122 715 1182">114/272</td> <td data-bbox="724 618 1078 1688"> <p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i></p> <p>It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "<u>Applied human factors principles</u>" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p> </td> <td data-bbox="1086 958 1385 1346"> <p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: '<i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)</i>'</p> </td> </tr> </table>	AMC1.21A.139(c)	114/272	<p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i></p> <p>It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "<u>Applied human factors principles</u>" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p>	<p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: '<i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)</i>'</p>
AMC1.21A.139(c)	114/272	<p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i></p> <p>It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "<u>Applied human factors principles</u>" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p>	<p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: '<i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)</i>'</p>			
comment	1093	comment by: ASD				



	AMC1.21A.139(c)	114/272	<p><i>Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</i></p> <p>Refer to comment raised against AMC 1 21.A.139(c)(2).</p>	<p>Remove the sentence "<i>Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</i></p>
response	See Section 1.			
comment	1094		comment by: ASD	
	AMC1.21A.139(c)	114/272	<p><i>Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)</i></p> <p>Refer to comment raised against AMC 1 21.A.139(c)(3).</p>	<p>Remove the sentence '<i>Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)</i>'</p>
response	See Section 1.			
comment	1095		comment by: ASD	
	AMC1.21A.139(c)	114/272	<p><i>Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)</i></p> <p>Refer to comment raised against AMC 1 21.A.139(c)(4)(ii).</p>	<p>Remove the sentence '<i>Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)</i>'</p>

response	See Section 1.		
comment	1096	comment by: ASD	
AMC1.21A.139(c)	114/272	<p><i>"More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)."</i> This sentence is not clear. What is meant by "more structured" training.</p> <p>The SM-0001 Standard chapter 6.4.1 provide sufficuient guidance and means of compliance for the purpose of safety training</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(5)(i)</p>	Remove the sentence "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"
response	See Section 1.		
comment	1097	comment by: ASD	
AMC1.21A.139(c)	114/272	<p><i>Independency of the monitoring of compliance and adequacy as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance)"</i></p> <p>"Independency shall be required for compliance monitoring only, not for safety performance measurement. Safety performance is indeed measured not only based on audit results, but also on the risk assessment performed by the safety team. Therefore, independence is not relevant here".</p>	remove this line
response	See Section 1.		
comment	1132	comment by: SAFRAN AEROSYSTEMS	



	<ul style="list-style-type: none"> 'No cross reference to GMs should be made within this table dealing with comparison with the SM-0001 Standard as means of compliance (AMC) to the relevant requirements. <p>Remove references to GMs within the entire table.</p> <ul style="list-style-type: none"> 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) <p>AMC1 21.A.139(c)(1) : (3) apply human factors principles. It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p> <p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p>
response	See Section 1.
comment	<p>1283 comment by: <i>On behalf of Airbus Helicopters PO/DO</i></p> <p>Page 115 of NPA 2019_05_B, AMC1 21.A.139(c):</p> <p>Justification of Comment by Airbus Helicopters DO Rules & Regulation:</p> <p>See comment 1282 on GM1 Annex 1.</p> <p>Proposed Solution:</p> <p>The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I</p> <p>The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.</p>
response	See Section 1.
comment	<p>1425 comment by: <i>Rolls-Royce plc</i></p>



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
NPA 2019-05 (B) AMC1.21A.139(c)	Page 113	In addition to the comment above, no cross reference to GMs should be made within this table identifying the SM-0001 Standard as means of compliance (AMC) to the relevant requirements.	Remove references to GMs within the entire table.	No	Yes
NPA 2019-05 (B) AMC1.21A.139(c)	Page 113	<i>"Compliance with Regulation (EU) No 376/2014 (refer to GM1 21.A.3A(a)(1) and (b)(1) as a summary of the requirements)"</i> The SMS Industry Standard SM-0001 contains references in a number of places to EU no 376/2014, so this additional overall reference is not needed.	Delete this item.	No	Yes
NPA 2019-05 (B) AMC1.21A.139(c)	Page 114	<i>Record-keeping (refer to the AMC and GM related to 21.A.5 as acceptable means of</i>	Delete this line of the table.	No	Yes

		<p><i>compliance and guidance</i>). It is not clear why this line is included in the table. As a means of compliance to the specific requirements for SMS, it is true that that the standard does not directly cover record-keeping, but the production organisation requirements of 21.A.5 are not requirements specific to SMS.</p>			
<p>NPA 2019-05 (B) AMC1.21A.139(c)</p>	<p>Page 114</p>	<p><i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.</i> It is recognised that human factors (like organisational factors) are part of the SMS, however, the sentence "Apply human factors <u>principles</u>" is overly</p>	<p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: '<i>Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)</i>'</p>	No	Yes



		<p>prescriptive within a safety policy. Human factors need to be accounted for in the SMS (for example, they should be fully integrated in risk management and safety promotion) but a statement in the safety policy cannot be linked to meaningful safety objectives, and as such the lack of such a statement does not affect the organisation's commitment to human factors. It is up to each organisation to define and emphasize its own safety objectives within its safety policy, and to ensure the integration of human factors principles in its specific procedures and governance. .</p>			
<p>NPA 2019-05 (B) AMC1.21A.139(c)</p>	<p>Page 114</p>	<p><i>Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2)</i></p>	<p>Remove the sentence "<i>Functions of safety review board & safety action group</i></p>	<p>No</p>	<p>Yes</p>



		and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)" Refer to comment raised against AMC 1 21.A.139(c)(2).	(refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"		
NPA 2019-05 (B) AMC1.21A.139(c)	Page 114	Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance) Refer to comment raised against AMC 1 21.A.139(c)(3).	Remove the sentence 'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)'	No	Yes
NPA 2019-05 (B) AMC1.21A.139(c)	Page 114	Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(i) for acceptable means of compliance) Refer to comment raised against AMC 1 21.A.139(c) (4)(ii).	Remove the sentence 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)'	No	Yes
NPA 2019-05 (B)	Page 114	"More structured safety training	Remove the sentence "More structured safety	No	Yes



<p>AMC1.21A.139(c)</p>	<p>(refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)." This sentence is not clear. The reference to "more structured" training appears to be referring to the prescription of detailed training requirements in the Agency material , which are not supported, and is an example of the concern of overly-prescriptive material already identified in these comments, limiting flexibility and the creation of organisation-specific means of compliance. The SM-0001 Standard chapter 6.4.1 addresses safety training, and provide sufficient guidance and means of compliance for the purpose. Refer to comment raised against</p>	<p>training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"</p>		
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		<p>AMC 1 21.A.139(c) (5)(i)</p>			
<p>NPA 2019-05 (B) AMC1.21A.139(c) (f)</p>	<p>Page 114</p>	<p><i>Independency of the monitoring of compliance and adequacy as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance)"</i> It is overly prescriptive to require that independent assessment of safety performance is possible only through the Independent monitoring organisation. In multi-approved organisations, for example, this independancy can be also adressed by a Corporate SMS (direct reporting to CEO) for safety performance. This flexibility should be kept at the organisation level. Moreover, the safety management element of the production organisation does not</p>	<p>Independency of the monitoring of compliance and adequacy: 1) as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance) 2) and/or by other Independent functions such as a corporate-level safety function. Alternately, consider deleting the item.</p>	<p>No</p>	<p>Yes</p>



		<p>contain the independent monitoring requirement - this is contained in the overall production management system, and is identified separately from the need to monitor safety performance and support continuous improvement. It is not clear therefore that this item should be identified as a deficiency in the industry standard against the safety management system requirements.</p>			
response		See Section 1.			
comment	1435			comment by: Safran Aero Boosters	
		AMC1 21.A.139(c) : The principle for the recognition of the SMS industry standard as an acceptable mean of compliance is supported.			
response		See Section 1.			
comment	1482			comment by: Safran Aero Boosters	
		AMC1.21A.139(c) : 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance) AMC1 21.A.139(c)(1) : (3) apply human factors principles.			



	<p>It is recognised that human factors (like organisationnal factors) are part of the SMS, however, the sentence "Applied human factors principles" is seen as overly prescriptive within a safety policy. Human factors need to be emcompassed in SMS approach: they shall be fully integrated in each step of RISK MANAGEMENT & SAFETY PROMOTION and it is not a Statement in a safety Policy (which have to define concrete safety objectives) that real improvement on Safety can be reached. It is up to each organisation to define and emphasize its own safety objectives within its safety policy.</p> <p>Human factors are adressed in the §6.2 of the SM0001 standard. In additional topic, remove the sentence: 'Human factors in the safety policy (refer to AMC1 21.A.139(c)(1) as acceptable means of compliance)'</p>
response	See Section 1.
comment	<p>1483 comment by: Safran Aero Boosters</p> <p>AMC1.21A.139(c) : 'Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)'</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(2).</p> <p>Remove the sentence " Functions of safety review board & safety action group (refer to AMC1 21.A.139(c)(2) and GM1 21.A.139(c)(2) for acceptable means of compliance and guidance)"</p>
response	See Section 1.
comment	<p>1485 comment by: Safran Aero Boosters</p> <p>AMC1.21A.139(c) : 'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)'</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(3).</p> <p>Remove the sentence 'Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)'</p>
response	See Section 1.
comment	<p>1492 comment by: Safran Aero Boosters</p> <p>AMC1.21A.139(c) : 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)'</p> <p>Refer to comment raised against AMC 1 21.A.139(c)(4)(ii).</p> <p>Remove the sentence 'Systematic management of all changes, not limited to those having substantive impact on safety management (refer to AMC1 21.A.139(c)(4)(ii) for acceptable means of compliance)'</p>
response	See Section 1.



comment	<p>1493 comment by: Safran Aero Boosters</p> <p>AMC1.21A.139(c) : "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)." This sentence is not clear. What is meant by "more structured training. The SM-0001 Standard chapter 6.4.1 provide sufficuent guidance and means of compliance for the purpose of safety training Refer to comment raised against AMC 1 21.A.139(c)(5)(i)</p> <p>Remove the sentence "More structured safety training (refer to AMC1 21.A.139(c)(5)(i) for acceptable means of compliance)"</p>
response	<p>See Section 1.</p>
comment	<p>1496 comment by: Safran Aero Boosters</p> <p>AMC1.21A.139(c) (f) : 'Independency of the monitoring of compliance and adequacy as per 21.A.139(f). Refer to AMC1 21.A.139(f) for acceptable means of compliance)' "Independency shall be required for compliance monitoring only, not for safety performance measurement. Safety performance is indeed measured not only based on audit results, but also on the risk assessment performed by the safety team. Therefore, independence is not relevant here".</p> <p>remove this line</p>
response	<p>See Section 1.</p>
comment	<p>1515 comment by: Thales</p> <p>The principle for the recognition of the SMS industry standard as an acceptable mean of compliance is supported. However most of the "additionnal topics" are not agreed since the content of relevant AMCs is itself not agreed.</p>
response	<p>See Section 1.</p>

AMC1 21.A.139(c)(1) Production management system	p. 115-116
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comment	<p>211 comment by: Safran Engineering Services</p> <p>AMC1 21.A.139(c)(2) (a)(2) 'safety review board': what is the added value of mandating the way to comply? Compliance with the objective of the requirement 21.A.139 (c) can be acheived without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed. This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19. This (a)(2) paragraph should be moved from AMC to GM</p>
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response	See Section 1.		
comment	378 comment by: Safran Landing Systems		
	AMC1 21.A.139(c)(1)	115/275	(d)(2) “reflect the organisation’s commitment to maintain or continuously improve” Should be “and” Replace “or” by “and”
response	See Section 1.		
comment	389 comment by: Safran Landing Systems		
	AMC1 21.A.139(c)(1)(b)(5)	115/272	“(5) apply ‘just culture’ principles, and, in particular, to not make available or use any personal information on occurrences:....” This paragraph is not worded properly Rework this paragraph to better word it
response	See Section 1.		
comment	390 comment by: Safran Landing Systems		
	GM1 21.A.139(c)(1)	116/272	“for organisations that have their principle place of business in a Member State...’just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location? To be clarified
response	See Section 1.		
comment	391 comment by: Safran Landing Systems		



	<p>AMC1 21.A.139(c)(2)</p>	<p>116/272</p>	<p>(a)(2) ‘safety review board’: what is the added value of mandating the way to comply? Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed. This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19.</p>	<p>This (a)(2) paragraph should be moved from AMC to GM</p>
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>570 comment by: <i>Le Blanc</i> AMC1 21.A.139(c)(1) (d)(2) “reflect the organisation’s commitment to maintain or continuously improve” Should be “and” Suggested resolution: Replace “or” by “and”</p>			
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>579 comment by: <i>Le Blanc</i> AMC1 21.A.139(c)(1)(b)(5) “(5) apply ‘just culture’ principles, and, in particular, to not make available or use any personal information on occurrences:...” This paragraph is not worded properly Suggested resolution: Rework this paragraph to better word it</p>			
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>680 comment by: <i>Le Blanc</i> AMC1 21.A.139(c)(1) (d)(2) “reflect the organisation’s commitment to maintain or continuously improve” Should be “and” Suggested resolution: Replace “or” by “and”</p>			
<p>response</p>	<p>See Section 1.</p>			



comment	890						comment by: SAFRAN TRANSMISSION SYSTEMS					
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)						
	AMC1 21.A.139(c)(1)(b)(5)	115/272	<p><i>"(5) apply 'just culture' principles, and, in particular, to not make available or use any personal information on occurrences:...."</i></p> <p>some potential misunderstanding</p>	<p>Shouldn't it read:apply 'just culture' principles, and, in particular, do not make available or use any personal information on occurrences:</p>		X						
response	See Section 1.											
comment	1098						comment by: ASD					
	AMC1 21.A.139(c)(1)(b)(5)	115/272	<p><i>"(5) apply 'just culture' principles, and, in particular, to not make available or use any personal information on occurrences:...."</i></p> <p>This paragraph is not worded properly</p>									
response	See Section 1.											
comment	1133						comment by: SAFRAN AEROSYSTEMS					



	<p>“for organisations that have their principle place of business in a Member State...’just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location? To be clarified</p>
response	See Section 1.

comment	<p>1284 comment by: <i>On behalf of Airbus Helicopters PO/DO</i></p> <p>Page 115 of NPA 2019_05_B, AMC1 21.A.139(c)(1):</p> <p>Justification of Comment by Airbus Helicopters DO Rules & Regulation:</p> <p>See comment 1282 on GM1 Annex 1.</p> <p>Proposed Solution:</p> <p>The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.</p>
response	See Section 1.

comment	<p>1426 comment by: <i>Rolls-Royce plc</i></p> <table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.139(c)(1)(b)(5)</td> <td>Page 115</td> <td>"(5) apply 'just culture' principles, and, in particular, to not make available or use any personal information on occurrences:...." This paragraph is unclear - should this be an instruction not to include</td> <td>Reword for clarity</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	AMC1 21.A.139(c)(1)(b)(5)	Page 115	"(5) apply 'just culture' principles, and, in particular, to not make available or use any personal information on occurrences:...." This paragraph is unclear - should this be an instruction not to include	Reword for clarity	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
AMC1 21.A.139(c)(1)(b)(5)	Page 115	"(5) apply 'just culture' principles, and, in particular, to not make available or use any personal information on occurrences:...." This paragraph is unclear - should this be an instruction not to include	Reword for clarity	No	Yes								



	information in an occurrence report that undermines the anonymity of the reporter?			
response	See Section 1.			
comment	1497		comment by: Safran Aero Boosters	
	<p>AMC1 21.A.139(c)(1)(b)(5) : "(5) apply 'just culture' principles, and, in particular, to not make available or use any personal information on occurrences:...."</p> <p>This paragraph is not worded properly</p> <p>Rework this paragraph to better word it</p>			
response	See Section 1.			
comment	1539		comment by: Thales	
	<p>"<i>apply human factor principles</i>" should not be included in the safety policy, because "human factor principles" are not properly defined anywhere in the regulation. Such commitment could therefore lead to misunderstanding both internal to the organisation and between the organisation and the competent authority.</p> <p>Suggested resolution: Remove (c)(3) : "<i>apply human factor principles</i>"</p>			
response	See Section 1.			

GM1 21.A.139(c)(1) Production management system

p. 116

comment	580	comment by: Le Blanc
	<p>GM1 21.A.139(c)(1)</p> <p>"for organisations that have their principle place of business in a Member State...'just culture'..."</p> <p>What about EASA approval based in a 3rd country?</p> <p>What about the implementation of the bilateral agreements?</p> <p>Is it possible to implement SMS principles without the basis of the 'just culture', whatever the geographical location?</p> <p>Suggested resolution: To be clarified</p>	
response	See Section 1.	



comment	<p>709</p> <p>Page 116 Para GM1 21.A.139 (c) (1) <u>Proposed Text:</u> For organisations that have their principal place of business in a Member State, Regulation (EU) No 376/2014 defines the ‘just culture’ principles to be applied (refer, in particular, to Article 16(11) of that Regulation). <u>Question:</u> What about for third-country POAs that don't have a principle place of business in a Member State? How does the regulation apply? <u>Proposed Resolution:</u> Clarify "just culture" principles for organisations that don't have a principal place of business in a Member State (such as a POA in the Philippines not linked to an POA in a Member State)</p>	comment by: FAA
response	<p>See Section 1.</p>	

comment	<p>891</p>	comment by: SAFRAN TRANSMISSION SYSTEMS												
<table border="1"> <thead> <tr> <th style="text-align: left;">Section Table Figure</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Comment summary</th> <th style="text-align: left;">suggested resolution</th> <th style="text-align: left;">Comment is an observation (suggestion)</th> <th style="text-align: left;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">GM1 21.A.139(c)(1)</td> <td style="vertical-align: top;">116/272</td> <td style="vertical-align: top;"> “for organisations that have their principle place of business in a Member State...‘just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location? </td> <td style="vertical-align: top;">To be clarified</td> <td></td> <td style="vertical-align: top;">X</td> </tr> </tbody> </table>			Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.139(c)(1)	116/272	“for organisations that have their principle place of business in a Member State...‘just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location?	To be clarified		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)									
GM1 21.A.139(c)(1)	116/272	“for organisations that have their principle place of business in a Member State...‘just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location?	To be clarified		X									
response	<p>See Section 1.</p>													



comment

1177

comment by: ASD

GM1 21.A.139(c)(1)	116/272	<p>“for organisations that have their principle place of business in a Member State...’just culture’...”</p> <p>What about EASA approval based in a 3rd country?</p> <p>What about the implementation of the bilateral agreements?</p> <p>Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location?</p>	To be clarified
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response

See Section 1.

comment

1427

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
GM1 21.A.139(c)(1)	Page 116	<p>“for organisations that have their principle place of business in a Member State...’just culture’...”</p> <p>This implies that third-country organisations holding an approval do not need to comply with the EU regulation, which is understandable, but this principle applies to any EU regulation. Can it be clarified whether compliance with EU regulations referenced by this NPA are expected to be complied with to gain a third-country approval, and</p>	To be clarified	No	Yes



	<p>whether this is affected by the existence of a bilateral agreements or working arrangement.</p> <p>It is important to be clear on whether it is acceptable to implement SMS principles without the basis of the 'just culture', depending on geographical location?</p>			
response	See Section 1.			

comment	<p>1498</p> <p>comment by: <i>Safran Aero Boosters</i></p> <p>GM1 21.A.139(c)(1) : “for organisations that have their principle place of business in a Member State...’just culture’...”</p> <p>What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location?</p> <p>To be clarified</p>
response	See Section 1.

AMC1 21.A.139(c)(2) Production management system

comment	<p>392</p> <p>comment by: <i>Safran Landing Systems</i></p> <table border="1"> <tr> <td>AMC1 21.A.139(c)(2)</td> <td>116/272</td> <td>(c) What is the purpose of the ‘safety action group’ ? "support of the two functions above" is unclear</td> <td>to be deleted or clarify which two bullet points this statement is referencing.</td> </tr> </table>	AMC1 21.A.139(c)(2)	116/272	(c) What is the purpose of the ‘safety action group’ ? "support of the two functions above" is unclear	to be deleted or clarify which two bullet points this statement is referencing.
AMC1 21.A.139(c)(2)	116/272	(c) What is the purpose of the ‘safety action group’ ? "support of the two functions above" is unclear	to be deleted or clarify which two bullet points this statement is referencing.		
response	See Section 1.				



comment	393 comment by: Safran Landing Systems		
AMC1 21.A.139(c)(2) (a)(2)	116/272	<p>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority".</p> <p>This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p>	<p>Reword as follows: "a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</p>
response	See Section 1.		
comment	582 comment by: Le Blanc		
AMC1 21.A.139(c)(2) (c) What is the purpose of the 'safety action group' ? "support of the two functions above" is unclear	Suggested resolution: to be deleted or clarify which two bullet points this statement is referencing.		
response	See Section 1.		
comment	584 comment by: Le Blanc		
<p>AMC1 21.A.139(c)(2) (a)(2)</p> <p>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p>			



	Suggested resolution: Reword as follows: "a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"
response	See Section 1.

comment	585 comment by: <i>Le Blanc</i> AMC1 21.A.139(c)(2) (b) statement not appropriately worded: not reflecting board responsibilities, but safety management ones. Not required by Annex 19 Suggested resolution: This AMC should be rewritten - a safety manager function is appointed by accountable manager to perform different activities. The high level review board has 2 responsibilities: 1-reviewing reports on safety performance and safety actions and general performance of SMS, as a steering committee. 2- be a decision making body on safety issues requiring strategic outlook This safety review board is expected to be more relevant at corporate level.
response	See Section 1.

comment	782 comment by: <i>Safran HE</i> (a)(2) 'safety review board': what is the added value of mandating the way to comply? Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed. This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19. Suggested resolution: This (a)(2) paragraph should be moved from AMC to GM
response	See Section 1.

comment	892 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>												
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.139(c)(2)</td> <td>116/272</td> <td>(a)(2) 'safety review board':</td> <td>This (a)(2) paragraph</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.139(c)(2)	116/272	(a)(2) 'safety review board':	This (a)(2) paragraph		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.139(c)(2)	116/272	(a)(2) 'safety review board':	This (a)(2) paragraph		X								



		<p>what is the added value of mandating the way to comply? Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed. This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19.</p>	<p>should be moved from AMC to GM</p>		
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response **See Section 1.**

comment 893 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(2)	116/272	(c) What is the purpose of the 'safety action group' ? "support of the two functions	to be deleted or clarify which two bullet points this statement is referencing.		X



			above” is unclear			
response	See Section 1.					
comment	894		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	AMC1 21.A.139(c)(2) (a)(2)	116/272	<p>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority".</p> <p>This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains</p>	<p>Reword as follows: "a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board'; depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</p>		X



		unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.			
response	See Section 1.				

comment 895 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(2) (b)	116/27 2	statement not appropriately worded: pending on the safety management organisation (and the size of the organisation) the safety review board functions could be distribute within the organisation. Too prescriptive, and not required by Annex 19	This AMC should be rewritten - a safety manager function is appointed by accountable manager to perform different activities. At high level review board : 1-reviewing reports on safety performance and safety actions and general performance of SMS,		X



			as a steering committee. 2- be a decision making body on safety issues requiring strategic outlook This safety review board is expected to be more relevant at corporate level.		
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response

See Section 1.

comment

1099

comment by: ASD

AMC1 21.A.139(c)(2)	116/272	(a)(2) 'safety review board': what is the added value of mandating the way to comply? Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed. This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19.	This (a)(2) paragraph should be moved from AMC to GM
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response

See Section 1.

comment

1100

comment by: ASD



AMC1 21.A.139(c)(2) (b)	116/272	statement not appropriately worded: not reflecting board responsibilities, but safety management ones. Not required by Annex 19	This AMC should be rewritten to expand on the idea of a safety management function, and the point of high-level oversight, rather than defining the role of a safety board.
response	See Section 1.		
comment	<p data-bbox="384 730 443 759">1134</p> <p data-bbox="938 730 1385 759" style="text-align: right;">comment by: SAFRAN AEROSYSTEMS</p> <ul data-bbox="432 786 1390 853" style="list-style-type: none"> (a)(2) 'safety review board': what is the added value of mandating the way to comply? <p data-bbox="384 898 1390 999">Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed.</p> <p data-bbox="384 1003 839 1032">This requirement is beyond Annex 19.</p> <p data-bbox="384 1037 1390 1104">The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19.</p> <p data-bbox="384 1144 1058 1173">This (a)(2) paragraph should be moved from AMC to GM</p> <ul data-bbox="432 1290 1390 1357" style="list-style-type: none"> (c) What is the purpose of the 'safety action group' ? "support of the two functions above" is unclear <p data-bbox="384 1435 1302 1464">to be deleted or clarify which two bullet points this statement is referencing.</p> <ul data-bbox="432 1581 1390 1648" style="list-style-type: none"> "...it is important for the safety manager or a designated person to remain the unique focal point for..." <p data-bbox="384 1688 1102 1718">What if the responsibility is discharged to group of persons?</p> <ul data-bbox="432 1834 1390 1968" style="list-style-type: none"> Function of the 'safety review board' : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and 		



	<p>safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?)</p> <p>What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to actual functions identified in Annex 19</p> <p>Should be clarified or deleted</p>				
response	See Section 1.				
comment	<p>1178 comment by: ASD</p>				
	<table border="1"> <tr> <td data-bbox="371 660 582 840">AMC1 21.A.139(c)(2)</td> <td data-bbox="582 660 694 840">116/272</td> <td data-bbox="694 660 1061 840">(c) What is the purpose of the 'safety action group' ? "support of the two functions above" is unclear</td> <td data-bbox="1061 660 1418 840">to be deleted or clarify which two bullet points this statement is referencing.</td> </tr> </table>	AMC1 21.A.139(c)(2)	116/272	(c) What is the purpose of the 'safety action group' ? "support of the two functions above" is unclear	to be deleted or clarify which two bullet points this statement is referencing.
AMC1 21.A.139(c)(2)	116/272	(c) What is the purpose of the 'safety action group' ? "support of the two functions above" is unclear	to be deleted or clarify which two bullet points this statement is referencing.		
response	See Section 1.				
comment	<p>1179 comment by: ASD</p>				
	<table border="1"> <tr> <td data-bbox="371 1097 582 1848">AMC1 21.A.139(c)(2) (a)(2)</td> <td data-bbox="582 1097 694 1848">116/272</td> <td data-bbox="694 1097 1061 1848"> <p><i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i>.</p> <p>This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p> </td> <td data-bbox="1061 1097 1418 1848"> <p>Reword as follows: "<i>a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i></p> </td> </tr> </table>	AMC1 21.A.139(c)(2) (a)(2)	116/272	<p><i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i>.</p> <p>This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p>	<p>Reword as follows: "<i>a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i></p>
AMC1 21.A.139(c)(2) (a)(2)	116/272	<p><i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i>.</p> <p>This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p>	<p>Reword as follows: "<i>a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i></p>		
response	See Section 1.				



comment

1428

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.139(c)(2)	Page 116	(a)(2) 'safety review board': It is not appropriate to insist on a particular organisational structure (see similar comments elsewhere in this input) Compliance with the objective of 21.A.139 (c) can be achieved without setting up a safety review board, and it is up to the organisation to define what safety governance structure is needed. The requirement for a risk assessment to justify not setting up this board is disproportionate - such an assessment is not required for other organisational arrangements defined by the applicant.	This (a)(2) paragraph should be moved from AMC to GM, and the risk assessment item removed.	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(c)(2)	Page 116	(c) Regarding the 'safety action group' : It is not appropriate to	This should be removed, or converted into performance-	No	Yes



		<p>insist on a particular organisational structure (see similar comments elsewhere in this input). In addition, the purpose of this group (given as "support of the two functions above") is especially unclear. It is not obvious why a support function has to be defined here, where no similar requirement is required for support functions of other parts of the management organisation (eg those controlling the Design Assurance System) and so it appears to be disproportionate.</p>	<p>based requirements so that an organisation can determine whether such a group is needed.</p>		
<p>NPA 2019-05 (B) AMC1 21.A.139(c)(2) (a)(2)</p>	<p>Page 116</p>	<p><i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk</i></p>	<p>Reword as follows: <i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the</i></p>	<p>No</p>	<p>Yes</p>



		<p>assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p>	<p>nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</p>		
<p>NPA 2019-05 (B) AMC1 21.A.139(c)(2) (b)</p>	<p>Page 116</p>	<p>This material should describe the strategic governance needed, with the establishment of a high-level committee to discharge them identified as an option (as it is in the GM).</p>	<p>This AMC and the preceding paragraph, should be rewritten to better establish the governance and management activities needed instead of listing the specific role of a safety review board. ie the following is needed : 1-a forum for reviewing reports on safety performance and safety actions and general performance of SMS</p>	<p>No</p>	<p>Yes</p>



			<p>2- a means to take decisions on safety issues requiring strategic outlook A safety review board (if established) is expected to be more relevant at the corporate level. This can be distinct from the 'safety management function' whose activities needs to be similarly explained (eg the establishment and administration of the systems needed for the SMS) as necessary activities, rather than a role description.</p>		
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response

See Section 1.

comment

1500

comment by: Safran Aero Boosters

AMC1 21.A.139(c)(2) : (a)(2) 'safety review board': what is the added value of mandating the way to comply?
 Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed.



response	<p>This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19.</p> <p>This (a)(2) paragraph should be moved from AMC to GM</p> <p>See Section 1.</p>
comment	<p>1502 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(c)(2) : (c) What is the purpose of the 'safety action group' ? "support of the two functions above" is unclear</p> <p>to be deleted or clarify which two bullet points this statement is referencing.</p>
response	<p>See Section 1.</p>
comment	<p>1503 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(c)(2) (a)(2) : "a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p> <p>Reword as follows: "a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board'</p>
response	<p>See Section 1.</p>
comment	<p>1505 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(c)(2) (b) : statement not appropriately worded: not reflecting board responsibilities , but safety management ones. Not required by Annex 19</p> <p>This AMC should be rewritten to expand on the idea of a safety management function, and the point of high-level oversight, rather than defining the role of a safety board.</p>
response	<p>See Section 1.</p>
comment	<p>1516 comment by: Thales</p> <p>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains</p>

	<p>unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority.</p> <p>Suggested resolution: Reword as follows: <i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i></p>
response	See Section 1.

GM1 21.A.139(c)(2) Production management system

p. 117

comment 394 comment by: Safran Landing Systems

GM1 21.A.139(c)(2)	117/272	<p>"...it is important for the safety manager or a designated person to remain the unique focal point for..." What if the responsibility is discharged to group of persons?</p>	To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23
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response See Section 1.

comment 395 comment by: Safran Landing Systems

GM1 21.A.139(c)(2)	117/272	<p>Function of the 'safety review board' : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?) What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to actual functions identified in Annex 19</p>	Should be clarified or deleted
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response See Section 1.



comment	<p>587 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.139(c)(2) "...it is important for the safety manager or a designated person to remain the unique focal point for..." What if the responsibility is discharged to group of persons?</p> <p>Suggested resolution: To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23</p>
response	<p>See Section 1.</p>

comment	<p>589 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.139(c)(2) Function of the 'safety review board' : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?) What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to actual functions identified in Annex 19</p> <p>Suggested resolution: Should be clarified or deleted</p>
response	<p>See Section 1.</p>

comment	<p>896 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p>																
	<table border="1"> <thead> <tr> <th style="text-align: left;">Section Table Figure</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Comment summary</th> <th style="text-align: left;">suggested resolution</th> <th style="text-align: left;">Comment is an observation (suggestion)</th> <th style="text-align: left;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">GM1 21.A.139(c)(2)</td> <td style="vertical-align: top;">117/272</td> <td style="vertical-align: top;"> "...it is important for the safety manager or a designated person to remain the unique focal point for..." What if the responsibility is discharged to group of persons? </td> <td style="vertical-align: top;"> To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23 </td> <td></td> <td style="text-align: center; vertical-align: middle;">X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.139(c)(2)	117/272	"...it is important for the safety manager or a designated person to remain the unique focal point for..." What if the responsibility is discharged to group of persons?	To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23		X				
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)												
GM1 21.A.139(c)(2)	117/272	"...it is important for the safety manager or a designated person to remain the unique focal point for..." What if the responsibility is discharged to group of persons?	To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23		X												



response See Section 1.

comment 897 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.139(c)(2)	117/272	Function of the 'safety review board' : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?) What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to	Should be clarified or deleted		X



		actual functions identified in Annex 19			
response	See Section 1.				
comment	1101			comment by: ASD	
	GM1 21.A.139(c)(2)	117/272	Function of the 'safety review board' : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?) What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to actual functions identified in Annex 19	Should be clarified or deleted	
response	See Section 1.				
comment	1180			comment by: ASD	
	GM1 21.A.139(c)(2)	117/272	"...it is important for the safety manager or a designated person to remain the unique focal point for..." What if the responsibility is discharged to group of persons?	To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23	
response	See Section 1.				
comment	1429			comment by: Rolls-Royce plc	



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
GM1 21.A.139(c)(2)	Page 117	<p>“...it is important for the safety manager or a designated person to remain the unique focal point for...”</p> <p>This is not consistent with the establishment of a function, or group of persons. The accountable manager may split up the different elements, depending on the organisational structure, and some activities may be carried out by a central function in a complicated organisation, so that the accountable manager is the only person responsible for the overall system (as (s)he is for the rest of the production system)</p>	To be clarified, to be consistent with the flexibility recognised elsewhere in the NPA. cf. NPA 2019-05(A) §4.4.7 p. 23	No	Yes

response

See Section 1.

comment

1506

comment by: Safran Aero Boosters

GM1 21.A.139(c)(2) : “...it is important for the safety manager or a designated person to remain the unique focal point for...”
 What if the responsibility is discharged to group of persons?



	To be clarified cf. NPA 2019-05(A) §4.4.7 p. 23
response	See Section 1.
comment	1508 comment by: <i>Safran Aero Boosters</i> GM1 21.A.139(c)(2) : Function of the ‘safety review board’ : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?) What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to actual functions identified in Annex 19 Should be clarified or deleted
response	See Section 1.

AMC1 21.A.139(c)(3) Production management system

p. 117-118

comment	107 comment by: <i>General Aviation Manufacturers Association</i> The statement: "Interface risk management in case of subcontracts (refer to AMC1 21.A.139(c)(3) for acceptable means of compliance)" - this is overly prescriptive, as this is a significant burden for many organizations. This activity should be limited to organizations that have a or contribute a significant impact on safety; this provides a more flexible approach to managing interface risks between organizations. Suggest this type of material is moved to GM.
response	See Section 1.
comment	212 comment by: <i>Safran Engineering Services</i> This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety . Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO
response	See Section 1.
comment	396 comment by: <i>Safran Landing Systems</i>



	<table border="1"> <tr> <td data-bbox="391 197 592 539"> <p>AMC1 21.A.139(c)(3)</p> </td> <td data-bbox="592 197 703 539"> <p>118/272</p> </td> <td data-bbox="703 197 1270 539"> <p>(c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the ‘just culture’</p> </td> <td data-bbox="1270 197 1390 539"> <p>To be clarified</p> </td> </tr> <tr> <td data-bbox="252 618 368 651"> <p>response</p> </td> <td colspan="3" data-bbox="391 618 1390 712"> <p>See Section 1.</p> </td> </tr> </table>	<p>AMC1 21.A.139(c)(3)</p>	<p>118/272</p>	<p>(c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the ‘just culture’</p>	<p>To be clarified</p>	<p>response</p>	<p>See Section 1.</p>		
<p>AMC1 21.A.139(c)(3)</p>	<p>118/272</p>	<p>(c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the ‘just culture’</p>	<p>To be clarified</p>						
<p>response</p>	<p>See Section 1.</p>								
	<p>comment 397 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="391 819 608 1227"> <p>AMC1.21A.139(c)(3)</p> </td> <td data-bbox="608 819 1158 1227"> <p>This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .</p> </td> <td data-bbox="1158 819 1390 1227"> <p>Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO</p> </td> </tr> <tr> <td data-bbox="252 1308 368 1341"> <p>response</p> </td> <td colspan="2" data-bbox="391 1308 1390 1402"> <p>See Section 1.</p> </td> </tr> </table>	<p>AMC1.21A.139(c)(3)</p>	<p>This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .</p>	<p>Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO</p>	<p>response</p>	<p>See Section 1.</p>			
<p>AMC1.21A.139(c)(3)</p>	<p>This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .</p>	<p>Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO</p>							
<p>response</p>	<p>See Section 1.</p>								
	<p>comment 398 comment by: Safran Landing Systems</p> <table border="1"> <tr> <td data-bbox="391 1509 632 1592"> <p>AMC1 21.A.139(c)(3)</p> </td> <td data-bbox="632 1509 743 1592"> <p>118/272</p> </td> <td data-bbox="743 1509 1390 1592"> <p>Far too much details in the AMC, should be only few examples, not a checklist.</p> </td> </tr> <tr> <td data-bbox="252 1675 368 1709"> <p>response</p> </td> <td colspan="2" data-bbox="391 1675 1390 1769"> <p>See Section 1.</p> </td> </tr> </table>	<p>AMC1 21.A.139(c)(3)</p>	<p>118/272</p>	<p>Far too much details in the AMC, should be only few examples, not a checklist.</p>	<p>response</p>	<p>See Section 1.</p>			
<p>AMC1 21.A.139(c)(3)</p>	<p>118/272</p>	<p>Far too much details in the AMC, should be only few examples, not a checklist.</p>							
<p>response</p>	<p>See Section 1.</p>								
	<p>comment 590 comment by: Le Blanc</p> <p>AMC1 21.A.139(c)(3) (c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within</p>								

response	<p>the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the ‘just culture’</p> <p>Suggested resolution: To be clarified</p> <p>See Section 1.</p>												
comment	<p>592 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(3)</p> <p>Far too much details in the AMC, should be only few examples, not a checklist.</p>												
response	<p>See Section 1.</p>												
comment	<p>783 comment by: <i>Safran HE</i></p> <p>This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed.</p> <p>Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .</p> <p>Suggested resolution: Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO</p>												
response	<p>See Section 1.</p>												
comment	<p>898 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" data-bbox="391 1379 1385 2011"> <thead> <tr> <th data-bbox="391 1379 584 1532">Section Table Figure</th> <th data-bbox="584 1379 695 1532">Page</th> <th data-bbox="695 1379 927 1532">Comment summary</th> <th data-bbox="927 1379 1066 1532">suggested resolution</th> <th data-bbox="1066 1379 1233 1532">Comment is an observation (suggestion)</th> <th data-bbox="1233 1379 1385 1532">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 1532 584 2011">AMC1 21.A.139(c)(3)</td> <td data-bbox="584 1532 695 2011">118/272</td> <td data-bbox="695 1532 927 2011">(c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to</td> <td data-bbox="927 1532 1066 2011">To be clarified</td> <td data-bbox="1066 1532 1233 2011">X</td> <td data-bbox="1233 1532 1385 2011"></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.139(c)(3)	118/272	(c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to	To be clarified	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.139(c)(3)	118/272	(c)(4) “the possibility for the staff to directly notify the organisation” If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to	To be clarified	X									



		handle such kind of information within the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the 'just culture'			
response	See Section 1.				

comment

899

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1.21A.139(c)(3)		This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .	Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO		X



response

See Section 1.

comment

900

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(3)	118/272	Far too much details in the AMC, should be only few examples, not a checklist.		X	

response

See Section 1.

comment

901

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(3) and (4) (a)(2)	118/272	<i>"The organisation should in particular focus on the hazards that may generate a non-conformity of the product, part or appliance that is produced."</i> "in particular " is not appropriate.	Remove "in particular"		X

response

See Section 1.



comment 902 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(3) and (4) (b) (1)	118/272	(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);	"probability" should read "likelihood"	X	

response See Section 1.

comment 1102 comment by: ASD

AMC1.21A.139(c)(3)	This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .	Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO
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response See Section 1.

comment 1181 comment by: ASD

AMC1 21.A.139(c)(3)	118/272	(c)(4) "the possibility for the staff to directly notify the organisation" If the 'just culture' is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within the supplier organisation and the interface with	To be clarified
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			the certificate holder organisation should be ensured, in the respect of the 'just culture'		
response	See Section 1.				
comment	1182		comment by: ASD		
	AMC1 21.A.139(c)(3)	118/272	Far too much details in the AMC, should be only few examples, not a checklist.		
response	See Section 1.				
comment	1184		comment by: ASD		
	AMC1 21.A.139(c)(3) and (4)	119/272	(e)(2)(i) "safety reporting that also addresses the status of compliance with the applicable requirements" Does this refer to requirement applicable to products? To organisations/processes? In the case of products, this would be overlapping with the continued airworthiness process (21.A.3A)		
response	See Section 1.				
comment	1358		comment by: Pratt@Whitney Rzeszow APUs		
	The wording : "the possibility for staff to directly notify the organisation of any hazard ..." is not clear. This AMC1 21.A.139(c)(3) "Production management system" refers to: INTERFACES BETWEEN ORGANISATIONS. Thus does this wording mean: Staff of production supplier to notify directly the POA or opposit or both directions?				
response	See Section 1.				
comment	1430		comment by: Rolls-Royce plc		
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / Comment is substantive /



				suggestion*	objection*
NPA 2019-05 (B) AMC1 21.A.139(c)(3)	Page 118	(c)(4) “the possibility for the staff to directly notify the organisation”. This appears to suggest that a supplier's staff should bypass the organisation's normal communication interface. This is unlikely to be practically achievable. It may be referring to the supplier's staff having means to raise issues for consideration by their own management, but this needs to be clear. If the ‘just culture’ is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the ‘just culture’	To be clarified	Yes	No
NPA 2019-05 (B) AMC1.21A.139 (c)(3)	Page 118	This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g.	Suggest rewriting to establish the need for tailored arrangements as	No	Yes



	<p>any manufacturing supplier) and is unlikely to be uniformly achievable in the depth required for large organisations with several thousands of suppliers to be managed. Interface arrangements should be tailored appropriately to the contribution of the external organisations in respect of their potential significance to the production safety management system, and the complexity of the interface.</p>	<p>suggests, and consiedr in additional GM the link between this AMC and thehat for 21.A.133 (b) and (c) dealing with DO/PO, including intermediary organisation s (DO and PO)</p>		
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>1509</p> <p>AMC1.21A.139(c)(3) : This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. Interface should be limited to external organisations carruing out activities having a potential significant impact on safety .</p> <p>Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO</p>		<p>comment by: <i>Safran Aero Boosters</i></p>	
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>1517</p> <p>This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be</p>		<p>comment by: <i>Thales</i></p>	



	<p>managed. Interface should be limited to external organisations carrying out activities having a potential significant impact on safety.</p> <p>Suggested resolution: Delete or consider the content of this AMC within a GM</p>
response	See Section 1.

AMC1 21.A.139(c)(3)and (4)Production management system

p. 118-120

comment 399 comment by: Safran Landing Systems

AMC1 21.A.139(c)(3) and (4) (a)(2)	118/272	<p><i>"The organisation should in particular focus on the hazards that may generate a non-conformity of the product, part or appliance that is produced."</i></p> <p>"in particular " is not appropriate.</p>	Remove "in particular"
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response See Section 1.

comment 400 comment by: Safran Landing Systems

AMC1 21.A.139(c)(3) and (4) (b) (1)	118/272	(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);	"probability " should read "likelihood"
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response See Section 1.

comment 401 comment by: Safran Landing Systems

AMC1 21.A.139(c)(3) and (4)	119/272	<p>(e)(2)(i) "safety reporting that also addresses the status of compliance with the applicable requirements"</p> <p>Does this refer to requirement applicable to products? To organisations/processes? In the case of products, this would be overlapping with the continued airworthiness process (21.A.3A)</p>	
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response See Section 1.



comment	402			comment by: Safran Landing Systems
	AMC1 21.A.139(c)(3) and (4)(d)	119/272	(1) In line with its just culture policy, the organisation should define how to investigate incidents such as errors or near misses, in order to understand not only what happened, but also how it happened, to prevent or reduce the probability and/or consequences of any future recurrences (refer to AMC3 21.A.3A(a)(1) and (b)(1)). Incident is a reserved word in the safety field, should not be used in this context.	replace "incident" by another word
response	See Section 1.			
comment	403			comment by: Safran Landing Systems
	AMC1 21.A.139(c)(3) and (4)(d)	119/272	(2) The scope of internal investigations should extend beyond the scope of the occurrences that are required to be reported to the competent authority in accordance with point 21.A.3A. This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"	
response	See Section 1.			
comment	404			comment by: Safran Landing Systems
	AMC1 21.A.139(c)(3) and (4)	119/272	(e)(2)(iv) "any bottlenecks...any areas of dissent..." This is not realistic	Delete "any"
response	See Section 1.			
comment	405			comment by: Safran Landing Systems
	AMC1 21.A.139(c)(3) and (4) (f)	119/272	"The organisation should manage any safety risks that are related to a	The wording should be changed as follows, to explicitly state the scope

		change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.	of the management of change process: "The organisation should manage any safety risks that are related to a change that affect safety"
response		See Section 1.	
comment	593		comment by: <i>Le Blanc</i>
		<p>AMC1 21.A.139(c)(3) and (4) (a)(2) "The organisation should in particular focus on the hazards that may generate a non-conformity of the product, part or appliance that is produced." "in particular " is not appropriate.</p> <p>Suggested resolution: Remove "in particular"</p>	
response		See Section 1.	
comment	595		comment by: <i>Le Blanc</i>
		<p>AMC1 21.A.139(c)(3) and (4) (b) (1) (i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);</p> <p>Suggested resolution: "probability " should read "likelihood"</p>	
response		See Section 1.	
comment	597		comment by: <i>Le Blanc</i>
		<p>AMC1 21.A.139(c)(3) and (4) (e)(2)(i) "safety reporting that also addresses the status of compliance with the applicable requirements" Does this refer to requirement applicable to products? To organisations/processes? In the case of products, this would be overlapping with the continued airworthiness process (21.A.3A)</p>	
response		See Section 1.	
comment	598		comment by: <i>Le Blanc</i>
		<p>AMC1 21.A.139(c)(3) and (4) (c) (c) Regardless of the approval status of the subcontracted organisations, the production organisation is responsible for ensuring that all subcontracted activities</p>	



	<p>are subject to hazard identification and safety risk management, as required by point 21.A.139(c)(3), and to monitoring of their compliance and adequacy, as required by point 21.A.139(f).3</p> <p>Requiring to cascade SMS requirements to all subcontractors is not reasonable and is not workable. It should be depending on the criticality of the subcontractor production activities versus the impact on the safety of the product.</p> <p>Suggested resolution: To be clarified</p>
response	<p>See Section 1.</p>
comment	<p>600 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(3) and (4)(d)</p> <p>(1) In line with its just culture policy, the organisation should define how to investigate incidents such as errors or near misses, in order to understand not only what happened, but also how it happened, to prevent or reduce the probability and/or consequences of any future recurrences (refer to AMC3 21.A.3A(a)(1) and (b)(1)).</p> <p>Incident is a reserved word in the safety field, should not be used in this context.</p> <p>Suggested resolution: replace "incident" by another word</p>
response	<p>See Section 1.</p>
comment	<p>602 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(3) and (4)(d)</p> <p>(2) The scope of internal investigations should extend beyond the scope of the occurrences that are required to be reported to the competent authority in accordance with point 21.A.3A. This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</p> <p>Suggested resolution: Delete this bullet</p>
response	<p>See Section 1.</p>
comment	<p>604 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(3) and (4)</p> <p>(e)(2)(iv) "any bottlenecks...any areas of dissent..."</p> <p>This is not realistic</p> <p>Suggested resolution: Delete "any"</p>
response	<p>See Section 1.</p>
comment	<p>606 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(3) and (4) (f)</p>

<p>AMC1 21.A.139(c)(3) and (4) (c)</p>	<p>119/272</p>	<p><i>(c) Regardless of the approval status of the subcontracted organisations, the production organisation is responsible for ensuring that all subcontracted activities are subject to hazard identification and safety risk management, as required by point 21.A.139(c)(3), and to monitoring of their compliance and adequacy, as required by point 21.A.139(f).3</i> Requiring to cascade SMS requirements to all subcontractors is not reasonable and is not workable. It should be depending on the criticality of the subcontractor production activities versus the impact on the safety of the product.</p>	<p>To be clarified</p>		<p>X</p>
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>905 comment by: SAFRAN TRANSMISSION SYSTEMS</p>				



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(3) and (4)(d)	119/272	<i>(1) In line with its just culture policy, the organisation should define how to investigate incidents such as errors or near misses, in order to understand not only what happened, but also how it happened, to prevent or reduce the probability and/or consequences of any future recurrences (refer to AMC3 21.A.3A(a)(1) and (b)(1)). Incident is a reserved word in the safety field, should not be used in this context.</i>	replace "incident" by another word	X	

response

See Section 1.

comment

906

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(3) and (4)(d)	119/272	<i>(2) The scope of internal investigations should extend</i>	Delete this bullet		X



		<p>beyond the scope of the occurrences that are required to be reported to the competent authority in accordance with point 21.A.3A. This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</p>				
response	See Section 1.					
comment	907 comment by: SAFRAN TRANSMISSION SYSTEMS					
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	AMC1 21.A.139(c)(3) and (4)	119/272	(e)(2)(iv) "any bottlenecks...any areas of dissent..." This is not realistic	Delete "any"		X
response	See Section 1.					
comment	908 comment by: SAFRAN TRANSMISSION SYSTEMS					
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)



<p>AMC1 21.A.139(c)(3) and (4) (f)</p>	<p>119/272</p>	<p>"The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process. What does "change" apply to: design change ?, organisational change?, process change ? manufacturing change ? To be clarified</p>	<p>Scope of "Change" is to be defined The wording should be changed as follows, to explicitly state the scope of the management of change process: "<i>The organisation should manage any safety risks that are related to a change that affect safety</i>"</p>	<p>X</p>
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response **See Section 1.**

comment

1103 comment by: ASD

<p>AMC1 21.A.139(c)(3) and (4) (a)(2)</p>	<p>118/272</p>	<p>"The organisation should in particular focus on the hazards that may generate a non-conformity of the product, part or appliance that is produced." "in particular " is not appropriate.</p>	<p>Remove "in particular"</p>
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response **See Section 1.**



comment	1104		comment by: ASD	
	AMC1 21.A.139(c)(3) and (4) (f)	119/272	<p>"The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.</p>	<p>The wording should be changed as follows, to explicitly state the scope of the management of change process: "<i>The organisation should manage any safety risks that are related to a changes that have substantive impact on safety</i>"</p>
response	See Section 1.			
comment	1135		comment by: SAFRAN AEROSYSTEMS	
	<ul style="list-style-type: none"> (c)(4) "the possibility for the staff to directly notify the organisation" <p>If the 'just culture' is in place in the supplier organisation, then there should be some voluntary reporting in place and a structure to handle such kind of information within the supplier organisation and the interface with the certificate holder organisation should be ensured, in the respect of the 'just culture'</p> <p>To be clarified</p> <ul style="list-style-type: none"> This AMC is overly prescriptive as it could be understood as requesting an arrangement with any interfacing organisation (e.g. any manufacturing supplier) and not acceptable for large organisations with several thousands of suppliers to be managed. <p>Interface should be limited to external organisations carrying out activities having a potential significant impact on safety .</p> <p>Consider the content of this AMC within a GM to 21.A.133 (b) and (c) dealing with DO/PO but as well with IPO/PO</p>			
response	See Section 1.			
comment	1136		comment by: SAFRAN AEROSYSTEMS	
	<ul style="list-style-type: none"> (e)(2)(i) "safety reporting that also addresses the status of compliance with the applicable requirements" 			



Does this refer to requirement applicable to products? To organisations/processes? In the case of products, this would be overlapping with the continued airworthiness process (21.A.3A)

- (e)(2)(iv) “any bottlenecks...any areas of dissent...”

This is not realistic

Delete “any”

- AMC1 21.A.139(c)(4)(ii) (a)

"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications.". This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change?

"However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.". It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel?

This AMC is too prescriptive and not realistic for large organisations.

The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: ~~"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."~~

response **See Section 1.**

comment

1183

comment by: ASD

AMC1 21.A.139(c)(3) and (4) (b) (1)	118/272	(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);	"probability " should read "likelihood"
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response **See Section 1.**



comment	1185			comment by: ASD
	AMC1 21.A.139(c)(3) and (4)(d)	119/272	<p><i>(1) In line with its just culture policy, the organisation should define how to investigate incidents such as errors or near misses, in order to understand not only what happened, but also how it happened, to prevent or reduce the probability and/or consequences of any future recurrences (refer to AMC3 21.A.3A(a)(1) and (b)(1)).</i></p> <p>Incident is a reserved word in the safety field, should not be used in this context.</p>	replace "incident" by another word
response	See Section 1.			
comment	1186			comment by: ASD
	AMC1 21.A.139(c)(3) and (4)(d)	119/272	<p><i>(2) The scope of internal investigations should extend beyond the scope of the occurrences that are required to be reported to the competent authority in accordance with point 21.A.3A.</i></p> <p>This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</p>	Delete this bullet
response	See Section 1.			
comment	1187			comment by: ASD
	AMC1 21.A.139(c)(3) and (4)	119/272	<p><i>(e)(2)(iv) "any bottlenecks...any areas of dissent..."</i></p> <p>This is not realistic</p>	Delete "any"
response	See Section 1.			
comment	1236			comment by: AIRBUS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(3) and (4) (c)	119/272	<i>(c) Regardless of the approval status of the subcontracted organisations, the production organisation is responsible for ensuring that all subcontracted activities are subject to hazard identification and safety risk management, as required by point 21.A.139(c)(3), and to monitoring of their compliance and adequacy, as required by point 21.A.139(f).3</i> Requiring to cascade SRM requirements to all subcontractors is not resonnable and is not workable. It should be depending on the criticality of the subcontractor production activities versus the impact on the safety of the product.	To be clarified		X
response	See Section 1.				
comment	1432	comment by: Rolls-Royce plc			



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4) (a)(2)	Page 118	<i>"The organisation should in particular focus on the hazards that may generate a non-conformity of the product, part or appliance that is produced."</i> "in particular " is not appropriate.	Remove "in particular"	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4) (b) (1)	Page 118	(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);	"probability" should read "likelihood"	Yes	No
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4)	Page 119	(e)(2)(i) "safety reporting that also addresses the status of compliance with the applicable requirements" It is not clear what is intended by 'compliance with the applicable requirements' - is this related to the requirements for a safety management part of the production management system? Does this not overlap with the independent review of the adequacy and compliance with the production management procedures?	To be clarified	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4)	Page 119	(c) <i>Regardless of the approval status of the subcontracted organisations, the</i>	To be clarified	No	Yes



<p>3) and (4) (c)</p>	<p><i>production organisation is responsible for ensuring that all subcontracted activities are subject to hazard identification and safety risk management, as required by point 21.A.139(c)(3), and to monitoring of their compliance and adequacy, as required by point 21.A.139(f).3</i></p> <p>Requiring the cascade of SMS requirements to all subcontractors equally is not reasonable or workable. It should be tailored depending on the significance of the supplier's production activities.</p> <p>Separately 'regardless of the approval status of the subcontracted organisation' needs further explanation. If the supplier organisation has a POA it should be acceptable (as with other elements of the POA) to rely on its SMS and ensure that the two systems interface appropriately?</p>			
<p>NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4)(d)</p>	<p>Page 119</p> <p><i>(1) In line with its just culture policy, the organisation should define how to investigate incidents such as errors or near misses, in order to understand not only what happened, but also how it happened, to prevent or reduce</i></p>	<p>Replace "incident" by an appropriate alternate term.</p>	<p>Yes</p>	<p>No</p>



		<p><i>the probability and/or consequences of any future recurrences (refer to AMC3 21.A.3A(a)(1) and (b)(1)).</i></p> <p>The term 'Incident' may be confused with its use in relation to continued airworthiness and Annex 13 activities.</p>			
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4)(d)	Page 119	<p><i>(2) The scope of internal investigations should extend beyond the scope of the occurrences that are required to be reported to the competent authority in accordance with point 21.A.3A.</i></p> <p>This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</p>	Delete this bullet	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4)	Page 119	<p><i>(e)(2)(iv) "any bottlenecks...any areas of dissent..."</i></p> <p>This is not realistic - bottlenecks in production are a part of the system. This item should be considered only in relation to the impact on the production system's safety performance.</p>	Delete "any" and clarify appropriately.	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(c)(3) and (4) (f)	Page 119	<p><i>"The organisation should manage any safety risks that are related to a change".</i> It should be clarified that the identification of risks (or the lack of such risks) may often be achieved without resorting to a formal</p>	The wording should be changed as follows, to explicitly state the scope of the management of change process:	No	Yes



		risk assessment/management process, particularly in simple cases.	"The organisation should manage any safety risks that are related to a change that affect safety "		
response		See Section 1.			
comment	1518	comment by: <i>Thales</i>			
		<p>"The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.</p> <p>Suggested resolution: The wording should be changed as follows, to explicitly state the scope of the management of change process: "The organisation should manage any safety risks that are related to a changes that have substantive impact on safety"</p>			
response		See Section 1.			
comment	1527	comment by: <i>Safran Aero Boosters</i>			
		<p>AMC1 21.A.139(c)(3) and (4): (e)(2)(i) "safety reporting that also addresses the status of compliance with the applicable requirements" Does this refer to requirement applicable to products? To organisations/processes? In the case of products, this would be overlapping with the continued airworthiness process (21.A.3A)</p>			
response		See Section 1.			
comment	1528	comment by: <i>Safran Aero Boosters</i>			
		<p>AMC1 21.A.139(c)(3) and (4)(d) : (2) The scope of internal investigations should extend beyond the scope of the occurrences that are required to be reported to the competent authority in accordance with point 21.A.3A. This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</p> <p>Delete this bullet</p>			
response		See Section 1.			

comment	1529	comment by: Safran Aero Boosters
	AMC1 21.A.139(c)(3) and (4) : (e)(2)(iv) "any bottlenecks...any areas of dissent..." This is not realistic	
	Delete "any"	
response	See Section 1.	
comment	1530	comment by: Safran Aero Boosters
	AMC1 21.A.139(c)(3) and (4) (f) : "The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.	
	The wording should be changed as follows, to explicitly state the scope of the management of change process: "The organisation should manage changes that have substantive impact on safety"	
response	See Section 1.	

GM1 21.A.139(c)(4)(ii) Production management system

p. 120-121

comment	784	comment by: Safran HE
	AMC1 21.A.139(c)(4)(ii) (a)	
	<p>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications." This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process." It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p> <p>Suggested resolution: The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>	
response	See Section 1.	



comment

909

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(4)(ii) (a)	121/27 2	"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications." . This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in	The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations : " Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged		X



		<p><i>the process."</i>. It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p>	<p><i>and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</i></p>		
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response

See Section 1.

comment

910 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(5)	121/272	This AMC is over-prescriptive on what should be	This AMC should be removed, or made more concise and risk-based, for		X



		<p>communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p>example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate</p>		
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response	<table border="1"> <tr> <td></td> <td></td> <td></td> <td> <p>safety matters."</p> <p>The deleted material could be added to a GM Safety Communication.</p> </td> <td></td> <td></td> </tr> </table>				<p>safety matters."</p> <p>The deleted material could be added to a GM Safety Communication.</p>		
				<p>safety matters."</p> <p>The deleted material could be added to a GM Safety Communication.</p>			
<p>See Section 1.</p>							

AMC1 21.A.139(c)(4)(ii) Production management system

p. 121

comment

213

comment by: *Safran Engineering Services*

"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications.". This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.". It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations. The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "~~Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.~~ The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."

response

See Section 1.

comment

406

comment by: *Safran Landing Systems*

<p>AMC1 21.A.139(c)(4)(ii) (a)</p>	<p>121/272</p>	<p>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications.". This is a broad and subjective statement,</p>	<p>The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "Regardless of the</p>
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		<p>written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.". It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p>	<p>magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>
response	See Section 1.		
comment	1105	comment by: ASD	
<p>AMC1 21.A.139(c)(4)(ii) (a)</p>	<p>121/272</p>	<p>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications.". This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can</p>	<p>The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes</p>



		<p>only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process." . It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p>	<p>or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1285</p>	<p>comment by: <i>On behalf of Airbus Helicopters PO/DO</i> Page 121 of NPA 2019_05_B, AMC1 21.A.139(c)(4)(ii): Justification of Comment by Airbus Helicopters DO Rules & Regulation: See comment 1282 on GM1 Annex 1. Proposed Solution: The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.</p>	
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1323</p>	<p>comment by: <i>Duane Kritzinger</i> What about continous improvement of the quality managment system? Should be a single requirement under the Production Management System</p>	

response

See Section 1.

comment

1433

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.139(c)(4) (ii) (a)	Page 121	<p><i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications."</i></p> <p>This is a broad and subjective statement, written in a very prescriptive manner, and will be impractical to demonstrate. While the principle is recognised, in that due account should be taken of any safety implications when planning a change, it should also be clarified that the identification of risks (or the lack of such risks) may often be achieved without resorting to a formal risk assessment/management process, particularly in simple cases, and no record of a self-evident conclusion will be kept in simple cases.</p> <p><i>"However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they</i></p>	<p>The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations:</p> <p><i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the</i></p>	No	Yes



	<p>participate in the process." It should be recognized that resources for change management are limited, and an expectation that all personnel are always fully engaged in changes is not appropriate. 'All' personnel cannot possibly be 'fully engaged' and it is not clear how this would be demonstrated. This AMC is too prescriptive and not realistic, especially for large organisations.</p>	<p>personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>	
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>1519 comment by: Thales</p> <p><i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications."</i> This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? <i>"However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process."</i> It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p> <p>Suggested resolution: The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: <i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change</i></p>		



	<p>are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>
response	See Section 1.
comment	<p>1531 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(c)(4)(ii) (a) : "Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications.". This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change?</p> <p>"However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.". It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p> <p>The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "The magnitude of a change, its safety criticality should be assessed as part of the change management process."</p>
response	See Section 1.

AMC1 21.A.139(c)(5) Production management system

p. 121

comment	407 comment by: Safran Landing Systems				
<table border="1"> <tr> <td>AMC1 21.A.139(c)(5)</td> <td>121/272</td> <td> <p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p> </td> <td> <p>This AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks</p> </td> </tr> </table>	AMC1 21.A.139(c)(5)	121/272	<p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p>This AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks</p>	
AMC1 21.A.139(c)(5)	121/272	<p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p>This AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks</p>		



			<p>and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters." The deleted material could be added to a GM Safety Communication.</p>
response	See Section 1.		

comment 409 comment by: Safran Landing Systems

AMC1 21.A.139(c)(5)	121/272	(a)(1) "ensures that all the personnel are aware" "all" encompasses functions which do not contribute to the production activities	Replace "all personnel" by "personnel involved or with an impact on production activities"
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response See Section 1.

comment 610 comment by: Le Blanc

AMC1 21.A.139(c)(5)
 This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.



response	<p>Suggested resolution: This AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters." The deleted material could be added to a GM Safety Communication.</p>												
	See Section 1.												
comment	<p>612 comment by: <i>Le Blanc</i> AMC1 21.A.139(c)(5) (a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to the production activities Suggested resolution: Replace “all personnel” by “personnel involved or with an impact on production activities”</p>												
response	See Section 1.												
comment	<p>912 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" data-bbox="392 1312 1385 1872"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.139(c)(5)</td> <td>121/272</td> <td>(a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to the production activities</td> <td>Replace “all personnel” by “personnel involved or with an impact on production activities”</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.139(c)(5)	121/272	(a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to the production activities	Replace “all personnel” by “personnel involved or with an impact on production activities”		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.139(c)(5)	121/272	(a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to the production activities	Replace “all personnel” by “personnel involved or with an impact on production activities”		X								
response	See Section 1.												



comment	<p>1137</p> <p>comment by: SAFRAN AEROSYSTEMS</p> <p>(a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to the production activities</p> <p>Replace “all personnel” by “personnel involved or with an impact on production activities”</p>
response	<p>See Section 1.</p>

comment	<p>1188</p> <p>comment by: ASD</p>		
<p>AMC1 21.A.139(c)(5)</p>	<p>121/272</p>	<p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, “[ensuring] that all the personnel are aware of the safety management activities” may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p>This AMC should be removed, or made more concise and risk-based, for example as follows: <i>“(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters.”</i> The deleted material</p>



				could be added to a GM Safety Communication.		
response	See Section 1.					
comment	1191			comment by: ASD		
	AMC1 21.A.139(c)(5)	121/272	(a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to the production activities	Replace “all personnel” by “personnel involved or with an impact on production activities”		
response	See Section 1.					
comment	1436			comment by: Rolls-Royce plc		
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
	NPA 2019-05 (B) AMC1 21.A.139(c)(5)	Page 121	This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not prescribed by the regulation. For example, in a large organisation, “[ensuring] that all the	This AMC should be removed, or made more concise and risk-based, for example as follows: “(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel	No	Yes



		<p>personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p><i>are aware of the safety risks relevant to their management activities;</i> <i>(2) conveys safety-critical information, especially related to assessed risks and analysed hazards;</i> <i>(3) explains why particular actions are taken; and</i> <i>(4) explains why safety procedures are introduced or changed.</i> <i>(b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."</i> The deleted material could be added to a GM on Safety Communication. </p>		
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response

See Section 1.

comment

1438

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an	Comment is substantive/objection**
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				observation/ suggestion*		
	NPA 2019-05 (B) AMC1 21.A.139(c)(5)	Page 121	(a)(1) “ensures that all the personnel are aware” “all” encompasses functions which do not contribute to production activities, and the awareness necessary needs to reflect the individual's role and responsibilities.	Replace “all personnel” by “personnel involved or with an impact on production activities”	No	Yes
response	See Section 1.					

comment

1520

comment by: *Thales*

This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, “[ensuring] that all the personnel are aware of the safety management activities” may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.

Suggested resolution: This AMC should be removed, or made more concise and risk-based, for example as follows:
 “(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that:
 (1) ensures that all the personnel are aware of the safety risks relevant to their management activities;
 (2) conveys safety-critical information, especially related to assessed risks and analysed hazards;
 (3) explains why particular actions are taken; and
 (4) explains why safety procedures are introduced or changed.
 (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters.”
 The deleted material could be added to a GM Safety Communication.

response

See Section 1.

comment

1532

comment by: *Safran Aero Boosters*



	<p>AMC1 21.A.139(c)(5) : This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p> <p>his AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their activities; (2) conveys safety-critical information; "</p> <p>The deleted material could be added to a GM Safety Communication.</p>
response	See Section 1.
comment	<p>1535 comment by: <i>Safran Aero Boosters</i></p> <p>AMC1 21.A.139(c)(5) : (a)(1) "ensures that all the personnel are aware" "all" encompasses functions which do not contribute to the production activities</p> <p>Replace "all personnel" by "personnel involved or with an impact on production activities"</p>
response	See Section 1.

GM1 21.A.139(c)(5) Production management system

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comment	<p>408 comment by: <i>Safran Landing Systems</i></p> <table border="1"> <tr> <td>GM1 21.A.139(c)(5)</td> <td>122/272</td> <td>"support organisational learning;" Wording not understood</td> <td>To be clarified</td> </tr> </table>	GM1 21.A.139(c)(5)	122/272	"support organisational learning;" Wording not understood	To be clarified
GM1 21.A.139(c)(5)	122/272	"support organisational learning;" Wording not understood	To be clarified		
response	See Section 1.				
comment	<p>611 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.139(c)(5) "support organisational learning;" Wording not understood</p> <p>Suggested resolution: To be clarified</p>				



response

See Section 1.

comment

911

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.139(c)(5)	122/272	"support organisational learning;" Wording not understood	To be clarified		X

response

See Section 1.

comment

913

comment by: SAFRAN TRANSMISSION SYSTEMS

Author	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
ASD	AMC1 21.A.139(c)(5) (i)	122/272	This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its	This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each member		X



			<p>training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted. Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p>	<p>s of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other</p>		
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response

See Section 1.

comment

917

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(5)(i)	122/272	"(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each two-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the	reword or delete the requirement.		X



		<p><i>organisation on safety, and in production."</i> Safety assurance should be the source, not compliance monitoring</p>			
<p>response</p>	<p>See Section 1.</p>				

<p>comment</p>	<p>1106</p>		<p>comment by: ASD</p>		
	<p>AMC1 21.A.139(c)(5)(i)</p>	<p>122/272</p>	<p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted. Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p>	<p>This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: <i>"[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and</i></p>	



				<i>any other internal/external sources of information that are available to the organisation on safety, and in production."</i>	
response	See Section 1.				
comment	1189			comment by: ASD	
	GM1 21.A.139(c)(5)	122/272	"support organisational learning;" Wording not understood	To be clarified	
response	See Section 1.				
comment	1279			comment by: <i>On behalf of Airbus Helicopters PO/DO</i>	
	Page 122 of NPA 2019_05_B, AMC1 21.A.139 (c)(5):				
	In deviation from comments provided European Aerospace organizations summarized by ASD and SAFRAN, the Production Organization of Airbus Helicopters explicitly welcomes the notation in Part 21.A.139(c)(5), that all personal of an organization under subpart G shall be part of Safety Communication.				
response	See Section 1.				
comment	1437			comment by: <i>Rolls-Royce plc</i>	
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*
	NPA 2019-05 (B) GM1 21.A.139(c)(5)	Page 122	"support organisational learning;" It would be helpful to clarify or expand on this concept.	To be clarified	No
					Comment is substantive/objection** Yes
response	See Section 1.				

comment	1534	comment by: Safran Aero Boosters
	GM1 21.A.139(c)(5) : "support organisational learning;" Wording not understood	
	To be clarified	
response	See Section 1.	

AMC1 21.A.139(c)(5)(i) Production management system

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comment	214	comment by: Safran Engineering Services
	<p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted.</p> <p>Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p> <p>This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided to each members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</p>	
response	See Section 1.	

comment	410	comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>AMC1 21.A.139(c)(5)(i)</td> <td>122/272</td> <td> This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its </td> <td> This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided </td> </tr> </table>	AMC1 21.A.139(c)(5)(i)	122/272	This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its	This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided	
AMC1 21.A.139(c)(5)(i)	122/272	This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its	This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided			



		<p>training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted. Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p>	<p><i>to each- members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</i></p>
response	<p>See Section 1.</p>		
comment	<p>412 comment by: Safran Landing Systems</p>		
<p>AMC1 21.A.139(c)(5)(i)</p>	<p>122/272</p>	<p>(c) "... should be provided to each member of the personnel" "each" encompasses functions which do not contribute to the production activities</p>	<p>Replace "each member of the personnel" by "personnel involved or with an impact on production activities"</p>
response	<p>See Section 1.</p>		



comment	<p>614 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(5)(i) (c) "... should be provided to each member of the personnel" "each" encompasses functions which do not contribute to the production activities</p> <p>Suggested resolution: Replace "each member of the personnel" by "personnel involved or with an impact on production activities"</p>
response	<p>See Section 1.</p>
comment	<p>616 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(c)(5)(i) "(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each two-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production." Safety assurance should be the source, not compliance monitoring</p> <p>Suggested resolution: reword or delete the requirement.</p>
response	<p>See Section 1.</p>
comment	<p>785 comment by: <i>Safran HE</i></p> <p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted.</p> <p>Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p> <p>Suggested resolution: This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</p>

response See Section 1.

comment 915 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(c)(5)(i)	122/272	(c) "... should be provided to each member of the personnel" "each" encompasses functions which do not contribute to the production activities	Replace "each member of the personnel" by "personnel involved or with an impact on production activities"		X

response See Section 1.

comment 1108 comment by: ASD

AMC1 21.A.139(c)(5)(i)	122/272	"(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each two-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production." Safety assurance should be as well the source ,not only compliance monitoring			reword the requirement.
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response

See Section 1.

comment

1138

comment by: SAFRAN AEROSYSTEMS

- This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM.

Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted.

Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.

This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details:

"[...] (c) Initial training that is compliant with the organisation’s training standards should be provided to each—members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training.

(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."

- (c) "... should be provided to each member of the personnel"

"each" encompasses functions which do not contribute to the production activities

Replace "each member of the personnel" by "personnel involved or with an impact on production activities"

response

See Section 1.

comment

1193

comment by: ASD

<p>AMC1 21.A.139(c)(5)(i)</p>	<p>122/272</p>	<p>(c) "... should be provided to each member of the personnel" "each" encompasses functions which do not</p>	<p>Replace "each member of the personnel" by "personnel involved or with an impact on production activities"</p>
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			contribute to the production activities		
response	See Section 1.				
comment	1280	comment by: <i>On behalf of Airbus Helicopters PO/DO</i>			
	Page 122 of NPA 2019_05_B, AMC1 21.A.139 (c)(5)(i):				
	In deviation from comments provided European Aerospace organizations summarized by ASD, the Production Organization of Airbus Helicopters explicitly welcomes the definition of a 6 month time limit for initial training and a 2 year period for recurrent training in Part 21.A.139(c)(5)(i), for personal of an organization under subpart G.				
response	See Section 1.				
comment	1286	comment by: <i>On behalf of Airbus Helicopters PO/DO</i>			
	Page 122 of NPA 2019_05_B, AMC1 21.A.139(c)(5)(i):				
	Justification of Comment by Airbus Helicopters DO Rules & Regulation:				
	See comment 1282 on GM1 Annex 1.				
	Proposed Solution:				
	The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I				
	The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.				
response	See Section 1.				
comment	1439	comment by: <i>Rolls-Royce plc</i>			
				Comment is an observation / suggestion*	Comment is substantive / objection**
	NPA 2019-05 (B) AMC1	Page 122	This AMC prescribes a limit of 6	This AMC should be moved to a GM	No Yes

21.A.139(c)(5)(i)	<p>months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training programme. These time limits should be deleted. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This should not be the primary consideration .</p>	<p>and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated</p>		
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		<p><i>within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</i></p>			
<p>response</p>	<p>See Section 1.</p>				

comment

1441

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
<p>NPA 2019-05 (B) AMC1 21.A.139(c)(5)(i)</p>	<p>Page 122</p>	<p>(c) "... should be provided to each member of the personnel" "each" encompasses functions which do not contribute to production activities, and the provision necessary needs to reflect the individual's role and responsibilities.</p>	<p>Replace "each member of the personnel" by "personnel involved or with an impact on production activities"</p>	<p>No</p>	<p>Yes</p>



response

See Section 1.

comment

1444

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.139(c)(5)(i)	Page 122	<p><i>"(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each two-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</i></p> <p>It is not clear why the duration of the recurrent training should be based on the results of compliance monitoring, as other sources such as safety assurance</p>	Reword or delete the requirement.	No	Yes



<p>response</p>	<table border="1"> <tr> <td data-bbox="379 183 598 291"></td> <td data-bbox="598 183 885 291"> <p>should be equally relevant.</p> </td> <td data-bbox="885 183 1061 291"></td> <td data-bbox="1061 183 1228 291"></td> <td data-bbox="1228 183 1418 291"></td> </tr> <tr> <td colspan="5" data-bbox="379 291 1418 504"> <p>See Section 1.</p> </td> </tr> </table>		<p>should be equally relevant.</p>				<p>See Section 1.</p>				
	<p>should be equally relevant.</p>										
<p>See Section 1.</p>											
<p>comment</p>	<p>1521 comment by: <i>Thales</i></p> <p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted.</p> <p>Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p> <p>Suggested resolution: This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: <i>"[...] (c) Initial training that is compliant with the organisation's training standards should be provided to <u>each</u> members of the personnel according to their duties within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</i></p>										
<p>response</p>	<p>See Section 1.</p>										
<p>comment</p>	<p>1537 comment by: <i>Safran Aero Boosters</i></p> <p>AMC1 21.A.139(c)(5)(i) : This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted.</p> <p>Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p>										



response	<p>This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided to members of the personnel according to their duties unless their competency assessment justifies that there is no need for such a training.</p> <p>See Section 1.</p>
comment	<p>1540 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(c)(5)(i) : “... should be provided to each member of the personnel” "each" encompasses functions which do not contribute to the production activities</p> <p>Replace “each member of the personnel" by “personnel involved or with an impact on production activities”</p>
response	<p>See Section 1.</p>
comment	<p>1542 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(c)(5)(i) : "(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each two-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production." Safety assurance should be as well the source ,not only compliance monitoring</p> <p>reword the requirement.</p>
response	<p>See Section 1.</p>

GM1 21.A.139(c)(5)(i) Production management system

p. 123

comment	<p>2 comment by: AIR FORMATION</p> <p>Safety Training syllabus especially Human factor principles is not detailed. That's not in line with the 145 Safety training syllabus.</p> <p>It seems interesting to propose a detailed syllabus, and maybe to developp only one syllabus for both 21 and 145</p>				
response	<p>See Section 1.</p>				
comment	<p>411 comment by: Safran Landing Systems</p> <table border="1" data-bbox="389 1834 1385 2024"> <tr> <td data-bbox="389 1899 612 1966">GM1 21.A.139(c)(5)(i)</td> <td data-bbox="612 1917 724 1944">123/272</td> <td data-bbox="724 1845 1123 2018">The sentence "<i>support safety management policies and processes, including human factors training;</i>" is not clear, because human factors training</td> <td data-bbox="1123 1845 1385 2018">Consider the following wording instead: "- support safety management</td> </tr> </table>	GM1 21.A.139(c)(5)(i)	123/272	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training	Consider the following wording instead: "- support safety management
GM1 21.A.139(c)(5)(i)	123/272	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training	Consider the following wording instead: "- support safety management		



		is not part of the safety management policies and processes.	policies and processes, including human factors training; - raise awareness on human factors principles;"
response	See Section 1.		
comment	413 comment by: Safran Landing Systems		
	GM1 21.A.139(c)(5)(i)	123/272	"Safety issues" – how / what should safety issues be included in training? To be clarified
response	See Section 1.		
comment	414 comment by: Safran Landing Systems		
	AMC1 21.A.139(c)(5)(i)	122/272	"(d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each two-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production." Safety assurance should be the source, not compliance monitoring reword or delete the requirement.
response	See Section 1.		
comment	415 comment by: Safran Landing Systems		
	GM1 21.A.139(c)(5)(i)	123/272	The training content is here roughly defined. Now, Organisations might choose to It is proposed to include a statement: "Each organisation should adapt the syllabus to its own

		include different content but aiming at the same scope It is anyway not understood why the Safety objectives and indicators should be part of the training when they are already part of the communication	<i>needs. Typically, at least the following items should be included: An example of Training content is provided here below but production organisations can adopt different content provided compliance with 21.A.139(c)(5) is met:"</i>
response	See Section 1.		
comment	613	comment by: <i>Le Blanc</i>	
	<p>GM1 21.A.139(c)(5)(i) The sentence "support safety management policies and processes, including human factors training;" is not clear, because human factors training is not part of the safety management policies and processes.</p> <p>Suggested resolution: Consider the following wording instead: "- support safety management policies and processes, including human factors training; - raise awareness on human factors principles;"</p>		
response	See Section 1.		
comment	615	comment by: <i>Le Blanc</i>	
	<p>GM1 21.A.139(c)(5)(i) "Safety issues" – "why should safety issues be included in training?"</p> <p>Suggested resolution: the identification of safety issues to be included in training is up to the organization, there is no need for the regulation to specify to the organization what safety issue to include in training.</p>		
response	See Section 1.		
comment	617	comment by: <i>Le Blanc</i>	
	<p>GM1 21.A.139(c)(5)(i) The training content is here roughly defined. Now, Organisations might choose to include different content but aiming at the same scope It is anyway not understood why the Safety objectives and indicators should be part of the training when they are already part of the communication Suggested resolution: It is proposed to include a statement: "Each organisation should adapt the syllabus to its own needs. Typically, at least the</p>		

	<p>following items should be included: An example of Training content is provided here below but production organisations can adopt different content provided compliance with 21.A.139(c)(5) is met:"</p>
response	<p>See Section 1.</p>

comment	<p>914 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>GM1 21.A.139(c)(5)(i)</td> <td>123/272</td> <td>The sentence "<i>support safety management policies and processes, including human factors training;</i>" is not clear, because human factors training is not part of the safety management policies and processes.</td> <td>Consider the following wording instead: "- <i>support safety management policies and processes, including human factors training;</i> - <i>raise awareness on human factors principles;</i>"</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.139(c)(5)(i)	123/272	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training is not part of the safety management policies and processes.	Consider the following wording instead: "- <i>support safety management policies and processes, including human factors training;</i> - <i>raise awareness on human factors principles;</i> "		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
GM1 21.A.139(c)(5)(i)	123/272	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training is not part of the safety management policies and processes.	Consider the following wording instead: "- <i>support safety management policies and processes, including human factors training;</i> - <i>raise awareness on human factors principles;</i> "		X								
response	<p>See Section 1.</p>												

comment	<p>916 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>GM1 21.A.139(c)(5)(i)</td> <td>123/272</td> <td>"Safety issues" – what safety issues to be</td> <td>To be clarified</td> <td>X</td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.139(c)(5)(i)	123/272	"Safety issues" – what safety issues to be	To be clarified	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
GM1 21.A.139(c)(5)(i)	123/272	"Safety issues" – what safety issues to be	To be clarified	X									



		included in training? the identification of safety issues to be included in training is up to the organization, there is no need for the regulation to specify to the organization what safety issue to include in training.			
response	See Section 1.				

comment

918

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.139(c)(5)(i)	123/272	The training content is here roughly defined. Now, Organisations might choose to include different content but aiming at the same scope It is anyway not understood why the Safety objectives and indicators should be part	It is proposed to include a statement: <i>"Each organisation should adapt the syllabus to its own needs. Typically, at least the following items should be included: An example of Training content is</i>		X



		of the training when they are already part of the communication	<i>provided here below but production organisations can adopt different content provided compliance with 21.A.139(c)(5) is met:"</i>		
response	See Section 1.				
comment	1107				comment by: ASD
	GM1 21.A.139(c)(5)(i)	123/272	The identification of safety issues to be included in training is up to the organization, the regulation should not require that safety issues are included in the training programme.	Remove "safety issues" from the list in the GM.	
response	See Section 1.				
comment	1139				comment by: SAFRAN AEROSYSTEMS
	"Safety issues" – how / what should safety issues be included in training?				
	To be clarified				
response	See Section 1.				
comment	1192				comment by: ASD
	GM1 21.A.139(c)(5)(i)	123/272	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training is not part of the safety management policies and processes.	Consider the following wording instead: "- <i>support safety management policies and processes, including human factors</i>	



	<table border="1"> <tr> <td data-bbox="379 183 614 369"></td> <td data-bbox="614 183 726 369"></td> <td data-bbox="726 183 1412 369"> <i>training; - raise awareness on human factors principles;"</i> </td> </tr> </table>			<i>training; - raise awareness on human factors principles;"</i>	
		<i>training; - raise awareness on human factors principles;"</i>			
response	<p>See Section 1.</p>				
comment	<p>1194 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="379 638 614 1198">GM1 21.A.139(c)(5)(i)</td> <td data-bbox="614 638 726 1198">123/272</td> <td data-bbox="726 638 1013 1198"> The training content is here roughly defined. Now, Organisations might choose to include different content but aiming at the same scope It is anyway not understood why the Safety objectives and indicators should be part of the training when they are already part of the communication </td> <td data-bbox="1013 638 1412 1198"> It is proposed to include a statement: <i>"Each organisation should adapt the syllabus to its own needs. Typically, at least the following items should be included: An example of Training content is provided here below but production organisations can adopt different content provided compliance with 21.A.139(c)(5) is met:"</i> </td> </tr> </table>	GM1 21.A.139(c)(5)(i)	123/272	The training content is here roughly defined. Now, Organisations might choose to include different content but aiming at the same scope It is anyway not understood why the Safety objectives and indicators should be part of the training when they are already part of the communication	It is proposed to include a statement: <i>"Each organisation should adapt the syllabus to its own needs. Typically, at least the following items should be included: An example of Training content is provided here below but production organisations can adopt different content provided compliance with 21.A.139(c)(5) is met:"</i>
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response	<p>See Section 1.</p>				
comment	<p>1287 comment by: On behalf of Airbus Helicopters PO/DO</p> <p>Page 123 of NPA 2019_05_B, GM1 21.A.139(c)(5)(i):</p> <p>Justification of Comment by Airbus Helicopters DO Rules & Regulation:</p> <p>See comment 1282 on GM1 Annex 1.</p> <p>Proposed Solution:</p> <p>The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I</p> <p>The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.</p>				



response

See Section 1.

comment

1440

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 21.A.139(c)(5)(i)	Page 123	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training is not part of the safety management policies and processes.	Consider the following wording instead: " <i>support safety management policies and processes, including human factors training; - raise awareness on human factors principles;</i> "	No	Yes

response

See Section 1.

comment

1443

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 21.A.139(c)(5)(i)	Page 123	The identification of safety issues to be included in training is up to the organisation. The regulation should not require that safety issues are	Remove the requirement for the inclusion of safety issues.	Yes	No



		included in the training programme, a these are often sensitive information, and their inclusion has to be carefully considered, and may not be appropriate for widespread training.			
response	See Section 1.				

comment	1445	comment by: <i>Rolls-Royce plc</i>			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 21.A.139(c)(5)(i)	Page 123	The training content is here is essentially prescribed, but it needs to be clearer that this is for guidance, and the syllabus will be for the organisation to determine. Additionally, it is not clear why the Safety objectives and indicators should be part of the recurrent training when they are already part of the safety	It is proposed to include a statement: <i>"Each organisation should adapt the syllabus to its own needs. Typically, at least the following items should be included: An example of Training content is provided here below but production organisations can adopt different content</i>	No	Yes



		communication element.	<i>provided compliance with 21.A.139(c)(5) is met:"</i>		
response	See Section 1.				
comment	1522				comment by: <i>Thales</i>
	<p>The sentence "<i>support safety management policies and processes, including human factors training;</i>" is not clear, because human factors training is not part of the safety management policies and processes.</p> <p>Suggested resolution: Consider the following wording instead: <i>"- support safety management policies and processes, including human factors training;</i> <i>- raise awareness on human factors principles;"</i></p>				
response	See Section 1.				
comment	1523				comment by: <i>Thales</i>
	<p>The identification of safety issues to be included in training is up to the organization, the regulation should not require that safety issues are included in the training programme.</p> <p>Suggested resolution: Remove "<i>safety issues</i>" from the list in the GM.</p>				
response	See Section 1.				
comment	1538				comment by: <i>Safran Aero Boosters</i>
	<p>GM1 21.A.139(c)(5)(i) : The sentence "<i>support safety management policies and processes, including human factors training;</i>" is not clear, because human factors training is not part of the safety management policies and processes.</p> <p>Consider the following wording instead: <i>"- support safety management policies and processes;</i> <i>- raise awareness on human factors principles;"</i></p>				
response	See Section 1.				
comment	1543				comment by: <i>Safran Aero Boosters</i>
	<p>GM1 21.A.139(c)(5)(i) : The training content is here roughly defined. Now, Organisations might choose to include different content but aiming at the same scope</p>				



	<p>It is anyway not understood why the Safety objectives and indicators should be part of the training when they are already part of the communication</p> <p>It is proposed to include a statement: "Each organisation should adapt the syllabus to its own needs. An example of Training content is provided here below but production organisations can adopt different content provided compliance with 21.A.139(c)(5) is met:"</p>
response	See Section 1.

AMC1GM21.A.139(d)(2)(b)(1) Production management system Quality System – Elements of the quality syst

p. 124

comment 416 comment by: Safran Landing Systems

AMC1 21.A.139(d)(2)	124/272	(2) Voluntary reporting should not be part of the quality system, but of the safety management system	Delete voluntary reporting from "Quality system"
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response See Section 1.

comment 618 comment by: Le Blanc

AMC1 21.A.139(d)(2)
(2) Voluntary reporting should not be part of the quality system, but of the safety management system

Suggested resolution: Delete voluntary reporting from "Quality system"

response See Section 1.

comment 919 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(d)(2)	124/272	(2) Voluntary reporting should not be part of the quality system, but of the safety management system	Delete voluntary reporting from "Quality system"		X



response	See Section 1.												
comment	<p>1140 comment by: SAFRAN AEROSYSTEMS</p> <p>(2) Voluntary reporting should not be part of the quality system, but of the safety management system</p> <p>Delete voluntary reporting from “Quality system”</p>												
response	See Section 1.												
comment	<p>1446 comment by: Rolls-Royce plc</p> <table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) AMC1 21.A.139(d)(2)</td> <td>Page 124</td> <td>(2) We suggest that voluntary reporting should not be part of the quality system, but of the safety management system</td> <td>Delete voluntary reporting from “Quality system”</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) AMC1 21.A.139(d)(2)	Page 124	(2) We suggest that voluntary reporting should not be part of the quality system, but of the safety management system	Delete voluntary reporting from “Quality system”	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
NPA 2019-05 (B) AMC1 21.A.139(d)(2)	Page 124	(2) We suggest that voluntary reporting should not be part of the quality system, but of the safety management system	Delete voluntary reporting from “Quality system”	No	Yes								
response	See Section 1.												

AMCNo1to21.A.139(d)(2)(ii)(b)(1)(ii) Production management system Vendor and sub-contractor assessment, audit and control – Production Organisation Approval (POA) holder using documented arrangements with other parties for assessment and surveillance of a supplie

p. 126-128

comment	<p>710 comment by: FAA</p> <p>Page 128 Para 1 21.A.139(d)(2)(ii) Production management system Para (3)(d)</p> <p><u>Referenced Text:</u> The POA should make arrangements that allow the competent authority to make investigations in accordance with point 21.A.9 to include OP activities.</p>
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	<p><u>Comment:</u> The link with 21.A.9 is weak relative to third-country POAs, since 21.A.9 does not make specific provisions to account for the inherent investigative shortcomings with POAs in non-EU countries that are not under the EASA's regulatory umbrella</p> <p><u>Proposed Resolution:</u> Clarify investigation powers relative to non-EU organisations, such as POAs in non-EU country</p>
response	See Section 1.

AMC1 21.A.139(e) Production management system

p. 130-131

comment 417 comment by: Safran Landing Systems

AMC1 21.A.139(e)(a)	130/272	This statement is not clear and should be rewritten.
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response See Section 1.

comment 619 comment by: Le Blanc

AMC1 21.A.139(e)(a)
This statement is not clear and should be rewritten.

response See Section 1.

comment 921 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(e)(a)	130/272	This statement is not clear and should be rewritten.		x	

response See Section 1.

comment 1195 comment by: ASD

AMC1 21.A.139(e)(a)	130/272	This statement is not clear and should be rewritten.
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response	See Section 1.												
comment	<p>1291 comment by: <i>Lufthansa Technik AG</i></p> <p>It should be emphasized within the AMC or GM that the POE / documentation is not necessarily a manual but may also be an online system.</p>												
response	See Section 1.												
comment	<p>1368 comment by: <i>Pratt@Whitney Rzeszow APUs</i></p> <p>The wording: "...should be the key instrument used by an organisation ..." is not clear. Term: "instrument" may have different meanings. Possible rewording: "...should be the main document used by an organisation ..."</p>												
response	See Section 1.												
comment	<p>1447 comment by: <i>Rolls-Royce plc</i></p> <table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) AMC1 21.A.139(e)(a)</td> <td>Page 130</td> <td>The statement "<i>to communicate its approach to management systems</i>" is not clear and should be rewritten.</td> <td>Rephrase needed.</td> <td>Yes</td> <td>No</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) AMC1 21.A.139(e)(a)	Page 130	The statement " <i>to communicate its approach to management systems</i> " is not clear and should be rewritten.	Rephrase needed.	Yes	No
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
NPA 2019-05 (B) AMC1 21.A.139(e)(a)	Page 130	The statement " <i>to communicate its approach to management systems</i> " is not clear and should be rewritten.	Rephrase needed.	Yes	No								
response	See Section 1.												

AMC1 21.A.139(f) Production management system

comment	<p>8 ❖ comment by: <i>Universal Alloy Corporation Design</i></p> <p>Considering that: ISO 19011 is an internationally recognised auditing guidance standard ICAO established USOAP (Universal Safety Oversight Audit Programme) to monitor states, using principles laid down in ISO 19011</p>
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	<p>Ref: https://www.icao.int/NACC/Documents/eDOCS/FS/FS--Flyer_US-Letter_ANB-USOAP_2013-08-30.pdf</p> <p>Basic regulation mentions use of international standards</p> <p>Ref: REGULATION (EU) 2018/11, paragraph 12</p> <p>Use should be made of recognised industry standards and practices, where it has been found that they ensure compliance with the essential requirements set out in this Regulation.</p> <p>Definitions from ISO 19011:2018</p> <p>audit plan description of the activities and arrangements for an <i>audit</i></p> <p>audit programme arrangements for a set of one or more <i>audits</i> planned for a specific time frame and directed towards a specific purpose</p> <p>Wording in the NP (and current Part 21), which indicates the intent to refer to an audit programme</p> <p>Proposition is: Replace audit plan with audit programme</p>				
response	See Section 1.				
comment	<p>418 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1025 1390 1216"> <tr> <td data-bbox="391 1025 555 1216">AMC1 21.A.139(f)</td> <td data-bbox="555 1025 671 1216">131/272</td> <td data-bbox="671 1025 1023 1216">The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable.</td> <td data-bbox="1023 1025 1390 1216">Rewrite the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable.</td> </tr> </table>	AMC1 21.A.139(f)	131/272	The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable.	Rewrite the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable.
AMC1 21.A.139(f)	131/272	The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable.	Rewrite the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable.		
response	See Section 1.				
comment	<p>419 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1496 1390 1619"> <tr> <td data-bbox="391 1496 555 1619">AMC1 21.A.139(f)</td> <td data-bbox="555 1496 671 1619">131/272</td> <td data-bbox="671 1496 1102 1619">(a) Missing point: subcontracted production activities are monitored</td> <td data-bbox="1102 1496 1390 1619">Make it consistent with AMC1 21.A.239(f)</td> </tr> </table>	AMC1 21.A.139(f)	131/272	(a) Missing point: subcontracted production activities are monitored	Make it consistent with AMC1 21.A.239(f)
AMC1 21.A.139(f)	131/272	(a) Missing point: subcontracted production activities are monitored	Make it consistent with AMC1 21.A.239(f)		
response	See Section 1.				
comment	<p>420 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 1899 1390 2022"> <tr> <td data-bbox="391 1899 555 2022">AMC1 21.A.139(f)</td> <td data-bbox="555 1899 671 2022">131/272</td> <td data-bbox="671 1899 1241 2022">(a)(7) “the factors that affect the conformity (and, where required, the safe operation)” What’s the meaning of the parenthesis?</td> <td data-bbox="1241 1899 1390 2022">To be clarified</td> </tr> </table>	AMC1 21.A.139(f)	131/272	(a)(7) “the factors that affect the conformity (and, where required, the safe operation)” What’s the meaning of the parenthesis?	To be clarified
AMC1 21.A.139(f)	131/272	(a)(7) “the factors that affect the conformity (and, where required, the safe operation)” What’s the meaning of the parenthesis?	To be clarified		

response	See Section 1.
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comment	421		comment by: Safran Landing Systems
	AMC1 21.A.139(f) (5)	131/272	<p>A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than safety.</p> <p>Consider the following wording instead: "the audit cycle is determined through a risk assessment agreed by the competent authority and that does not exceed the applicable audit planning cycle according to point 21.B.222."</p>
response	See Section 1.		

comment	620		comment by: Le Blanc
	<p>AMC1 21.A.139(f) The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable.</p> <p>Suggested resolution: Review the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable.</p>		
response	See Section 1.		

comment	621		comment by: Le Blanc
	<p>AMC1 21.A.139(f) (a) Missing point: subcontracted production activities are monitored</p> <p>Suggested resolution: Make it consistent with AMC1 21.A.239(f)</p>		
response	See Section 1.		

comment	622		comment by: Le Blanc
	<p>AMC1 21.A.139(f) (a)(7) "the factors that affect the conformity (and, where required, the safe operation)" What's the meaning of the parenthesis?</p>		



response	Suggested resolution: To be clarified												
	See Section 1.												
comment	<p>623 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.139(f) (5) A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than safety.</p> <p>Suggested resolution: Consider the following wording instead: "the audit cycle is determined through a risk assessment agreed by the competent authority and that does should not exceed the applicable audit planning cycle according to point 21.B.222."</p>												
response	See Section 1.												
comment	<p>922 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" data-bbox="392 1025 1385 1621"> <thead> <tr> <th data-bbox="392 1025 544 1211">Section Table Figure</th> <th data-bbox="544 1025 655 1211">Page</th> <th data-bbox="655 1025 863 1211">Comment summary</th> <th data-bbox="863 1025 1070 1211">suggested resolution</th> <th data-bbox="1070 1025 1230 1211">Comment is an observation (suggestion)</th> <th data-bbox="1230 1025 1385 1211">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td data-bbox="392 1211 544 1621">AMC1 21.A.139(f)</td> <td data-bbox="544 1211 655 1621">131/272</td> <td data-bbox="655 1211 863 1621">The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable .</td> <td data-bbox="863 1211 1070 1621">Rewiew the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable .</td> <td data-bbox="1070 1211 1230 1621">X</td> <td data-bbox="1230 1211 1385 1621"></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.139(f)	131/272	The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable .	Rewiew the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable .	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.139(f)	131/272	The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable .	Rewiew the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable .	X									
response	See Section 1.												
comment	<p>923 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p>												



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(f)	131/272	(a) Missing point: subcontracted production activities are monitored	Make it consistent with AMC1 21.A.239(f)		X
<p>response See Section 1.</p>					

comment 924 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(f)	131/272	(a)(7) “the factors that affect the conformity (and, where required, the safe operation)” What’s the meaning of the parenthesis?	To be clarified		X

response **See Section 1.**

comment 925 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.139(f) (5)	131/272	A risk assessment and an agreement of the audit cycle by the	Consider the following wording instead: "the audit cycle is		X



		competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than safety.	<i>determined through a risk assessment agreed by the competent authority and that does should not exceed the applicable audit planning cycle according to point 21.B.222."</i>		
response	See Section 1.				
comment	1141		comment by: SAFRAN AEROSYSTEMS		
	(a) Missing point: subcontracted production activities are monitored				
	Make it consistent with AMC1 21.A.239(f)				
response	See Section 1.				
comment	1142		comment by: SAFRAN AEROSYSTEMS		
	<ul style="list-style-type: none"> (a) Missing point: subcontracted production activities are monitored 				
	Make it consistent with AMC1 21.A.239(f)				
	(a)(7) "the factors that affect the conformity (and, where required, the safe operation)"				
	What's the meaning of the parenthesis?				
	To be clarified				
response	See Section 1.				
comment	1196		comment by: ASD		
	AMC1 21.A.139(f)	131/272	The wording of this AMC should be reviewed to	Rewiew the wording of this AMC to improve readability,	

		improve readability. In particular, point (7) is not understandable.	especially AMC1 21.A.139(f) (7), that is not understandable.
response	See Section 1.		
comment	1197	comment by: ASD	
	AMC1 21.A.139(f)	131/272	(a) Missing point: subcontracted production activities are monitored
			Make it consistent with AMC1 21.A.239(f)
response	See Section 1.		
comment	1198	comment by: ASD	
	AMC1 21.A.139(f)	131/272	(a)(7) "the factors that affect the conformity (and, where required, the safe operation)" What's the meaning of the parenthesis?
			To be clarified
response	See Section 1.		
comment	1199	comment by: ASD	
	AMC1 21.A.139(f) (5)	131/272	A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than safety.
			Consider the following wording instead: " the audit cycle is determined through a risk assessment agreed by the competent authority and that does should not exceed the applicable audit planning cycle according to point 21.B.222."
response	See Section 1.		

comment

1448

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.139(f)	Page 131	The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable, as when read in context, it requires a function to ensure that a function carries out certain duties.	Rewiew the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable.	Yes	No
NPA 2019-05 (B) AMC1 21.A.139(f)	Page 131	(a) Missing point: subcontracted production activities should be included or referenced here.	Make it consistent with AMC1 21.A.239(f)	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(f)	Page 131	(a)(7) “the factors that affect the conformity (and, where required, the safe operation)” The item in parentheses needs clarification, in respect of production activity.	To be clarified	No	Yes
NPA 2019-05 (B) AMC1 21.A.139(f) (5)	Page 131	A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary	Consider the following wording instead: <i>"the audit cycle is determined through a risk assessment"</i>	No	Yes



	<p>burdens. Most audit programmes are risk-based, to concentrate on areas of greater concern, and also are subject to changes in programme and content. Requiring a formal risk assessment and agreement by the competent authority is not a practical proposition (and the basis of such a risk assessment is not obvious) given that the competent authority will already have assessed the procedure used by the organisation to manage its audit programme.</p>	<p><i>agreed by the competent authority and that does should not exceed the applicable audit planning cycle according to point 21.B.222."</i></p>		
response	<p>See Section 1.</p>			
comment	<p>1524 comment by: <i>Thales</i></p> <p>The wording of this AMC should be reviewed to improve readability. In particular, point (7) is not understandable.</p> <p>Suggested resolution: Rewiev the wording of this AMC to improve readability, especially AMC1 21.A.139(f) (7), that is not understandable.</p>			
response	<p>See Section 1.</p>			
comment	<p>1525 comment by: <i>Thales</i></p>			



response	<p>A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than safety.</p> <p>Suggested resolution: Consider the following wording instead: "the audit cycle is determined through a risk assessment agreed by the competent authority and that does <u>should not exceed the applicable audit planning cycle according to point 21.B.222.</u>"</p> <p>See Section 1.</p>
comment	<p>1545 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(f) : (a) Missing point: subcontracted production activities are monitored</p> <p>Make it consistent with AMC1 21.A.239(f)</p>
response	<p>See Section 1.</p>
comment	<p>1546 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(f) : (a)(7) “the factors that affect the conformity (and, where required, the safe operation)” What’s the meaning of the parenthesis?</p> <p>To be clarified</p>
response	<p>See Section 1.</p>
comment	<p>1547 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.139(f) (5) : A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than safety.</p> <p>Consider the following wording instead: "the audit cycleshould not exceed the applicable audit planning cycle according to point 21.B.222."</p>
response	<p>See Section 1.</p>

GM121.A.143 Exposition – Production Organisation Exposition (PO)	p. 132-133
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comment	<p>488 comment by: FOCA Switzerland</p> <p>According to point 21.A.143(b), the POE is required to be kept up to date, in the case that changes to the organisation occur. This should be done through a laid down procedure. If these changes are significant to the organisation, the exposition of</p>
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	<p>these changes should not be amended before the competent authority has approved the them in accordance with point 21.A.147.</p> <p>We therefore propose the following:</p> <p>The organisation should amend the exposition in draft version and it shall be released only after the competent authority has approved the change.</p> <p>This allows the competent authority to review the POE regarding the implementation of changes prior to the approval.</p>
response	See Section 1.

AMC1 21.A.143(a)(1) Exposition

p. 133-134

comment	<p>1266 comment by: <i>Pilatus Aircraft Ltd</i></p> <p>Point (b):</p> <ul style="list-style-type: none"> In case of multiple approval holders the Safety Policy and the objectives should be documented on a higher level (e.g. SMS Manual, Management Handbook). <p>Point (c):</p> <ul style="list-style-type: none"> Continuous compliance of the organisation with the applicable requirements is applicable to all approved organisations within a company. Therefore, it should be acceptable for a multiple approval holder to have a similar but more general statement in the organisation's top-level management handbook to fulfil this requirement. Therefore, Pilatus propose to add this alternative in this paragraph. <p>Point (e):</p> <ul style="list-style-type: none"> Is this paragraph in line with paragraph 21.A.139 (g) as it is understood that a supplement is a lower level document? Pilatus propose to clarify this to make it clear that parts of the required POE can also be documented in higher level documents. This would allow to have the statement of the AC as mentioned above, the safety policy, etc. in the organisation's management handbook.
response	See Section 1.

AMC1GM21.A.145(c)(2) Resources Approval Requirements – Responsible manage

p. 137-138



comment	422 comment by: Safran Landing Systems			
	AMC1 21.A.145(c)(2)	137/272	(b) and (h)(1) We are in § 145(c)(2): I don't understand the consistency between these two § "not be one of the persons referred to in 21.A.145(c)(2)..."	To be clarified
response	See Section 1.			
comment	423 comment by: Safran Landing Systems			
	AMC1 21.A.145(c)(2) (g)	137/272	"The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive	AMC1 21.A.145(c)(2) (g) should be deleted.
response	See Section 1.			
comment	624 comment by: Le Blanc			
	AMC1 21.A.145(c)(2) (b) and (h)(1) We are in § 145(c)(2): I don't understand the consistency between these two § "not be one of the persons referred to in 21.A.145(c)(2)..."			
	Suggested resolution: To be clarified			



response **See Section 1.**

comment 625 comment by: *Le Blanc*

AMC1 21.A.145(c)(2) (g)
 "The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)
 Too prescriptive
 Suggested resolution: AMC1 21.A.145(c)(2) (g) should be deleted.

response **See Section 1.**

comment 926 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.145(c)(2)	137/272	(b) and (h)(1) We are in § 145(c)(2): I don't understand the consistency between these two § "not be one of the persons referred to in 21.A.145(c)(2)..."	To be clarified		X

response **See Section 1.**

comment 927 comment by: *SAFRAN TRANSMISSION SYSTEMS*



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.145(c)(2) (g)	137/272	"The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is	AMC1 21.A.145(c)(2) (g) should be deleted.		X



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC2 21.A.145(c)(2)	138/272	(d) "All prospective members... should be assessed..." Does it imply records?	To be clarified	X	
response	See Section 1.				
comment	1200	comment by: ASD			
AMC1 21.A.145(c)(2)	137/272	(b) and (h)(1) We are in § 145(c)(2): I don't understand the consistency between these two § "not be one of the persons referred to in 21.A.145(c)(2)... In addition monitoring a compliance and ensuring the effectiveness of a SMS does not require same competences, background and activities therefore it is up to the organisation to decide how we address those activities through 2 distinct groups of persons or not.			To be clarified
response	See Section 1.				
comment	1201	comment by: ASD			
AMC1 21.A.145(c)(2) (g)	137/272	"The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other			AMC1 21.A.145(c)(2) (g) should be deleted.



		<p>personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive</p>	
response	See Section 1.		
comment	1202	comment by: ASD	
	<p>AMC2 21.A.145(c)(2)</p>	<p>138/272</p>	<p>(d) "All prospective members... should be assessed..."</p> <p>Need for assessment is already included in bullet a) of this AMC. It should not be assumed that assessment should generate detailed records.</p> <p>This statement should be removed from the AMC.</p>
response	See Section 1.		
comment	1526	comment by: Thales	
	<p><i>"The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority".</i></p> <p>The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive.</p> <p>Suggested resolution: AMC1 21.A.145(c)(2) (g) should be deleted.</p>		
response	See Section 1.		



comment	<p>1548 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.145(c)(2) : (b) and (h)(1) We are in § 145(c)(2): I don't understand the consistency between these two § "not be one of the persons referred to in 21.A.145(c)(2)... In addition monitoring a compliance and ensuring the effectiveness of a SMS does not require same competences, background and activities therefore it is up to the organisation to decide how we address those activities through 2 distinct groups of persons or not.</p> <p>To be clarified</p>
response	<p>See Section 1.</p>

comment	<p>1549 comment by: Safran Aero Boosters</p> <p>AMC1 21.A.145(c)(2) (g) : "The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive</p> <p>AMC1 21.A.145(c)(2) (g) should be deleted.</p>
response	<p>See Section 1.</p>

AMC2 21.A.145(c)(2) Resources

p. 138-139

comment	<p>424 comment by: Safran Landing Systems</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">AMC2 21.A.145(c)(2)</td> <td style="width: 10%;">138/272</td> <td style="width: 30%;">(a) "job descriptions for all the job functions in the organisation"</td> <td style="width: 40%;">Replace "all" by "job functions requiring competencies management due to their involvement in quality and safety decisions"</td> </tr> </table>	AMC2 21.A.145(c)(2)	138/272	(a) "job descriptions for all the job functions in the organisation"	Replace "all" by "job functions requiring competencies management due to their involvement in quality and safety decisions"
AMC2 21.A.145(c)(2)	138/272	(a) "job descriptions for all the job functions in the organisation"	Replace "all" by "job functions requiring competencies management due to their involvement in quality and safety decisions"		
response	<p>See Section 1.</p>				

comment	<p>425 comment by: Safran Landing Systems</p>
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response	AMC2 21.A.145(c)(2)	138/272	(d) "All prospective members... should be assessed..." Does it imply records?	To be clarified
	See Section 1.			
comment	426		comment by: Safran Landing Systems	
	AMC2 21.A.145(c)(2)(g)	139/272	The (g)(4) is very specific about safety investigation techniques. Is the difference with an investigation technique related to the fact that it involves safety matters? If yes, what does differentiate a safety from a non-safety investigation technique?	To be clarified
response	See Section 1.			
comment	427		comment by: Safran Landing Systems	
	AMC2 21.A.145(c)(2) (h)	139/272	"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . . The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the exposition. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive	AMC2 21.A.145(c)(2) (h) should be deleted.or use a higher level statement using performance-based language - state 'what' must be achieved not 'how' - delete the sub-points; use them as GM.



response	See Section 1.
comment	<p>626 comment by: <i>Le Blanc</i></p> <p>AMC2 21.A.145(c)(2) (a) “job descriptions for all the job functions in the organisation”</p> <p>Suggested resolution: Replace “all” by “job functions requiring competencies management due to their involvement in quality and safety decisions”</p>
response	See Section 1.
comment	<p>627 comment by: <i>Le Blanc</i></p> <p>AMC2 21.A.145(c)(2) (d) “All prospective members... should be assessed...” Does it imply records?</p> <p>Suggested resolution: To be clarified</p>
response	See Section 1.
comment	<p>628 comment by: <i>Le Blanc</i></p> <p>AMC2 21.A.145(c)(2)(g) The (g)(4) is very specific about safety investigation techniques. Is the difference with an investigation technique related to the fact that it involves safety matters? If yes, what does differentiate a safety from a non-safety investigation technique?</p> <p>Suggested resolution: To be clarified</p>
response	See Section 1.
comment	<p>629 comment by: <i>Le Blanc</i></p> <p>AMC2 21.A.145(c)(2) (h) "The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . . The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the exposition. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive</p> <p>Suggested resolution: AMC2 21.A.145(c)(2) (h) should be deleted.or use a higher level statement using performance-based language - state 'what' must be achieved not 'how' - delete the sub-points; use them as GM.</p>



response

See Section 1.

comment

930

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC2 21.A.145(c)(2)(g)	139/272	The (g)(4) is very specific about safety investigation techniques. Is the difference with an investigation technique related to the fact that it involves safety matters? If yes, what does differentiate a safety from a non-safety investigation technique?	To be clarified	X	

response

See Section 1.

comment

931

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC2 21.A.145(c)(2)(h)	139/272	<i>"The organisation should develop a procedure that describes the process for assessing the competency of</i>	AMC2 21.A.145(c)(2)(h) should be deleted.		X



		<p>the person [...]". . The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the exposition. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive</p>			
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response

See Section 1.

comment

1109

comment by: ASD

<p>AMC2 21.A.145(c)(2)</p>	<p>138/272</p>	<p>(a) "job descriptions for all the job functions in the organisation"</p>	<p>Replace "all" by "job functions requiring competencies management due to their involvement in quality and safety decisions"</p>
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response	See Section 1.						
comment	1143	comment by: SAFRAN AEROSYSTEMS					
		<ul style="list-style-type: none"> (b) and (h)(1) <p>We are in § 145(c)(2): I don't understand the consistency between these two § "not be one of the persons referred to in 21.A.145(c)(2)..." To be clarified</p> <ul style="list-style-type: none"> (a) "job descriptions for all the job functions in the organisation" <p>Replace "all" by "job functions requiring competencies management due to their involvement in quality and safety decisions"</p> <ul style="list-style-type: none"> (d) "All prospective members... should be assessed..." <p>Does it imply records? To be clarified</p>					
response	See Section 1.						
comment	1203	comment by: ASD					
	<table border="1"> <tr> <td>AMC2 21.A.145(c)(2)(g)</td> <td>139/272</td> <td>The (g)(4) is very specific about safety investigation techniques. Is the difference with an investigation technique related to the fact that it involves safety matters? If yes, what does differentiate a safety from a non-safety investigation technique?</td> <td>To be clarified</td> </tr> </table>	AMC2 21.A.145(c)(2)(g)	139/272	The (g)(4) is very specific about safety investigation techniques. Is the difference with an investigation technique related to the fact that it involves safety matters? If yes, what does differentiate a safety from a non-safety investigation technique?	To be clarified		
AMC2 21.A.145(c)(2)(g)	139/272	The (g)(4) is very specific about safety investigation techniques. Is the difference with an investigation technique related to the fact that it involves safety matters? If yes, what does differentiate a safety from a non-safety investigation technique?	To be clarified				
response	See Section 1.						
comment	1204	comment by: ASD					
	<table border="1"> <tr> <td>AMC2 21.A.145(c)(2)(h)</td> <td>139/272</td> <td>"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . . The</td> <td>AMC2 21.A.145(c)(2) (h) should be deleted or use a higher level statement using performance-based</td> </tr> </table>	AMC2 21.A.145(c)(2)(h)	139/272	"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . . The	AMC2 21.A.145(c)(2) (h) should be deleted or use a higher level statement using performance-based		
AMC2 21.A.145(c)(2)(h)	139/272	"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . . The	AMC2 21.A.145(c)(2) (h) should be deleted or use a higher level statement using performance-based				

		<p>competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the exposition. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...) Too prescriptive</p>	<p>language - state 'what' must be achieved not 'how' - delete the sub-points; use them as GM.</p>
response		<p>See Section 1.</p>	
comment	1255	<p>comment by: <i>ATR SMS</i></p> <p>(g)(1): it is indicated that the competency of the person who assumes the function of safety manager should include the knowledge of the ICAO standards & European requirements for safety management. We would recommend that the competency of such person should include the knowledge of the reference documents, not necessarily the precise contents of these requirements.</p>	
response		<p>See Section 1.</p>	
comment	1281	<p>comment by: <i>On behalf of Airbus Helicopters PO/DO</i></p> <p>Page 138 of NPA 2019_05_B, AMC1 21.A.145 (c)(2):</p> <p>In deviation from comments provided European Aerospace organizations summarized by ASD and SAFRAN, the Production Organization of Airbus Helicopters explicitly welcomes the requirement to establish a job description for all the job functions to clearly define the safety related R&R of the person in the job.</p>	
response		<p>See Section 1.</p>	
comment	1288	<p>comment by: <i>On behalf of Airbus Helicopters PO/DO</i></p> <p>Page 138 of NPA 2019_05_B, AMC2 21.A.145(c)(2):</p> <p>Justification of Comment by Airbus Helicopters DO Rules & Regulation:</p> <p>See comment 1282 on GM1 Annex 1.</p>	

response	<p>Proposed Solution:</p> <p>The NPA 2019-05 (B) should consistently refer to human factors as per the definitions of GM1 Annex I. The NPAs should be reviewed not to duplicate competency related requirements regarding human factors and human performance when reference to safety training or safety management already exists. This is consistent with the definition of the safety training proposed on page 52 of NPA 2019-05(C) and GM1 21.A.139(c)(5)(i) of NPA 2019-05(B) on page 123.</p>												
	<p>See Section 1.</p>												
comment	<p>1324 comment by: <i>Duane Kritzinger</i></p> <p>AMC2 21A.145(c)(2)(f) refers to personnel understanding but does not provide a syllabus as provided in GM1 145.A.30(e)</p>												
response	<p>See Section 1.</p>												
comment	<p>1449 comment by: <i>Rolls-Royce plc</i></p> <table border="1" data-bbox="371 981 1401 1984"> <thead> <tr> <th data-bbox="371 981 571 1211">Section, table, figure</th> <th data-bbox="571 981 635 1211">Page</th> <th data-bbox="635 981 919 1211">Comment Summary</th> <th data-bbox="919 981 1086 1211">Suggested resolution</th> <th data-bbox="1086 981 1238 1211">Comment is an observation/ suggestion*</th> <th data-bbox="1238 981 1401 1211">Comment is substantive/ objection*</th> </tr> </thead> <tbody> <tr> <td data-bbox="371 1211 571 1984">NPA 2019-05 (B) AMC1 21.A.145(c)(2)</td> <td data-bbox="571 1211 635 1984">Page 137</td> <td data-bbox="635 1211 919 1984">(b) and (h)(1) This appears contradictory, in that the rule requires the nomination of personnel required to ensure compliance, whereas this AMC requires that the compliance monitor not be one of these people. If I have understood the intent properly, this is an overly-subtle way of differentiating between the managers of the production functions, and the independent compliance checkers,</td> <td data-bbox="919 1211 1086 1984">To be clarified</td> <td data-bbox="1086 1211 1238 1984">No</td> <td data-bbox="1238 1211 1401 1984">Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection*	NPA 2019-05 (B) AMC1 21.A.145(c)(2)	Page 137	(b) and (h)(1) This appears contradictory, in that the rule requires the nomination of personnel required to ensure compliance, whereas this AMC requires that the compliance monitor not be one of these people. If I have understood the intent properly, this is an overly-subtle way of differentiating between the managers of the production functions, and the independent compliance checkers,	To be clarified	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection*								
NPA 2019-05 (B) AMC1 21.A.145(c)(2)	Page 137	(b) and (h)(1) This appears contradictory, in that the rule requires the nomination of personnel required to ensure compliance, whereas this AMC requires that the compliance monitor not be one of these people. If I have understood the intent properly, this is an overly-subtle way of differentiating between the managers of the production functions, and the independent compliance checkers,	To be clarified	No	Yes								



		and is likely to cause confusion.			
NPA 2019-05 (B) AMC1 21.A.145(c)(2) (g)	Page 137	"The organisation should establish and control the competency of the personnel involved in production, compliance monitoring, safety management, and, if applicable, in issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The personnel referred to may include thousands of employees, with a wide variety of specialisms, each with a variety of competency standards, and the capability of each individual will be monitored on an ongoing basis through their local management, to ensure that tasks are assigned appropriately. A structured competency assessment is typically done through an annual interview process, which also determines future training needs and career progression: it should not be expected that the results of the annual interview process are formally agreed by	AMC1 21.A.145(c)(2) (g) should be deleted.	No	Yes



		the competent authority provided that the organisation's mechanisms for determination of individuals' competency are acceptable to the competent authority. As written, this item does not appear to be practical.			
NPA 2019-05 (B) AMC2 21.A.145(c)(2)	Page 138	(a) "job descriptions for all the job functions in the organisation"	Replace "all" by "job functions requiring competencies management due to their involvement in quality and safety decisions"	No	Yes
NPA 2019-05 (B) AMC2 21.A.145(c)(2)	Page 138	(d) "All prospective members... should be assessed..." The need for assessment is already included in bullet a) of this AMC. It should not be assumed that assessment should generate detailed records.	To be clarified	Yes	No
NPA 2019-05 (B) AMC2 21.A.145(c)(2)(g)	Page 139	Item (g)(4) is very specific about safety investigation techniques. Can it be clarified whether these techniques differ from the investigation of any other sort of issue?	To be clarified, to identify any special considerations for this type of investigation.	Yes	No



<p>NPA 2019-05 (B) AMC2 21.A.145(c)(2) (h)</p>	<p>Page 139</p>	<p>"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]". . The competency check for production personnel is already addressed in AMC1 21.A.145(a). As described above, the capability of each individual will be monitored on an ongoing basis through their local management, to ensure that tasks are assigned appropriately. A structured competency assessment is typically done through an annual interview process, however, the procedure for this is only part of the ongoing competency assessment. As written, while this may be described in the Exposition, requiring a procedure to cover all of the activity contributing to competency assessment will not be practical. (we note that the 'procedure' is only expected to 'describe the process' - should this be converted to request a description of the activity in the Exposition?)</p>	<p>AMC2 21.A.145(c)(2) (h) should be deleted.or use a higher level statement using performance-based language - state 'what' must be achieved not 'how' - delete the sub-points; use them as GM.</p>	<p>No</p>	<p>Yes</p>
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response	See Section 1.
comment	<p>1533 comment by: <i>Thales</i></p> <p>This AMC is overly detailed and prescriptive. Each company should be allowed to implement its own procedures and process for ensuring adequate competency of personnel.</p> <p>Suggested resolution: delete AMC2 21.A.145(c)(2).</p>
response	See Section 1.
comment	<p>1550 comment by: <i>Safran Aero Boosters</i></p> <p>AMC2 21.A.145(c)(2) : (a) “job descriptions for all the job functions in the organisation”</p> <p>Replace “all” by “job functions requiring competencies management due to their involvement in quality and safety decisions”</p>
response	See Section 1.
comment	<p>1551 comment by: <i>Safran Aero Boosters</i></p> <p>AMC2 21.A.145(c)(2) (h) : "The organisation should develop a procedure that describes the process for assessing the competency of the person [...]". . The competency check for production personnel is already addressed in AMC1 21.A.145(a). For other personnel, such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the exposition. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc..) Too prescriptive</p> <p>AMC2 21.A.145(c)(2) (h) should be deleted or use a higher level statement using performance-based language - state 'what' must be achieved not 'how' - delete the sub-points; use them as GM.</p>
response	See Section 1.

GM121.A.147(a) Changes to the approved production management system organisation — Significant change

p. 143-144

comment	<p>45 comment by: <i>CAA-NL</i></p> <p>GM 21.A.147:</p>
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	<p>In practice EASA and NAA’s requires also an application for a significant change in case of</p> <ul style="list-style-type: none"> - change in the placement or control of significant work (in practice: significant work is replaced from one approved location to another approved location) - new agreements with design approval holders <p>Therefore it is proposed to add these to GM1 to 21.A.147</p>
response	See Section 1.

GM121.A.125B(a), 21.A.158(a) and 21.A.258(a) Findings

p. 146

comment

1379

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), GM1 21.A.125B(a), 21.A.158(a) and 21.A.258(a)	Page 189	Links between term 'causal'/'hazard' and 'reactive'/'proactive' is misleading	Delete 'causal' and hazard in the last sentence.	Yes	No

response

See Section 1.

GM1 21.A.239(c) Design management system

p. 148-149

comment

53

comment by: *Duane Kritzinger*

What is an "organisational level safety risk"?

- Would it not be better to distinguish between "safety hazards" and "organisational hazards"
- What risk criteria should be applied?

Note that "risk" is usually the combination of Accident Severity and Accident Probability...and most DO's cannot determine Accident Probability (especially not for organisational hazards).

The language of likelihood, severity, tolerability and acceptability needs to be considered against the ALARP concept. Please refer to NPA2013-01C page 102 for a very usefull discussion on ALARP.

response

See Section 1.



comment	<p>58 comment by: Duane Kritzinger</p> <p>The integrated management system as defined here is very good! It should consistently be applied to 21.A.139 and 21.A.239</p>			
response	<p>See Section 1.</p>			
comment	<p>59 comment by: Duane Kritzinger</p> <p>GM1 21.A.239(c): I think we risk confusing risks with hazards (see definitions) in statements such as "<i>The risks that are inherent in a complex structure....</i>"</p>			
response	<p>See Section 1.</p>			
comment	<p>60 comment by: Duane Kritzinger</p> <p>GM1 to 21.A.239(c):</p> <ul style="list-style-type: none"> • "...function of the inherent risk capability of the organisation". A company's capability should not impact scalability. The complexity of the organisation and the nature of the operation (e.g. severity of what can go wrong) should determine the SMS scalability. • What does "<i>This framework transposes Appendix 2 to ICAO Annex 19</i>" mean? May we suggest: "<i>The framework matches the intent of Appendix 2 to ICAO Annex 19</i>" • What is an "organisational level safety risk"? <ul style="list-style-type: none"> - Would it not be better to distinguish between "safety hazards" and "organisational hazards" - What risk criteria should be applied? <p>Note that "risk" is usually the combination of Accident Severity and Accident Probability...and most DO's cannot determine Accident Probability (especially not for organisational hazards). The language of likelihood, severity, tolerability and acceptability needs to be considered against the ALARP concept. Please refer to NPA2013-01C page 102 for a very useful discussion on ALARP.</p>			
response	<p>See Section 1.</p>			
comment	<p>429 comment by: Safran Landing Systems</p> <table border="1" data-bbox="395 1688 1385 1776"> <tr> <td data-bbox="395 1688 587 1776">AMC1 21.A.239(c)</td> <td data-bbox="592 1688 699 1776">149/272</td> <td data-bbox="703 1688 1385 1776">The recognition of the SMS industry standard as an acceptable mean of compliance is fully supported.</td> </tr> </table>	AMC1 21.A.239(c)	149/272	The recognition of the SMS industry standard as an acceptable mean of compliance is fully supported.
AMC1 21.A.239(c)	149/272	The recognition of the SMS industry standard as an acceptable mean of compliance is fully supported.		
response	<p>See Section 1.</p>			
comment	<p>630 comment by: Le Blanc</p>			



	<p>page 148 to 159</p> <p>GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b)</p> <p>99% redundant with same AMC and GM in Subpart G</p> <p>Suggested resolution: Could be simplified</p>
response	See Section 1.

comment	932	comment by: SAFRAN TRANSMISSION SYSTEMS												
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05(B)</td> <td>148 - 159/272</td> <td>GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b) 99% redundant with same AMC and GM in Subpart G</td> <td>Could be simplified</td> <td>X</td> <td></td> </tr> </tbody> </table>		Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	NPA 2019-05(B)	148 - 159/272	GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b) 99% redundant with same AMC and GM in Subpart G	Could be simplified	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)									
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response	See Section 1.													

comment	1377	comment by: Rolls-Royce plc												
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/ suggestion*</th> <th>Comment is substantive/ objection**</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**						
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**									



	<table border="1"> <tr> <td>NPA 2019-05 (B), GM 1 21.A.239 (c)</td> <td>Page 148</td> <td>Wrong reference to 21.A.239(h).</td> <td>Replace 21.A.239(h) by 21.A.239(g)</td> <td>No</td> <td>Yes</td> </tr> </table>	NPA 2019-05 (B), GM 1 21.A.239 (c)	Page 148	Wrong reference to 21.A.239(h).	Replace 21.A.239(h) by 21.A.239(g)	No	Yes						
NPA 2019-05 (B), GM 1 21.A.239 (c)	Page 148	Wrong reference to 21.A.239(h).	Replace 21.A.239(h) by 21.A.239(g)	No	Yes								
response	See Section 1.												
comment	<p>1450 comment by: <i>Rolls-Royce plc</i></p> <table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05(B)</td> <td>Pages 148 - 159</td> <td>GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b) WE note that there is a lot of material that is duplicated in these sections.</td> <td>We suggest this could be simplified</td> <td>Yes</td> <td>No</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05(B)	Pages 148 - 159	GM1 21.A.239(c)-AMC1 21.A.239(c)-AMC1 21.A.239(c)(1)-GM1 21.A.239(c)(1)-GM1 21.A.239(c)(2)-AMC 21.A.239(c)(3) and (4)-AMC1 21.A.239(c)(3)-GM1 21.A.239(c)(4)(ii)-AMC1 21.A.239(c)(5)-GM1 21.A.239(c)(5)-AMC1 21.A.239(c)(5)(ii)-GM1 21.A.239(c)(5)(ii)-AMC1 21.A.245(b)-AMC2 21.A.245(b) WE note that there is a lot of material that is duplicated in these sections.	We suggest this could be simplified	Yes	No
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
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response	See Section 1.												

AMC1 21.A.239(c) Design management system

p. 149-151

comment 43

comment by: *CAA-NL*

AMC1 21.A.139(c) & AMC1 21.A.239(c)
These AMC's create the possibility to show compliance with the SMS requirements based on compliance with industry standard SM001. However missing is the



response	<p>acceptable method of showing this compliance respectively the way the competent authority is accepting such showing. It is proposed that the compliance with this industry standard is shown by a (valid) certificate of an independent outside party. Further it is proposed that the competent authority accepts this certificate for initial certification of the SMS (status 'present') but that the competent authority performs the checks related to 'suitable', 'operational' and 'effective' and that, in case this results in findings related to the compliance with Part 21/SM001, the competent authority findings prevail. Additional AMC/GM to 21.B220 and 21.B.430 could be drawn to clarify this.</p> <p>See Section 1.</p>
comment	<p>631 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c) The recognition of the SMS industry standard as an acceptable mean of compliance is fully supported but most of the "additional topics" are not agreed since the content of relevant AMCs is not agreed.</p>
response	<p>See Section 1.</p>
comment	<p>696 comment by: <i>UK CAA</i></p> <p>Page No: 149</p> <p>Paragraph No: AMC1 21.A.239(c) Design management system</p> <p>Comment: We recommend the document "International Industry Standard in Design, Manufacturing and Maint Org." should not be considered compliant with the EU framework for aviation safety management.</p> <p>Justification: It is unclear how this document will be maintained to keep up with changes to the ICAO Doc 9859 Safety Management Manual or future editions of Annex 19.</p> <p>Many airworthiness organisations hold both a Part 145 and Part 21G/Part 21J approval in combination. It would be impractical for such an organisation to integrate the management system across multiple approvals where the "International Industry Standard in Design, Manufacturing and Maint Org" is only applicable to Part 21J. (It is not considered an AMC in NPA 2019-05 Part C to update Part 145)</p> <p>The document is proposed as an acceptable means of compliance; however, the document has limited regulatory input and is primarily developed by industry. Regulators were only observers on the groups that are cited as authors.</p> <p>It is unclear how a competent authority would conduct oversight of a management system where the approval holder has used the document as a means of compliance.</p> <p>Proposed Text: We suggest this document should be not considered an acceptable means of compliance, instead it should be referenced as guidance material.</p>



response **See Section 1.**

comment 933 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)	149/272	The recognition of the SMS industry standard as an acceptable mean of compliance is fully supported.	"additional topics" are not agreed since the content of relevant AMCs is not agreed.		X

response **See Section 1.**

comment 1206 comment by: *ASD*

AMC1 21.A.239(c)	149/272	The recognition of the SMS industry standard as an acceptable mean of compliance is fully supported. However most of the "additional topics" are not agreed since the content of relevant AMCs is itself not agreed.			
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response **See Section 1.**

comment 1536 comment by: *Thales*
See comment #1515.

response **See Section 1.**

AMC121.A.239(c)(1) Design management system p. 151-152

comment 431 comment by: *Safran Landing Systems*



response	AMC1 21.A.239(c)(1)	151/272	Items (c), (d) and (e) are mislabeled	Replace (c) by (b), (d) by (c) and (e) by (d)
comment	432 comment by: Safran Landing Systems			
response	AMC1 21.A.239(c)(1) (c)(3)	151/272	"apply human factor principles" should not be included in the safety policy, because "human factor principles" are not properly defined anywhere in the regulation. Such commitment could therefore lead to misunderstanding both internal to the organisation and between the organisation and the competent authority.	Remove (c)(3) : "apply human factor principles"
comment	433 comment by: Safran Landing Systems			
response	AMC1 21.A.239(c)(1) (c)(5)	151/272	Point (i) may be understood as blame or liability should be commensurate with experience and training. It should be understood if it would be commensurate with the position, for example the HOD or HoAW or HoISM but it is not clear why the training and a significant experience would prevent from the blame. Is it not going against the "just culture" policy?	Wording to be clarified
comment	632 comment by: Le Blanc			
<p>GM1 21.A.239(c)(1) Same comment as for POA GM1 21.A.139(c)(1) above "for organisations that have their principle place of business in a Member State...'just culture'..." What about EASA approval based in a 3rd country?</p>				



	<p>What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the 'just culture', whatever the geographical location?</p> <p>Suggested resolution: To be clarified</p>
response	See Section 1.

comment	<p>633 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(1) Items (c), (d) and (e) are mislabeled</p> <p>Suggested resolution: Replace (c) by (b), (d) by (c) and (e) by (d)</p>
response	See Section 1.

comment	<p>634 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(1) (c)(5) Point (i) may be understood as blame or liability should be commensurate with experience and training. It should be understood if it would be commensurate with the position, for example the HOD or HoAW or HoISM but it is not clear why the training and a significant experience would prevent from the blame. Is it not going against the "just culture" policy?</p> <p>Suggested resolution: Wording to be clarified</p>
response	See Section 1.

comment	<p>934 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Section Table Figure</th> <th style="text-align: center;">Page</th> <th style="text-align: center;">Comment summary</th> <th style="text-align: center;">suggested resolution</th> <th style="text-align: center;">Comment is an observation (suggestion)</th> <th style="text-align: center;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">GM1 21.A.239(c)(1)</td> <td style="vertical-align: top;">151/272</td> <td style="vertical-align: top;">Same comment as for POA GM1 21.A.139(c)(1) above "for organisations that have their principle place of business in a Member State...'just culture'..." What about EASA approval based in</td> <td style="vertical-align: top;">To be clarified</td> <td></td> <td style="vertical-align: top;">X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.239(c)(1)	151/272	Same comment as for POA GM1 21.A.139(c)(1) above "for organisations that have their principle place of business in a Member State...'just culture'..." What about EASA approval based in	To be clarified		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
GM1 21.A.239(c)(1)	151/272	Same comment as for POA GM1 21.A.139(c)(1) above "for organisations that have their principle place of business in a Member State...'just culture'..." What about EASA approval based in	To be clarified		X								



		a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the 'just culture', whatever the geographical location?			
response	See Section 1.				

comment	935	comment by: SAFRAN TRANSMISSION SYSTEMS			
response	See Section 1.				

comment	936	comment by: SAFRAN TRANSMISSION SYSTEMS			



		and training. It should be understood if it would be commensurate with the position, for example the HOD or HoAW or HoISM but it is not clear why the training and a significant experience would prevent from the blame. Is it not going against the "just culture" policy?			
response	See Section 1.				

comment 937 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(2) (a)(2)	152/272	<i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment</i>	Reword as follows: <i>"a high-level committee or equivalent that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and</i>		X



		<p>that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority. Furthermore, an organisation may choose to adopt different strategies provided the scope of 21.A.239(c)(2) is met.</p>	<p>complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</p>		
--	--	---	---	--	--

response **See Section 1.**

comment 1207

comment by: ASD

GM1 21.A.239(c)(1)	151/272	<p>Same comment as for POA GM1 21.A.139(c)(1) above “for organisations that have their principle place of business in a Member State...’just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location?</p>	To be clarified
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response	See Section 1.		
comment	1208		comment by: ASD
	AMC1 21.A.239(c)(1)	151/272	Items (c), (d) and (e) are mislabeled Replace (c) by (b), (d) by (c) and (e) by (d)
response	See Section 1.		
comment	1209		comment by: ASD
	AMC1 21.A.239(c)(1) (c)(3)	151/272	" <i>apply human factor principles</i> " should not be included in the safety policy, because "human factor principles" are not properly defined anywhere in the regulation. Such commitment could therefore lead to misunderstanding both internal to the organisation and between the organisation and the competent authority. Remove (c)(3) : " <i>apply human factor principles</i> "
response	See Section 1.		
comment	1210		comment by: ASD
	AMC1 21.A.239(c)(1) (c)(5)	151/272	(5) <i>apply 'just culture' principles and, in particular, to not make available or use any personal information on occurrences: (i) attribute blame or liability for actions, omissions or decisions taken by personnel that are commensurate with their experience and training; or</i> EU 376/2014 defines ' just culture' as a culture in which front-line operators or other persons are not punished for actions, omissions or decisions taken by them that are Wording to be reconsidered. Delete the wordings except: " <i>apply 'just culture' principles</i> " and explain within a GM what is meant by just culture principles .



		<p>commensurate with their experience and training, but in which gross negligence, wilful violations and destructive acts are not tolerated; Item (5) within this AMC , seems to cover the purpose of just culture as per 376/2014, however it appear to be linking personal informations to the the atrtribution of blame or liability. We do not beleive this is the intention.</p>	
response	See Section 1.		

comment	1262	comment by: <i>Safran Engineering Services</i>
	<p>AMC1 21.A.239(c)(1) (c)(5) Point (i) may be understood as blame or liability should be commensurate with experience and training. It should be understood if it would be commensurate with the position, for example the HOD or HoAW or HoISM but it is not clear why the training and a significant experience would prevent from the blame. Is it not going against the "just culture" policy? please clarify the wording</p>	
response	See Section 1.	

comment	1452	comment by: <i>Rolls-Royce plc</i>																					
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) AMC1 21.A.239(c)(1)</td> <td>Page 151</td> <td>Items (c), (d) and (e) are not identified correctly.</td> <td>Replace (c) by (b), (d) by (c) and (e) by (d)</td> <td>Yes</td> <td>No</td> </tr> <tr> <td>NPA 2019-05 (B) AMC1 21.A.239(c)(1) (c)(3)</td> <td>Page 151</td> <td>"<i>apply human factor principles</i>" should not be included in the safety policy, because "human factor principles" are not properly defined anywhere</td> <td>Remove (c)(3) : "<i>apply human factor principles</i>"</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>					Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) AMC1 21.A.239(c)(1)	Page 151	Items (c), (d) and (e) are not identified correctly.	Replace (c) by (b), (d) by (c) and (e) by (d)	Yes	No	NPA 2019-05 (B) AMC1 21.A.239(c)(1) (c)(3)	Page 151	" <i>apply human factor principles</i> " should not be included in the safety policy, because "human factor principles" are not properly defined anywhere	Remove (c)(3) : " <i>apply human factor principles</i> "	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**																		
NPA 2019-05 (B) AMC1 21.A.239(c)(1)	Page 151	Items (c), (d) and (e) are not identified correctly.	Replace (c) by (b), (d) by (c) and (e) by (d)	Yes	No																		
NPA 2019-05 (B) AMC1 21.A.239(c)(1) (c)(3)	Page 151	" <i>apply human factor principles</i> " should not be included in the safety policy, because "human factor principles" are not properly defined anywhere	Remove (c)(3) : " <i>apply human factor principles</i> "	No	Yes																		



		in the regulation. Such commitment could therefore lead to misunderstanding both internal to the organisation and between the organisation and the competent authority.				
	NPA 2019-05 (B) AMC1 21.A.239(c)(1) (c)(5)	Page 151	Point (i) may be understood as blame or liability should be commensurate with experience and training. It should be understood if it would be commensurate with the position, for example the HOD or HoAW or HoISM but it is not clear why the training and a significant experience would prevent from the blame. Is it not going against the "just culture" policy?	Wording to be clarified - the material in EU 376/2014 is clearer in this respect, and might be used instead.	Yes	No
response	See Section 1.					
comment	1541		comment by: <i>Thales</i>			
	See comment #1539.					
	Suggested resolution: Remove (c)(3) : " apply human factor principles "					
response	See Section 1.					
comment	1577		comment by: <i>MARPA</i>			



	<p>(a)(2) states that the safety policy should "include internal reporting principles, and encourage personnel to report design-related errors, incidents, and hazards." This should be clarified to explain what is meant by "errors, incidents and hazards." Design is both science and art. As such, there can be many errors and wrong turns along the path to a successful design; that is all part of the design process. Are design flaws that are initially incorporated, then analysed and/or tested and ultimately discarded to be considered errors? What if test and analysis indicated that if the design was adopted it could have created a hazard? At what point does the requirement to identify and report such issues transition from the ordinary design process to a principle of safety management. It is unclear from this AMC, and should be clarified before being taken into the field.</p>
response	See Section 1.

GM1 21.A.239(c)(1) Design management system

comment	430	comment by: Safran Landing Systems		
	GM1 21.A.239(c)(1)	151/272	<p>Same comment as for POA GM1 21.A.139(c)(1) above "for organisations that have their principle place of business in a Member State...'just culture'..." What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the 'just culture', whatever the geographical location?</p>	To be clarified
response	See Section 1.			

comment	938	comment by: SAFRAN TRANSMISSION SYSTEMS														
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.239(c)(2)</td> <td>152/272</td> <td>'safety review board' Same comment as for POA AMC1 21.A.139(c)(2)</td> <td></td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.239(c)(2)	152/272	'safety review board' Same comment as for POA AMC1 21.A.139(c)(2)			X			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)											
AMC1 21.A.239(c)(2)	152/272	'safety review board' Same comment as for POA AMC1 21.A.139(c)(2)			X											



response	See Section 1.		
comment	1144	comment by: SAFRAN AEROSYSTEMS	
	<p>Same comment as for POA GM1 21.A.139(c)(1) above “for organisations that have their principle place of business in a Member State...’just culture’...” What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location?</p>		
response	See Section 1.		
comment	1211	comment by: ASD	
	<p>AMC1 21.A.239(c)(2) (a)(2)</p>	<p>152/272</p>	<p><i>"a high-level committee that considers matters of strategic safety, sometimes referred to as the ‘safety review board’, depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority".</i> This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority. Furthermore, an organisation may choose to adopt different strategies provided the scope of 21.A.239(c)(2) is met.</p> <p>Reword as follows: <i>"a high-level committee or equivalent that considers matters of strategic safety, sometimes referred to as the ‘safety review board’, depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</i></p>
response	See Section 1.		



comment	<p>1261</p> <p style="text-align: right;">comment by: <i>Safran Engineering Services</i></p> <p>“for organisations that have their principle place of business in a Member State...’just culture’...”</p> <p>What about EASA approval based in a 3rd country? What about the implementation of the bilateral agreements? Is it possible to implement SMS principles without the basis of the ‘just culture’, whatever the geographical location? Please clarify</p>
response	<p>See Section 1.</p>

comment	<p>1451</p> <p style="text-align: right;">comment by: <i>Rolls-Royce plc</i></p>																
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		<p>arrangement. It is important to be clear on whether it is acceptable to implement SMS principles without the basis of the 'just culture', depending on geographical location?</p>			
<p>response</p>	<p>See Section 1.</p>				

AMC1 21.A.239(c)(2) Design management system

p. 152-153

<p>comment</p>	<p>434</p>	<p>comment by: Safran Landing Systems</p>			
	<p>AMC1 21.A.239(c)(2) (a)(2)</p>	<p>152/272</p>	<p>"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority. Furthermore, an organisation may choose to adopt different strategies provided the scope of 21.A.239(c)(2) is met.</p>	<p>Reword as follows: "a high-level committee or equivalent that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</p>	
<p>response</p>	<p>See Section 1.</p>				



comment 435 comment by: *Safran Landing Systems*

AMC1 21.A.239(c)(2)	152/272	'safety review board' Same comment as for POA AMC1 21.A.139(c)(2)
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response See Section 1.

comment 635 comment by: *Le Blanc*

AMC1 21.A.239(c)(2) (a)(2)

"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority. Furthermore, an organisation may choose to adopt different strategies provided the scope of 21.A.239(c)(2) is met.

Suggested resolution: Reword as follows: "a high-level committee or equivalent that considers matters of strategic safety, sometimes referred to as the 'safety review board', ~~depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"~~

response See Section 1.

comment 636 comment by: *Le Blanc*

AMC1 21.A.239(c)(2)	'safety review board'
Same comment as for POA AMC1 21.A.139(c)(2)	

response See Section 1.

comment 637 comment by: *Le Blanc*

AMC1 21.A.239(c)(2)	'safety action group'
Same comment as for POA AMC1 21.A.139(c)(2)	

response See Section 1.

comment 687 comment by: *ATR SMS*



	(a)(2): we do not deem necessary to have a risk assessment agreed by the competent authority to establish a SRB.
response	See Section 1.

comment	939	comment by: SAFRAN TRANSMISSION SYSTEMS												
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.239(c)(2)</td> <td>153/272</td> <td>'safety action group' Same comment as for POA AMC1 21.A.139(c)(2)</td> <td></td> <td></td> <td>X</td> </tr> </tbody> </table>		Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.239(c)(2)	153/272	'safety action group' Same comment as for POA AMC1 21.A.139(c)(2)			X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)									
AMC1 21.A.239(c)(2)	153/272	'safety action group' Same comment as for POA AMC1 21.A.139(c)(2)			X									
response	See Section 1.													

comment	940	comment by: SAFRAN TRANSMISSION SYSTEMS												
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Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)									
GM1 21.A.239(c)(2)	153/272	'single focal point' Same comment as for POA GM1 21.A.139(c)(2)			X									
response	See Section 1.													

comment	941	comment by: SAFRAN TRANSMISSION SYSTEMS												
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GM1 21.A.239(c)(2)	153/272	Function of the 'safety review board' Same comment as for POA GM1 21.A.139(c)(2)			X								
response	See Section 1.												
comment	<p>942 comment by: SAFRAN TRANSMISSION SYSTEMS</p> <table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>GM1 21.A.239(c)(2)</td> <td>153/272</td> <td>Ensuring that resources are allocated is to the HDO or Accountable manager and not to a Safety review board</td> <td>change the wording</td> <td>X</td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.239(c)(2)	153/272	Ensuring that resources are allocated is to the HDO or Accountable manager and not to a Safety review board	change the wording	X	
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response	See Section 1.												
comment	<p>1145 comment by: SAFRAN AEROSYSTEMS</p> <table border="1"> <tr> <td>'safety review board' Same comment as for POA AMC1 21.A.139(c)(2)</td> </tr> <tr> <td>'safety action group' Same comment as for POA AMC1 21.A.139(c)(2)</td> </tr> <tr> <td>'single focal point' Same comment as for POA GM1 21.A.139(c)(2)</td> </tr> <tr> <td>Function of the 'safety review board' Same comment as for POA GM1 21.A.139(c)(2)</td> </tr> </table>	'safety review board' Same comment as for POA AMC1 21.A.139(c)(2)	'safety action group' Same comment as for POA AMC1 21.A.139(c)(2)	'single focal point' Same comment as for POA GM1 21.A.139(c)(2)	Function of the 'safety review board' Same comment as for POA GM1 21.A.139(c)(2)								
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Function of the 'safety review board' Same comment as for POA GM1 21.A.139(c)(2)													
response	See Section 1.												



comment	1212 comment by: ASD			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">AMC1 21.A.239(c)(2)</td> <td style="width: 15%;">152/272</td> <td style="width: 55%;">‘safety review board’ Same comment as for POA AMC1 21.A.139(c)(2)</td> </tr> </table>	AMC1 21.A.239(c)(2)	152/272	‘safety review board’ Same comment as for POA AMC1 21.A.139(c)(2)
AMC1 21.A.239(c)(2)	152/272	‘safety review board’ Same comment as for POA AMC1 21.A.139(c)(2)		
response	See Section 1.			
comment	1213 comment by: ASD			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">AMC1 21.A.239(c)(2)</td> <td style="width: 15%;">153/272</td> <td style="width: 55%;">‘safety action group’ Same comment as for POA AMC1 21.A.139(c)(2)</td> </tr> </table>	AMC1 21.A.239(c)(2)	153/272	‘safety action group’ Same comment as for POA AMC1 21.A.139(c)(2)
AMC1 21.A.239(c)(2)	153/272	‘safety action group’ Same comment as for POA AMC1 21.A.139(c)(2)		
response	See Section 1.			
comment	1263 comment by: Safran Engineering Services			
	<p>AMC1 21.A.239(c)(2) (a)(2) "a high-level committee that considers matters of strategic safety, sometimes referred to as the ‘safety review board’, depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the authority. Furthermore, an organisation may choose to adopt different strategies provided the scope of 21.A.239(c)(2) is met.</p> <p>Reword as follows: "a high-level committee or equivalent that considers matters of strategic safety, sometimes referred to as the ‘safety review board’, depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"</p>			
response	See Section 1.			
comment	1264 comment by: Safran Engineering Services			
	<p>(c) What is the purpose of the ‘safety action group’ ? "support of the two functions above" is unclear. to be deleted or clarify which two bullet points this statement is referencing.</p>			
response	See Section 1.			
comment	1265 comment by: Safran Engineering Services			



(a)(2) 'safety review board': what is the added value of mandating the way to comply?
 Compliance with the objective of the requirement 21.A.139 (c) can be achieved without setting up safety review board. It is up to the organisation to define which kind of safety governance is needed. This requirement is beyond Annex 19. The requirement of a risk assessment in case this board is not formally implemented is far beyond Annex 19.
 This (a)(2) paragraph should be moved from AMC to GM

response

See Section 1.

comment

1453

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.239(c)(2) (a)(2)	Page 152	"a high-level committee that considers matters of strategic safety, sometimes referred to as the 'safety review board', depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority". This AMC expects a risk assessment agreed by the authority, but the purpose and the benefit of this risk assessment remains unclear. If an organisation decides to set up a SRB, there should be no need for an agreement by the	Reword as follows: " a high-level committee or equivalent that considers matters of strategic safety, sometimes referred to as the 'safety review board'; depending on the size of the organisation and the nature and complexity of its activities, and subject to a risk assessment that is agreed by the competent authority"	No	Yes



		<p>authority. Furthermore, an organisation may choose to adopt different strategies provided the scope of 21.A.239(c)(2) is met.</p>			
<p>NPA 2019-05 (B) AMC1 21.A.239(c)(2)</p>	<p>Page 152</p>	<p>‘safety review board’ Same comment as for POA AMC1 21.A.139(c)(2) ‘safety review board’: It is not appropriate to insist on a particular organisational structure (see similar comments elsewhere in this input) Compliance with the objective of 21.A.239 (c) can be achieved without setting up a safety review board, and it is up to the organisation to define what safety governance structure is needed. The requirement for a risk assessment to justify not setting up this board is disproportionate - such an assessment is not required for other organisational arrangements</p>		<p>No</p>	<p>Yes</p>



		defined by the applicant.			
		'safety action group' Same comment as for POA AMC1 21.A.139(c)(2) It is not appropriate to insist on a particular organisational structure (see similar comments elsewhere in this input). In addition, the purpose of this group (given as "support of the two functions above") is especially unclear. It is not obvious why a support function has to be defined here, where no similar requirement is required for support functions of other parts of the management organisation (eg those controlling the Design Assurance System) and so it appears to be disproportionate.			
NPA 2019-05 (B) AMC1 21.A.239(c)(2)	Page 153		No	Yes	
response	See Section 1.				

GM1 21.A.239(c)(2) Design management system

p. 153-154

comment 436

comment by: *Safran Landing Systems*



response	AMC1 21.A.239(c)(2)	153/272	‘safety action group’ Same comment as for POA AMC1 21.A.139(c)(2)	
	See Section 1.			
comment	437		comment by: Safran Landing Systems	
response	GM1 21.A.239(c)(2)	153/272	‘single focal point’ Same comment as for POA GM1 21.A.139(c)(2)	
	See Section 1.			
comment	438		comment by: Safran Landing Systems	
response	GM1 21.A.239(c)(2)	153/272	Function of the ‘safety review board’ Same comment as for POA GM1 21.A.139(c)(2)	
	See Section 1.			
comment	439		comment by: Safran Landing Systems	
response	GM1 21.A.239(c)(2)	153/272	Ensuring that resources are allocated is to the HDO and not to a Safety review board	change the wording
	See Section 1.			
comment	638		comment by: Le Blanc	
response	GM1 21.A.239(c)(2)		‘single focal point’	
	Same comment as for POA GM1 21.A.139(c)(2)			
comment	639		comment by: Le Blanc	
	GM1 21.A.239(c)(2)			



	Function of the 'safety review board'						
response	Same comment as for POA GM1 21.A.139(c)(2) See Section 1.						
comment	640 comment by: <i>Le Blanc</i> GM1 21.A.239(c)(2) Ensuring that resources are allocated is to the HDO and not to a Safety review board Suggested resolution: change the wording						
response	See Section 1.						
comment	1214 comment by: <i>ASD</i> <table border="1" data-bbox="391 772 1316 862"> <tr> <td>GM1 21.A.239(c)(2)</td> <td>153/272</td> <td>'single focal point'</td> </tr> <tr> <td colspan="3">Same comment as for POA GM1 21.A.139(c)(2)</td> </tr> </table>	GM1 21.A.239(c)(2)	153/272	'single focal point'	Same comment as for POA GM1 21.A.139(c)(2)		
GM1 21.A.239(c)(2)	153/272	'single focal point'					
Same comment as for POA GM1 21.A.139(c)(2)							
response	See Section 1.						
comment	1215 comment by: <i>ASD</i> <table border="1" data-bbox="391 1131 1324 1220"> <tr> <td>GM1 21.A.239(c)(2)</td> <td>153/272</td> <td>Function of the 'safety review board'</td> </tr> <tr> <td colspan="3">Same comment as for POA GM1 21.A.139(c)(2)</td> </tr> </table>	GM1 21.A.239(c)(2)	153/272	Function of the 'safety review board'	Same comment as for POA GM1 21.A.139(c)(2)		
GM1 21.A.239(c)(2)	153/272	Function of the 'safety review board'					
Same comment as for POA GM1 21.A.139(c)(2)							
response	See Section 1.						
comment	1216 comment by: <i>ASD</i> <table border="1" data-bbox="391 1500 1380 1624"> <tr> <td>GM1 21.A.239(c)(2)</td> <td>153/272</td> <td>Ensuring that resources are allocated is to the HDO and not to a Safety review board</td> <td>change the wording</td> </tr> </table>	GM1 21.A.239(c)(2)	153/272	Ensuring that resources are allocated is to the HDO and not to a Safety review board	change the wording		
GM1 21.A.239(c)(2)	153/272	Ensuring that resources are allocated is to the HDO and not to a Safety review board	change the wording				
response	See Section 1.						
comment	1253 comment by: <i>LHT DO</i> 239(c)(2) GM1 says:						

response	<p>Regardless of the organisaional set-up it is important for the safety manager or a designated person to remain the unique focal point for the development, administration and maintenance of the organisaions management system.</p> <p>To our opinion, the focal point to maintain the Design Organisation Handbook, which reflects the management system is in practice another than the safety manager, but they have to coordinate the issues and report to the Head of DO. Please revise or specifiy.</p>												
	<p>See Section 1.</p>												
comment	<p>1267 comment by: <i>Safran Engineering Services</i></p> <p>“...it is important for the safety manager or a designated person to remain the unique focal point for...” What if the responsibility is discharged to group of persons? to be clarified</p>												
response	<p>See Section 1.</p>												
comment	<p>1268 comment by: <i>Safran Engineering Services</i></p> <p>Function of the ‘safety review board’ : several points induce confusion, especially with respect to the missions of the safety assurance (monitor safety performance, ensure that safety actions are implemented within the agreed timescale, review the effectiveness of previous safety actions and safety promotion...) and with respect to the continued airworthiness process (analyse specific events, assess mitigation measures: a posteriori?) What about the notion of independence ? (cf. NPA 2019-05(A) §7.1 p.33) The purpose of this board is unclear and induces confusion with respect to actual functions identified in Annex 19. This Should be clarified or deleted</p>												
response	<p>See Section 1.</p>												
comment	<p>1269 comment by: <i>Safran Engineering Services</i></p> <p>Ensuring that resources are allocated is to the HDO and not to a Safety review board. So, the wording should be changed</p>												
response	<p>See Section 1.</p>												
comment	<p>1454 comment by: <i>Rolls-Royce plc</i></p> <table border="1" data-bbox="389 1733 1385 2007"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) GM1 21.A.239(c)(2)</td> <td>Page 153</td> <td>‘single focal point’ Same comment</td> <td></td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B) GM1 21.A.239(c)(2)	Page 153	‘single focal point’ Same comment		No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
NPA 2019-05 (B) GM1 21.A.239(c)(2)	Page 153	‘single focal point’ Same comment		No	Yes								



		<p>as for POA GM1 21.A.139(c)(2) This is not consistent with the establishment of a function, or group of persons. The accountable manager may split up the different elements, depending on the organisational structure, and some activities may be carried out by a central function in a complicated organisation, so that the HoDO is the only person responsible for the overall system (as (s)he is for the rest of the design management system)</p>			
<p>NPA 2019-05 (B) GM1 21.A.239(c)(2)</p>	<p>Page 153</p>	<p>Ensuring that resources are allocated is not appropriate. This is the relationship between the Chief Executive and the HDO. A Safety Review Board (if established) might have the responsibility to identify the</p>	<p>Suggest this is reworded or removed.</p>	<p>Yes</p>	<p>No</p>



		concern to the HDO.			
NPA 2019-05 (B), section GM1 21.A.239(c)(2) Design Management System	153	"it is important for the safety manager to remain the unique focal point for the development, administration, and maintenance of the organisation's management system." The "Safety Manager" (or equivalent function) would focus on the Safety Management System, but not the wider "Management System"	Change to: "it is important for the safety manager to remain the unique focal point for the development, administration, and maintenance of the organisation's safety management system." In fact, this whole section is entitled "Design Management System". Should it not be "Design Safety Management System"?	Yes	No
response	See Section 1.				

AMC1 21.A.239(c)(3)and (4) Design management system

p. 154-155

comment

440

comment by: Safran Landing Systems

AMC1 21.A.239(c)(3)	155/272	Sequence different from Subpart G	To be cleaned up
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response

See Section 1.

comment

441

comment by: Safran Landing Systems



	<table border="1"> <tr> <td>AMC1 21.A.239(c)(3) and (4) (a)(2)</td> <td>154/272</td> <td>"(2) The organisation should, in particular, focus on hazards that may result from non-compliances or errors in the design of the product, part or appliance," Same comment as in AMC1 21.A.139(c)(3) and (4) (a)(2) above</td> <td>Remove "in particular"</td> </tr> </table>	AMC1 21.A.239(c)(3) and (4) (a)(2)	154/272	"(2) The organisation should, in particular, focus on hazards that may result from non-compliances or errors in the design of the product, part or appliance," Same comment as in AMC1 21.A.139(c)(3) and (4) (a)(2) above	Remove "in particular"
AMC1 21.A.239(c)(3) and (4) (a)(2)	154/272	"(2) The organisation should, in particular, focus on hazards that may result from non-compliances or errors in the design of the product, part or appliance," Same comment as in AMC1 21.A.139(c)(3) and (4) (a)(2) above	Remove "in particular"		
response	See Section 1.				
comment	442 comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>AMC1 21.A.239(c)(3) and (4) (b)(1)(i)</td> <td>154/272</td> <td>"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"</td> <td>replace "probabiliy" by "likelihood"</td> </tr> </table>	AMC1 21.A.239(c)(3) and (4) (b)(1)(i)	154/272	"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"	replace "probabiliy" by "likelihood"
AMC1 21.A.239(c)(3) and (4) (b)(1)(i)	154/272	"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"	replace "probabiliy" by "likelihood"		
response	See Section 1.				
comment	443 comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>AMC1 21.A.239(c)(3) and (4) (d)(1)</td> <td>154/272</td> <td>Incident is a reserved word in the safety field, should not be used in this context.</td> <td>Replace "incident" by another word.</td> </tr> </table>	AMC1 21.A.239(c)(3) and (4) (d)(1)	154/272	Incident is a reserved word in the safety field, should not be used in this context.	Replace "incident" by another word.
AMC1 21.A.239(c)(3) and (4) (d)(1)	154/272	Incident is a reserved word in the safety field, should not be used in this context.	Replace "incident" by another word.		
response	See Section 1.				
comment	444 comment by: Safran Landing Systems				
	<table border="1"> <tr> <td>AMC1 21.A.239(c)(3) and (4) (d)(2)</td> <td>154/272</td> <td>This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</td> <td>Delete this bullet</td> </tr> </table>	AMC1 21.A.239(c)(3) and (4) (d)(2)	154/272	This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"	Delete this bullet
AMC1 21.A.239(c)(3) and (4) (d)(2)	154/272	This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"	Delete this bullet		
response	See Section 1.				
comment	641 comment by: Le Blanc				
	AMC1 21.A.239(c)(3)				

	<p>Sequence different from Subpart G</p> <p>Suggested resolution: To be cleaned up</p>
response	<p>See Section 1.</p>
comment	<p>642 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(3) and (4) (a)(2)</p> <p>"(2) The organisation should, in particular, focus on hazards that may result from non-compliances or errors in the design of the product, part or appliance,"</p> <p>Same comment as in AMC1 21.A.139(c)(3) and (4) (a)(2) above</p> <p>Suggested resolution: Remove "in particular"</p>
response	<p>See Section 1.</p>
comment	<p>643 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(3) and (4) (b)(1)(i)</p> <p>"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"</p> <p>Suggested resolution: replace "probabiliy" by "likelihood"</p>
response	<p>See Section 1.</p>
comment	<p>644 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(3) and (4) (c)</p> <p>Requiring to cascade SMS requirements to all subcontractors is not resonnable and is not workable. It should be depending on the criticality of the subcontractor production activities versus the impact on the safety of the product.</p> <p>Suggested resolution: To be clarified</p>
response	<p>See Section 1.</p>
comment	<p>645 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(3) and (4) (d)(1)</p> <p>Incident is a reserved word in the safety field, should not be used in this context.</p> <p>Suggested resolution: Replace "incident " by another word.</p>
response	<p>See Section 1.</p>
comment	<p>646 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(3) and (4) (d)(2)</p>

	<p>This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"</p> <p>Suggested resolution: Delete this bullet</p>
response	See Section 1.

comment	<p>647 comment by: <i>Le Blanc</i></p> <p>AMC1 21.A.239(c)(3) and (4) (f) "The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.</p> <p>Suggested resolution: The wording should be changed as follows, to explicitly state the scope of the management of change process: "The organisation should manage any safety risks that are related to a change that affect safety"</p>
response	See Section 1.

comment	<p>943 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Section Table Figure</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Comment summary</th> <th style="text-align: left;">suggested resolution</th> <th style="text-align: left;">Comment is an observation (suggestion)</th> <th style="text-align: left;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.239(c)(3)</td> <td>155/272</td> <td>Sequence different from Subpart G</td> <td>To be cleaned up</td> <td></td> <td>X</td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.239(c)(3)	155/272	Sequence different from Subpart G	To be cleaned up		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.239(c)(3)	155/272	Sequence different from Subpart G	To be cleaned up		X								
response	See Section 1.												

comment	<p>944 comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Section Table Figure</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Comment summary</th> <th style="text-align: left;">suggested resolution</th> <th style="text-align: left;">Comment is an observation (suggestion)</th> <th style="text-align: left;">Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.239(c)(3) and (4) (a)(2)</td> <td>154/272</td> <td>"(2) The organisation should, in particular, focus on hazards that</td> <td>Remove "in particular"</td> <td>X</td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.239(c)(3) and (4) (a)(2)	154/272	"(2) The organisation should, in particular, focus on hazards that	Remove "in particular"	X	
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)								
AMC1 21.A.239(c)(3) and (4) (a)(2)	154/272	"(2) The organisation should, in particular, focus on hazards that	Remove "in particular"	X									



		<p><i>may result from non-compliances or errors in the design of the product, part or appliance,"</i></p> <p>Same comment as in AMC1 21.A.139(c)(3) and (4) (a)(2) above</p>			
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response **See Section 1.**

comment 945 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3) and (4) (b)(1)(i)	154/272	"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"	replace "probabiliy" by "likelihood"	X	

response **See Section 1.**

comment 946 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3) and (4) (c)	154/272	Requiring to cascade SMS requirements to all subcontractors	To be clarified		X



		is not reasonable and is not workable. It should be depending on the criticality of the subcontractor production activities versus the impact on the safety of the product.			
response	See Section 1.				

comment	947	comment by: SAFRAN TRANSMISSION SYSTEMS			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3) and (4) (d)(1)	154/272	Incident is a reserved word in the safety field, should not be used in this context.	Replace "incident " by another word.	X	
response	See Section 1.				

comment	948	comment by: SAFRAN TRANSMISSION SYSTEMS			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3) and (4) (d)(2)	154/272	This bullet (2) is unnecessary as it is included in bullet (1), covered by the	Delete this bullet		X



		case of "near misses"			
response	See Section 1.				
comment	1217		comment by: ASD		
	AMC1 21.A.239(c)(3)	155/272	Sequence different from Subpart G	To be cleaned up	
response	See Section 1.				
comment	1218		comment by: ASD		
	AMC1 21.A.239(c)(3) and (4) (a)(2)	154/272	"(2) The organisation should, in particular, focus on hazards that may result from non-compliances or errors in the design of the product, part or appliance," "in particular " is not appropriate.	Remove "in particular"	
response	See Section 1.				
comment	1219		comment by: ASD		
	AMC1 21.A.239(c)(3) and (4) (b)(1)(i)	154/272	"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"	replace "probabiliy" by "likelihood"	
response	See Section 1.				
comment	1220		comment by: ASD		
	AMC1 21.A.239(c)(3) and (4) (d)(1)	154/272	Incident is a reserved word in the safety field, should not be used in this context.	Replace "incident " by another word.	

response **See Section 1.**

comment 1221 comment by: ASD

AMC1 21.A.239(c)(3) and (4) (d)(2)	154/272	This bullet (2) is unnecessary as it is included in bullet (1), covered by the case of "near misses"	Delete this bullet
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response **See Section 1.**

comment 1240 comment by: AIRBUS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3) and (4) (c)	154/272	Requiring to cascade SRM requirements to all subcontractors is not reasonable and is not workable. It should be depending on the criticality of the subcontractor activities versus the impact on the safety of the product.	To be clarified		X

response **See Section 1.**

comment 1254 comment by: LHT DO

21.A.239(c)(3) and (4) - Design management system, (g) Continuous improvement

The table is very extensive. Continuous improvement has to be adequate to the design activities and may include elements of the list.



	<p>Please provide practical measures and please explain the intent so that the organisation may define measures that fit for the business.</p> <p>Please explain "cultural surveys"</p>
response	See Section 1.

comment

1457

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.239(c)(3) and (4) (a)(2)	Page 154	"(2) The organisation should, in particular, focus on hazards that may result from non-compliances or errors in the design of the product, part or appliance," Same comment as in AMC1 21.A.139(c)(3) and (4) (a)(2) above	Remove "in particular"	Yes	No
NPA 2019-05 (B) AMC1 21.A.239(c)(3) and (4) (b)(1)(i)	Page 154	"(i) analysed (in terms of their probability and the severity of the consequences of hazards and occurrences);"	We suggest replacing "probability" by "likelihood"	Yes	No
NPA 2019-05 (B) AMC1 21.A.239(c)(3) and (4) (c)	Page 154	Requiring the cascade of SMS requirements equally to all suppliers is not workable. Like other parts of Part 21, it should be determined by the approved production organisation and will depend on the contribution of the supplier to the production activities and the potential for	To be clarified	No	Yes



		unidentified non-conformance to be released.			
NPA 2019-05 (B) AMC1 21.A.239(c)(3) and (4) (d)(1)	Page 154	The term 'Incident' may be confused with its use in relation to continued airworthiness and Annex 13 activities.	Replace "incident " by an appropriate alternate.	Yes	No
NPA 2019-05 (B) AMC1 21.A.239(c)(3) and (4) (d)(2)	Page 154	Bullet point (2) is already covered by bullet (1), as it already covers "near misses"	Delete this bullet	No	Yes
NPA 2019-05 (B) AMC1 21.A.239(c)(3) and (4) (f)	Page 155	"The organisation should manage any safety risks that are related to a change". It should be clarified that the identification of risks (or the lack of such risks) may often be achieved without resorting to a formal risk assessment/management process, particularly in simple cases.	The wording should be changed as follows, to explicitly state the scope of the management of change process: " The organisation should manage any safety risks that are related to a change that affect safety "	No	Yes

response

See Section 1.

comment

1544

comment by: Thales

"The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.



response	<p>Suggested resolution: The wording should be changed as follows, to explicitly state the scope of the management of change process: <i>"The organisation should manage any safety risks that are related to a changes that have substantive impact on safety"</i></p> <p>See Section 1.</p>
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AMC1 21.A.239(c)(3) Design management system-

p. 155-156

comment 445 comment by: Safran Landing Systems

AMC1 21.A.239(c)(3) and (4) (f)	155/272	<p><i>"The organisation should manage any safety risks that are related to a change"</i>. This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.</p>	<p>The wording should be changed as follows, to explicitly state the scope of the management of change process: <i>"The organisation should manage any safety risks that are related to a change that affect safety"</i></p>
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response See Section 1.

comment 446 comment by: Safran Landing Systems

AMC1 21.A.239(c) (3)(b)	156/272	<p>It is not clear who are the independent experts. Would not it be clearer to write <i>"any person not directed contracted by the Organisation but working for its DOA"</i>?</p> <p>By referring to "non-approved organisations" does it imply that "approved organisations (DOA, POA, MOA, Others) are not to be considered?"</p>
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response See Section 1.

comment 648 comment by: Le Blanc

AMC1 21.A.239(c)(3)(b)
It is not clear who are the independent experts. Would not it be clearer to write "any person not directed contracted by the Organisation but working for its DOA"?
By referring to "non-approved organisations" does it imply that "approved organisations (DOA, POA, MOA, Others) are not to be considered?"



response

See Section 1.

comment

949

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3) and (4) (f)	155/272	"The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.	The wording should be changed as follows, to explicitly state the scope of the management of change process: " <i>The organisation should manage any safety risks that are related to a change that affect safety</i> "		X

response

See Section 1.

comment

1222

comment by: ASD

AMC1 21.A.239(c)(3) and (4) (f)	155/272	"The organisation should manage any safety risks that are related to a change". This wording suggests that all changes, even the ones that do not have a substantive impact on safety, should go through the safety risk management process.	The wording should be changed as follows, to explicitly state the scope of the management of change process: " <i>The organisation should manage any safety risks that are related to a change that affect safety</i> "		
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response	See Section 1.		
comment	1223		comment by: ASD
	AMC1 21.A.239(c) (3)(b)	156/272	<p>It is not clear who are the independent experts. Would not it be clearer to write "any person not directed contracted by the Organisation but working for its DOA"?</p> <p>By referring to "non-approved organisations" does it imply that "approved organisations (DOA, POA, MOA, Others) are not to be considered?"</p> <p>Clarification is needed</p>
response	See Section 1.		
comment	1271		comment by: Safran Engineering Services
	Sequence different from Subpart G. To be cleaned up		
response	See Section 1.		
comment	1273		comment by: Safran Engineering Services
	<p>It is not clear who are the independent experts. Would not it be clearer to write "any person not directed contracted by the Organisation but working for its DOA"?</p> <p>By referring to "non-approved organisations" does it imply that "approved organisations (DOA, POA, MOA, Others) are not to be considered?"</p>		
response	See Section 1.		
comment	1365		comment by: Pratt@Whitney Rzeszow APUs
	<p>The wording : "the possibility for staff to directly notify the organisation of any hazard ..." is not clear.</p> <p>This AMC1 21.A.239(c)(3) "Design management system" refers to: INTERFACES BETWEEN ORGANISATIONS.</p> <p>Thus, does this wording mean:</p> <p>Staff of design supplier to notify directly the DOA or opposit or both directions?</p>		
response	See Section 1.		
comment	1456		comment by: Rolls-Royce plc



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.239(c)(3)	Page 155	The sequence is different from the similar item in Subpart G	Suggest a clean up for consistency.	No	Yes
response	See Section 1.				

comment	1458	comment by: <i>Rolls-Royce plc</i>			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.239(c)(3)(b)	Page 156	It is not clear who are the independent experts. Would not it be clearer to write " <i>any person not directed contracted by the Organisation but working for its DOA</i> "? By referring to "non-approved organisations" does it imply that "approved organisations (DOA, POA, MOA, Others) are not to be considered?"		Yes	No
response	See Section 1.				

comment	1578	comment by: <i>MARPA</i>
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What constitutes a "hazard" remains unclear and should be clarified. Design is both science and art. As such, there can be many errors and wrong turns along the path to a successful design; that is all part of the design process. Are design flaws that are initially incorporated, then analysed and/or tested and ultimately discarded to be considered hazards? What if test and analysis indicated that if the design was adopted it could have created a hazard? At what point does the requirement to identify and report such issues transition from the ordinary design process to a principle of safety management. It is unclear from this AMC, and should be clarified before being taken into the field.

response

See Section 1.

AMC1 21.A.239(c)(4)(ii) Design management system

p. 156-157

comment

447

comment by: Safran Landing Systems

<p>AMC1 21.A.239(c)(4)(ii) (a)</p>	<p>156/272</p>	<p><i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications."</i> This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? <i>"However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process."</i> It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel?</p>	<p>This AMC should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: <i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</i></p>
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response	See Section 1.		
comment	448	comment by: <i>Safran Landing Systems</i>	
	AMC1 21.A.239(c)(4)(ii)(b)	156/272	Consider moving this statement to GM as it's too prescriptive. Move to GM
response	See Section 1.		
comment	649	comment by: <i>Le Blanc</i>	
	<p>AMC1 21.A.239(c)(4)(ii) (a)</p> <p>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications." This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process." It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel?</p> <p>Suggested resolution: This AMC should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>		
response	See Section 1.		
comment	650	comment by: <i>Le Blanc</i>	
	<p>AMC1 21.A.239(c)(4)(ii)(b)</p> <p>Consider moving this statement to GM as it's too prescriptive.</p> <p>Suggested resolution: move to GM</p>		
response	See Section 1.		
comment	950	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>	



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(3)(b)	156/272	It is not clear who are the independent experts. Would not it be clearer to write <i>"any person not directed contracted by the Organisation but working for its DOA"</i> ? By referring to "non-approved organisations" does it imply that "approved organisations (DOA, POA, MOA, Others) are not to be considered?	To be clarified	X	
response See Section 1.					

comment

951 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(4)(ii)(a)	156/272	<i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration</i>	This AMC should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations : <i>"Regardless</i>		X



	<p>of the safety implications." . This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process." . It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an</p>	<p>of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>		
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		inspector assess engagement of personnel?			
response	See Section 1.				

comment 952 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(4)(ii)(b)	156/272	Consider moving this statement to GM as it's too prescriptive.	Move to GM		x

response See Section 1.

comment 1225 comment by: ASD

AMC1 21.A.239(c)(4)(ii)(a)	156/272	<p><i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications."</i></p> <p>This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? <i>"However, a change can only be successful if all the personnel affected by</i></p>	<p>This AMC should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations:</p> <p><i>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the</i></p>
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		<p><i>the change are engaged and involved, and they participate in the process."</i> It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel?</p>	<p><i>change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</i></p>													
response	See Section 1.															
comment	1226	comment by: ASD														
	AMC1 21.A.239(c)(4)(ii)(b)	156/272	Consider moving this statement to GM as it's too prescriptive.	Move to GM												
response	See Section 1.															
comment	1257	comment by: LHT DO														
	<p>Please make sure that the list of significant changes of the Design Organisation System and this paragraph do match.</p> <p>This § indicates major changes similar to that changes to be approved by EASA before implementation. It should be avoided that double actions have to be taken.</p>															
response	See Section 1.															
comment	1459	comment by: Rolls-Royce plc														
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation / suggestion*</th> <th>Comment is substantive / objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B) AMC1 21.A.239(c)(4)(ii) (a)</td> <td>Page 156</td> <td>"Regardless of the magnitude of a change,</td> <td>This AMC should be reviewed as follows, to</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**	NPA 2019-05 (B) AMC1 21.A.239(c)(4)(ii) (a)	Page 156	"Regardless of the magnitude of a change,	This AMC should be reviewed as follows, to	No	Yes			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**											
NPA 2019-05 (B) AMC1 21.A.239(c)(4)(ii) (a)	Page 156	"Regardless of the magnitude of a change,	This AMC should be reviewed as follows, to	No	Yes											



	<p><i>large or small, there should always be proactive consideration of the safety implications."</i></p> <p>. This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.".</p> <p>It should be recognized that we do not live in an ideal world, where resources for change management are unlimited,</p>	<p>focus on the key aspects, and avoid subjective considerations : "Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications.</p> <p><i>This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process.</i></p> <p>The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>		
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		and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel?				
	NPA 2019-05 (B) AMC1 21.A.239(c)(4)(ii)(b)	Page 156	Consider moving this statement to GM as it is too prescriptive.	Move to GM	No	Yes
response	See Section 1.					
comment	1552		comment by: <i>Thales</i>			
	<p>"Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications." This is a broad and subjective statement, written in a very prescriptive manner. How would an inspector assess proactivity? What is the magnitude of a change? What is a small change? "However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process." It should be recognized that we do not live in an ideal world, where resources for change management are unlimited, and all personnel are always fully engaged in changes. How would an inspector assess engagement of personnel? This AMC is too prescriptive and not realistic for large organisations.</p> <p>Suggested resolution: The content of this AMC should be moved to a GM and wording should be reviewed as follows, to focus on the key aspects, and avoid subjective considerations: "Regardless of the magnitude of a change, large or small, there should always be proactive consideration of the safety implications. This is primarily the responsibility of the team that proposes or implements the change. However, a change can only be successful if all the personnel affected by the change are engaged and involved, and they participate in the process. The magnitude of a change, its safety criticality, and its potential impact on human performance should be assessed in any as part of the change management process."</p>					
response	See Section 1.					



comment	449	comment by: Safran Landing Systems	
AMC1 21.A.239(c)(5)	157/272	<p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p>This AMC should be removed, or made more concise and risk-based, for example as follows: <i>"(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."</i></p>
response	See Section 1.		
comment	651	comment by: Le Blanc	
<p>AMC1 21.A.239(c)(5) This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most</p>			



important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.

Suggested resolution: This AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."

response

See Section 1.

comment

953

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(c)(5)	157/272	This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "[ensuring] that all the personnel are aware of the safety	This AMC should be removed, or made more concise and risk-based, for example as follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks		X



		<p>management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p><i>relevant to their management activities;</i> <i>(2) conveys safety-critical information, especially related to assessed risks and analysed hazards;</i> <i>(3) explains why particular actions are taken; and</i> <i>(4) explains why safety procedures are introduced or changed.</i> <i>(b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."</i></p>		
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>1227</p>		<p>comment by: ASD</p>		
<p>AMC1 21.A.239(c)(5)</p>	<p>157/272</p>	<p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a</p>	<p>This AMC should be removed, or made more concise and risk-based, for example as follows: <i>"(a) The organisation should establish communication with its</i></p>		



		<p>big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p>	<p><i>personnel, as appropriate for their safety responsibilities, about safety matters that:</i> <i>(1) ensures that all the personnel are aware of the safety risks relevant to their management activities;</i> <i>(2) conveys safety-critical information, especially related to assessed risks and analysed hazards;</i> <i>(3) explains why particular actions are taken; and</i> <i>(4) explains why safety procedures are introduced or changed.</i> <i>(b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."</i></p>
response	<p>See Section 1.</p>		

comment 1461

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection*
NPA 2019-05 (B) AMC1 21.A.239(c)(5)	Page 157	This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored	This AMC should be removed, or made more concise and risk-based, for example as	No	Yes



	<p>to the personnel and not mandated by the regulation, and (as previously commented) there is a need to balance appropriate communication for personnel awareness and engagement with the need to maintain control of confidential company information. For example, in a big company, "[ensuring] that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities. This issue (or closely related issues) has been noted in several places in the NPA.</p>	<p>follows: "(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."</p>		
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response	See Section 1.	
comment	1553	comment by: <i>Thales</i>
	<p>This AMC is over-prescriptive on what should be communicated and how. A good communication should be tailored to the personnel and not mandated by the regulation. For example, in a big company, "<i>ensuring</i> that all the personnel are aware of the safety management activities" may not be relevant, because the most important for each personnel is to know the risks and safety responsibilities relevant for their job, and not necessarily know all about the safety management activities.</p> <p>Suggested resolution: This AMC should be removed, or made more concise and risk-based, for example as follows: <i>"(a) The organisation should establish communication with its personnel, as appropriate for their safety responsibilities, about safety matters that: (1) ensures that all the personnel are aware of the safety risks relevant to their management activities; (2) conveys safety-critical information, especially related to assessed risks and analysed hazards; (3) explains why particular actions are taken; and (4) explains why safety procedures are introduced or changed. (b) Regular meetings with personnel, as appropriate for their safety responsibilities, during which information, actions, and procedures are discussed, may be used to communicate safety matters."</i></p> <p>The deleted material could be added to a GM Safety Communication.</p>	
response	See Section 1.	

GM1 21.A.239(c)(5) Design management system

p. 158

comment	451	comment by: <i>Safran Landing Systems</i>				
	<table border="1"> <tr> <td>GM1 21.A.239(c)(5)</td> <td>158/272</td> <td>"Safety promotion activities are intended to: ..support organisational learning;.." What is organisational learning ?</td> <td>To be clarified</td> </tr> </table>	GM1 21.A.239(c)(5)	158/272	"Safety promotion activities are intended to: ..support organisational learning;.." What is organisational learning ?	To be clarified	
GM1 21.A.239(c)(5)	158/272	"Safety promotion activities are intended to: ..support organisational learning;.." What is organisational learning ?	To be clarified			
response	See Section 1.					
comment	653	comment by: <i>Le Blanc</i>				
	GM1 21.A.239(c)(5)					



	<p>"Safety promotion activities are intended to: ..support organisational learning;.." What is organisational learning ?</p> <p>Suggested resolution: To be clarified</p>
response	See Section 1.

comment 955 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 21.A.239(c)(5)	158/272	"Safety promotion activities are intended to: ..support organisational learning;.." What is organisational learning ?	To be clarified	X	

response See Section 1.

comment 1229 comment by: ASD

GM1 21.A.239(c)(5)	158/272	"Safety promotion activities are intended to: ..support organisational learning;.." What is organisational learning ?	To be clarified		
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response See Section 1.

comment 1464 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**



<p>NPA 2019-05 (B) GM1 21.A.239(c)(5)</p>	<p>Page 158</p>	<p>"Safety promotion activities are intended to: ..support organisational learning;.." It would be helpful to explain the concept of 'organisational learning'.</p>	<p>To be clarified</p>	<p>Yes</p>	<p>No</p>
<p>response See Section 1.</p>					

AMC1 21.A.239(c)(5)(i) Design management system

p. 158-159

comment 450

comment by: Safran Landing Systems

<p>AMC1 21.A.239(c)(5)(i)</p>	<p>158/272</p>	<p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training programme. These time limits should be deleted. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This does not seem relevant and should be deleted.</p>	<p>This AMC should be reorded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each member of the personnel within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance</p>
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				monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in design."
response	See Section 1.			

comment	652	comment by: <i>Le Blanc</i>
	<p>AMC1 21.A.239(c)(5)(i)</p> <p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training programme. These time limits should be deleted. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This does not seem relevant and should be deleted.</p> <p>Suggested resolution: This AMC should be reorded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided to each member of the personnel within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in design."</p>	
response	See Section 1.	

comment	688	comment by: <i>ATR SMS</i>
	<p>This AMC is too constraining (6 months & 2 years for initial & recurrent training), and does not take into account the size of the organization.</p>	
response	See Section 1.	

comment	954	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>												
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation</th> <th>Comment is substantiv</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation	Comment is substantiv						
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation	Comment is substantiv									



				(suggestion)	e (objection)
AMC1 21.A.239(c)(5)(i)	158/272	<p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to choose another time period, that better fits its training programme. These time limits should be deleted. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This does not seem relevant and should be deleted.</p>	<p>This AMC should be reorded as follows, to focus on the objectives instead of prescribing the details: <i>"[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each member of the personnel within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training.</i> <i>(d) Recurrent safety training should be delivered either as a dedicated</i></p>		X



			<p><i>course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in design."</i></p>		
<p>response</p>	<p>See Section 1.</p>				

comment

1228

comment by: ASD

<p>AMC1 21.A.239(c)(5)(i)</p>	<p>158/272</p>	<p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training programme. These time limits should be deleted. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the</p>	<p>This AMC should be reorded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each member of the personnel within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional</p>
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		<p>duration of the course. This does not seem relevant and should be deleted.</p>	<p><i>safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in design."</i></p>
<p>response</p>	<p>See Section 1.</p>		

comment

1463 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
<p>NPA 2019-05 (B) AMC1 21.A.239(c)(5)(i)</p>	<p>Page 158</p>	<p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training programme. These time limits should be deleted. Moreover, compliance</p>	<p>This AMC should be reorded as follows, to focus on the objectives instead of prescribing the details: <i>"[...] (c) Initial training that is compliant with the organisation's training standards should be provided to each member of the personnel within 6 months of joining the organisation,</i></p>	<p>No</p>	<p>Yes</p>



		<p>monitoring audit findings is identified as the primary source for deciding the duration of the course. This should not be the primary consideration .</p>	<p><i>unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in design."</i></p>		
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response	See Section 1.
comment	<p>1554 comment by: <i>Thales</i></p> <p>This AMC prescribes a limit of 6 months for delivering the initial training and 2 years for recurrent training. An organisation should be allowed to chose another time period, that better fits its training needs and associated programme. These time limits should be deleted or moved to a GM. Moreover, compliance monitoring audit findings is identified as the primary source for deciding the duration of the course. This is not seen as relevant and should be deleted.</p> <p>Safety Trainings have to be adapted to the specificities of the organisation, categories of personnel and their potential impact on safety.</p> <p>Suggested resolution: This AMC should be moved to a GM and reworded as follows, to focus on the objectives instead of prescribing the details: "[...] (c) Initial training that is compliant with the organisation’s training standards should be provided to <u>each members</u> of the personnel <u>according to their duties</u> within 6 months of joining the organisation, unless their competency assessment justifies that there is no need for such a training. Personnel who are recruited from another organisation and temporary staff should be assessed for whether they need to receive any additional safety management training. (d) Recurrent safety training should be delivered either as a dedicated course, or else integrated within other training. It should be of an appropriate duration in each 2-year period, in relation to the relevant compliance monitoring audit findings and any other internal/external sources of information that are available to the organisation on safety, and in production."</p>
response	See Section 1.

GM1 21.A.239(c)(5)(i) Design management system

p. 159

comment 452 comment by: *Safran Landing Systems*

GM1 21.A.239(c)(5)(i)	159/272	<p>The sentence "support safety management policies and processes, including human factors training;" is not clear, because human factors training is not part of the safety management policies and processes.</p>	<p>Consider the following wording instead: "- support safety management policies and processes, including human factors training; - raise awareness</p>
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					on human factors principles;"												
response	See Section 1.																
comment	654	comment by: <i>Le Blanc</i>															
	<p>GM1 21.A.239(c)(5)(i) The sentence "support safety management policies and processes, including human factors training;" is not clear, because human factors training is not part of the safety management policies and processes.</p> <p>Suggested resolution: Consider the following wording instead: "- support safety management policies and processes, including human factors training; - raise awareness on human factors principles;"</p>																
response	See Section 1.																
comment	689	comment by: <i>ATR SMS</i>															
	<p>This GM is too constraining regarding the content of the training. Indeed, the training content should be adapted according to the role played in safety for each member of an organization.</p>																
response	See Section 1.																
comment	956	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>															
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>GM1 21.A.239(c)(5)(i)</td> <td>159/272</td> <td>The sentence "support safety management policies and processes, including human factors training;" is not clear, because human</td> <td>Consider the following wording instead: "- support safety management policies and processes, including human factors training;"</td> <td></td> <td>X</td> </tr> </tbody> </table>					Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	GM1 21.A.239(c)(5)(i)	159/272	The sentence "support safety management policies and processes, including human factors training;" is not clear, because human	Consider the following wording instead: "- support safety management policies and processes, including human factors training;"		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)												
GM1 21.A.239(c)(5)(i)	159/272	The sentence "support safety management policies and processes, including human factors training;" is not clear, because human	Consider the following wording instead: "- support safety management policies and processes, including human factors training;"		X												



		factors training is not part of the safety management policies and processes.	- raise awareness on human factors principles;"		
response	See Section 1.				

comment	1230	comment by: ASD			
	GM1 21.A.239(c)(5)(i)	159/272	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear, because human factors training is not part of the safety management policies and processes.	Consider the following wording instead: "- <i>support safety management policies and processes, including human factors training;</i> - <i>raise awareness on human factors principles;</i> "	
response	See Section 1.				

comment	1466	comment by: Rolls-Royce plc				
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B) GM1 21.A.239(c)(5)(i)	Page 159	The sentence " <i>support safety management policies and processes, including human factors training;</i> " is not clear,	Consider the following wording instead: "- <i>support safety management policies and processes, including</i>	No	Yes



		because human factors training is not part of the safety management policies and processes.	human factors training; - raise awareness on human factors principles;"		
response	See Section 1.				
comment	1555				comment by: <i>Thales</i>
	<p>The sentence "<i>support safety management policies and processes, including human factors training;</i>" is not clear, because human factors training is not part of the safety management policies and processes.</p> <p>Suggested resolution: Consider the following wording instead: <i>"- support safety management policies and processes, including human factors training;</i> <i>- raise awareness on human factors principles;"</i></p>				
response	See Section 1.				

GMNo1to21.A.239(d)(a) Design assurance management system

p. 159-165

comment	54				comment by: <i>Duane Kritzinger</i>
	<p>See my comment against 21.A.139(a). I recommend dispensing of the term "<i>Design Assurance System</i>" (because it ignores the pro-active "<i>Ensurance</i>" activities) and rather replace it with "<i>Design Management System</i>".</p>				
response	See Section 1.				

comment	125				comment by: <i>FAA</i>
	<p>Page 160 Paras: Throughout the sections</p> <p><u>Referenced Text:</u> Text is interchanged between "System" and "Element" throught the Design Management System text and associated GM.</p> <p><u>Rationale:</u> Interchange Design assurance System with Design Assurance Element and Safety Management System and Safety Management Element. Using "system" when it is a sub function of the Design Mgmt System can cause confusion.</p>				



response	<p><u>Proposed Resolution:</u> Recommned using "Element" in all areas to avoid the confusion of a system with a sub system and the interchanging of titles.</p>					
	<p>See Section 1.</p>					
comment	453		comment by: <i>Safran Landing Systems</i>			
	<p>GM1 21.A.239(d) AMC1 21.A.239(d)</p>	<p>161- 165/272</p>	<p>Figures: "show compliance"</p>	<p>"show compliance" should be replace by "demonstrate compliance"</p>		
response	<p>See Section 1.</p>					
comment	655		comment by: <i>Le Blanc</i>			
	<p>GM1 21.A.239(d) Figures: "show compliance"</p> <p>Suggested resolution: "show compliance" should be replace by "demonstrate compliance"</p>					
response	<p>See Section 1.</p>					
comment	957		comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>			
	<p>Section Table Figure</p> <p>GM1 21.A.239(d) AMC1 21.A.239(d)</p>	<p>Page</p> <p>161- 165/272</p>	<p>Comment summary</p> <p>Figures: "show compliance"</p>	<p>suggested resolution</p> <p>"show compliance" should be replace by "demonstrate compliance"</p>	<p>Comment is an observation (suggestion)</p> <p>X</p>	<p>Comment is substantive (objection)</p>
response	<p>See Section 1.</p>					
comment	1231		comment by: <i>ASD</i>			



	<table border="1"> <tr> <td>GM1 21.A.239(d) AMC1 21.A.239(d)</td> <td>161- 165/272</td> <td>Figures: “show compliance”</td> <td>“show compliance” should be replaced by “demonstrate compliance”</td> </tr> </table>	GM1 21.A.239(d) AMC1 21.A.239(d)	161- 165/272	Figures: “show compliance”	“show compliance” should be replaced by “demonstrate compliance”
GM1 21.A.239(d) AMC1 21.A.239(d)	161- 165/272	Figures: “show compliance”	“show compliance” should be replaced by “demonstrate compliance”		
response	See Section 1.				
comment	1274	comment by: <i>Safran Engineering Services</i>			
	Figures: “show compliance” “show compliance” should be replaced by “demonstrate compliance”				
response	See Section 1.				

AMC1 21.A.239(d) Design management system

p. 165-170

comment	55	comment by: <i>Duane Kritzinger</i>
	This Figure 1 (from the Easy Access Rules) need updating/correcting: - All the boxes with thick borders should be shaded blue (as per 748/2012) - the CS should form part of the Type Invertigation (as per 21.A.101)	
response	See Section 1.	
comment	656	comment by: <i>Le Blanc</i>
	AMC1 21.A.239(d) Figures: “show compliance” Suggested resolution: “show compliance” should be replace by “demonstrate compliance”	
response	See Section 1.	
comment	1258	comment by: <i>LHT DO</i>
	Page 170 (d): Why is there only an independent monitoring system to the design assurance system required? Audits should be done to the complete Design Organisation or Management System to assure compliance with Part 21.	
response	See Section 1.	
comment	1375	comment by: <i>Rolls-Royce plc</i>



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.A.239(d) point (c)	Page 166, figure 1	Improvement of terms in the boxes required.	1.) The box 'Certification Specifications and Environmental Protection Requirements' might be revised to better align with point 21.A.17A and (B) by a change like 'intended Type and OSD Certification Basis and EP requirements'. 2.) The box 'Design Organisation System' is more or less out of content. Why not calling it 'Design Assurance of the Design Management System'? 3.) Box 'System Monitoring' might be called now 'independent monitoring' iaw point 21.A.239(f)	Yes	No
NPA 2019-05 (B), AMC1 21.A.239(d) point (c)(1)(ii)	Page 167	Chief Executive Officer accountability incomplete (not only Design Assurance Element as stated on page	This text should be moved to a more appropriate place or revised to include SMS.	Yes	No



		165 under AMC Title). The accountability for the Chief Executive Officer concerning resources and proper functioning of the Design Organisation is limited to the Design Assurance System (ref title of point (c) as header for (1)(ii)) but should cover the full Design Management System including SMS.			
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response See Section 1.

comment

1467

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) GM1 21.A.239(d) AMC1 21.A.239(d)	Pages 161-165	Figures: “show compliance”	Suggest “show compliance” should be replace by “demonstrate compliance” for consistency.	Yes	No

response See Section 1.

comment

1579

comment by: *MARPA*



	<p>The following paragraph is ambiguous:</p> <p>Effective design assurance demands a continuing evaluation of any factors that affect the adequacy of the design for the intended applications. In particular, it must be ensured that the product or part complies with the applicable type certification basis, the OSD certification basis and the environmental protection requirements, and will continue to comply after any change.</p> <p>What change does the final word "change" refer to? It is ambiguous. Does it mean change to the design management system, the product or part, or the regulations? A product or part cannot be required to comply with a future regulation that may completely change the certification requirements. This point should be clarified.</p>
response	See Section 1.

AMC121.A.239(d)(2)(b) Design management assurance system - Independent checking function of the demonstration of compliance

p. 171-172

comment	56	comment by: <i>Duane Kritzinger</i>
	I suggest the words to be changed to " <i>The Manual /Handbook/Exposition (refer 21.A.243) that is used to document the Design Management System should be the key instrument used by an organisation to internally communicate its management system.</i> "	
response	See Section 1.	

AMC1 21.A.239(e) Design management system

p. 172-173

comment	1371	comment by: <i>Pratt@Whitney Rzeszow APUs</i>
	The wording: "...should be the key instrument used by an organisation ..." is not clear. Term: "instrument" may have different meanings. Possible rewording: "...should be the main document used by an organisation ..."	
response	See Section 1.	

AMC1 21.A.239(f) Design management system

p. 173

comment	8 ❖	comment by: <i>Universal Alloy Corporation Design</i>
	<p>Considering that:</p> <p>ISO 19011 is an internationally recognised auditing guidance standard ICAO established USOAP (Universal Safety Oversight Audit Programme) to monitor states, using principles laid down in ISO 19011 Ref: https://www.icao.int/NACC/Documents/eDOCS/FS/FS--Flyer_US-Letter_ANB-USOAP_2013-08-30.pdf Basic regulation mentions use of international standards</p>	



	<p>Ref: REGULATION (EU) 2018/11, paragraph 12 Use should be made of recognised industry standards and practices, where it has been found that they ensure compliance with the essential requirements set out in this Regulation. Definitions from ISO 19011:2018 audit plan description of the activities and arrangements for an <i>audit</i> audit programme arrangements for a set of one or more <i>audits</i> planned for a specific time frame and directed towards a specific purpose Wording in the NP (and current Part 21), which indicates the intent to refer to an audit programme</p> <p>Proposition is: Replace audit plan with audit programme</p>				
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>454 comment by: Safran Landing Systems</p> <table border="1" data-bbox="391 913 1390 1323"> <tr> <td data-bbox="391 913 547 1323"> <p>AMC1 21.A.239(f) (6)</p> </td> <td data-bbox="547 913 659 1323"> <p>173/272</p> </td> <td data-bbox="659 913 1061 1323"> <p>A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than helping improving safety.</p> </td> <td data-bbox="1061 913 1390 1323"> <p>Consider the following wording instead: "the audit cycle should be determined through a risk assessment agreed by the competent authority and that it does not exceed the applicable audit planning cycle according to point 21.B.432."</p> </td> </tr> </table> <p>response</p> <p>See Section 1.</p>	<p>AMC1 21.A.239(f) (6)</p>	<p>173/272</p>	<p>A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than helping improving safety.</p>	<p>Consider the following wording instead: "the audit cycle should be determined through a risk assessment agreed by the competent authority and that it does not exceed the applicable audit planning cycle according to point 21.B.432."</p>
<p>AMC1 21.A.239(f) (6)</p>	<p>173/272</p>	<p>A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than helping improving safety.</p>	<p>Consider the following wording instead: "the audit cycle should be determined through a risk assessment agreed by the competent authority and that it does not exceed the applicable audit planning cycle according to point 21.B.432."</p>		
<p>comment</p>	<p>657 comment by: Le Blanc</p> <p>AMC1 21.A.239(f) (6) A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than helping improving safety.</p> <p>Suggested resolution: Consider the following wording instead: "the audit cycle should be determined through a risk assessment agreed by the competent authority and that it does not exceed the applicable audit planning cycle according to point 21.B.432."</p> <p>response</p> <p>See Section 1.</p>				

comment

958

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.A.239(f) (6)	173/272	A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than helping improving safety.	Consider the following wording instead: " <i>the audit cycle should be determined through a risk assessment agreed by the competent authority and that it does not exceed the applicable audit planning cycle according to point 21.B.432.</i> "		X

response

See Section 1.

comment

1233

comment by: ASD

AMC1 21.A.239(f) (6)	173/272	A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Such formal risk assessment and agreement by the competent authority (that are by the way not requested for airlines), would induce more complexity and paperwork than helping improving safety.	Consider the following wording instead: " <i>the audit cycle should be determined through a risk assessment agreed by the competent authority and that it does not exceed the applicable audit planning cycle according to point 21.B.432.</i> "		
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response **See Section 1.**

comment 1376 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.A.239(f) point (a)(6)	Page 173	EASA versus term 'competent authorities'	Replace 'competent authority' by 'EASA'.	Yes	No
NPA 2019-05 (B), AMC1 21.A.239(f) point (a)(6)	Page 173	Significant administrative burden concerning the internal audit cycle.	Delete the requirement to align internal audits with the 24/36/48 monthly oversight planning cycle of EASA.	No	Yes

response **See Section 1.**

comment 1468 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.239(f) (6)	Page 173	A risk assessment and an agreement of the audit cycle by the competent authority appear as unnecessary burdens. Most audit programmes are risk-based, to concentrate on areas of greater concern, and also	Consider the following wording instead: " <i>the audit cycle should be determined through a risk assessment agreed by the competent authority and</i>	No	Yes



	<p>are subject to changes in programme and content. Requiring a formal risk assessment and agreement by the competent authority is not a practical proposition (and the basis of such a risk assessment is not obvious) given that the competent authority will already have assessed the procedure used by the organisation to manage its audit programme.</p>	<p><i>that it does not exceed the applicable audit planning cycle according to point 21.B.432."</i></p>		
<p>response</p>	<p>See Section 1.</p>			

AMC1No 1 to21.A.243(a) Data requirements Handbook

p. 174-176

comment

1385

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.A243(a) point (b)(4)	Page 174	Clarification of terms 'approved design data' vs 'Type Design'	Replace 'approved design data' by 'Type Design' as used in 21.A.31.	Yes	No
NPA 2019-05 (B), AMC1 21.A243(a) point (b)(14)	Page 175	Clarification and consistency of terms 'Manuals' and 'ICA'	Please replace 'maintenance and operating instructions' by 'Manuals and Instructions for Continued	Yes	No



			Airworthiness' if references to point 21.A.57, 61 , ... are used.		
NPA 2019-05 (B), AMC1 21.A243(a) point (b)(17)	Page 176	Misleading reference to 21.A.3A(a)(1(ii).	Delete (ii).	No	Yes
NPA 2019-05 (B), AMC1 21.A243(a) point (b)(18)	Page 176	Too prescriptive. New administrative requirement.	Delete point (18)	Yes	No
response	See Section 1.				

AMC2No 2 to 21.A.243(a) Data requirements – Model content of handbook for organisations designing minor changes to typedesign or minor repairs to products p. 176-177 Handbo

comment	455	comment by: Safran Landing Systems
	AMC2 21.A.243(a)	176/272 Numbering and contents inconsistent with Subpart G
response	See Section 1.	

comment	658	comment by: Le Blanc
	AMC2 21.A.243(a)	Numbering and contents inconsistent with Subpart G
response	See Section 1.	

comment	959	comment by: SAFRAN TRANSMISSION SYSTEMS				
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is



						substantive (objection)
	AMC2 21.A.243(a)	176/272	Numbering and contents inconsistent with Subpart G	To be clarified	X	
response	See Section 1.					
comment	1235					comment by: ASD
	AMC2 21.A.243(a)	176/272	Numbering and contents inconsistent with Subpart G			
response	See Section 1.					
comment	1237					comment by: ASD
	AMC1 21.A.243(d)	177/272	Numbering and contents inconsistent with Subpart G: statement of qualifications is in 21.A.145 Resources			
response	See Section 1.					
comment	1470					comment by: Rolls-Royce plc
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B) AMC2 21.A.243(a)	Page 176	Numbering and contents seem inconsistent with Subpart G		Yes	No
response	See Section 1.					

comment	456		comment by: <i>Safran Landing Systems</i>			
	AMC1 21.A.243(d)	177/272	Numbering and contents inconsistent with Subpart G: statement of qualifications is in 21.A.145 Resources			
response	See Section 1.					
comment	659		comment by: <i>Le Blanc</i>			
	AMC1 21.A.243(d) Numbering and contents inconsistent with Subpart G: statement of qualifications is in 21.A.145 Resources					
response	See Section 1.					
comment	961		comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	AMC1 21.A.243(d)	177/272	Numbering and contents inconsistent with Subpart G: statement of qualifications is in 21.A.145 Resources		X	
response	See Section 1.					
comment	1386		comment by: <i>Rolls-Royce plc</i>			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**
	NPA 2019-05 (B), AMC1 21.A243(d) point (a)(1)	Page 177	Potential to misunderstand 'other management staff' without reference to scope	Revise title to read 'Other management staff as explained in	No	Yes

		defined in GM1 21.A.243(d)	point GM1 21.A.243(d)		
NPA 2019-05 (B), AMC1 21.A243(d) point (b)	Page 178	Consider IT based solutions	Revise text to read: '... identified in the handbook or linked to the handbook.' Delete the demand 'in a document'.	No	Yes
NPA 2019-05 (B), AMC1 21.A243(d) point (c)	Page 178	AMC requirement not safety related or requested by Part-21. Number of staff is subject of continuous changes and compliance will generate pure administrative workload and depends on book orders and customers demands. The need for this requirements seems to be Fees & Charges and not Part-21!	Delete requirement	No	Yes
NPA 2019-05 (B), AMC1 21.A243(d) point (d)	Page 178	The need to specify such requirement is questionable. Why AMC?	Delete requirement	Yes	No
NPA 2019-05 (B), AMC1 21.A243(d) point (f)	Page 178	Appropriateness of training policies to be approved by EASA? How and why will EASA judge? Administrative requirement.	Delete requirement	No	Yes
NPA 2019-05 (B), AMC1 21.A243(d) point (h)	Page 178	Redundancy with 21.A.5	Delete requirement	No	Yes



response See Section 1.

comment 1471 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC2 21.A.243(a)	Page 176	Numbering and contents seem inconsistent with Subpart G		Yes	No

response See Section 1.

comment 1472 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.A.243(d)	Page 177	Numbering and contents inconsistent with Subpart G: also the statement of qualifications is in 21.A.145 Resources		Yes	No

response See Section 1.

GM1No 1 to21.A.243(d) Handbook Statement of qualifications and experience p. 178-181

comment 457 comment by: *Safran Landing Systems*

GM1 21.A243(d)	179/272	"the other management staff: ... - the safety manager function [see	Minimum qualification records should be requested
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	<p>AMC1 21.A.239(c)(2)] - the safety review board function, depending on the size of the organisation, the nature and complexity of its activities [see AMC1 21.A.239(c)(2)]"</p> <p>This implies that a Form 4 is required for anyone who is involved in the safety management function. This is clearly over prescriptive with no added value. This also implies that a Form 4 is required for each member of a safety board although the set up of such a board is optional;</p>	<p>for the safety management function but not a Form 4.</p> <p>No form 4 should be required for Safety Board members.</p>
<p>response</p>	<p>See Section 1.</p>	
<p>comment</p>	<p>660 comment by: <i>Le Blanc</i></p> <p>GM1 21.A.243(d) "the other management staff: ... - the safety manager function [see AMC1 21.A.239(c)(2)] - the safety review board function, depending on the size of the organisation, the nature and complexity of its activities [see AMC1 21.A.239(c)(2)]"</p> <p>This implies that a Form 4 is required for anyone who is involved in the safety management function. This is clearly over prescriptive with no added value. This also implies that a Form 4 is required for each member of a safety board although the set up of such a board is optional;</p> <p>Suggested resolution: Minimum qualification records should be requested for the safety management function but not a Form 4. No form 4 should be required for Safety Board members.</p>	
<p>response</p>	<p>See Section 1.</p>	
<p>comment</p>	<p>690 comment by: <i>ATR SMS</i></p> <p>We agree that minimum training should be requested for the safety management function but not a Form 4. No form 4 should be requested for SRB members.</p>	
<p>response</p>	<p>See Section 1.</p>	



comment	962					comment by: SAFRAN TRANSMISSION SYSTEMS
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	GM1 21.A243(d)	179/272	<p><i>"the other management staff:</i> ... - the safety manager function [see AMC1 21.A.239(c)(2)] - the safety review board function, depending on the size of the organisation, the nature and complexity of its activities [see AMC1 21.A.239(c)(2)]"</p> <p>This implies that a Form 4 is required for anyone who is involved in the safety management function. This is clearly over prescriptive with no added value. This also implies that a Form 4 is required for each member of a safety board although the set up of such a board is optional;</p>	<p>Minimum qualification records should be requested for the safety management function but not a Form 4.</p> <p>No form 4 should be required for Safety Board members.</p>		X
response	See Section 1.					
comment	1238					comment by: ASD
	GM1 21.A243(d)	179/272	<p><i>"the other management staff:</i> ... - the safety manager function [see</p>	Minimum qualification records should be requested		



	<p>AMC1 21.A.239(c)(2)] - the safety review board function, depending on the size of the organisation, the nature and complexity of its activities [see AMC1 21.A.239(c)(2)]"</p> <p>This implies that a Form 4 is required for anyone who is involved in the safety management function. This is clearly over prescriptive with no added value.</p> <p>This also implies that a Form 4 is required for each member of a safety board although the set up of such a board is optional;</p>	<p>for the safety management function but not a Form 4.</p> <p>No form 4 should be required for Safety Board members.</p>
response	See Section 1.	

comment

1387

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), GM1 21.A243(d)	Page 179	Incorrect terminology used for Chief of the independent monitoring function? Why design assurance system only?	replace 'design assurance' by 'design management'.	Yes	No
NPA 2019-05 (B), GM1 21.A243(d)	Page 179	incorrect reference to AMC1 21.A.243(a) point (b)(2).	Double-check reference to AMC1 21.A.243(a) point (b)(2).	Yes	No
NPA 2019-05 (B), GM1 21.A243(d)	Page 179	Clarification missing for EASA Form 4 (via AMC1 21.A.243(d)(a)(1)) for 'safety review board function': chair only, each	Ensure EASA Form 4 for 'boards' or board members are avoided.	Yes	No



		member, as a group?			
NPA 2019-05 (B), GM1 21.A243(d)	Page 179	incorrect reference to AMC1 21.A.239(d) para 3.1.3	Update references	Yes	No
response	See Section 1.				

comment 1474 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
NPA 2019-05 (B) GM1 21.A243(d)	Page 179	<p><i>"the other management staff: ... - the safety manager function [see AMC1 21.A.239(c)(2)] - the safety review board function, depending on the size of the organisation, the nature and complexity of its activities [see AMC1 21.A.239(c)(2)]"</i></p> <p>This implies that a Form 4 is required for anyone who is involved in the safety management function . This is clearly over prescriptive with no added value. This also implies that a Form 4 is required for each member of a safety board although the set up of such a board is optional;</p>	<p>Minimum qualification records should be requested for the safety management function but not a Form 4.</p> <p>No form 4 should be required for Safety Board members.</p>	No	Yes



response	See Section 1.
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AMCGM No1to21.A.245 Requirements for approval Resources	p. 182-183
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comment	1389			comment by: <i>Rolls-Royce plc</i>												
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section, table, figure</th> <th style="width: 10%;">Page</th> <th style="width: 20%;">Comment Summary</th> <th style="width: 15%;">Suggested resolution</th> <th style="width: 15%;">Comment is an observation/suggestion*</th> <th style="width: 25%;">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (B), AMC1 21.A245</td> <td>Page 182</td> <td>No justification why now converted into AMC.</td> <td>Revert back into GM as before:</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (B), AMC1 21.A245	Page 182	No justification why now converted into AMC.	Revert back into GM as before:	No	Yes		
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**											
NPA 2019-05 (B), AMC1 21.A245	Page 182	No justification why now converted into AMC.	Revert back into GM as before:	No	Yes											
response	See Section 1.															

AMCGM No2to21.A.245 Resources Requirements for approval – Organisations designing minor changes to type design or minor repairs to produc	p. 183-184
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comment	458			comment by: <i>Safran Landing Systems</i>			
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">AMC1 21.A.245(b)</td> <td style="width: 10%;">184/272</td> <td style="width: 60%;">Same comment as for 21.A.145(c)(2)</td> </tr> </table>	AMC1 21.A.245(b)	184/272	Same comment as for 21.A.145(c)(2)		
AMC1 21.A.245(b)	184/272	Same comment as for 21.A.145(c)(2)					
response	See Section 1.						

comment	661			comment by: <i>Le Blanc</i>
		AMC1 21.A.245(b) Same comment as for 21.A.145(c)(2)		
response	See Section 1.			

comment	963			comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>												
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Section Table Figure</th> <th style="width: 10%;">Page</th> <th style="width: 20%;">Comment summary</th> <th style="width: 15%;">suggested resolution</th> <th style="width: 15%;">Comment is an observation (suggestion)</th> <th style="width: 25%;">Comment is</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is								
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is											



						substantive (objection)
	AMC1 21.A.245(b)	184/272	Same comment as for 21.A.145(c)(2)			X
response	See Section 1.					
comment	1239					comment by: ASD
	AMC1 21.A.245(b)	184/272	Same comment as for 21.A.145(c)(2)			
response	See Section 1.					
comment	1390					comment by: Rolls-Royce plc
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	NPA 2019-05 (B), AMC2 21.A245	Page 183	No justification why now converted into AMC.	Revert back into GM as before:	No	Yes
response	See Section 1.					

AMC1 21.A.245(a) Resources

p. 185

comment	1241					comment by: ASD
	AMC1 21.A.245(b) (f)	185/272	<p><i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority".</i></p> <p>Such assessment is usually done through the annual interview process: it should not</p>			AMC1 21.A.245(b) (f) should be deleted.



		be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)	
response	See Section 1.		

comment	1392	comment by: <i>Rolls-Royce plc</i>			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.A245(a)	Page 185	Convert into GM. How does EASA verify compliance against HDO 'sufficient knowledge' or 'basic understanding'?	Convert into GM	No	Yes
response	See Section 1.				

AMC1 21.A.245(b) Resources p. 185-186

comment	459	comment by: <i>Safran Landing Systems</i>			
AMC1 21.A.245(b) (f)	185/272	<p><i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority".</i></p> <p>Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would</p>			<p>AMC1 21.A.245(b) (f) should be deleted. The deleted material would be better revised and included as GM.</p>



		induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)	
response	See Section 1.		

comment	662	comment by: <i>Le Blanc</i>
	AMC1	21.A.245(b) (f)
	<p>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)</p> <p>Suggested resolution: AMC1 21.A.245(b) (f) should be deleted.</p>	
response	See Section 1.	

comment	964	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>															
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.A.245(b) (f)</td> <td>185/272</td> <td><i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the</i></td> <td>AMC1 21.A.245(b) (f) should be deleted.</td> <td></td> <td>X</td> </tr> </tbody> </table>					Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.A.245(b) (f)	185/272	<i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the</i>	AMC1 21.A.245(b) (f) should be deleted.		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)												
AMC1 21.A.245(b) (f)	185/272	<i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the</i>	AMC1 21.A.245(b) (f) should be deleted.		X												



		<p><i>competent authority".</i> Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)</p>			
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response See Section 1.

comment 976 comment by: *Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE*
AMC1 21.A.245(b)(g)(1) not understood as 21.A.245(b) includes "a chief of the independant monitoring of compliance and adequacy function".

response See Section 1.

comment 1393 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.A245(b) point (b)	Page 185	Already covered by AMC1 21.A.234(d)(b)	Delete requirement	Yes	No
NPA 2019-05 (B),	Page 185	Subjective requirement 'to	Either define the standard	No	Yes



	AMC1 21.A245(b) point (f)		a standard agreed by the competent authority'.	level expected or delete text.		
	NPA 2019- 05 (B), AMC1 21.A245(b) point (g)(1)	Page 185	Contradiction to 21.A.245 (b)(2).	Delete (g)(1)	No	Yes
	NPA 2019- 05 (B), AMC1 21.A245(b) point (i)	Page 185	Subjective requirement 'demonstrated the related competence'.	Either define the related competence or delete text.	No	Yes
response	See Section 1.					

comment 1475 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
NPA 2019- 05 (B) AMC1 21.A.245(b))	Page 184	Same comment as for 21.A.145(c)(2)		No	Yes
NPA 2019- 05 (B) AMC1 21.A.245(b)) (f)	Page 185	<i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority". The personnel referred to may include thousands of employees, with a wide</i>	AMC1 21.A.245(b)) (f) should be deleted.	No	Yes



	<p>variety of specialisms, each with a variety of competency standards, and the capability of each individual will be monitored on an ongoing basis through their local management, to ensure that tasks are assigned appropriately. A structured competency assessment is typically done through an annual interview process, which also determines future training needs and career progression: it should not be expected that the results of the annual interview process are formally agreed by the competent authority provided that the organisation's mechanisms for determination of individuals' competency are acceptable to the competent authority. As written, this item does not appear to be practical.</p>			
<p>response</p>	<p>See Section 1.</p>			
<p>comment</p>	<p>1556 comment by: <i>Thales</i></p> <p><i>"The organisation should establish and control the competency of personnel involved in design, compliance monitoring and safety management, and, if applicable, issuing permits to fly, in accordance with a procedure and to a standard agreed by the competent authority".</i></p> <p>Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is formally agreed by the competent authority (this would induce more paperwork and complexity than safety). It should</p>			



	<p>also be noted that no similar requirement exists in other domains (airlines, airports, etc...)</p> <p>Suggested resolution: AMC1 21.A.245(b) (f) should be deleted</p>
response	<p>See Section 1.</p>

AMC2 21.A.245(b) Resources

p. 186-187

comment 460 comment by: Safran Landing Systems

AMC2 21.A.245(b) (h)	187/272	<p>"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the handbook. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)</p>	<p>AMC2 21.A.145(b) (h) should be deleted. The deleted material would be better revised and included as GM.</p>
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response See Section 1.

comment 663 comment by: Le Blanc

AMC2 21.A.245(b) (h)
 "The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the handbook. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)

Suggested resolution: AMC2 21.A.145(b) (h) should be deleted.

response See Section 1.

comment 685 comment by: Le Blanc

AMC2 21.A.245(b) (h)
 "The organisation should develop a procedure that describes the process for assessing the competency of the person [...]" . Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the handbook. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)

Suggested resolution: AMC2 21.A.145(b) (h) should be deleted.



response **See Section 1.**

comment 965 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC2 21.A.245(b) (h)	187/272	"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]". Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the handbook. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)	AMC2 21.A.145(b) (h) should be deleted.		X

response **See Section 1.**

comment 1395 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC2	Page 186	Subjective requirement 'job descriptions for all	Delete text or concert into GM	No	Yes



21.A245(b) point (a)		the job functions'. No need for such level of detail and this administrative burden for 'all job functions'.			
NPA 2019-05 (B), AMC2 21.A245(b) point (d)	Page 186	Meaning of 'All prospective members' unclear.	Clarification required for what is meant here.	No	Yes
NPA 2019-05 (B), AMC2 21.A245(b) point (e)	Page 186	Why limited to 21.A.245(b)? Applicable in general.	Delete text.	Yes	No
NPA 2019-05 (B), AMC2 21.A245(b) point (f)	Page 186	Why limited to 21.A.245(b)? Applicable in general.	Delete text.	Yes	No

response **See Section 1.**

comment

1477

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
NPA 2019-05 (B) AMC2 21.A.245(b) (h)	Page 187	"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]". As described above, the capability of each individual will be monitored on an ongoing basis through their local management, to ensure that tasks are assigned appropriately.	AMC2 21.A.145(b) (h) should be deleted.	No	Yes



	<p>A structured competency assessment is typically done through an annual interview process, however, the procedure for this is only part of the ongoing competency assessment. As written, while this may be described in the Handbook, requiring a procedure to cover all of the activity contributing to competency assessment will not be practical. (we note that the 'procedure' is only expected to 'describe the process' - should this be converted to request a description of the activity in the Handbook?)</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>1557 comment by: <i>Thales</i></p> <p><i>"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]".</i> Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the handbook. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)</p> <p>Suggested resolution: AMC2 21.A.145(b) (h) should be deleted.</p>
<p>response</p>	<p>See Section 1.</p>

AMC1 21.A.247 Changes to the design management system

comment 1242

comment by: ASD



	AMC2 21.A.245(b) (h)	187/272	"The organisation should develop a procedure that describes the process for assessing the competency of the person [...]". Such assessment is usually done through the annual interview process: it should not be expected that the annual interview process is included in the scope of the handbook. It should also be noted that no similar requirement exists in other domains (airlines, airports, etc...)	AMC2 21.A.145(b) (h) should be deleted.
response	See Section 1.			

comment

1381 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.A.247	Page 187	Meaning of 'variation of scope' unclear. Ref GM1 21.A.247	Delete 'or a variation of scope'.	Yes	No

response

See Section 1.

GM121.A.247 Changes to in the design management assurance system

p. 187-189

comment

1382 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), GM1 21.A.247 point (b)	Page 188	Administrative burden for changes to reporting lines of staff under 21.A.245(b)(3).	Limit text to 21.A.245(b)(1) and (2) only	No	Yes
NPA 2019-05	Page 188	Further clarification	Add more clarity.	No	Yes



	(B), GM1 21.A.247 point (c)		required for the new text 'treatment handling'.			
response	See Section 1.					

AMC2 21.B.25(a)(3) Management system

p. 198-199

comment

130

comment by: *Luftfahrt-Bundesamt*

LBA comment to AMC2 21.B.25 (b)(2)

AMC No.2 to 21.B.25 (b) (2) requires relevant work experience of 5 years for NAA inspectors. This may include experience gained during training to obtain the qualifications described in point (a)(2) of this AMC which does not include experience gained during training to obtain a relevant engineering degree.

To be in line with AMC 145.B.20 (3) item 1.4 the AMC No.2 to 21.B.25 (b) (2) should refer to (a) (2) and (a) (3). For the LBA it is not acceptable to require 5 years work experience without consideration of the engineering degree of their inspectors.

response

See Section 1.

AMC1 21.B.65Suspension, limitation and revocation

p. 207-208

comment

1378

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.B.65	Page 208	Risk of suspension after 3 months in case corrective action isn't established in time but suspension after 24 months in case security situations in foreign states doesn't allow access! Can this be	Avoid suspension of approval based on pure administrative reasons. Request justification against safety risks.	Yes	No



		justified under safety aspects?			
response	See Section 1.				

AMC121.B.65(c) Suspension, limitation and revocation

p. 208

comment

711

comment by: FAA

Page 208
 Para AMC1 21.B.65(c)
Referenced Text: Suspension, limitation and revocation
 INFORMATION ON SECURITY SITUATION
 (a) The European Commission Security Directorate generally advises against any non-essential travel to a country where hostile conditions, or a combination of the following conditions, reduce the level of security, and pose a high level of threat to personnel, as follows:
 (1) international or internal armed conflict with frequent armed confrontation taking place, numerous casualties, and/or serious damage to infrastructures;
 (2) a situation that could lead to war, or characterised by high internal or external tension that could escalate into instability in the short term; very poorly functioning institutions;
 (3) relatively frequent terrorist attacks due to the presence of active terrorist groups, either domestic or transnational, and state authorities that are unable to ensure a satisfactory level of security; and
 (4) frequent criminal violence that also targets non-nationals. State authorities have a limited ability to counter criminal activities and ensure security.
 (b) Countries where the above conditions apply should not be considered compatible with the performance of on-site audits by the competent authority.

Question: Who makes this decision? Is this comparable to a State Dept. travel warning? Since EASA does not have legal standing in a third-country POA in a non-EU country, is this part of the risk assessment when issuing that non-EU third country POA?

response

See Section 1.

AMC1 21.B.220 and 21.B.221 Initial certification procedure

p. 218-219



comment

1396

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B), AMC1 21.B.220 and 21.B.430 point (c)(3)	Page 266	Compliance with certification basis missing	amend sentence to read: 'processes used for certification basis compliance , safety risk management ...'	Yes	No
NPA 2019-05 (B), AMC1 21.B.220 and 21.B.430 point (c)(4)	Page 266	Consistency of terms	use 'terms of approval' instead of 'scope of work'	Yes	No

response

See Section 1.

GM2No3to21.B.220(c) Initial certification procedure - Procedures for investigation – POAapplications received from organisations with facilities/partners/suppliers/sub - p. 245-246 contractors located in a third count

comment

8 ❖

comment by: *Universal Alloy Corporation Design*

Considering that:

ISO 19011 is an internationally recognised auditing guidance standard ICAO established USOAP (Universal Safety Oversight Audit Programme) to monitor states, using principles laid down in ISO 19011

Ref: https://www.icao.int/NACC/Documents/eDOCS/FS/FS--Flyer_US-Letter_ANB-USOAP_2013-08-30.pdf

Basic regulation mentions use of international standards

Ref: REGULATION (EU) 2018/11, paragraph 12

Use should be made of recognised industry standards and practices, where it has been found that they ensure compliance with the essential requirements set out in this Regulation.

Definitions from ISO 19011:2018

audit plan

description of the activities and arrangements for an *audit*

audit programme



	<p>arrangements for a set of one or more <i>audits</i> planned for a specific time frame and directed towards a specific purpose</p> <p>Wording in the NP (and current Part 21), which indicates the intent to refer to an audit programme</p> <p>Proposition is: Replace audit plan with audit programme</p>
response	See Section 1.
comment	<p>712 comment by: FAA</p> <p>Page 246</p> <p>Para GM3 21.B.220 Initial certification procedure</p> <p><u>Referenced Text:</u> Competent Authority Surveillance of Suppliers of a POA Holder Located in Other Member States <u>Comment:</u>Lacking procedural guidance for a POA holder located in non-EU sovereign countries</p> <p><u>Proposed Resolution:</u> Consider developing additional guidance for a POA holder located in a non-EU sovereign country where the POA has no link to a POA located in a Member State</p>
response	See Section 1.
comment	<p>713 comment by: FAA</p> <p>Page 245</p> <p>Para GM2 21.B.220 Initial certification procedure</p> <p><u>Referenced Text:</u> Facilities located in a third country</p> <p>When any part of the production facilities of an applicant for POA is located outside the Member States, then the location will be treated in all aspects as part of the applicant's POA organisation.</p> <p><u>Question:</u> What if the entire production facility of an applicant for POA is located outside the Member States in a non-EU sovereign country? Such as a POA in a non-EU country with no link to another POA there</p> <p><u>Proposed Resolution:</u> Clarify scope relative to facilities located in a third country that have no link to a POA in a Member State</p>
response	See Section 1.

AMC1 21.B.221(a), (b) and (c) Oversight principles	p. 253
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comment	<p>110 comment by: DGAC France</p> <p>DGAC france suggests to add the following in paragraph 2:</p> <p><i>“As part of its continuing oversight activities, the competent authority should verify that the required enablers remain present and operational, and assess the effectiveness of the organisation’s management system and processes.”</i></p>
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	In fact, according to the published EASA Management System Assessment Tool, during the oversight, present and suitable is not enough to demonstrate compliance as all processes should be present, suitable and operational.
response	See Section 1.

GM1 21.B.222(a) Oversight programme

p. 254

comment	111	comment by: DGAC France
	Is it voluntary to include that GM only for Part-21 and not for Part-145 ?	
response	See Section 1.	

AMC1 21.B.222(b) and 21.B.432(b) Oversight programme

p. 254

comment	131	comment by: Luftfahrt-Bundesamt
	<u>LBA comment to AMC1 21.B.222(b)</u>	
	Does EASA plan to issue guidance material for standardisation to specify the criteria if supplier-audits are mandatory or not?	
response	See Section 1.	

AMC2 21.B.222(b) and 21.B.432(b) Oversight programme

p. 254-255

comment	112	comment by: DGAC France
	Regarding auditing of subcontracted organisations, we propose to add that credit given according to point point (c) of AMC1 21.B.222(c) and 21.B.432(c) are permitted.	
response	See Section 1.	

AMC1 21.B.222(b)(1) Oversight programme

p. 255

comment	1580	comment by: MARPA
	In general, with respect to the oversight programme requirements, it should be made clear that all organisations tasked with oversight must have sufficient resources to perform their responsibilities. It is vitally important that the regulated companies not be disadvantaged due to a lack of government resources to perform the necessary functions.	
response	See Section 1.	

AMC121.B.222(c) and 21.B.432(c) Oversight programme

p. 257-258

comment	132	comment by: <i>Luftfahrt-Bundesamt</i>
	<u>LBA comment to AMC1 21.B.222(c)</u>	
	Will EASA issue guidance regarding the risk-based oversight planning (key-characteristics etc.)?	
response	See Section 1.	

AMC121.B.225(d)(a) Findings and corrective actions Notification of findings

p. 259

comment	133	comment by: <i>Luftfahrt-Bundesamt</i>
	<u>LBA comment to AMC1 21.B.225(d)</u>	
	The last sentence of AMC No.1 to 21.B.225 d) should mention that it is related to level 1 finding, only.	
response	See Section 1.	

comment	461	comment by: <i>Safran Landing Systems</i>			
	<table border="1"> <tr> <td>AMC1 21.B.225(d)</td> <td>259/272</td> <td>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed." This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</td> <td>Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</td> </tr> </table>	AMC1 21.B.225(d)	259/272	"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed." This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.	Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."
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response	See Section 1.				

comment	462	comment by: <i>Safran Landing Systems</i>			
	<table border="1"> <tr> <td>AMC1 21.B.225(d)</td> <td>259/272</td> <td>"The competent authority should grant the</td> <td>Consider the following wording instead: "For level 1</td> </tr> </table>	AMC1 21.B.225(d)	259/272	"The competent authority should grant the	Consider the following wording instead: "For level 1
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	<p>organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</p>	<p>findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</p>
response	<p>See Section 1.</p>	
comment	<p>664 comment by: <i>Le Blanc</i></p> <p>AMC1 21.B.225(d) "A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p>	
response	<p>See Section 1.</p>	
comment	<p>666 comment by: <i>Le Blanc</i></p> <p>AMC1 21.B.225(d) "The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "For level 1 findings, the The competent authority should grant the organisation a corrective action</p>	



	implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."
response	See Section 1.

comment	966	comment by: SAFRAN TRANSMISSION SYSTEMS												
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.B.225(d)</td> <td>259/272</td> <td>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</td> <td>Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</td> <td></td> <td>X</td> </tr> </tbody> </table>		Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.B.225(d)	259/272	"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.	Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."		X
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response	See Section 1.													

comment	967	comment by: SAFRAN TRANSMISSION SYSTEMS
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response	See Section 1.				
comment	1244				comment by: ASD
AMC1 21.B.225(d)	259/272	"The competent authority should grant the	Consider the following	wording instead: "For level 1	



	<p><i>organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</i></p>	<p><i>findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</i></p>
response	See Section 1.	

comment

1481 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.B.225(d)	Page 259	<p><i>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.".</i> This</p>	<p>Consider the following wording instead: <i>"A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder</i></p>	No	Yes



		requirement should be limited to level 1 and level 2 findings, not level 3 findings.	<i>to verify that the corrective action plan is followed."</i>		
NPA 2019-05 (B) AMC1 21.B.225(d)	Page 259	<i>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</i> This requirement should be limited to a Level 1 finding only.	Consider the following wording instead: <i>"For level 1 findings, the competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</i>	No	Yes

response **See Section 1.**

comment 1558 comment by: *Thales*

"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed." This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.



response	<p>Suggested resolution: Consider the following wording instead: "A <u>level 1 or level 2 finding</u> requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p>
	<p>See Section 1.</p>
comment	<p>1559 comment by: Thales</p> <p>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "<u>For level 1 findings, the</u> The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</p>
response	<p>See Section 1.</p>

AMC No 1 to 21.B.230 Issue of the certificate

p. 259

comment	<p>1243 comment by: ASD</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; vertical-align: top;"> <p>AMC1 21.B.225(d)</p> </td> <td style="width: 10%; vertical-align: top;"> <p>259/272</p> </td> <td style="width: 50%; vertical-align: top;"> <p>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p> </td> <td style="width: 20%; vertical-align: top;"> <p>Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p> </td> </tr> </table>	<p>AMC1 21.B.225(d)</p>	<p>259/272</p>	<p>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p>	<p>Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p>
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response	<p>See Section 1.</p>				



MC1No 1 to 21.B.240 Changes to a production organisation approval Application for significant changes or variation of scope and terms of the POA APPLICATION FOR SIGNIFICANT CHANGES OR VARIATION OF SCOPE AND TERMS OF THE POA p. 261-262

comment 134 comment by: *Luftfahrt-Bundesamt*

LBA comment to AMC1 21.B.240

In (g) it is written DOA instead of POA, we assume.

response See Section 1.

AMC1 21.B.430(d)(1) Initial certification procedure p. 267-268

comment 463 comment by: *Safran Landing Systems*

<p>AMC1 21.B.430(d)(1) (c)(1)</p>	<p>268/272</p>	<p>"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number. (2) A corrective action plan, including timescales, should have been accepted, and should not require an additional specific follow-up audit by the competent authority." The maximum of three findings is not relevant here, especially for level 3 findings, that are not expected to be formally closed. Safety should not be measured through the number of findings.</p>	<p>Consider the following wording instead: "(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number. (2) A corrective action plan, including timescales, should have been accepted for level 2 findings, and should not require an additional specific follow-up audit by the competent authority."</p>
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response See Section 1.

comment 668 comment by: *Le Blanc*

AMC1 21.B.430(d)(1) (c)(1)



"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in _____ number.
 (2) A corrective action plan, including timescales, should have been accepted, and should not require an additional specific follow-up audit by the competent authority."
 The maximum of three findings is not relevant here, especially for level 3 findings, that are not expected to be formally closed. Safety should not be measured through the number of findings.
 Suggested resolution: Consider the following wording instead:
 "(1) The findings should be of level 2 or 3, ~~which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in _____ number.~~
 (2) A corrective action plan, including timescales, should have been accepted for level 2 findings, and should not require an additional specific follow-up audit by the competent authority."

response See Section 1.

comment

975

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.B.430(d)(1) (c)(1)	268/272	"(1) <i>The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</i> (2) <i>A corrective action plan, including timescales, should have been accepted, and</i>	Consider the following wording instead: "(1) <i>The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</i> (2) <i>A corrective action plan,</i>		X



		<p><i>should not require an additional specific follow-up audit by the competent authority."</i></p> <p>The maximum of three findings is not relevant here, especially for level 3 findings, that are not expected to be formally closed. Safety should not be measured through the number of findings.</p>	<p><i>including timescales, should have been accepted for level 2 findings, and should not require an additional specific follow-up audit by the competent authority."</i></p>		
response	See Section 1.				

comment

1246

comment by: ASD

<p>AMC1 21.B.430(d)(1) (c)(1)</p>	<p>268/272</p>	<p><i>"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</i></p> <p><i>(2) A corrective action plan, including timescales, should have been accepted, and should not require an additional specific follow-up audit by the competent authority."</i></p> <p>The maximum of three findings is not relevant here, especially for level 3 findings, that are not</p>	<p>Consider the following wording instead:</p> <p><i>"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</i></p> <p><i>(2) A corrective action plan, including timescales, should have been accepted for level 2 findings, and should not require an additional specific follow-up audit by the competent authority."</i></p>
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		expected to be formally closed. Safety should not be measured through the number of findings.	
response	See Section 1.		

comment 1484 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.B.430(d)(1)(c)(1)	Page 268	<p><i>"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</i></p> <p><i>(2) A corrective action plan, including timescales, should have been accepted, and should not require an additional specific follow-up audit by the competent authority."</i></p> <p>It is not clear why the number of findings is restricted (nor the scope of this restriction. Is it three per visit, per year, three open at any time....?). A large-scale or long-</p>	<p>Consider the following wording instead: <i>"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</i></p> <p><i>(2) A corrective action plan, including timescales, should have been accepted for level 2 findings, and should not require an additional specific</i></p>	No	Yes



	<p>duration audit may well identify a series of findings, without necessarily indicating a pattern of lack of appropriate control, and Level 3 findings are treated as opportunities to improve the systems as appropriate. It seems likely that to comply with this AMC an auditor may feel that he must combine different detailed findings into three summary findings, rather than ignore an issue observed, thereby bypassing whatever effect the restriction is expected to have, and also possible that such a summary may prompt the increase of the level of the finding without justification. Safety should not be measured through the number of findings, and we suggest that this is removed due to the unintended consequences envisaged, if it</p>	<p><i>follow-up audit by the competent authority."</i></p>		
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		cannot be defined as a performance-based instruction.			
response	See Section 1.				
comment	1560	comment by: Thales			
	<p>"(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number.</p> <p>(2) A corrective action plan, including timescales, should have been accepted, and should not require an additional specific follow-up audit by the competent authority."</p> <p>The maximum of three findings is not relevant here, especially for level 3 findings, that are not expected to be formally closed. Safety should not be measured through the number of findings.</p> <p>Suggested resolution: Consider the following wording instead: "(1) The findings should be of level 2 or 3, which do not need to be rectified as a matter of urgency within less than 3 months, and should normally not exceed three in number. (2) A corrective action plan, including timescales, should have been accepted for level 2 findings, and should not require an additional specific follow-up audit by the competent authority."</p>				
response	See Section 1.				

AMC1 21.B.432(d) Oversight programme

p. 271

comment	114	comment by: DGAC France			
	<p>AMC1 21.B.432(d) describes "extension of the oversight planning cycle beyond 24 months". We suggest to add AMC2 21.B.432(d) "reduction of the oversight planning cycle" to ensure proper standardization on that matter between member states.</p>				
response	See Section 1.				
comment	464	comment by: Safran Landing Systems			
	AMC1 21.B.432(d) (b)	271/272	"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its	Delete AMC1 21.B.432(d) (b)	



		<p><i>safety performance."</i> This request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p>	
response	See Section 1.		

comment	670	comment by: <i>Le Blanc</i>
	<p>AMC1 21.B.432(d) (b) "In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance." This request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p> <p>Suggested resolution: Delete AMC1 21.B.432(d) (b)</p>	
response	See Section 1.	

comment	1053	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>															
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an observation (suggestion)</th> <th>Comment is substantive (objection)</th> </tr> </thead> <tbody> <tr> <td>AMC1 21.B.432(d) (b)</td> <td>271/272</td> <td>"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance." This request is not consistent with the</td> <td>Delete AMC1 21.B.432(d) (b)</td> <td></td> <td>X</td> </tr> </tbody> </table>					Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)	AMC1 21.B.432(d) (b)	271/272	"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance." This request is not consistent with the	Delete AMC1 21.B.432(d) (b)		X
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)												
AMC1 21.B.432(d) (b)	271/272	"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance." This request is not consistent with the	Delete AMC1 21.B.432(d) (b)		X												



		rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.			
response	See Section 1.				

comment

1055

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.B.433(d)	271/272	"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.	Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."		X



response See Section 1.

comment 1057 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 21.B.433(d)	271/272	"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.	Consider the following wording instead: "For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."		X



response See Section 1.

comment 1486 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (B) AMC1 21.B.432(d) (b)	Page 271	<p>"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance."</p> <p>In addition to the previous concerns raised regarding the actual meaning of safety performance, this request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p>	Delete AMC1 21.B.432(d) (b)	No	Yes

response See Section 1.

comment 1561 comment by: Thales



response	<p><i>"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance."</i></p> <p>This request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p> <p>Suggested resolution: Delete AMC1 21.B.432(d) (b)</p>
	See Section 1.

AMC1 21.B.433(d) Findings and corrective actions

p. 271

comment

465

comment by: Safran Landing Systems

AMC1 21.B.433(d)	271/272	<p><i>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i> This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p>	<p>Consider the following wording instead: <i>"A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i></p>
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response

See Section 1.

comment

466

comment by: Safran Landing Systems

AMC1 21.B.433(d)	271/272	<p><i>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding"</i></p>	<p>Consider the following wording instead: <i>"For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the"</i></p>
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		to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.	date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."
response		See Section 1.	
comment	671	comment by: <i>Le Blanc</i>	
		<p>AMC1 21.B.433(d) "A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p>	
response		See Section 1.	
comment	673	comment by: <i>Le Blanc</i>	
		<p>AMC1 21.B.433(d) "The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</p>	
response		See Section 1.	
comment	1247	comment by: <i>ASD</i>	



response	<table border="1"> <tr> <td data-bbox="391 197 550 609">AMC1 21.B.432(d) (b)</td> <td data-bbox="550 197 662 609">271/272</td> <td data-bbox="662 197 1204 609"> <p><i>"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance."</i></p> <p>This request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p> </td> <td data-bbox="1204 197 1396 609">Delete AMC1 21.B.432(d) (b)</td> </tr> <tr> <td colspan="4" data-bbox="391 609 1396 784">See Section 1.</td> </tr> </table>	AMC1 21.B.432(d) (b)	271/272	<p><i>"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance."</i></p> <p>This request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p>	Delete AMC1 21.B.432(d) (b)	See Section 1.			
AMC1 21.B.432(d) (b)	271/272	<p><i>"In order to be able to apply an oversight planning cycle of up to 36 months, the competent authority should determine the format and contents of the regular reports to be made by the organisation on its safety performance."</i></p> <p>This request is not consistent with the rule laid down in 21.B.432(d), where regular reports on safety performance are only needed for a 48 months cycle, not for a 36 months cycle.</p>	Delete AMC1 21.B.432(d) (b)						
See Section 1.									
comment	<p>1248 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="391 891 550 1438">AMC1 21.B.433(d)</td> <td data-bbox="550 891 662 1438">271/272</td> <td data-bbox="662 891 1024 1438"> <p><i>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i> This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p> </td> <td data-bbox="1024 891 1396 1438"> <p>Consider the following wording instead: <i>"A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i></p> </td> </tr> <tr> <td colspan="4" data-bbox="391 1438 1396 1612">See Section 1.</td> </tr> </table>	AMC1 21.B.433(d)	271/272	<p><i>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i> This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p>	<p>Consider the following wording instead: <i>"A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i></p>	See Section 1.			
AMC1 21.B.433(d)	271/272	<p><i>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i> This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p>	<p>Consider the following wording instead: <i>"A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</i></p>						
See Section 1.									
comment	<p>1249 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="391 1720 550 2027">AMC1 21.B.433(d)</td> <td data-bbox="550 1720 662 2027">271/272</td> <td data-bbox="662 1720 1024 2027"> <p><i>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working</i></p> </td> <td data-bbox="1024 1720 1396 2027"> <p>Consider the following wording instead: <i>"For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding,</i></p> </td> </tr> </table>	AMC1 21.B.433(d)	271/272	<p><i>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working</i></p>	<p>Consider the following wording instead: <i>"For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding,</i></p>				
AMC1 21.B.433(d)	271/272	<p><i>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working</i></p>	<p>Consider the following wording instead: <i>"For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding,</i></p>						



		<p>days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</p>	<p>which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</p>
response	See Section 1.		

comment

1487

comment by: Rolls-Royce plc

<p>NPA 2019-05 (B) AMC1 21.B.433(d)</p>	<p>Page 271</p>	<p>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed." This requirement should be limited to level 1 and level 2 findings.</p>	<p>Consider the following wording instead: "A level 1 or level 2 finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p>	No	Yes
		<p>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written</p>	<p>Consider the following wording instead: "For level 1 findings, the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than</p>	No	Yes



		<p>communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement should be limited to level 1 finding only, not level 2 and level 3 findings.</p>	<p>21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</p>
response	See Section 1.		
comment	<p>1562 comment by: Thales</p> <p>"A finding requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed.". This requirement shall be limited to level 1 and level 2 findings, not level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "<u>A level 1 or level 2 finding</u> requires timely and effective oversight by the competent authority to ensure the completion of the corrective action. This oversight may include intermediate communication, including letters as necessary to remind the approval holder to verify that the corrective action plan is followed."</p>		
response	See Section 1.		
comment	<p>1563 comment by: Thales</p> <p>"The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified." This requirement shall be limited to level 1 finding only, not level 2 and level 3 findings.</p> <p>Suggested resolution: Consider the following wording instead: "<u>For level 1 findings,</u> the The competent authority should grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which should not in any case be more than 21 working days, commencing from the date of the written communication of the finding to the organisation, requesting corrective action to address the non-compliance identified."</p>		
response	See Section 1.		



6.3. Appendix III — Comments related to NPA 2019-05 (C) (Part-145)

comment	1	comment by: <i>Dutch Aviation Police</i>
	Please coordinate SMS requirements simultaneously with Part CAMO (Opinion 06/2016). Especially for combined AMO/CAMO this may improve overall clarity (= safety). Additionally this may reduce general implementation workload / impact.	
response	See Section 1.	
comment	94	comment by: <i>General Aviation Manufacturers Association</i>
	Although the regulations are overly prescriptive, the MRO community find the prescriptive approach taken at the rule-level (hard law) is acceptable but a prescriptive approach within AMC (soft law) is not acceptable, leaving little room for interpretation and innovation within an organization. It is suggested that a more flexible approach is taken within AMC and the necessary detail is contained within GM; this approach would help improve and achieve a deeper implementation of SMS requirements within the management system.	
response	See Section 1.	
comment	152	comment by: <i>FAA</i>
response	See Section 1.	
comment	168	comment by: <i>DGAC France</i>
	145.A.85(a)(2) : The change of the accountable manager nominated with point 145.A30(a) is also a change which shall require prior approval. So the 145.A.30(a) shall be added to the list. 145.A.85(c) : By consistency with the paragraph (b), we suggest to add "For" as "(c) For all changes not requiring prior approval...."	
response	See Section 1.	
comment	250	comment by: <i>Luftfahrt-Bundesamt</i>
	<u>LBA general comment</u> Are there any plans to allow for a transition period for the implementation of all the changes for the organisations and the NAAs, when the amending regulation is published and becomes effective?	
response	See Section 1.	
comment	255	comment by: <i>DGAC France</i>

response	<p>It is noted that the structure and content of the AMC/GMs relating to the introduction of SMS in Part 145 are different from the AirOPS SMS (and the Part 21 drafted materials contained in NPA 2019-05(B)) without being close to the OACI framework defined through 4 components and 12 elements as established by ICAO Annex 19. These differences could make it more difficult for organizations and NAAs to understand and take into account these new requirements.</p> <p>See Section 1.</p>
comment	<p>263 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>In almost all the new or modified requirements (hard law) part of this NPA, the statements are too much prescriptive. They are not written to provide clear objectives that shall be reached to ensure release of safe product/part after maintenance but to require specific organisation structure, nomination of managers, cascade of responsibilities, training syllabus, particular risk management (i.e. fatigue risk). This is not consistent with the stated positions of EASA senior management in support of performance-based requirements, and with the intent of SMS itself, to be performance and data-driven.</p> <p>Suggested resolution :</p> <p>The requirements in Part 145 should be performance-based, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation.</p> <p>Such approach with allow an easy recognition of the SM-0001 standard being itself written to provide, as far as possible, performance-based means of compliance to the SMS requirements, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bepoke for each organisation.</p>
response	<p>See Section 1.</p>
comment	<p>264 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>All references to Quality (Quality management system, quality policy, quality records,...) have been removed from Part 145 requirements. However, EASA acknowledges through the part A</p> <p>Could EASA confirm that this amendment is applicable by both EU and non EU AMO's ?</p>
response	<p>See Section 1.</p>
comment	<p>354 comment by: <i>FNAM</i></p>

FNAM (Fédération Nationale de l'Aviation Marchande) is the French Aviation Industry Federation/Trade Association for Air Transport, gathering the following members:

- **CSTA: French Airlines Professional Union (incl. Air France)**
- SNEH: French Helicopters Operators Professional Union
- CSAE: French Handling Operators Professional Union
- **GIPAG: French General Aviation Operators Professional Union**
- GPMA: French Ground Operations Operators Professional Union
- **EBAA France: French Business Airlines Professional Union**

And the following associated members:

- FPDC: French Drone Professional Union
- UAF: French Airports Professional Union

The comments hereafter shall be considered as an identification of some of the major issues the French industry asks EASA to discuss with third-parties before any publication of the proposed regulation. In consequence, the following comments shall not be considered:

- As a recognition of the third-parties consultation process carried out by the European Parliament and of the Council;
- As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it;
- As exhaustive: the fact that some articles (or any part of them) are not commented does not mean FNAM has (or may have) no comments about them, neither FNAM accepts or acknowledges them. All the following comments are thus limited to our understanding of the effectively published proposed regulation, notwithstanding their consistency with any other pieces of regulation.

#Introduction/Explanation

FNAM thanks EASA for implementing Safety Management System (SMS) into maintenance and production organizations. European disposals on SMS will ensure the harmonization of SMS implementation throughout Europe and therefore will warrantee a uniform higher level of safety. We also salute EASA's efforts to introduce proportionate requirements depending on the size and complexity of the organization. Nevertheless, FNAM reminds the difficulties faced by large airlines to settle and implement efficient SMS and required Flight Time Limitations newly required in 2012 by Regulation (EU) N°965/2012.

We also welcome EASA's efforts to propose **European SMS requirements closed to and compatible with current national disposals**. Applicable French requirements are similar to the one proposed by EASA. FNAM thanks EASA for harmonizing European regulations, in particular in terms of SMS disposals. EASA proposed system is based on existing and required SMS, such as the required SMS for CAT operators described



in Regulation (EU) N°965/2012, but also on national regulation and future Part-CAMO regulation.

In Part-145 organization context, FNAM is surprised and deeply concerned on the integration of the fatigue risk identification and analysis for maintenance personnel into the management system and on their associated tools. We are totally opposed to these disposals. Part-145 organizations are not familiar with personnel's' fatigue identification, follow-up, management. A brand-new training will need to be developed to sensitize personnel, which will need significant resources and dedicated time to ensure compliance and safety monitoring.

If such fatigue requirements were confirmed, European new disposals will require a sizable transition period and direct exchanges with EASA in order to ensure an efficient and harmonized implementation. No organization (Large, complex, nor small) has such fatigue management system in place. Guidelines (without any legal statute) will therefore not be sufficient to support organizations to implement new fatigue requirements. Meetings, such as constructive Workshop, will be more efficient than such guidelines in order to directly exchange on the implementation and the interpretation of such system.

Nowadays, French organizations already rely on French labor law and organizations agreements which are already ensuring a high level of safety. These national disposals should be accepted as AltMoc as soon as possible since they propose work hour limitations and impose minimum rest to warrantee a high level of safety. We agree that European countries without such national disposals should follow European limitations, but when national disposals are equal or more stringent than European disposals, national requirements could be kept as AltMoc.

Additionally, FNAM highlights that these new disposals, described in terms of working time limitation and rest conditions, seems to be out of EASA's scope of safety since it interferes directly with social laws. In this special case, where is the limit between social and safety measures ?

(see associated comments in AMC 145.A.47(b))

The 2 years transition period will be absolutely necessary and may be even too short for impacted stakeholders considering proposed disposals. The transition period will be significant to:

- Propose AltMoc to competent authorities and make them approved ; and / or
- Adapt current SMS, compliant with national requirements, to new European disposals.

Additionally, FNAM raises **awareness on EASA's proposed staff experience and qualification proposed disposals**, in particular for airworthiness review staff, persons responsible of ensuring that the organization is always in compliance with Part M and Part ML, accountable managers and persons responsible for managing the compliance monitoring function. We understand the need to have highly qualified and experienced staff to manage a compliance and safety system and to identify risks. However, EASA's proposed disposals are not adapted to current experienced maintenance workers availability on the European labor market. Nowadays, organizations face difficulties to hire highly qualified and experienced staff. Organizations, and above all Small and Medium Enterprises (SME),



have already issues to find anyone for these works, so, with proposed disposals, FNAM fears that Part-145 SME will not find any appropriate staff.

Moreover, it has been difficult for numerous FNAM members to study and analyze the whole NPA 2019-05. **The work to analyze and compare each of the large number of disposals (239 pages for Part-145) is not adapted for staff working 100% of their time on safety and security issues into maintenance organization.** It is therefore very difficult to have their point of view and their advices on the entire EASA’s proposals. Considering the length of the document and considering current managers workload, such study and analysis cannot be soundly engaged. Therefore, the current consultation system should be reviewed and adapted in order to have all stakeholders’ advices and comments without overloading them with studies and analysis that only a full-time job can answer.

#Conclusion

To conclude, FNAM would like to:

- Thank for proposing a management system based on existing and required SMS, such as the required SMS for CAT operators described in Regulation (EU) N°965/2012, but also on national regulation; and
- Remove the fatigue risk identification, follow-up and analysis for maintenance personnel and their associated tools for countries with implemented system and/or laws ensuring the flight safety; and
- Demand a sizable and adapted transition period; and
- Raise concern about new staff experience and qualification disposals; and
- Find a proper and adapted consultation form in order to collect all stakeholders’ advices.

response

See Section 1.

comment

578

comment by: FOCA Switzerland

FOCA wants to thank EASA for the opportunity to comment on this NPA.

response

See Section 1.

comment

579

comment by: Le Blanc

All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: "The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new ‘management system’ of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system" Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.



response	<p>Suggested resolution: Keep references to all activities in the frame of Quality Management System (e.g Quality Policy)</p> <p>See Section 1.</p>			
comment	<p>633 comment by: SAFRAN LS</p> <p>In almost all the new or modified requirements (hard law) part of this NPA, the statements are too much prescriptive. They are not written to provide clear objectives that shall be reached to ensure release of safe product/part after maintenance but to require specific organisation structure, nomination of managers, cascade of responsibilities, training syllabus, particular risk management (i.e. Fatigue Risk). This is not consistent with the stated positions of EASA senior management in support of performance-based requirements, and with the intent of SMS itself, to be performance and data-driven.</p> <p>the Requirements in Part 145 should be performance-based, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation Such approach will allow an easy recognition of the SM-0001 standard being itself written to provide, as far as possible, performance-based means of compliance to the SMS requirements, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation.</p>			
response	<p>See Section 1.</p>			
comment	<p>634 comment by: SAFRAN LS</p> <p>Could EASA confirm that this amendment is applicable by both EU and non EU AMO's ? This in order to keep a fair competition with the non EU maintenance organisations.</p>			
response	<p>See Section 1.</p>			
comment	<p>667 comment by: SAFRAN LS</p> <table border="1" data-bbox="384 1697 1388 1995"> <tr> <td data-bbox="384 1697 496 1995">Section B</td> <td data-bbox="496 1697 1038 1995">all The beginning of the proposed section B states '[Section B is replaced by]', which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the</td> <td data-bbox="1038 1697 1388 1995">The text of the current applicable Part 145 should appear and be amended to be consistent with the editorial arrangements used throughout the rest of the NPA and defined on page 6/170.</td> </tr> </table>	Section B	all The beginning of the proposed section B states '[Section B is replaced by]', which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the	The text of the current applicable Part 145 should appear and be amended to be consistent with the editorial arrangements used throughout the rest of the NPA and defined on page 6/170.
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	<p>presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that '<i>deleted text is struck through; new or amended text is highlighted in grey; an ellipsis '[...]' indicates that the rest of the text is unchanged.</i>'</p> <p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this 'new' text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p>				
response	<p>See Section 1.</p>				
comment	<p>681 comment by: SAFRAN LS</p> <table border="1" data-bbox="391 1534 1396 1724"> <tr> <td data-bbox="391 1534 478 1724">all AMCs</td> <td data-bbox="478 1534 534 1724">N/A</td> <td data-bbox="534 1534 1228 1724">Given the detail of AMC introduced for SMS its highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</td> <td data-bbox="1228 1534 1396 1724">Move the details of AMCs into GMs.</td> </tr> </table>	all AMCs	N/A	Given the detail of AMC introduced for SMS its highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.	Move the details of AMCs into GMs.
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response	<p>See Section 1.</p>				
comment	<p>711 comment by: Cargolux Airlines International</p>				



response	<p>Cargolux Airlines Int S.A. welcomes the NPA. Best regards, Marc Nickels Manager QCM M&E</p> <p>See Section 1.</p>		
comment	712	comment by: ASD	
	all	<p>In almost all the new or modified requirements (hard law) part of this NPA, the statements are too much prescriptive. They are not written to provide clear objectives that shall be reached to ensure release of safe product/part after maintenance but to require specific organisation structure, nomination of managers, cascade of responsibilities, training sillabus, particular risk managemlent (i.e. Fatigue Risk). This is not consistent with the stated positions of EASA senior management in support of performance-based requirements, and with the intent of SMS itself, to be performance and data-driven.</p>	<p>the Requirements in Part 145 should be performance-based, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation Such approach will allow an easy recognition of the SM-0001 standard being itself written to provide, as far as possible, performance-based means of compliance to the SMS requirements, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation.</p>
response	<p>See Section 1.</p>		
comment	715	comment by: ASD	
		<p>Could EASA confirm that this amendment is applicable by both EU and non EU AMO's ?</p>	
response	<p>See Section 1.</p>		
comment	753	comment by: ASD	
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		<p>we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that <i>'deleted text is struck through; new or amended text is highlighted in grey; an ellipsis [...] indicates that the rest of the text is unchanged.'</i></p> <p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this 'new' text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p>	<p>appear and be amended to be consistent with the editorial arrangements used throughout the rest of the NPA and defined on page 6/170.</p>
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response **See Section 1.**

comment 768

comment by: ASD

all AMCs	N/A	<p>Given the detail of AMC introduced for SMS its highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p>	<p>Move the details of AMCs into GMs.</p>
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response See Section 1.

comment

784

comment by: ASD

ASD and GAMA comments to NPA 2019-05(B) “Embodiment of SMS into Part 21” and NPA 2019-05(C) “Embodiment of SMS into Part 145” have been uploaded into EASA CRT.

The content of NPA 2019-05 (A) “Embodiment of safety management system (SMS) requirements into Part-145 and Part 21” has been taken into consideration when creating these comments.

Given the size of the NPAs, the importance of the material within them, and the need to gain consensus within ASD and GAMA membership, the timescale for reviewing the NPA content has been very challenging. The ASD/GAMA task has therefore been prioritised, in keeping with EASA’s explanation of its own priorities (Ref 1). The ASD/GAMA review has concentrated on the content of the proposed rules, and, consequently, less time has been available for review of the NPA content of proposed AMC and GM material.

Although the AMC and GM have not all been subject to comprehensive review, generic comments on the nature of the AMC and GM are included, and these are offered for consideration against all AMC and GM, in addition to the specific comments that have been generated so far. The ASD/GAMA review will continue beyond the formal comment period, and we fully intend to take advantage of the offer from EASA to keep on working on the AMCs/GMs with the help of the Focused Consultation Groups (Part-145/21 FCGs) until 2021Q3 at the latest. (Ref 1).

One specific area of concern is the use of material already present in Part-CAMO. While we recognise the attraction to EASA of using existing material, if this approach is taken, it is likely to have two effects: Firstly, detailed material is taken out of context with its original - an original for which our industry sector had no part in the consultation, which makes the perception of ‘cutting and pasting’ of another sector’s rules and guidance particularly troubling. Secondly, it has the effect of stifling any attempt to make rules and guidance more performance-based, if there are existing prescriptive measures already available. To-date, we have noted both effects in our review and urge you to use caution in adopting this approach.

We look forward to discussing any questions raised by our comments and observations.

(1) EASA email to ASD dated 21 May 2019.”

response See Section 1.

comment

785

comment by: SAFRAN LS



	<p><i>Safran LS and Safran fully support all the comments raised by ASD and uploaded in CRT.</i></p> <p><i>Given the size of the NPAs, the importance of the material within them, the timescale for reviewing the NPA content has been very challenging.</i></p> <p><i>Safran review will continue beyond the formal comment period, taking full advantage of the offer from EASA to keep on working on the AMCs/GMs with the help of the Focused Consultation Groups (Part-145/21 FCGs) until 2021Q3 at the latest. (Ref 1).</i></p> <p><i>One specific area of concern is the use of material already present in Part-CAMO. While we recognise the attraction to EASA of using existing material, if this approach is taken, it is likely to have two effects:</i></p> <p><i>Firstly, detailed material is taken out of context with its original - an original for which our industry sector had no part in the consultation, which makes the perception of ‘cutting and pasting’ of another sector’s rules and guidance particularly troubling.</i></p> <p><i>Secondly, it has the effect of stifling any attempt to make rules and guidance more performance-based, if there are existing prescriptive measures already available. To-date, both effects have been noted.</i></p> <p><i>We look forward to discussing any questions raised by our comments and observations.</i></p>
response	See Section 1.

comment	<p>833 comment by: Aircraft Engineers International</p> <p>145.A.85 (a). Could not find a link to this rule so the comment is posted under General: AEI supports changing to “prior approval” instead of “notification”.</p>
response	See Section 1.

comment	<p>842 comment by: Rolls-Royce plc</p>																	
	<table border="1"> <thead> <tr> <th data-bbox="370 1413 539 1570">Section, table, figure</th> <th data-bbox="539 1413 611 2016">Page</th> <th data-bbox="611 1413 837 2016">Comment Summary</th> <th data-bbox="837 1413 1054 2016">Suggested resolution</th> <th data-bbox="1054 1413 1224 2016">Comment is an observation/suggestion*</th> <th data-bbox="1224 1413 1418 2016">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td data-bbox="370 1570 539 2016">NPA 2019-05 (C) - all</td> <td data-bbox="539 1570 611 2016">all</td> <td data-bbox="611 1570 837 2016">In almost all the new or modified requirements (hard law) part of this NPA, the statements are very prescriptive. They are not written to provide clear objectives that</td> <td data-bbox="837 1570 1054 2016">The requirements in Part 145 should be performance-based, providing key points for consideration in any system, so that a system can be judged on what it delivers, while</td> <td data-bbox="1054 1570 1224 2016">No</td> <td data-bbox="1224 1570 1418 2016">Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (C) - all	all	In almost all the new or modified requirements (hard law) part of this NPA, the statements are very prescriptive. They are not written to provide clear objectives that	The requirements in Part 145 should be performance-based, providing key points for consideration in any system, so that a system can be judged on what it delivers, while	No	Yes					
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	<p>shall be reached to ensure release of safe product/part after maintenance but to require specific organisation structure, nomination of managers, cascade of responsibilities, training sillabus, particular risk managemlent (i.e. Fatigue Risk). This is not consistent with the stated positions of EASA senior management in support of performance-based requirements, and with the intent of SMS itself, to be performance and data-driven.</p>	<p>avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation Such approach will allow an easy recognition of the SM-0001 standard being itself written to provide, as far as possible, performance-based means of compliance to the SMS requirements, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation.</p>		
response	<p>See Section 1.</p>			

comment 915

comment by: Air France



Air France performed a joint review of the NPA 2019-05 with several others French aviation maintenance organizations as FNAM's members, and we agreed with their following statements :

The comments hereafter shall be considered as an identification of some of the major issues the French industry asks EASA to discuss with third-parties before any publication of the proposed regulation. In consequence, the following comments shall not be considered:

- As a recognition of the third-parties consultation process carried out by the European Parliament and of the Council;
- As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it;
- As exhaustive: the fact that some articles (or any part of them) are not commented does not mean FNAM has (or may have) no comments about them, neither FNAM accepts or acknowledges them. All the following comments are thus limited to our understanding of the effectively published proposed regulation, notwithstanding their consistency with any other pieces of regulation.

FNAM thanks EASA for implementing Safety Management System (SMS) into maintenance and production organizations. European disposals on SMS will ensure the harmonization of SMS implementation throughout Europe and therefore will warrant a uniform higher level of safety. We also salute EASA's efforts to introduce proportionate requirements depending on the size and complexity of the organization.

We also congratulate EASA's efforts to propose European SMS requirements closed to national current disposals. Applicable French requirements are similar to the one proposed by EASA. FNAM thanks EASA for harmonizing European regulations, in particular in terms of SMS disposals. EASA proposed system is based on existing and required SMS, such as Regulation (EU) N°965/2012 one, but also on national regulation and future Part-CAMO regulation. However, due to some national features, FNAM insists that AltMOC need to remain quickly accepted in order to propose several alternative means of compliance with the same level of safety.

In Part-145 organization context, FNAM is surprised and is also deeply worried on the integration of the fatigue risk identification and analysis for maintenance personnel into the management system and on their proposed tools. Part-145 organizations are not familiar with personnel's' fatigue identification, follow-up, management. A brand-new training will need to be developed to sensitize personnel, which will need significant resources and dedicated time to ensure compliance and safety monitoring. Nowadays, French organizations already rely on French labor law and organizations agreements which are already ensuring a high level of safety. European new disposals will therefore imply a sizable transition period and direct exchanges with EASA in order to ensure an efficient and harmonized implementation. Indeed, no organization (Large, complex, nor small) has such fatigue management system in place. FNAM wonders if guidelines (without any legal statute) would be sufficient to support organizations to implement new fatigue requirements. Meetings, such as constructive Workshop, may be more efficient.



Air France Remarks on fatigue risk identification and analysis for maintenance personnel :

No Part-145 organizations has such fatigue management system in place. But Nowadays, French organizations already rely on French Labor Law and Work Council agreements which are already ensuring a high level of safety.

A comparison between OACI recommendations and French labor law has been made to ensure about the compliance of the last one :

- The analysis revealed that some slight differences exist but both remain globally similar.
- But the proposed guidelines don't give any other means of compliance other than OACI recommendations, though some national effort has been taken related to "night-shift" matters and medical recommendations for time schedules and the organization of "work in staggered hours". Air France already take into account those recommendations and has worked closely with the French institut « INRS » together. (ie. INRS National Research and Safety Institute for the prevention of accidents at work and occupational diseases) to proposed a time grid analysis tool based on painfulness. Moreover, Air France is performing a national study called "in the heart of the night shift" on the individual and collective prevention of cardiovascular and long-term risk factors for cardiovascular disease in night workers conjointement with the hospital center (CHU) of "Toulouse", which is the sponsor of the study, and in connection with AP-HP (Hospital Center of "iles de France" which represent a total of 38 hospitals) and CNRS (French Scientific Research National Center).

This issue has been the subject of numerous communications and publications from Air France:

- Communication at the symposium on Posted Work and Night: Organized by the Ministry of Social Affairs and Health: "Medical recommendations on the organization of work in staggered hours and / or at night".
- Communication at aeronautical interviews of the Paris Air Show of 21/06/2013: "Work in staggered schedules in an aeronautical industrial environment" -
- Presentation at the International Congress of Aerospace Medicine in Mexico City in October 2014: "Medical recommendations on the organization of work in staggered schedules by aeronautical maintenance personnel"
- Insertion of the grid analysis tool into the training catalog provided by the INRS on staggered and atypical hours (since October 2018)

Consequently, Air France advise EASA to reconsider the proposed guide line and in particular review the position concerning OACI recommendation without taking into account National Labor Law and scientific institutions recommendations on this matter.

Enforcing a unique reference : "Appendix H to Chapter 3 POSSIBLE FATIGUE MANAGEMENT INTERVENTIONS" can be an obstacle against National Labor Law as well as work council agreements, please consider in the guide line an "Alternate



Means of Compliance” or alternate procedure recognizing also National law and scientific institutions recommendations.

The 2 years transition period will be absolutely necessary and may be even too short for impacted stakeholders considering proposed disposals. The transition period will be significant to :

- Propose AltMoc to competent authorities and make them approved ; and / or
- Adapt current SMS, compliant with national requirements, to new European disposals.

Additionally, FNAM raises awareness on EASA’s proposed staff experience and qualification proposed disposals, in particular for airworthiness review staff, persons responsible of ensuring that the organization is always in compliance with Part M and Part ML, accountable managers and persons responsible for managing the compliance monitoring function. We understand the need to have highly qualified and experienced staff to manage a compliance and safety system and to identify risks. However, EASA’s proposed disposals are not adapted to current supply of experienced labor. Nowadays, organizations, and above all for less attractive organizations such as Small and Medium Enterprises (SME), face difficulties to hire highly qualified and experienced staff. Such organizations have already issues to find anyone for these works, so, with proposed disposals, FNAM fears that Part-145 SME will not find any appropriate staff.

Moreover, it has been difficult for numerous FNAM members to study and analyze the whole NPA 2019-05. The work to analyze and compare each of the large number of disposals (239 pages for Part-145) is not adapted for staff working 100% of their time on safety and security issues into maintenance organization. It is therefore very difficult to have their point of view and their advices on the entire EASA’s proposals. Considering the length of the document and considering current managers workload, such study and analysis cannot be soundly engaged. Therefore, the current consultation system should be reviewed and adapted in order to : have all stakeholders’ advices and comments without overloading them with studies and analysis that only a full-time job can answer.

#Conclusion

To conclude, FNAM reminds the difficulties face by large airlines to settle and implement efficient SMS and required Flight Time Limitations. For maintenance domain, FNAM therefore would like to :

- Thank for proposing a management system based on existing and required SMS, such as Regulation (EU) N°965/2012 one, but also on national regulation ; and
- Warn on the integration of the analysis of the risk of fatigue for maintenance personnel into the management system and on proposed tools ; and
- Ask for the use of AltMoc ; and
- Require the organization of direct exchange with EASA on the integration and implementation of the fatigue risk management system ; and
- Demand a sizable and adapted transition period ; and
- Raise concern about new staff experience and qualification disposals ;



	<ul style="list-style-type: none"> • Find a proper and adapted consultation form in order to collect all stakeholders' advices.
response	See Section 1.
comment	<p>950 comment by: <i>Lufthansa Technik</i></p> <p>Please find below the consolidated comments from Lufthansa Technik Group's (LHT) maintenance division. With more than 30 subsidiaries and affiliates, the Lufthansa Technik Group is one of the leading providers of technical aircraft services in the world. Certified internationally as maintenance, production and design organization, the company has a workforce of more than 25,000 employees. Lufthansa Technik's portfolio covers the entire range of services for commercial and VIP/special mission aircraft, engines, components and landing gear in the areas of digital fleet support, maintenance, repair, overhaul, modification, completion and conversion as well as the manufacture of innovative cabin products.</p> <p><u>General Comments:</u> LHT generally supports this NPA and the introduction of SMS. Obviously the introduction of SMS will require certain efforts and changes of an AMO's management system, but we appreciate the benefits and the contribution to aviation safety by introducing SMS.</p> <p>There are some changes we are especially fond of:</p> <ul style="list-style-type: none"> • More flexibility with hangar requirements, • Introduction of formal process for Alt-MOC, • clarification regarding subcontracting of approved sources, • Introduction of changes not requiring prior approval and clarification what changes require prior approval. <p>To our understanding these changes will provide more flexibility and might take some formal burden.</p> <p>Nevertheless there are generally some uncertainties in the NPA that would need more specification to avoid future misunderstandings and discussions with the authority.</p> <p>In particular, a more specified and clear list of the changes requiring prior approval and the criteria on which basis Alt-MOC will be assessed and approved by the competent authority would be appreciated.</p> <p>Apart of that we do not believe that contracted parties should be controlled on a similar level than subcontracting parties. As explained in the new GM2 145.A.205 a contracted organisation is working under its own approval. Thus the responsibility is transferred to the contracted party. Therefore all tasks of controlling one AMO by another AMO are unnecessary and would cause a dilution of responsibilities.</p> <p>Please find below our detailed list of comments.</p> <p><u>Additional item - Component Certifying Staff:</u> As the rulemaking activity related with this NPA is one of the rare opportunities to revise the regulation itself, we would also highly appreciate that the unfair requirements with regard to qualifications of component certifying staff within the</p>



	<p>Members States will be also addressed by this change (see ASD proposal as discussed in 2018/2019 EM.TEC). To establish a level playing field in this regard Article 5 point 6 of the cover regulation should be completely removed. 145.A.30 (i) should be changed accordingly, e.g.:</p> <ul style="list-style-type: none"> • <i>145.A.30 (i): Component certifying staff shall be qualified in accordance with the organisations internal qualification procedure as described in the M.O.E. and approved by the competent authority.</i> • <i>AMC to 145.A.30 (i): Existing qualification or licenses i.a.w. the national law of the local Member State might be accepted as alternative option to the internal qualification when assessing the staff's competency.</i>
response	See Section 1.
comment	<p>1020 comment by: Dassault-Aviation</p> <p>Dassault Aviation agree with all the comments made by ASD and have no additional remark.</p>
response	See Section 1.
comment	<p>1034 comment by: Thales</p> <p>Thales is fully committed in the implementation of SMS for its design, production and maintenance organizations.</p> <p>Yet, this NPA appears overly prescriptive and should be more performance-based. The main areas of concern related to this NPA are the following:</p> <ul style="list-style-type: none"> • The text should be more concise and focused on the objectives, in order to avoid any unnecessary prescription. Several requirements and AMCs should be moved to guidance material. • The new concept of AltMoC in Part-21 and Part-145 should be deleted. It makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC would only be permitted subject to the Competent Authority. This will create important administrative burdens with little added value for safety. • The lack of recognition of the SMS Standard SM0001 in Part 145 is seen as a significant issue for the industry, as it implies that a different SMS should be implemented for maintenance and design/production. This will lead to inefficiencies for both authorities and industry. • Prescriptive requirements on human resources processes, training programs and communication means have been included in this NPA. These are typically areas where each company should be free to choose its own organization and procedures, and be judged on the effectiveness rather than complying with a prescriptive rule.



<p>response</p>	<ul style="list-style-type: none"> • In Part-21 Section B, the requirements related to findings are unclear and inconsistent and should be reviewed to ensure proportionate follow-up of findings by the Competent Authority. • Multiple references to human factor principles have been included in the text, but not always in a consistent manner. <p>In addition to these comments, Thales fully supports the comments provided by ASD and GAMA.</p> <p>See Section 1.</p>
<p>comment</p>	<p>1037 comment by: <i>Thales</i></p> <p>The beginning of the proposed section B states ‘[Section B is replaced by]’, which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that ‘deleted text is struck through; new or amended text is highlighted in grey; an ellipsis ‘[...]’ indicates that the rest of the text is unchanged.’</p> <p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this ‘new’ text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p> <p>See Section 1.</p>
<p>comment</p>	<p>1043 comment by: <i>Dassault Falcon Service</i></p> <p>Attachment #1</p> <p>Depending on the extent of the SMS incorporation in the Part 145, more than 2 years might be necessary to comply with all new requirements.</p> <p>See attached file for complete comments.</p> <p>See Section 1.</p>
<p>comment</p>	<p>1059 comment by: <i>Aircraft Electronics Association - Europe</i></p> <p>Overall, the Aircraft Electronics Association supports this NPA and the approach that EASA has taken to imbed the principles of Safety Management within the existing</p>



	<p>Management System that every AMO intrinsically has within their organisation in order to operate a successful business.</p> <p>However, it is not at all clear on the expected timeline for every AMO throughout the EU to edit and submit their manuals for review and acceptance? Is the reorganziation and inclusion of Safety Management a minor revision which the AMO can apporve themselves, or is it considered a major revision requiring the Compenent Authority involvement?</p> <p>The Assocaiton also comments EASA for the revised focus on regulatory compliance rather than "quality". While often viewed the same, this revision makes it clear that the purpose of the former "quality management" system was indead Compliance Management.</p>
response	See Section 1.

comment	<p>1065 comment by: DGAC France</p> <p>Regarding the introduction of the risk of fatigue for maintenance personnel, DGAC considers that fatigue is one amongst other human performance limitations and does not see the reason for highlighting this specific human factor. Working time and rest limitations are already covered by national/european labour laws. DGAC considers that the level of requirements of these laws is sufficient to monitor and manage the risk of fatigue for maintenance personnel.</p> <p>However, If EASA considers that the levels of requirements of labour laws among states may be different and that it could be useful to provide member states with guidance on fatigue risk management, DGAC suggests to change AMC 1 145.A.47(b) into a GM. This is all the more justified since this AMC contains general and philosophical elements which remain explanations and since it refers to an ICAO document which is only a recommandation.</p>
response	See Section 1.

NPA 2019-05 (C) Embodiment of safety management system (SMS) requirements into Part-145 and Part21

comment	<p>1014 comment by: Duane Kritzinger</p> <p>The terms Risk Assessment and Safety Risk Assessment are used throughout the NPA; is it intended that these are different? Risk management priciples can reside in any business function yet the objectives of each are distinctly different from from one another</p>
response	See Section 1.
comment	<p>1032 comment by: Aeronautical Repair Station Association</p> <p>General Comments of the Aeronautical Repair Station Association (ARSA) on NPA 2019-05(C)</p>



The Aeronautical Repair Station Association (ARSA) submits the following consolidated comments to the above-referenced Notice of Proposed Amendment (“the NPA) issued by the European Aviation Safety Agency (EASA) regarding the incorporation of safety management system (SMS) requirements into Part 145. Specific comments are posted in their appropriate location using EASA’s Comment Response Tool (CRT). For ease of reference this document is also uploaded to the CRT.

Background

ARSA is the trade association for the €73 billion EUR (\$81 billion USD) global aviation maintenance industry. The association’s primary members are approved maintenance organisations certificated by EASA, the Federal Aviation Administration (FAA) and other aviation authorities to perform work on civil aviation products and articles. Our membership includes companies certificated by EASA directly and those approved by the agency through bilateral aviation safety agreements. Our members also include air carriers, manufacturers, industry service providers, educators and others supporting this vital section of the global economy.

Summary

ARSA shares EASA’s objective of improving aviation safety. We generally support the NPA’s goal of encouraging organisations authorized to perform civil aviation maintenance to adopt SMS policies, processes and procedures to assess risk; mitigate and constantly reevaluate risk and the effectiveness of safety management programs; and promote the SMS internally.

The NPA recognizes the complexity associated with managing compliance within companies with multiple certificates and that a one-size-fits all solution is inappropriate for a diverse industry made up of companies with various sizes and specialties. Specifically, point 145.A.200(b) provides that the SMS should correspond to the size of the organisation, the complexity of its activities and risks associated with those activities. Point 145.A.200(c) allows organisations holding more than one certificate to integrate SMSs associated with those certificates. ARSA urges those concepts be maintained in the final regulations.

At the same time, certain provisions of the NPA run contrary to the philosophy underlying SMS, suggest a lack of confidence in the systems required by the new rules, would create new and unnecessary burdens for certificate holders and regulators and would potentially undermine safety. In particular, while the current regulation requires certificate holders to notify the regulator prior to making certain changes to the organisation, the proposed amendments to 145.A.85 would require prior approval by the competent authority. Perhaps most significantly, the proposed rule would require prior approval of changes to personnel responsible for compliance pursuant to point 145.A.30(b), for managing compliance monitoring pursuant to point 145.A.30(c) and for managing the SMS pursuant to point 145.A.30(ca). Notably, the proposed amendments to the regulation would eliminate the very reasonable provision in the current 145.A.85 that recognizes certain personnel changes may be unplanned and requiring notification of those changes at the earliest possible opportunity.

A key concept underlying SMS is that safety depends on the organization and its processes, not individuals; put another way, the privilege of holding a certificate is



not dependent on any one individual, but rather on the company's SMS. Requiring the regulator to approve personnel changes made in accordance with the company's SMS defeats the purpose of the system and the proposed regulatory changes. It is the company's responsibility, not that of regulators, to manage operations and make decisions about who is best suited to ensure compliance, safety and the company's success. If the company has properly designed and implemented its SMS, the new employees appointed to key positions should be presumed qualified and trained as required by point 145.A.30(e). The new approval requirements in 145.A.85 would give regulators unprecedented authority over internal personnel changes, diverting competent authority resources and undermining the ability of certificate holders to manage their businesses on a daily basis. Finally, by requiring the regulator's approval of personnel changes, the new rule will undermine safety by thwarting a company's ability to remove a team member whose acts or omissions run contrary to the company's SMS. For all these reasons, we urge EASA to remove the prior approval requirement and revert to the current notification system, particularly as it relates to unanticipated personnel changes.

Additionally, while we share the goal of creating the safest global aviation system possible, we caution the agency against creating unreasonable public expectations about safety outcomes since some risks are inherent and cannot be eliminated. At their best, regulations reflect and mandate the adoption of broadly recognized and proven best practices; however, unnecessary and inconsistent mandates that intrude on sound business judgment add complexity and lead to confusion, which in turn undermine safety. It is with the foregoing in mind that we submit these comments and recommendations.

While these comments reflect ARSA's primary concerns based on our analysis of the NPA, we recognize that our submission may not include all issues impacting our member companies. As such, we urge EASA to seriously consider all suggestions provided by industry to improve the proposed SMS regulatory framework.

Thank you for considering ARSA's comments. We look forward to working with you to complete the amendment process.

Respectfully submitted,

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response

See Section 1.

EXECUTIVE SUMMARY

p. 1

comment 886

comment by: SAFRAN TRANSMISSION SYSTEMS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
all	all	<p>In almost all the new or modified requirements (hard law) part of this NPA, the statements are too much prescriptive. They are not written to provide clear objectives that shall be reached to ensure release of safe product/part after maintenance but to require specific organisation structure, nomination of managers, cascade of responsibilities, training sillabus, particular risk management (i.e. Fatigue Risk). This is not consistent with the stated positions of EASA senior management in support of performance-based requirements, and with the intent of SMS itself, to be performance and data-driven.</p>	<p>the Requirements in Part 145 should be performance-based, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation. Such approach will allow an easy recognition of the SM-0001 standard being itself written to provide, as far as possible, performance-based means of compliance to the SMS requirements, providing key points for consideration in any system, so that a system can be judged on what it delivers, while avoiding details such as role descriptions, training schedules, and organisational structures, as these will be bespoke for each organisation.</p>		X



response See Section 1.

comment 888 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
all	all	All references to Quality (quality management system, quality policy, quality records, ...) have been removed from Part 145 requirements . However, EASA acknowledges through the part A	Keep references to all activities in the frame of Quality Management System (e.g Quality Policy)		X

response See Section 1.

comment 889 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
N/A	N/A	Could EASA confirm that this amendment is applicable by both EU and non EU AMO's ?	EASA to confirm	X	

response See Section 1.

comment 988 comment by: Duane Kritzinger



response	<p>No mention of ALARP or the term threats which are both mentioned in ICAO 9859 . The concept reasonably practicable (e.g. ALARP) is good practice in safety critical industries and is a legal expectation.</p> <p>"By doing so..." This suggests that the risk management system is a separate yet integrated function as supposed to safety being a managed outcome of the entire management including compliance</p> <p>See Section 1.</p>
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Proposed amendments to Part-145

p. 6

comment	<p>141 comment by: DGAC France</p> <p>The document evolution policy is not fully respected. For example 145.A.30 (k) & 145.A.75 (f) new text "<i>point ML.A.903 of Annex Vb (Part-ML)</i>" are not highlighted, or 145.A.75 (f) & (g) text deleted "<i>2. perform airworthiness reviews and issue the corresponding recommendation, under the conditions specified in point M.A.901(l) and M.A.904(a)2 and (b).</i>"</p> <p><i>(g) Develop the maintenance programme and process its approval in accordance with point M.A.302 for ELA2 aircraft not involved in commercial operations, under the conditions specified in point M.A.201(e)(ii), and limited to the aircraft ratings listed in the approval certificate.</i>" are not struck through.</p>
response	<p>See Section 1.</p>

Draft Cover Regulation (EU) No1321/2014 (Draft EASA opinion)

p. 7

comment	<p>136 comment by: DGAC France</p> <p>Point 10: "<i>shall adapt their management system, training programmes, procedures and manuals to be compliant with Annex II to this Regulation within two years of its entry into force</i>".</p> <p>AMC and GM should make clear how the concerned organisations have to be overseen during the 2-year transition period. We are facing problems in interpreting the way we need to proceed to move to Part-ML, new Part-M, Part-CAO and Part-CAMO, we need explicit and clear rules, consistent with what will be done in previously mentioned regulations in order to ensure a consistent and smooth implementation.</p>
response	<p>See Section 1.</p>
comment	<p>160 comment by: FAA</p> <p>Article 4</p> <p>10. Organisations that hold a certificate issued in accordance with Annex II (Part-145) before(insert date of entry into force of the new Regulation) shall adapt their</p>



	management system training programmes, procedures and manuals to be compliant with Annex II to this Regulation within two years of its entry into force
response	This differs from us giving 3 Years See Section 1.
comment	278 comment by: AIRBUS 1.. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 7/170, Article 4 Continuing-airworthiness organisation approvals 2. PROPOSED TEXT / COMMENT: The point 10. proposes a two year transition period to adapt AMO management system, training programmes, procedures and manuals. Airbus finds a transition of two years not enough to comply with the proposed amendments for some large and/or transnational AMO. Three years are requested. 3. RATIONALE / REASON / JUSTIFICATION for the Comment: Airbus fully supports the intent to provide a transition period: the quantity of proposed amendments is such that compliance will be time demanding. The request for a three-year transition period is based on Airbus experience gained with the French requirements for the implementation of SMS in maintenance organisations.
response	See Section 1.
comment	356 comment by: FNAM In the last Easy Access Rules for Continuing Airworthiness published in April 2019, only 4 points are described. Nevertheless, proposed disposals are describing points 9 and 10. In order to fit with current European regulation, FNAM suggests to re-number Article 4.
response	See Section 1.
comment	359 comment by: FNAM Proposed transition period is 2 years. FNAM wonders if this period will be sufficient for all Part-145 organizations to settle required management system, safety policy, an internal safety reporting scheme, etc. It may be really difficult for organizations without such system. Therefore, FNAM suggests adapting to have a sizable transition period time depending on organization current disposition on management system. We suggest modifying the transition period such as: <ul style="list-style-type: none"> • For organization with an AirOps management system : the transition period should be 2 years; and • For other organizations : the transition period should be 3 years.



response	See Section 1.
comment	<p>1022 comment by: <i>Aeronautical Repair Station Association</i></p> <p>Aeronautical Repair Station Association Comment #1. Draft Cover Regulation (EU) No1321/2014 (Draft EASA opinion) – Article 4-10. Page 7.</p> <p>The proposed regulation provides that certificated entities must adopt SMS within two years of the final regulation’s issuance. ARSA urges the two-year transition period to be maintained or extended to ensure sufficient time for systems to be properly designed and implemented.</p>
response	See Section 1.

145.A.10 Scope

p. 9

comment	<p>266 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>The Cover Regulation (EU) N° 1321/2014 states about "organisation approvals" like in this article 4 "Continuing-airworthiness organisation approvals"</p> <p>The wordings should make clear that the certificate is an organisation approval certificate.</p> <p>Suggested resolution :</p> <p>Wording should be changed as follows: "This Section establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the maintenance of aircraft and components".</p> <p>Similar change should be done in all other instencies within the changed Part 145 and associated AMC/GMs</p>
response	See Section 1.
comment	<p>285 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 9/170, point 145.A.10 Scope</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to convert this point into GM to Section A.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: There is no requirement ('shall') in this point. When the point is reworded to introduce a requirement, it turns into a duplication of the other requirements contained in this Section: "An organisation shall meet This Section establishes the requirements of this Section to be met by an organisation to qualify for the issue or continuation of an organisation approval certificate an approval for the maintenance of aircraft and/or components".</p>
response	See Section 1.



comment 637 comment by: SAFRAN LS
 Could EASA confirm that this amendment is applicable by both EU and non EU AMO's ? This in order to keep a fair competition with the non EU maintenance organisations.

response **See Section 1.**

comment 694 comment by: SAFRAN LS

GM1 145.B.200(a)(2)	139/170	Provide recognition to organizations certified under EN9100 or EN 9110 standard (Quality Management Systems — Requirements for Aviation Maintenance Organizations) as Product Safety requirements are embedded.	Bullet (C) should be completed to read 'possible certification to industry standards (e.g. EN9110)'
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response **See Section 1.**

comment 716 comment by: ASD

145.A.10	the Cover Regulation (EU) No 1321/2014 states about "organisation approvals" like in its article 4 "Continuing-airworthiness organisation approvals" The wordings should make clear that the certificate is an organisation <u>approval</u> certificate.	Wording should be changed as follows: <i>"This Section establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the maintenance of aircraft and components."</i> Similar change should be done in all other instencies within the chngged Part 145 and associated AMC/GMs
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response **See Section 1.**

comment 789 comment by: SAFRAN AEROSYSTEMS

the Cover Regulation (EU) No 1321/2014 states about "organisation approvals" like in its article 4 "Continuing-airworthiness organisation approvals"
 The wordings should make clear that the certificate is an organisation approval certificate.



Wording should be changed as follows:
 "This Section establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the maintenance of aircraft and components."
 Similar change should be done in all other instencies within the chnged Part 145 and associated AMC/GMs

response **See Section 1.**

comment **841** comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (A), sections 2.3.1 to 2.3.3	6 to 9	There is a fundamentally different approach to SMS between Part 145 (organisation based) and Part 21 (product based). This will make it challenging for any organisation with both Part 21 and Part 145 approvals to operate a single & coherent SMS, with the risk that issues are not effectively captured / governed.		Yes	No

response **See Section 1.**

comment **843** comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.10	Page 9	The Cover Regulation (EU) No 1321/2014 is clear	Wording should be changed as follows:	Yes	No



	<p>about the award of "organisation approvals" eg its article 4 "Continuing-airworthiness organisation approvals"</p> <p>The wording in this Section should make it clear that the certificate is a maintenance organisation <u>approval</u> certificate, to avoid confusion with the release certificate (Form 1). By comparison, Section 145.A.15 covers an 'organisation certificate'.</p>	<p><i>"This Section establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the maintenance of aircraft and components."</i></p> <p>Similar change should be done in all other instencies within the chnged Part 145 and associated AMC/GMs</p>		
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response **See Section 1.**

comment

890 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.10	9	<p>the Cover Regulation (EU) No 1321/2014 states about "organisation approvals" like in its article 4 "Continuing-airworthiness organisation approvals"</p> <p>The wordings should make clear that the</p>	<p>Wording should be changed as follows: <i>"This Section establishes the requirements to be met by an organisation to qualify for the issue or continuation of an approval certificate for the maintenance of aircraft and components."</i></p>	X	



		certificate is an organisation <u>approval</u> certificate.	Similar change should be done in all other instencies within the chnged Part 145 and associated AMC/GMs			
response	See Section 1.					
comment	891		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	145.A.15(a)	9/170	"An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority," Should the form and manner be subject to a requirement in Section B for Competent Authority ?	Clarify application form and manner in section B.	X	
response	See Section 1.					

145.A.15 Application for an organisation certificate

comment	51	comment by: KLM Engineering & Maintenance
	What Part M and Part ML requirements are applicable to Part 145?	
response	See Section 1.	



comment	<p>76 comment by: CAA-NL</p> <p>145.A.15(b), 145.A85 and 145.B.330 introduce ‘changes requiring prior approval’ vs. ‘changes not requiring prior approval’. For changes requiring prior approval the approved organisation has to file an application and the competent authority has to approve these (after investigation). For other changes no application has to be made, only a notification and the competent authority doesn’t have to approve them (only review such changes during continuing oversight). So, the word ‘prior’ isn’t relevant and only can create confusion, e.g. where a competent authority is approving changes for which no application is required. See also the remarks made with 21.B.240 and 21.B.435. Please change in line with those proposals and make the text consistent over the parts.</p>
response	<p>See Section 1.</p>
comment	<p>95 comment by: General Aviation Manufacturers Association</p> <p>Section 145.A.15(a): The statement: "An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority, taking into account the applicable requirements of Annex I (Part-M), Annex Vb (Part-ML) and this Annex (Part-145)." A statement is required adding to section B, as no requirements have been included to direct the competent authority to complete the highlighted task. Please clarify the section B requirement.</p>
response	<p>See Section 1.</p>
comment	<p>96 comment by: General Aviation Manufacturers Association</p> <p>Section 145.A.15(b)(1): The statement: "the results of a pre-audit performed..." - this statement is too prescriptive. We suggest replacing 'pre-audit' with 'assessment' as an audit is a means not the only means of determining the requested data; further suggest moving to GM and provide additional clarity.</p>
response	<p>See Section 1.</p>
comment	<p>144 comment by: DGAC France</p> <p>(a) :To clarify that the application should be done taking into account Part M OR Part ML and not to the both, we suggest to modify the end of the paragraph as : "this Annex, Annex I (Part-M) and Annex Vb (Part-ML), as applicable."</p> <p>This wording should be re-use in all the Annex where is needed.</p>
response	<p>See Section 1.</p>
comment	<p>145 comment by: DGAC France</p> <p>There is no need to require at the time of application the procedure that describes how changes not requiring prior approval will be managed and notified to the</p>

	<p>competent authority. The same procedure is already required through 145.A.85 and 145.A70.</p> <p>So we suggest to delete the last paragraph of (b).</p>
response	See Section 1.
comment	<p>265 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>"An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority"</p> <p>Should the form and manner be subject to a requirement in Section B for Competent Authority ?</p> <p>Suggested resolution : Clarify application form and manner in section B</p>
response	See Section 1.
comment	<p>267 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with :</p> <p>(1) the results of pre-audit performed by the organization against the applicable requirements provided for in Annex 1 (Part-M), Annex Vb (Part-ML) and this Annex; Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance.</p> <p>This (b)(1) statement should be moved to the GM.</p> <p>Suggested resolution : Move (b)(1) statement to the GM</p>
response	See Section 1.
comment	<p>287 comment by: <i>AIRBUS</i></p> <p>1 PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 9/170, point 145.A.15 Application for an organisation certificate</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the title to read "Application for an organisation approval certificate".</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Amended title will bring consistency with Article 4 of Regulation (EU) No 1321/2014.</p>
response	See Section 1.

comment	<p>288 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 9/170, point 145.A.15 Application for an organisation certificate</p> <p>2. PROPOSED TEXT / COMMENT: The paragraph (a) refers with respect to the application to “a form and manner established by the competent authority”. The basic acceptable form is described in the AMC1 145.A.15 (i.e. EASA Form 2). Where are defined the basic manner(s) acceptable for competent authorities?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is believed that the basic acceptable manner(s) should be defined in the point 145.B.310 or its AMC.</p>
response	<p>See Section 1.</p>
comment	<p>289 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 9/170, point 145.A.15 Application for an organisation certificate</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (b) of this point to read: “(b) Applicants for an initial organisation approval certificate pursuant to this Annex shall provide the competent authority with: (1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex; (2) documentation demonstrating how they will comply with the applicable requirements established in this Regulation Annex I (Part-M), Annex Vb (Part-ML) and this Annex. That documentation shall include, as provided for in point 145.A.85, a procedure that describes how changes not requiring prior approval will be managed and notified to the competent authority.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Pre-audit is a means, but not the only means, to achieve a compliance verification between requirements and the actual status of compliance. The item (1) is proposed as an AMC. Duplication of a same requirement: The intent of the last sentence of this point (subject to proposed deletion) is already addressed by the paragraph (b)(2).</p>
response	<p>See Section 1.</p>
comment	<p>638 comment by: SAFRAN LS</p> <p>145.A.15((b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with: (1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</p>



	Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance. This (b)(1) statement should be moved to the GM.
response	See Section 1.

comment	717 comment by: ASD				
	<table border="1"> <tr> <td>145.A.15(a)</td> <td>9/170</td> <td> <p><i>"An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority,"</i></p> <p>Should the form and manner be subject to a requirement in Section B for Competent Authority ?</p> </td> <td>Clarify application form and manner in section B.</td> </tr> </table>	145.A.15(a)	9/170	<p><i>"An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority,"</i></p> <p>Should the form and manner be subject to a requirement in Section B for Competent Authority ?</p>	Clarify application form and manner in section B.
145.A.15(a)	9/170	<p><i>"An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority,"</i></p> <p>Should the form and manner be subject to a requirement in Section B for Competent Authority ?</p>	Clarify application form and manner in section B.		
response	See Section 1.				

comment	718 comment by: ASD				
	<table border="1"> <tr> <td>145.A.15(b)</td> <td>9/170</td> <td> <p><i>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with: (1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</i></p> <p>Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance. This (b)(1) statement should be moved to the GM.</p> </td> <td>Move (b)(1) statement to the GM.</td> </tr> </table>	145.A.15(b)	9/170	<p><i>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with: (1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</i></p> <p>Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance. This (b)(1) statement should be moved to the GM.</p>	Move (b)(1) statement to the GM.
145.A.15(b)	9/170	<p><i>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with: (1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</i></p> <p>Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance. This (b)(1) statement should be moved to the GM.</p>	Move (b)(1) statement to the GM.		
response	See Section 1.				

comment	790 comment by: SAFRAN AEROSYSTEMS
	<p>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with:</p> <p>(1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</p> <p>Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance.</p>



	<p>This (b)(1) statement should be moved to the GM.</p> <p>Move (b)(1) statement to the GM.</p>
response	See Section 1.

comment 844 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.15(a)	Page 9	<p><i>"An application for a certificate or an amendment to an existing certificate in accordance with this Annex shall be made in a form and manner established by the competent authority,"</i></p> <p>Should the form and manner be subject to a referenced requirement in Section B for the Competent Authority ?</p>	Clarify application form and manner in section B.	Yes	No

response See Section 1.

comment 845 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.15(b)	Page 9	<p><i>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with:</i></p> <p><i>(1) the results of a</i></p>	Move (b)(1) statement to the GM.	No	Yes



	<p><i>pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</i></p> <p>Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance. Reviews of various sorts are possible, and it is possible that the compliance with procedures has already been established by the existing internal audit programme, leaving only a compliance checklist (or similar review) to be completed to satisfy (b) (2). Additionally, can it be clarified why, in order to gain approval against the requirements of this Annex II, compliance must also be shown against the requirements of Annex I and Annex Vb? This (b)(1) statement should be moved to the GM.</p>			
<p>response</p>	<p>See Section 1.</p>			



comment	893		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	145.A.15(b)	9/170	<p><i>(b) Applicants for an initial certificate pursuant to this Annex shall provide the competent authority with:</i></p> <p><i>(1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;</i></p> <p>Pre audit is one means but not the only one to achieve the gap analysis between the Part 145 requirements and the organisation actual status of compliance. This (b)(1) statement should be moved to the GM.</p>	Move (b)(1) statement to the GM.		X
response	See Section 1.					

145.A.20 Terms of approval

p. 9-10

comment

161

comment by: FAA

145.A.30 (b)

b) The accountable manager organisation shall nominate a person or group of persons



response	<p>I believe we have edited ours to an Individual to meet CFR Part 1 The ICAO Safety Management Manual also defines Accountable Executive as: "A single, identifiable person having responsibility for the effective and efficient performance of the service provider's SMS.</p> <p>See Section 1.</p>
comment	<p>165 comment by: FAA</p> <p>134.A.30 (ca)</p> <p>(ca) The accountable manager shall nominate a person or group of persons with the responsibility</p> <p>We say the accountability here in 5.23 (a)(2) with the exception of within their area of responsibility. §5.23(b) addresses designation of levels of management that can accept risk. §5.25(c)(3) defines personnel "responsible" for "monitor [sic] the effectiveness of safety risk controls."</p>
response	<p>See Section 1.</p>
comment	<p>268 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>"(a) The approval is indicated on the certificate, which is included in Appendix III, and is issued by the competent authority".</p> <p>Terms of Approval are issued by the Competent Authority. This is not a requirement for Applicant/holder of the certificate bu the competent Authority</p> <p>Suggested resolution: Move this requirement to Section B</p>
response	<p>See Section 1.</p>
comment	<p>269 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>"(b) The organization shall specify the scope of work deemed to consitute approval in its maintenance organization exposition (MOE) (Appendix IV to Annex 1 (Part-M) Appendix II contains a table of all classes and ratings)".</p> <p>This requirement is not relevant to the Terms of Approval which are issued by the Competent Authority but the organization exposition (MOE).</p> <p>Suggested resolution: Move this requirement in 145.A.70 (MOE)</p>
response	<p>See Section 1.</p>
comment	<p>291 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p>



	<p>Pages 9-10/170, point 145.A.20 Terms of approval</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend point 145.A.20 to read: “145.A.20 Terms of Organisation approval certificate (a) The approval is indicated on the certificate, which is included in Appendix III, issued by the competent authority. (b) The organisation shall specify the scope of work deemed to constitute approval in its maintenance organisation exposition (MOE) (Appendix IV to Annex I (Part M) Appendix II contains a table of all classes and ratings). (a) The organisation shall obtain the organisation approval certificate relevant for the scope of work specified in its maintenance organisation exposition (MOE) required in point 145.A.70, before exercising the corresponding privileges granted in accordance with point 145.A.75. (b) The organisation shall be responsible for the maintenance that is performed under its approval certificate.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: There is no requirement (‘shall’) in the proposed paragraph (a). The intent of the paragraph (a) is already addressed in the paragraph (e) of point 145.B.310 (duplication of a same requirement). Further, the Appendix III provides a certificate template, not the certificate itself. The intent of the paragraph (b) is already addressed in the paragraph (a) of point 145.A.70 (duplication of a same requirement). However, there is no explicit requirement to prevent maintenance activities before obtaining the organisation approval certificate (although it may appear obvious). It is proposed to move the paragraph (b) of point 145.A.48 into a paragraph (b) of this point. This will make a link between the organisation approval certificate and the responsibility for the maintenance performed under this certificate. It also echoes the paragraph (c) of point M.A.201.</p>
response	<p>See Section 1.</p>
comment	<p>292 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 9-10/170, AMC 145.A.20 Terms of approval</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to associate this AMC to the Appendix II to Annex II.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of consistency.</p>
response	<p>See Section 1.</p>
comment	<p>695 comment by: SAFRAN LS</p>



	145.A.20	9/170	<p><i>"(a) The approval is indicated on the certificate, which is included in Appendix III, and is issued by the competent authority."</i></p> <p>Terms of Approval are issued by the Competent Authority. This is not a requirement for Applicant/holder of the certificate but for the competent Authority.</p>	move this requirement to Section B
response	See Section 1.			
comment	696		comment by: SAFRAN LS	
	145.A.20	10/170	<p><i>"(b) The organisation shall specify the scope of work deemed to constitute approval in its maintenance organisation exposition (MOE) (Appendix IV to Annex I (Part-M) Appendix II contains a table of all classes and ratings)."</i></p> <p>This requirement is not relevant to the Terms of Approval which are issued by the Competent Authority but the organisation exposition(MOE).</p>	Move this requirement in 145.A.70 (MOE)
response	See Section 1.			
comment	719		comment by: ASD	
	145.A.20	9/170	<p><i>"(a) The approval is indicated on the certificate, which is included in Appendix III, and is issued by the competent authority."</i></p> <p>Terms of Approval are issued by the Competent Authority. This is not a requirement for Applicant/holder of the certificate but for the competent Authority.</p>	move this requirement to Section B
response	See Section 1.			
comment	720		comment by: ASD	
	145.A.20	10/170	<p><i>"(b) The organisation shall specify the scope of work deemed to constitute approval in its maintenance organisation exposition (MOE)"</i></p>	Move this requirement in 145.A.70 (MOE)

		<p>(Appendix IV to Annex I (Part-M) Appendix II contains a table of all classes and ratings)."</p> <p>This requirement is not relevant to the Terms of Approval which are issued by the Competent Authority but the organisation exposition(MOE).</p>	
response		See Section 1.	

comment	791	comment by: SAFRAN AEROSYSTEMS
	<p>"(b) The organisation shall specify the scope of work deemed to constitute approval in its maintenance organisation exposition (MOE) (Appendix IV to Annex I (Part-M) Appendix II contains a table of all classes and ratings)."</p> <p>This requirement is not relevant to the Terms of Approval which are issued by the Competent Authority but the organisation exposition(MOE).</p> <p>Move this requirement in 145.A.70 (MOE)</p>	
response		See Section 1.

comment	846	comment by: Rolls-Royce plc															
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>145.A.20</td> <td>Page 9</td> <td> <p>"(a) The approval is indicated on the certificate, which is included in Appendix III, and is issued by the competent authority."</p> <p>This appears to be a piece of information rather than a requirement, so should be AMC/GM. If it is a requirement, then should it be in Section B, as Terms of Approval are issued by the Competent Authority. This is not a requirement for Applicant/hoder of the certificate but for</p> </td> <td>Convert to GM, and/or move this requirement to Section B</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>					Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	145.A.20	Page 9	<p>"(a) The approval is indicated on the certificate, which is included in Appendix III, and is issued by the competent authority."</p> <p>This appears to be a piece of information rather than a requirement, so should be AMC/GM. If it is a requirement, then should it be in Section B, as Terms of Approval are issued by the Competent Authority. This is not a requirement for Applicant/hoder of the certificate but for</p>	Convert to GM, and/or move this requirement to Section B	No	Yes
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		the Competent Authority.				
response	See Section 1.					
comment	894		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	145.A.20	9/170	"(a) The approval is indicated on the certificate, which is included in Appendix III, and is issued by the competent authority." Terms of Approval are issued by the Competent Authority. This is not a requirement for Applicant/hoder of the certificate but for the competent Authority.	move this requirement to Section B		X
response	See Section 1.					
comment	895		comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	145.A.20	10/170	"(b) The organisation shall specify the scope of work deemed to constitute approval in its maintenance organisation exposition (MOE) (Appendix IV to Annex	Move this requirement in 145.A.70 (MOE)		X



		<p><i>I (Part-M) Appendix II contains a table of all classes and ratings."</i> This requirement is not relevant to the Terms of Approval which are issued by the Competent Authority but the organisation exposition(MOE).</p>			
<p>response</p>	<p>See Section 1.</p>				

145.A.30 Personnel requirements 1

p. 10-13

<p>comment</p>	<p>21</p> <p>Page 10 145.A.30 Personnel requirements (b) items 1, 2, 3 deleted, 4 is left. However the rest of the part is not clear who is/are the persons regarding 145.A.30(b) defined in paragraph below (3). the title(s) and name(s) of the persons nominated under point 145.A.30(b), (c) and (ca); (Page 23)</p>	<p>comment by: <i>Seref</i></p>
<p>response</p>	<p>See Section 1.</p>	

<p>comment</p>	<p>27</p> <p>1. Paragraph (cb) and (cc) is fully supported by NHF. Item (cc) regarding the demonstration of knowlegde background and experience, a common standard must be established. This will assist the evaluation NAA's to measure the relevant knowledge, background and satisfactory experience against common set levels. (Level playing field)</p> <p>2. Paragraph (d) and (e): NHF find this part of the regulation to be a little bit weak and not very specific on how many people is really needed to ensure proper maintenance is performed. This system opens for use of contractors and employment on short time contracts on most parts of the maintenance performed. NHF would like to remind the Agency about the importance of having knowledge about own company procedures and internal culture as a part of performing maintenance in a safe way.</p>	<p>comment by: <i>NHF Technical committee</i></p>
<p>response</p>	<p>See Section 1.</p>	

<p>comment</p>	<p>52</p>	<p>comment by: <i>KLM Engineering & Maintenance</i></p>
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	<p>145.A.30 (a) (1) :</p> <p>The organisation must have all resources available to meet the terms of the contract with the CAMO: not to have all necessary resources available to accomplish maintenance in accordance with Annex 1.</p>
response	See Section 1.
comment	<p>53 comment by: <i>KLM Engineering & Maintenance</i></p> <p>145.A.30(a) (1) :</p> <p>Why would we also ensure that "the organisation" is always in compliance with Annex 1? It would be better in Annex 2 to refer to compliance with specific rule material in other Annexes where necessary.</p>
response	See Section 1.
comment	<p>54 comment by: <i>KLM Engineering & Maintenance</i></p> <p>Under (ca) : is this another new nominated person?</p>
response	See Section 1.
comment	<p>91 comment by: <i>MOHAMED.N.ALHABAHBH</i></p> <p>145.A.30 cc The person or persons nominated in accordance with points 145.A.30(b), (c) and (ca) shall be able to demonstrate relevant knowledge, background and satisfactory experience related to aircraft or component maintenance and demonstrate a working knowledge of this Regulation(of the regulations instead of regulation). Such person(s) shall be ultimately responsible to the accountable manager.</p> <p>145.A.30 (j) 2 For line maintenance carried out at a line station of an organisation which is located outside the Community territory, the certifying staff may be qualified in accordance with the national aviation regulations of the State in which the line station is based, subject to the conditions specified in Appendix IV to this Part</p> <p>(There is no need to categorize maintenance into line or base since the A/C shall not fly without performing any maintenance required to ensure the A/C is airworthy).</p> <p>145.A.30 (j) 5 In the following unforeseen cases, where an aircraft is grounded at a location other than the main base where no appropriate certifying staff are available, the organisation contracted to provide maintenance support may issue a one-off certification authorisation: (i) to one of its employees that holdsing equivalent type authorisations on aircraft of similar technology, construction and systems; or (ii) to any person with not less than five 5 years maintenance experience and who holdsing a valid ICAO aircraft maintenance licence rated for the aircraft type requiring certification, provided that there is no organisation appropriately approved under</p>



	<p>this Part at that location, and the contracted organisation obtains and holds on file evidence of the experience and the licence of that person.</p> <p>(this paragraph must be eliminated because this is the operator CAMO responsibility, maintenance organizations perform maintenance only whereas the CAMO manages the airworthiness of the aircraft).</p>
response	See Section 1.
comment	<p>97 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 145.A.30(b) and (c): It is difficult to differentiate the role of the persons referenced in paragraph (b) and (c). We suggest (b) is reworded to clarify the role(s) of the nominated person(s) for the operation of the maintenance organization.</p>
response	See Section 1.
comment	<p>146 comment by: <i>DGAC France</i></p> <p>Why is a reference to the basic regulation do in paragraph (a) and not in the others?</p>
response	See Section 1.
comment	<p>147 comment by: <i>DGAC France</i></p> <p>(a)(1) : We suggest to replace "to accomplish" by "to perform and certify".</p>
response	See Section 1.
comment	<p>148 comment by: <i>DGAC France</i></p> <p>(b) : The responsibility "<i>for ensuring that the organisation is always in compliance complies with this Annex, Annex I (Part-M) and Annex Vb (Part-ML)</i>" should be more affected to the Quality manager / compliance monitoring function manager.</p> <p>We suggest to modify the text as following : "with the responsibility for managing all functions specified in this part in accordance this Annex, Annex I (Part-M) and Annex Vb (Part-ML), as applicable"</p>
response	See Section 1.
comment	<p>149 comment by: <i>DGAC France</i></p> <p>(b) : the procedure to deputise must also cover the accountable manager (145.A.30 (a))</p>
response	See Section 1.



comment	150	comment by: DGAC France
	(c), (ca), (cb) and (cc) : We suggest to remove the words "under point (a)" about the accountable manager or to add them also in the (b).	
response	See Section 1.	
comment	151	comment by: DGAC France
	(cc) : We suggest to replace "the person or persons nomitaed" by "The person or group of persons " to be consitent with (b).	
response	See Section 1.	
comment	153	comment by: DGAC France
	(e) : We suggest to add "safety management principles and compliance monitoring principles "	
response	See Section 1.	
comment	154	comment by: DGAC France
	(j)(1) : It should be clarified as follow : For an organisation which has its principal place of business <u>registered in EU or outside of EU</u> whose facilities are located outside the Community territory, the certifying staff may be qualified in accordance with the national aviation regulations of the State in which the facility <u>is located</u> subject to the conditions specified in Appendix IV to this Part.	
	(j)(2) : It should be clarified as follow : For an organisation which has its principal place of business <u>registered outside of EU</u> whose line station are located outside the Community territory, the certifying staff may be qualified in accordance with the national aviation regulations of the State in which the organisation is <u>registered</u> subject to the conditions specified in Appendix IV to this Part.	
response	See Section 1.	
comment	167	comment by: FAA
	134.A.30 (cc)	
	(cc) Such person(s) shall be ultimately responsible to the accountable manager	
	Maybe not use the word Ultimately here there should only be one ultimate responsible person in the company. Even though they say to the Accountable Manager.	
response	See Section 1.	
comment	169	comment by: FAA



	<p>134.A.30 (i)(5)</p> <p>(5). In the following unforeseen cases, where an aircraft is grounded at a location other than the main base where no appropriate certifying staff are available, the organisation contracted to provide maintenance support may issue a one-off certification authorisation: (i) to one of its employees that holdsing equivalent type authorisations on aircraft of similar technology, construction and (ii) to any person with not less than five 5 years maintenance experience and whosystems; or holdsing a valid ICAO aircraft maintenance licence rated for the aircraft type</p> <p>This appears to be like our one time authorization to perform maintenance for a stranded aircraft. I don't know of anything in our FARS that requires fleet specific training or 5 years of MX.</p>
response	<p>See Section 1.</p>
comment	<p>248 comment by: <i>Luftfahrt-Bundesamt</i></p> <p><u>LBA comment to 145.A.30(j)(4)</u></p> <p>Why were flight engineers deleted as eligible to be limited certifying staff? They have more technical training and background than the pilots (commanders) What would be the consequences for already existing limited certifying staff based on flight engineer licences?</p>
response	<p>See Section 1.</p>
comment	<p>256 comment by: <i>DGAC France</i></p> <p>In order to be consistent with paragraphs (c) and (ca), we suggest to modify the paragraph (c) as follows : "with the responsibility for the development, administration, and maintenance of effective compliance monitoring process, including the associated feedback system as part of the management system"</p>
response	<p>See Section 1.</p>
comment	<p>270 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>(b)It is difficult to differentiate the roles adressed in bullet (b) versus the ones in bullet (c)</p> <p>Suggested resolution:</p> <p>(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organization and not for compliance monitoring which is the purpose of the (c) bullet</p>
response	<p>See Section 1.</p>
comment	<p>298 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p>



	<p>Page 10/170, point 145.A.30 Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “(a) The organisation shall appoint an accountable manager who has corporate authority for ensuring that all maintenance required by the customer person or organisation responsible for the aircraft continuing airworthiness can be financed and carried out in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts to the standard required by this Part. The accountable manager is directly accountable for compliance and safety performance to the competent authority and shall: [...]”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘customer’ is found inappropriate. Refer to point M.A.201. Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred. Point 145.A.30 lists the persons or groups of persons the accountable manager has to nominate, together with their respective responsibility and to whom they are ultimately responsible. However, it does not state the primary accountability (for compliance and safety performance of the organisation) of this particular manager and to whom he/she is accountable. It is appropriate to make it explicit in the paragraph (a) of point 145.A.30... without waiting for the point 145.A.200(a)(1).</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>300 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 10/170, point 145.A.30 Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to move the following sentence of the paragraph (b) into an AMC of point 145.A.70(a)(4): “Procedures shall make clear who deputises for any particular person in the case of lengthy absence of the said person.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: This sentence is linked rather with procedures than personnel.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>303 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 10/170, point 145.A.30 Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (c) to read: “(c) The accountable manager under point (a) shall appoint nominate a person or group of persons with the responsibility for managing the compliance monitoring function the quality system, including the associated feedback system as part of the</p>



	<p>management system required by point 145.A.200. required by point 145.A.65(c). The appointed person shall have direct access to the accountable manager to ensure that the accountable manager is kept properly informed on quality and compliance matters.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The reference to point 145.A.200 eases the understanding of what the feedback system and management system are.</p>
response	See Section 1.
comment	<p>311 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 11/170, point 145.A.30 Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: The limits between the paragraph (d) of point 145.A.30 and the point 145.A.47 are unclear. It is proposed to amend this point to read: “(d) The organisation shall have a maintenance man-hour plan showing to ensure that the organisation has sufficient staff competent personnel to plan, perform, supervise, inspect and quality monitor the organisation’s activities work considered for the compliance in accordance with point 145.A.47 the terms of approval. In addition, the organisation shall have a procedure to reassess work intended to be carried out when actual staff personnel availability is less than the planned staffing level for any particular work shift or period.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘personnel’ is used for consistency with the point title. The reference to point 145.A.47 makes explicit the relationship between a workload and its complexity, and the necessary workforce.</p>
response	See Section 1.
comment	<p>314 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 11/170, point 145.A.30 Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “(e) The organisation shall establish and control the competence competency competences of personnel involved in any maintenance, development of maintenance programmes, airworthiness reviews, safety management and/or quality audits compliance monitoring in accordance with a procedure and to a standard agreed by the competent authority. In addition to the necessary expertise related to the job function, the competence competency of the personnel must include an understanding of the application of safety management principles, as well as human factors and human performance issues that are appropriate to that person’s function and responsibilities in the organisation. ‘Human factors’ means principles which apply to aeronautical design, certification, training, operations and</p>



~~maintenance and which seek safe interface between the human and other system components by proper consideration of human performance. ‘Human performance’ means human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations.”~~

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The objective is to ensure personnel are competent. This objective is achieved with the first sentence of the paragraph (e).

The second sentence is addressing only a few particular aspects of the competences. Why these ones only? Further, referring to these aspects implies that this paragraph will need to be revised when a new competence becomes necessary and this new requirement is not (inappropriately) isolated in another remote Regulation, like for example with the RMT.0720 on the management of information security risks. This does not contribute to make this Regulation resilient to novelties. Finally, a very similar/close wording is already included in the AMC1 145.A.30(e):

“For a proper competence assessment of its personnel, the organisation should consider that: [...] 3. All staff should be able to demonstrate an understanding of the safety management principles, human factors and human performance issues related to their job function, and be trained as per AMC2 145.A.30(e)”.

response

See Section 1.

comment

324

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Pages 11-12/170, point 145.A.30 Personnel requirements

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph (j) to read:

“(j) By derogation to points (g) and (h), in relation to the obligation to comply with Annex III (Part-66), the organisation may use certifying staff who are qualified in accordance with the following provisions:

[...]

(6) certifying staff of D1-rated maintenance organisations may be qualified in accordance with the requirements laid down in the national laws in force in the relevant Member State.

All such cases as specified in ~~the~~ points (3) to (5) of this paragraph (j) must be reported to the competent authority within ~~seven~~ 7 days after issuing such a certification authorisation. The organisation that issuing the one-off authorisation shall ensure that any such maintenance that could affect flight safety is re-checked by an appropriately approved organisation.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Without prejudice to the exceptions authorised by the current version of the point 145.A.30 paragraph (i), D1-rated maintenance organisations are required to have appropriate aircraft-type-rated certifying staff qualified in accordance with the EASA Part-66 for all aircraft maintenance (base or line), like A-rated maintenance organisations.

Certifying staff of D1-rated maintenance organisations have to obtain an EASA Part-66 licence and make each aircraft type rating endorsed on their license to be in the position to certify the accomplishment of related aircraft maintenance (e.g. for tasks



	<p>originating from the aircraft TC holder's NTM). This requirement may create economic difficulties for these maintenance organisations that are disproportionate to the safety objective pursued. Pending a better solution, it is proposed to adopt the same scheme as for staff certifying component maintenance.</p> <p>It is unclear why a notification to the competent authority is necessary for the points (1) and (2), i.e. for authorisation certifications other than one-off or limited certification authorisations.</p>
response	See Section 1.
comment	<p>325 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 11/170, point 145.A.30 Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to introduce an AMC with the paragraphs (j)(1) and (j)(2) of point 145.A.30 developed on the basis of the EASA UG.CAO.00121-004.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The satellite facilities network of maintenance organisations may be worldwide. In order to ensure a level playing field, there is a need to clarify the acceptable practices with respect to personnel qualifications/licenses when personnel exchanges occur between the different facilities of such organisations.</p>
response	See Section 1.
comment	<p>361 comment by: FNAM</p> <p>(b) Wordings of point (b) and (c) is difficult to differentiate : « for ensuring that the organization is always in compliance with...”(b) and “for managing the compliance monitoring function”(c). FNAM suggests clarifying the meaning of (b) and (c) responsibilities.</p>
response	See Section 1.
comment	<p>362 comment by: FNAM</p> <p>(c) (c) and (ca) proposed requirements are difficult to understand and to transpose to current job titles and responsibilities. Indeed, current (b) 1., 2., 3. and 4. disposals have been removed but they don't seem to have been integrated into new disposals. FNAM therefore suggests clarifying 145.A.30 proposed disposals with for example a correlation table between current responsibilities and managers with proposed responsibilities.</p>
response	See Section 1.
comment	<p>363 comment by: FNAM</p>



	(cc) The disposals to demonstrate the experience of the nominated persons could be a burden for some organizations. (see comment 145.A.37(a)(2) and AMC1 145.A.30(cc))
response	See Section 1.
comment	523 comment by: ATR SMS j (4): It is indicated that an MRO may temporarily issue a limited certification authorization to the commander to fly an aircraft to a main base, on the basis of the flight crew licence held. This should be part of the TC holder's role. We would recommend to delete this paragraph.
response	See Section 1.
comment	580 comment by: Le Blanc 145.A.30 "(a) The organisation shall appoint an accountable manager who has corporate authority for ensuring that all maintenance required by the customer can be financed and carried out in accordance with Regulation (EU) 2018/1139 and..." What is the purpose of ensuring that all maintenance can be financed versus aviation safety regulation objective? Suggested resolution: the wording "financed " should either be clarified or removed.
response	See Section 1.
comment	581 comment by: Le Blanc 145.A.30 "Procedures shall make clear who deputises for any particular person in the case of lengthy absence of the said person." This requirement is not relevant to the personnel but the organisation exposition(MOE). Suggested resolution: Move this requirement in 145.A.70 (MOE)
response	See Section 1.
comment	582 comment by: Le Blanc 145.A.30 "(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system" "feedback " to whom? What is the difference between the person nominated in this (C) bullet and the one nominated under (b) bullet?



response	<p>Suggested resolution: wording shall be clarified</p> <p>See Section 1.</p>						
comment	<p>636 comment by: <i>Clockwork Research</i></p> <p>Suggest that 145.A.30 Para (a) '<i>all necessary resources</i>' should include appropriate numbers of personnel to avoid excess overtime requirements</p> <p>Suggest the following is added to 145.A.30 Para (d) 'The maintenance man-hour plan should be data driven, and the organisation should be able to demonstrate how they have reached the numbers stated, and the triggers for reassessing work'</p> <p>Suggest 145.A.30 (e) is edited to state '...competence of personnel must include ... safety management principles, which itself includes Human Factors, Human Performance and compliance requirements ...'</p>						
response	<p>See Section 1.</p>						
comment	<p>639 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="392 987 1385 1361"> <tr> <td data-bbox="392 987 512 1361">145.A.30</td> <td data-bbox="512 987 608 1361">10/170</td> <td data-bbox="608 987 1241 1361"> <p><i>"(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system"</i></p> <p>"feedback " to whom? What is the difference between the person nominated in this (C) bullet and the one nominated under (b) bullet?</p> </td> <td data-bbox="1241 987 1385 1361">wording shall be clarified</td> </tr> </table>			145.A.30	10/170	<p><i>"(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system"</i></p> <p>"feedback " to whom? What is the difference between the person nominated in this (C) bullet and the one nominated under (b) bullet?</p>	wording shall be clarified
145.A.30	10/170	<p><i>"(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system"</i></p> <p>"feedback " to whom? What is the difference between the person nominated in this (C) bullet and the one nominated under (b) bullet?</p>	wording shall be clarified				
response	<p>See Section 1.</p>						
comment	<p>697 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="392 1641 1385 1908"> <tr> <td data-bbox="392 1641 544 1908">145.A.30(b)</td> <td data-bbox="544 1641 639 1908">10/170</td> <td data-bbox="639 1641 903 1908"> <p>It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).</p> </td> <td data-bbox="903 1641 1385 1908"> <p>(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.</p> </td> </tr> </table>			145.A.30(b)	10/170	<p>It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).</p>	<p>(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.</p>
145.A.30(b)	10/170	<p>It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).</p>	<p>(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.</p>				



response	See Section 1.		
comment	710	comment by: <i>Cargolux Airlines International</i>	
	<p>Dear EASA, Cargolux Airlines Int. S.A. (CLX) feels that 145.A.30(ca, cb and cc) needs clarification. It should be made clear and differentiated that if a NP is selected, that only the NP should have direct access to the Accountable Manager. Any Managers below the NP which could also be called 'Group of Persons' should report to the NP and do not necessarily have direct access to the Accountable Manager. In other words, direct access from the NP; persons below report to the NP. CLX feels that this is also the approach of EASA, but it should be made clearer. Best regards, Marc Nickels Manager QCM M&E</p>		
response	See Section 1.		
comment	721	comment by: <i>ASD</i>	
	145.A.30	10/170	<p><i>"(a) The organisation shall appoint an accountable manager who has corporate authority for ensuring that all maintenance required by the customer can be financed and carried out in accordance with Regulation (EU) 2018/1139 and..."</i></p> <p>What is the purpose of ensuring that all maintenance can be financed versus aviation safety regulation objective?</p> <p>the wording "financed" should either be clarified or removed.</p>
response	See Section 1.		
comment	722	comment by: <i>ASD</i>	
	145.A.30	10/170	<p><i>"Procedures shall make clear who deputises for any particular person in the case of lengthy absence of the said person."</i></p> <p>This requirement is not relevant to the personnel but the organisation exposition(MOE).</p> <p>Move this requirement in 145.A.70 (MOE)</p>



response	See Section 1.		
comment	723	comment by: ASD	
145.A.30(b)	10/170	It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).	(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.
response	See Section 1.		
comment	724	comment by: ASD	
145.A.30	10/170	<p><i>"(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system"</i></p> <p>"feedback " to whom? What is the difference between the person nominated in this (C) bullet and the one nominated under (b) bullet?</p>	wording shall be clarified
response	See Section 1.		
comment	792	comment by: SAFRAN AEROSYSTEMS	
It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).			
(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.			
145.A.30 (cb)			

response

See Section 1.

comment

847

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.30	Page 10	<p><i>"(a) The organisation shall appoint an accountable manager who has corporate authority for ensuring that all maintenance required by the customer can be financed and carried out in accordance with Regulation (EU) 2018/1139 and...."</i></p> <p>Can it be clarified why the emphasis is placed on financing the maintenance required? Is it intended that lack of finance should not undermine compliance with the</p>	<p>Suggest "financed sufficiently to be carried out in accordance with..." or a clarification of the finance requirement.</p>	Yes	No



		regulations? In this light, should the appropriate finance be linked to the work accepted by the maintenance organisation, rather than the work required by the customer?			
145.A.30(b)	Page 10	It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).	(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.	No	Yes
145.A.30	Page 10	<i>"(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system"</i>	wording shall be clarified	No	Yes



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.30(b)	10/170	It is difficult to differentiate the roles addressed in bullet (b) versus the ones in bullet (c).	(b) bullet should be reworded to clarify that the to be nominated person or group of persons are responsible for the operation of the maintenance organisation and not for compliance monitoring which is the purpose of the (c) bullet.		X
<p>response See Section 1.</p>					

comment

901

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.30	10/170	<i>"(c) The accountable manager under point (a) shall nominate a person or group of persons with the responsibility for managing the compliance monitoring function, including the associated feedback system as part of the management system"</i> "feedback " to whom? What is the difference between the person nominated in this (C) bullet and the one nominated under (b) bullet?	wording shall be clarified		X



response	See Section 1.
comment	<p>1015 comment by: Duane Kritzinger</p> <p>In para (ca): "Regardless of the organisational set-up, it is important that the safety manager remains a unique focal point for the development, administration and maintenance of the management system". Safety is delivered through many activities including the compliance requirements which fall under the responsibility of the Nominated persons. Therefore the use the term SMS and the role of the safety manager need to be carefully articulated to avoid misinterpretation of the safety managers role and position. Suggest the wording reflects the reponsibility for the management system effectiveness and refelects that the safety</p> <p>In para (d): Instead of reporting lack of manpower to all these postholders, it should just be reported into the Management System. Lack of manpower is just one organisational threat that needs managing</p> <p>In para (e): Training syllabus: Violation is mentioned but not defined in definitions. We suggest "violations are intentional acts that deviate from agreed methods of work within the organisation"</p>
response	See Section 1.
comment	<p>1042 comment by: Dassault Falcon Service</p> <p>145 A 30 c, ca: How a person or group of person should be "nominated"? Do the title and name in the MOE are sufficient to consider a person or group of person is nominated?</p> <p>145 A 30 ca: "Safety management processes": shouldn't you use "safety management system". It's clearer and it contains the safety processes.</p> <p>145 A 30 cc: The wording "ultimately" gives the impression that other person(s) could be responsible. We think "ultimately should be removed.</p>
response	See Section 1.

145.A.35 Certifying staff and support staff

p. 13-14

comment	<p>12 comment by: NHF Technical committee</p> <p>Supported.</p>
response	See Section 1.



comment	28	comment by: <i>NHF Technical committee</i>
	Paragraph (d) is fully supported by NHF.	
response	See Section 1.	
comment	98	comment by: <i>General Aviation Manufacturers Association</i>
	Section 145.A.35(d): "The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, <u>as well as human factor issues</u> ." Human factors are an integral part of an SMS, encompassing all aspects all technical, human and organizational factors. We suggest that the highlighted statement is redundant and should be deleted.	
response	See Section 1.	
comment	155	comment by: <i>DGAC France</i>
	We suggest to add the following words : "safety management and compliance monitoring principles , as well as "	
response	See Section 1.	
comment	170	comment by: <i>FAA</i>
	145. A.35 (i) The person responsible for the quality system compliance monitoring shall Accountability for us in terms of responsibilities. Authority is used in reference to levels of management that can accept risk.	
response	See Section 1.	
comment	271	comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i>
	(d) SMS is a systemic perspective encompassing all factors such as technical, human, organizational factors. Suggested resolution: Change the wording as follows: "(d) the organization shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organization procedures and safety management, human factors issues". Preferably "as well as human factor issues" could be removed.	
response	See Section 1.	

comment	<p>272 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>(i) Responsible on behalf of the organization or accountable manager? Refer to changes from organization to accountable manager introduced in 145.A.30</p> <p>Suggested resolution: It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organization must set up such evaluation system</p>
response	<p>See Section 1.</p>
comment	<p>327 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 13/170, point 145.A.35 Certifying staff and support staff</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to move the points 1., 2., and 3. of paragraph (a) into the general AMC/GM dedicated to definitions (for points 1. and 3.) and into the AMC1 145.A.35(a) (for point 2.). It is proposed to move the second subparagraph of paragraph (c) into the AMC 145.A.35(c).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of consolidation of definitions common to different points of Part-145, and separation of definitions from requirements.</p>
response	<p>See Section 1.</p>
comment	<p>328 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 13/170, point 145.A.35 Certifying staff and support staff</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (d) to read: “(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent continuation training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as human factor issues.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: SMS principles adopt a systemic perspective that takes into account aspects such as, but not limited to, technical, human, and organisational factors. Referring too frequently to human factors issues may excessively (and therefore inappropriately) focus people’s attention (only) on these particular issues.</p>
response	<p>See Section 1.</p>
comment	<p>332 comment by: <i>AIRBUS</i></p>



	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 14/170, point 145.A.35 Certifying staff and support staff</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (h) of this point to read: “(h) The certification authorisation must be in a style that makes its scope clear to: (1) the certifying staff; and (2) any authorised person officials of the EASA and of the relevant competent authorities amongst the following, who may require to examine the authorisation:– (i) competent authority in accordance with point 145.1, (ii) competent authority in accordance with the paragraph 1. of point M.1, (iii) competent authority in accordance with point ML.1. Where codes are used to define scope, the organisation shall make a code translation readily available. ‘Authorised person’ means the officials of the competent authorities, the Agency and the Member State who has responsibility for the oversight of the maintained aircraft or component.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The wording ‘Member State who has responsibility for the oversight of the maintained [...] component’ has been found confusing. ‘Authorised person’ is used in different locations with different meanings (e.g. point 145.A.48).</p>
response	See Section 1.
comment	<p>333 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 14/170, point 145.A.35 Certifying staff and support staff</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (i) of this point to read: (i) The person responsible for the quality system compliance monitoring function shall also remain be responsible on behalf of the organisation for issuing and notifying revocation of certification authorisations to certifying staff. Such That person may nominate other persons to actually issue or revoke the certification authorisations in accordance with a procedure as specified in the exposition. and to create an AMC with this paragraph (i) to read: “The person responsible for the compliance monitoring may nominate other persons to actually issue or notify revocation of the certification authorisations in accordance with a procedure as specified in the exposition.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: In some organisations, the person responsible for the compliance monitoring function may want to make the decision to issue/revoke or not the certification authorisations. In some other, the person responsible for the compliance monitoring function may decide to delegate this responsibility. The proposal aims at ruling the notification and providing flexibility for the decision. The second sentence of the paragraph (i) is an acceptable means of compliance with the first sentence.</p>



response	See Section 1.		
comment	365		comment by: <i>FNAM</i>
	(j)		Current point (j) disposals are now reserved. FNAM wonders why empty (j) is not definitively removed or why no additional information is provided on future (j) disposals.
response	See Section 1.		
comment	602		comment by: <i>Baines Simmons</i>
	145.A.35 para (i) states that the person responsible for Compliance Monitoring is responsible for issuing certification authorisations. This responsibility is more of an 'ensure' function of compliance, which should be owned by those responsible for compliance, ie that person or persons referred to in 145.A.30 paragraph (b).		
	GM1 145.A.30(b) lays out the Responsibility for ensuring compliance and AMC1 145.A.30(c);(ca) paragraph (b)(1) defining the Compliance Monitoring function support this view.		
response	See Section 1.		
comment	612		comment by: <i>Baines Simmons</i>
	145.A.35(d)&(e) alongside AMC1 145.A.35(e) replace the word continuation with recurrent. We feel that the word continuation drives the right thinking to ensure that the competence development of staff is a continuous process. The word 'recurrent' could drive the wrong behaviours. We recommend keeping the word continuation.		
response	See Section 1.		
comment	640		comment by: <i>SAFRAN LS</i>
	145.A.35(d)	13/170	<p>SMS is a systemic perspective encompassing all factors such as technical, human, organisational factors.</p> <p>Change the wording as follows: "(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as including human factor issues." Preferably, "as wel as human factor issues" could be removed.</p>



response See Section 1.

comment 698 comment by: SAFRAN LS

145.A.35(d)	13/170	SMS is a systemic perspective encompassing all factors such as technical, human, organisational factors.	Change the wording as follows: "(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as including human factor issues." Preferably, "as well as human factor issues" could be removed.
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response See Section 1.

comment 725 comment by: ASD

145.A.35(d)	13/170	SMS is a systemic perspective encompassing all factors such as technical, human, organisational factors.	Change the wording as follows: "(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as including human factor issues." Preferably, "as well as human factor issues" could be removed.
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response See Section 1.

comment 726 comment by: ASD



	<table border="1"> <tr> <td data-bbox="391 197 539 539">145.A.35(i)</td> <td data-bbox="539 197 635 539">14/170</td> <td data-bbox="635 197 906 539"> Responsible of behalf of the organisation or accountable manager? Refer to changes from organisation to accountable manager introduced in 145.A.30 </td> <td data-bbox="906 197 1401 539"> It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organisation must set up such evaluation system. </td> </tr> <tr> <td data-bbox="252 622 368 651">response</td> <td colspan="3" data-bbox="391 622 1401 712">See Section 1.</td> </tr> </table>	145.A.35(i)	14/170	Responsible of behalf of the organisation or accountable manager? Refer to changes from organisation to accountable manager introduced in 145.A.30	It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organisation must set up such evaluation system.	response	See Section 1.		
145.A.35(i)	14/170	Responsible of behalf of the organisation or accountable manager? Refer to changes from organisation to accountable manager introduced in 145.A.30	It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organisation must set up such evaluation system.						
response	See Section 1.								
comment	<p>793 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> 145.A.35(d) <p>SMS is a systemic perspective encompassing all factors such as technical, human, organisational factors.</p> <p>Change the wording as follows: "(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as including human factor issues." Preferably, "as wel as human factor issues" could be removed.</p> <ul style="list-style-type: none"> the recurrent training shall be proportionate to the level of risk evaluated in the SMS. A "2 year" period criteria shoud be transfered to an AMC with adaptation possible based on the impact analysis. <ul style="list-style-type: none"> 145.A.35(i) <p>Responsible of behalf of the organisation or accountable manager? Refer to changes from organisation to accountable manager introduced in 145.A.30</p> <p>It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organisation must set up such evaluation system.</p>								
response	See Section 1.								
comment	<p>848 comment by: Rolls-Royce plc</p>								



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.35(d)	Page 13	Safety Management should be assumed to include consideration of human factors, so it is not clear why this is particularly identified.	Change the wording as follows: "(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as including human factor issues." Preferably, "as well as human factor issues" could be removed.	No	Yes
145.A.35(i)	Page 14	Is the issuance of authorisations on behalf of the organisation or the accountable manager? Compare this with the changes introduced in 145.A.30 replacing nominations from the		Yes	No



		organisation to those from the accountable manager			
response	See Section 1.				

comment	902	comment by: SAFRAN TRANSMISSION SYSTEMS			
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.35(d)	13/170	SMS is a systemic perspective encompassing all factors such as technical, human, organisational factors.	Change the wording as follows: "(d) The organisation shall ensure that all certifying staff and support staff receive sufficient continuation recurrent training in each two-year 2-year period to ensure that such staff have up-to-date knowledge of relevant technology, organisation procedures and safety management, as well as including human factor issues." Preferably, "as well as human factor issues" could be removed.		X



response See Section 1.

comment 903 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.35(i)	14/170	Responsible of behalf of the organisation or accountable manager? Refer to changes from organisation to accountable manager introduced in 145.A.30	It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organisation must set up such evaluation system.	X	

response See Section 1.

145.A.36 Records of airworthiness review staff

p. 14

comment 699 comment by: SAFRAN LS

145.A.35(i)	14/170	Responsible of behalf of the organisation or accountable manager? Refer to changes from organisation to accountable manager introduced in 145.A.30	It is proposed to address in the safety reporting scheme errors and near misses which could have an impact on safety based on an evaluation system. That means that the Organisation must set up such evaluation system.		
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response See Section 1.

145.A.37 Airworthiness review staff

p. 15

comment 55 comment by: *KLM Engineering & Maintenance*

It is not clear from the basic text if this requirement is applicable to all aircraft types, or only to Annex Vb (Part ML) or both. See also 145.A.75(f).

response See Section 1.

comment 78 comment by: *CAA-NL*

145.A.37(a)(2):
This point still refers to the appropriate national 'aircraft' category when there are no Part 66 licences in place. With the latest update of Part 66 this was changed and now only refers to national component licences
(2) they hold an appropriate licence issued in accordance with Annex III (Part-66) or a nationally recognised maintenance personnel qualification appropriate to the *component* category (when Article 5(6) refers to national rules) or an aeronautical degree or equivalent, or they have acquired experience in continuing airworthiness in addition to that referred to in point (1) of at least 2 years for sailplanes and balloons and at least 4 years for all other aircraft;

response See Section 1.

comment 99 comment by: *General Aviation Manufacturers Association*

The roles and responsibilities for "airworthiness review staff" should be clarified. Suggest adding a cross-reference to appropriate activities within Appendix II.

response See Section 1.

comment 156 comment by: *DGAC France*

(b) : There are two cases of supervision, one by the NAA and the other internally. In both cases, the ARC staff must be authorized after only a satisfactory supervision. So we suggest to modify the end of the paragraph to reflect these both cases as follows : **"If this supervision is satisfactory, the person shall be formally accepted as airworthiness review staff."**

response See Section 1.

comment 273 comment by: *Jean6francois RANNOU SAFRAN Helicopter Engines*

Role/Responsibilities of airworthiness review staff should be clarified.



	<p>Suggested resolution: Insert a cross reference to the relevant description or roles and responsibilities of airworthiness review staff.</p>					
response	See Section 1.					
comment	366		comment by: <i>FNAM</i>			
	<p>(a)(2) Proposed EASA’s disposals require that airworthiness review staff have at least 4 years of experience in continuing airworthiness. This proposal is not adapted to current supply of experienced staff. Nowadays, organizations, and above all for less attractive organizations such as Small and Medium Enterprises (SME), face difficulties to hire highly qualified and experienced labor. Such organizations have already issues to find anyone for these works, so, with proposed disposals, FNAM fears that Part-145 SME will not find any appropriate labor.</p>					
response	See Section 1.					
comment	700		comment by: <i>SAFRAN LS</i>			
	145.A.37	15/170	Role/responsibilities of airworthiness review staff should be clarified.	Insert a cross reference to the relevant description of roles and responsibilities of airworthiness review staff.		
response	See Section 1.					
comment	727		comment by: <i>ASD</i>			
	145.A.37	15/170	Role/responsibilities of airworthiness review staff should be clarified.	Insert a cross reference to the relevant description of roles and responsibilities of airworthiness review staff.		
response	See Section 1.					
comment	849		comment by: <i>Rolls-Royce plc</i>			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**

	145.A.37	Page 15	It is recommended that the role/responsibilities of airworthiness review staff should be clarified, to accompany the requirements for their qualifications and experience.	Insert a cross reference to the relevant description of roles and responsibilities of airworthiness review staff.	Yes	No
response	See Section 1.					

comment 904 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.37	15/170	Role/responsibilities of airworthiness review staff should be clarified.	Insert a cross reference to the relevant description of roles and responsibilities of airworthiness review staff.	X	

response See Section 1.

comment 1045 comment by: Dassault Falcon Service

Is it necessary to keep the airworthiness review staff in the Part 145 regulation as airworthiness review staff are part of the Part M / CAMO regulation (M.A. 707)?

response See Section 1.

145.A.45 Maintenance data

p. 15-17

comment 29 comment by: NHF Technical committee

Paragraph (c) and (e): Change in text is fully supported by NHF.



response	See Section 1.	
comment	92	comment by: MOHAMED.N.ALHABAHBH
	145.A.45 Instructions for continuing airworthiness, must include the MEL / CAMO engineering orders and the applicable maintenance program.	
response	See Section 1.	
comment	100	comment by: General Aviation Manufacturers Association
	Section 145.A.45(c): The statement: "...maintenance data used by maintenance personnel is found, it is recorded as part of the <u>internal safety reporting scheme</u> referred to in point 145.A.202," - suggest rephrasing the highlighted statement to "internal reporting scheme" - delete 'safety' as this is too prescriptive. Further, change the title of 145.A.202 to Internal Reporting Scheme for consistency.	
response	See Section 1.	
comment	102	comment by: General Aviation Manufacturers Association
	Section 145.A.45(c): The statement: "and notified to the author of the maintenance data." Should be moved to GM.	
response	See Section 1.	
comment	171	comment by: FAA
	145.A.45 e	
	The procedures under this point shall take into account human factors and human performance limitations.	
	We dont put Human Factors in our regulations.	
response	See Section 1.	
comment	274	comment by: Jean6francois RANNOU SAFRAN Helicopter Engines
	(b) (3) Statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions	
	Suggested resolution: Wording should be changed as follows: "(b)(3) Instructions for continued airworthiness, issued by type certificate holders".	
response	See Section 1.	

comment	<p>275 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>"(c) The organization shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure..." The word "any" is too wide/large/vague. It should be removed and/or a limitation to "any" should be defined.</p> <p>Suggested resolution: Wording should be changed as follows: "(c) the organization shall establish procedure to ensure that if found, inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data".</p>
response	<p>See Section 1.</p>
comment	<p>276 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>(c) Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related. Reporting issues is a step upstream of their filtering between safety or not safety related. Safety reporting scheme is only a substream of an overall reporting scheme.</p> <p>Suggested resolution: Wording should be changed as follows: "(c) The organization shall establish procedures to ensure that if found, inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data".</p>
response	<p>See Section 1.</p>
comment	<p>334 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 15/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) to read: “(a) The organisation shall hold and use applicable current maintenance data in the performance of maintenance, including modifications and repairs that are: (i) relevant for the scope of work specified in the organisation’s MOE required in point 145.A.70; and ‘Applicable’ means relevant to any aircraft, component or process specified in the organisation’s terms of approval approval class rating schedule and in any associated capability list.</p>

(ii) in sufficient quantity to perform the amount of work considered for the compliance with point 145.A.47.

In the case of maintenance data provided by ~~an operator or customer~~ **the person or organisation responsible for the aircraft continuing airworthiness**, the organisation shall hold such data when the work is in progress, with the exception of the need to comply with point ~~145.A.55(c)~~ **145.A.55(a)(3).**”

It is proposed to create an AMC1 145.A.45(a) to read:

“Current maintenance data should be relevant to any aircraft, component or process specified in the organisation’s MOE and in any associated capability list.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The paragraph (d) of point 145.A.30 refers to personnel “to plan, perform, supervise, inspect and monitor the organisation’s activities”. The current wording of the point 145.A.45(a) may give the impression that some personnel (other than personnel performing maintenance) are not subject to this requirement.

Two meanings are given to ‘applicable’ in point 145.A.45. This is inappropriate. It is proposed to eliminate the meaning given in the paragraph (a) and to keep the one given in the paragraph (b).

Reference to operator or customer may be confusing taking into account the point M.A.201 provisions. Reference to the person or organisation responsible for the aircraft continuing airworthiness is full of meaning.

response

See Section 1.

comment

335

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 15/170, point 145.A.45 Maintenance data

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph (b) to read:

“(b) For the purposes of this Annex Part, applicable maintenance data shall be any of the following:

(1)- Any applicable requirement, procedure, operational directive or information issued by the competent authority responsible for the oversight of the ~~aircraft or component~~ continuing airworthiness of individual aircraft, including any component for installation thereto;

(2)- Any applicable airworthiness directive issued by the competent authority responsible for the oversight of the ~~aircraft or component~~ continuing airworthiness of individual aircraft, including any component for installation thereto;

(3)- Instructions for continuing airworthiness, issued by type certificate holders, supplementary type certificate holders, any other organisation required to publish such data by Annex I (Part-21) to Regulation (EU) No 748/2012, and in the case of aircraft ~~or components~~ registered in ~~from~~ third countries **and any component for installation thereto, the airworthiness data mandated by the authority responsible for the oversight of the ~~aircraft or component~~ continuing airworthiness of individual aircraft;**

(4)- Any applicable standard, such as but not limited to, maintenance standard practices recognised by the Agency EASA as a good standards for maintenance;

(5)- Any applicable data issued in accordance with point (d).”



response	<p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: In accordance with the Article 1 of Regulation (EU) No 1321/2014 and the point M1, there is no authority responsible for the oversight of components. It is proposed to refer to the “competent authority responsible for the oversight of the continuing airworthiness of individual aircraft, including any component for installation thereto” or a derivative for the point (3).</p> <p>See Section 1.</p>
comment	<p>336 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 15/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the point 1. of the AMC 145.A.45(b) to read: “1. Except as specified in the sub-paragraph 5 6 of this AMC, each maintenance organisation approved under Part-145 should hold and use the following minimum maintenance data relevant to the organisation’s approval class rating:- (i) All continuing airworthiness maintenance related Implementing Rules and associated AMCs, approval specifications and Guidance Material, (ii) all All applicable national maintenance requirements and notices which that have not been superseded by an Agency EASA requirement, procedure or directive, and (iii) all All applicable EASA airworthiness directives plus any non-national airworthiness directive supplied by a contracted non-EU operator or customer as well as Critical Design Configuration Control Limitations.”</p> <p>Could the EASA elaborate in this point 1. on the case of an AMO having to certify under EASA Part-145 maintenance required by “a non-national AD supplied by a contracted non-EU operator or customer”?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Reference to subparagraph 6 to ensure consistency with another comment. GM Article 3(2) indicates that some provisions of Part-M apply to maintenance organisations approved under Part-145. Further, Part-66 is essential for personnel involved in maintenance activities. Therefore, reference to ‘continuing airworthiness’ related IR rather than ‘maintenance’ related IR is found appropriate. It is believed that reference to ‘approval specifications’ results from a typo (for reference to ‘certification specifications’, but there are no CS applicable in the frame of Part-145). Referring too frequently to CDCCL may excessively (and therefore inappropriately) focus people’s attention (only) on these particular airworthiness limitations and associated mandatory instructions.</p> <p>See Section 1.</p>
comment	<p>337 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p>



Page 15/170, point 145.A.45 Maintenance data

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the point 2. of the AMC 145.A.45(b) to read:

“2. In addition to **the maintenance data referred to in** sub-paragraph 1, an organisation **holding an organisation approval certificate** with an ~~approval~~ class rating in **the** category A ~~—Aircraft~~, should hold and use the following maintenance data, ~~if where~~ published:-

(i) The appropriate sections of the ~~operator’s applicable~~ aircraft maintenance programme,

(ii) **The appropriate sections of the instructions for continuing airworthiness (may include the aircraft maintenance manual, structural repair manual, NDT non-destructive testing manual, illustrated parts catalogue, Airworthiness Limitations Section or supplementary structural inspection document and, corrosion prevention and control programme document),**

(iii) **Any other specific data or document issued as maintenance data by organisations that publish such data in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012 (may include service bulletins, service letters, service instructions, modification leaflets), NDT manual, parts catalogue,**

(iv) **The aircraft type certificate data sheet. and any other specific document issued by the type certificate or supplementary type certificate holder as maintenance data.”**

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The aircraft maintenance programme may be developed by a CAMO that is not an aircraft operator.

The segregation (like in point 145.A.45) of ICA is necessary to show a difference with other data. The importance of ICA may be justified by the role played by such data in some SMS-related decisions.

This point may need further amendments as a result of RMT.0252 outcome.

response

See Section 1.

comment

338

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 15/170, point 145.A.45 Maintenance data

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the point 3. of the AMC 145.A.45(b) to read:

“3. In addition to **the maintenance data referred to in** subparagraph 1, an organisation **holding an organisation approval certificate** with an ~~approval~~ class rating in **the** category B ~~—Engines/APUs~~, should hold and use the following maintenance data, ~~if where~~ published:-

(i) **The appropriate sections of the applicable aircraft maintenance programme,**

(ii) **The appropriate sections of the instructions for continuing airworthiness (may include the The appropriate sections of the engine/APU maintenance and repair manual, Airworthiness Limitations Section, non-destructive testing manual, illustrated parts catalogue),**

(iii) **Any other specific data or document issued as maintenance data by organisations that publish such data in accordance with Annex I (Part-21) to**



	<p>Regulation (EU) No 748/2012 (may include service bulletins, service letters, modification leaflets), non-destructive testing (NDT) manual, parts catalogue, (iv) The engine type certificate data sheet. and any other specific document issued by the type certificate holder as maintenance data.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: In accordance with point M.A.301, the aircraft continuing airworthiness and the serviceability of both operational and emergency equipment is ensured inter alia by the accomplishment of <u>all</u> maintenance, in accordance with the aircraft maintenance programme. The segregation (like in point 145.A.45) of ICA is necessary to show a difference with other data. The importance of ICA may be justified by the role played by such data in some SMS-related decisions. This point may need further amendments as a result of RMT.0252 outcome.</p>
response	See Section 1.
	<p>339 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 16/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the point 4. of the AMC 145.A.45(b) to read: “4. In addition to the maintenance data referred to in sub-paragraph 1, an organisation holding an organisation approval certificate with an approval class rating in the category C Components other than complete engines/APUs, should hold and use the following maintenance data, if where published:- (i) The appropriate sections of the applicable aircraft maintenance programme, (ii) The appropriate sections of the instructions for continuing airworthiness relevant for the components maintained (may include The appropriate sections of the Airworthiness Limitations Section, the vendor maintenance and repair manual), (iii) Any other specific data or document issued as maintenance data by organisations that publish such data in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012 (may include service bulletins and service letters), plus any document issued by the type certificate holder as maintenance data on whose (iv) The type certificate data sheet for the product the component may be fitted to, when applicable.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: In accordance with point M.A.301, the aircraft continuing airworthiness and the serviceability of both operational and emergency equipment is ensured inter alia by the accomplishment of <u>all</u> maintenance, in accordance with the aircraft maintenance programme. The segregation (like in point 145.A.45) of ICA is necessary to show a difference with other data. The importance of ICA may be justified by the role played by such data in some SMS-related decisions. This point may need further amendments as a result of RMT.0252 outcome.</p>
response	See Section 1.



comment	<p data-bbox="384 210 432 239">340</p> <p data-bbox="1128 210 1386 239">comment by: AIRBUS</p> <p data-bbox="384 266 1206 295">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 302 951 331">Page 16/170, point 145.A.45 Maintenance data</p> <p data-bbox="384 374 807 403">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 409 1206 439">It is proposed to amend the point 5. of the AMC 145.A.45(b) to read:</p> <p data-bbox="384 445 1394 651">“56. The term ‘Appropriate sections of’ used in the sub-paragraphs 2 to 4 about additional maintenance data means “in relation to the maintenance work scope at each particular maintenance facility”. For example, a base maintenance facility should have almost complete set(s) of the maintenance data whereas a line maintenance facility may need only the maintenance manual and the parts catalogue.</p> <p data-bbox="384 694 1136 723">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 730 603 759">For sake of clarity.</p>
response	<p data-bbox="384 790 552 819">See Section 1.</p>
comment	<p data-bbox="384 887 432 916">341</p> <p data-bbox="1128 887 1386 916">comment by: AIRBUS</p> <p data-bbox="384 943 1206 972">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 978 951 1008">Page 16/170, point 145.A.45 Maintenance data</p> <p data-bbox="384 1050 807 1079">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 1086 1206 1115">It is proposed to amend the point 6. of the AMC 145.A.45(b) to read:</p> <p data-bbox="384 1122 1394 1256">“65. In addition to the maintenance data referred to in sub-paragraph 1, an An organisation only approved holding an organisation approval certificate with in a class rating in the category D only — Specialised services, should hold and use the following maintenance data:</p> <p data-bbox="384 1263 1394 1547"> (i) The appropriate sections of the applicable aircraft maintenance programme, (ii) The appropriate sections of the instructions for continuing airworthiness relevant for the maintenance to be performed (may include the Airworthiness Limitations Section, the non-destructive testing manual), (iii) Any other specific data or document relevant for the maintenance to be performed issued by organisations that publish such data in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012, (iv) all All applicable specialised service(s) process specifications.” </p> <p data-bbox="384 1585 1136 1615">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 1621 1394 1756">In accordance with point M.A.301, the aircraft continuing airworthiness and the serviceability of both operational and emergency equipment is ensured inter alia by the accomplishment of <u>all</u> maintenance, in accordance with the aircraft maintenance programme.</p> <p data-bbox="384 1762 1394 1897">The importance of ICA may be justified by the role played by such data in some SMS-related decisions. For example, who is in the best position to report in accordance with 145.A.45(c) in case the non-destructive testing manual is inaccurate, incomplete or ambiguous?</p> <p data-bbox="384 1904 1294 1933">This point may need further amendments as a result of RMT.0252 outcome.</p>
response	<p data-bbox="384 1968 552 1998">See Section 1.</p>

comment	<p data-bbox="384 210 432 239">342</p> <p data-bbox="1128 210 1386 239">comment by: AIRBUS</p> <p data-bbox="384 266 1206 295">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 302 952 331">Page 16/170, point 145.A.45 Maintenance data</p> <p data-bbox="384 374 807 403">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 409 986 439">It is proposed to amend the paragraph (c) to read:</p> <p data-bbox="384 445 1393 618">“(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data.”</p> <p data-bbox="384 660 1136 689">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 696 1393 759">The term ‘any’ associated with the term ‘inaccurate’ may make the requirement very burdensome with no safety benefit (e.g. for obvious typos).</p>
response	<p data-bbox="384 788 552 817">See Section 1.</p>
comment	<p data-bbox="384 887 432 916">343</p> <p data-bbox="1128 887 1386 916">comment by: AIRBUS</p> <p data-bbox="384 943 1206 972">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 978 952 1008">Page 16/170, point 145.A.45 Maintenance data</p> <p data-bbox="384 1050 807 1079">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 1086 991 1115">It is proposed to amend the paragraph (d) to read:</p> <p data-bbox="384 1122 1393 1507">“(d) The organisation may only modify maintenance instructions in accordance with a procedure that is specified in the MOE maintenance organisation’s exposition. With respect to those changes, the organisation shall demonstrate that they result in equivalent or improved maintenance standards, and do not affect directly or indirectly mandatory requirements and/or associated airworthiness limitations. The organisation shall inform the type certificate holder of any such changes the person or organisation that published in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012 the data before modification. Maintenance instructions for the purposes of this point means instructions on how to carry out the particular maintenance task: they exclude the engineering design of repairs and modifications.”</p> <p data-bbox="384 1550 1136 1579">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 1585 1393 1688">With respect to the restriction for maintenance instructions that may affect directly or indirectly mandatory requirements and/or associated airworthiness limitations, refer to comments on AMC1 145.A.45(d).</p> <p data-bbox="384 1695 1393 1830">The type certificate holder is not the only organisation publishing maintenance data that may be subject to modification by AMO. The amendment will contribute to the distribution of the modified data to the correct organisation (global safety reporting scheme potentially affected).</p> <p data-bbox="384 1872 1393 1935">Can the EASA remind the requirements of Part-21 explaining what approved design organisations should do with the information received from AMO?</p>
response	<p data-bbox="384 1966 552 1995">See Section 1.</p>

comment	346 comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 16/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (e) to read: “(e) The organisation shall provide a common work card or worksheet system to be used throughout the relevant parts of the organisation. In addition, the organisation shall either accurately transcribe accurately the maintenance data contained in points (b) and (d) onto such work cards or worksheets, or make precise reference to the particular maintenance task or tasks contained in such that maintenance data. Work cards and worksheets may be computer generated and held on an electronic database that is subject to both adequate safeguards against unauthorised alteration, and for which there is a back-up electronic database, which shall be updated within 24 hours of any entry made to the main electronic database. Complex maintenance tasks shall be transcribed onto the work cards or worksheets and subdivided into clear stages to ensure that there is a record of the accomplishment of the complete maintenance task. The procedures under this point shall take into account human factors and human performance limitations. Where the organisation provides a maintenance service to an aircraft operator who requires their work cards or worksheet system to be used, then such those work cards or that worksheet system may be used. In this case, the organisation shall establish a procedure to ensure correct completion of that the aircraft operator’s work cards or worksheets are correctly completed.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: No reason has been found to consider the format of work cards/worksheets in the implementing rules, i.e. differently from the format of records. It should be discussed in an AMC, like for records with the AMC1 145.A.55. Reference to ‘human factors and human performance limitations’ is not necessary as it is required by the point 145.A.65 for all procedures. The use of the operator’s work cards or worksheet system is a way of complying with the requirement to provide a common work card or worksheet system to be used throughout the relevant parts of the organisation. Therefore, it should be addressed at the AMC level.</p>
response	See Section 1.

comment	348 comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 16/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete the paragraph (f): “(f) The organisation shall ensure that all applicable maintenance data is readily available for use when required by maintenance personnel.” The AMC 145.A.45(f) should be re-identified into AMC1 145.A.45(a).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p>



response	<p>The paragraph (f) is redundant with the point 145.A.48(a).</p> <p>See Section 1.</p>
comment	<p>349 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 16/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (g) to read: “(gf) The organisation shall establish a procedure to ensure that maintenance data it controls is kept up to date. In the case of operator/customer controlled and provided maintenance data are controlled and provided by the person or organisation responsible for the aircraft continuing airworthiness, the organisation shall be able to show that either it either has written confirmation from the operator/customer that person or organisation that all such maintenance data is up to date, or that it has work orders that specifying the amendment status of the maintenance data to be used, or that it can show that it is on the operator/customer maintenance data amendment list of the person or organisation responsible for the aircraft continuing airworthiness.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Reference to ‘operator/customer’ is inappropriate or does not reflect all the possibilities (e.g. the owner). Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.</p>
response	<p>See Section 1.</p>
comment	<p>350 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 16/170, point 145.A.45 Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to re-identify the AMC 145.A.45(g) into AMC1 145.A.45(f) and to amend it to read: “To keep data up-to-date, a procedure should be set up to monitor the amendment status of all data and maintain a check that all amendments are being received by being a subscriber to any document amendment scheme. Special attention should be given to TC related data mandatory instructions and associated airworthiness limitations published by the holders of a design approval in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012 such as certification life limited parts, airworthiness limitations and Airworthiness Limitation Items (ALI), etc.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Referring too frequently to a certain type of mandatory instructions and associated airworthiness limitations may excessively (and therefore inappropriately) focus people’s attention (only) on these particular instructions and associated limitations.</p>
response	<p>See Section 1.</p>



comment	368 (a) FNAM thanks EASA for having replaced “approval class rating schedule” by “terms of approval”	comment by: <i>FNAM</i>
response	See Section 1.	

comment	546 (e): Work cards and worksheets may be computer-generated and held on an electronic database or any alternative digital solution that is subject to adequate safeguards against unauthorized alteration ...	comment by: <i>ATR SMS</i>
response	See Section 1.	

comment	603 145.A.47 paragraph (d) is about ensuring that risks associated with external working teams are managed and considered, yet the paragraph only mentions those teams that are 'carrying out maintenace'. As some of these working teams could be performing tasks not generally considered as maintenance, such as cleaning, de-icing, refuelling, should the language be more aligned to maintenance related activity, instead of specifically maintenace?	comment by: <i>Baines Simmons</i>
response	See Section 1.	

comment	641 145.A.45(b) 15/170	comment by: <i>SAFRAN LS</i>			
<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;"></td> <td style="width: 30%;">(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.</td> <td style="width: 40%;">wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"</td> </tr> </table>				(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.	wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"
	(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.	wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"			
response	See Section 1.				

comment	642 145.A.45(c) 15/170	comment by: <i>SAFRAN LS</i>			
<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;"></td> <td style="width: 30%;">"(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous</td> <td style="width: 40%;">Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous</td> </tr> </table>				"(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous	Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous
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response	<table border="1"> <tr> <td data-bbox="391 203 544 539"></td> <td data-bbox="544 203 639 539"></td> <td data-bbox="639 203 927 539"> <p><i>procedure...</i>" The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p> </td> <td data-bbox="927 203 1401 539"> <p><i>procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</i></p> </td> </tr> </table> <p>See Section 1.</p>			<p><i>procedure...</i>" The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p><i>procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</i></p>
		<p><i>procedure...</i>" The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p><i>procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</i></p>		
comment	<p>701 comment by: SAFRAN LS</p> <table border="1"> <tr> <td data-bbox="391 819 534 1480">145.A.45(c)</td> <td data-bbox="534 819 632 1480">16/202</td> <td data-bbox="632 819 927 1480"> <p>Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related.</p> <p>Reporting issues is a step upstream of their filtering between safety or not safety related.</p> <p>Safety reporting scheme is only a substream of an overall reporting scheme.</p> </td> <td data-bbox="927 819 1401 1480"> <p>Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety-reporting scheme referred to in point 145.A.202 , and notified to the author of the maintenance data."</p> </td> </tr> </table> <p>See Section 1.</p>	145.A.45(c)	16/202	<p>Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related.</p> <p>Reporting issues is a step upstream of their filtering between safety or not safety related.</p> <p>Safety reporting scheme is only a substream of an overall reporting scheme.</p>	<p>Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety-reporting scheme referred to in point 145.A.202 , and notified to the author of the maintenance data."</p>
145.A.45(c)	16/202	<p>Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related.</p> <p>Reporting issues is a step upstream of their filtering between safety or not safety related.</p> <p>Safety reporting scheme is only a substream of an overall reporting scheme.</p>	<p>Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety-reporting scheme referred to in point 145.A.202 , and notified to the author of the maintenance data."</p>		
comment	<p>728 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="391 1760 544 2027">145.A.45(b)</td> <td data-bbox="544 1760 639 2027">15/170</td> <td data-bbox="639 1760 1066 2027"> <p>(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.</p> </td> <td data-bbox="1066 1760 1401 2027"> <p>wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"</p> </td> </tr> </table>	145.A.45(b)	15/170	<p>(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.</p>	<p>wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"</p>
145.A.45(b)	15/170	<p>(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.</p>	<p>wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"</p>		



response See Section 1.

comment 729

comment by: ASD

145.A.45(c)	15/170	<p>"(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure..."</p> <p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p>Wording should be changed as follows:</p> <p>"(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</p>
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response See Section 1.

comment 730

comment by: ASD

145.A.45(c)	16/170	<p>Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related.</p> <p>Reporting issues is a step upstream of their filtering between safety or not safety related.</p> <p>Safety reporting scheme is only a substream of an overall reporting scheme.</p>	<p>Wording should be changed as follows:</p> <p>"(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</p>
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response See Section 1.

comment 731

comment by: ASD

145.A.45(d)
)

16/170

“The organisation may only modify maintenance instructions in accordance with a procedure that is specified in the maintenance organisation's exposition. With respect to those changes, the organisation shall demonstrate that they result in equivalent or improved maintenance standards, and shall inform the type-certificate holder of any such changes.”

Although not changed by the NPA, this requirement is not acceptable for TC/STC holders.

In case of major safety issue (a/c serious incident or accident but also at lower criticality situations) due to implementation of the modified maintenance task(s), the TC/STC holder, previously informed about of this modified task (as required by this 145.A.45(d) requirement) could then get some implicit responsibilities over the modified maintenance instructions although they have been independently defined and issued by an AMO according to criteria and process approved by its local Authority without any kind of TC/STC holder involvement/support/agreement.

By the way, there are (on purpose) no equivalent requirements in Part 21 imposing STC, minor changes to TC and major/minor repair design approval holders to inform the TC holder about these changes/repairs.

Furthermore, concerns with maintenance informations from the TC/STC holder are already required to be reported as per requirement 145.A.60 "Occurrence reporting" .

As the maintenance organisation is working as per maintenance instructions given by the CAMO,

The Wording in this requirement should be changed as follows: *“The organisation may only modify maintenance instructions in accordance with a procedure that is specified in the maintenance organisation's exposition. With respect to those changes, the organisation shall demonstrate that they result in equivalent or improved maintenance standards, and shall inform the type-certificate holder of any such changes.”*



	<table border="1"> <tr> <td data-bbox="391 203 539 286"></td> <td data-bbox="539 203 1129 286">should report be made to the CAMO in case of deviations?</td> <td data-bbox="1129 203 1417 286"></td> </tr> </table>		should report be made to the CAMO in case of deviations?	
	should report be made to the CAMO in case of deviations?			
response	<p>See Section 1.</p>			
comment	<p>794 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> (b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions. <p>wording should be changed as follows: "(b)(3) Instructions for continued continuing airworthiness, issued by type certificate holders,"</p> <ul style="list-style-type: none"> "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure..." <p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p> <p>Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</p> <ul style="list-style-type: none"> 145.A.45 (c) and (d) are not consistent : in (c), the maintenance organisation shall notify the author of the maintenance data while in (d), they have to report to the TC Holder. <p>Report to the TC Holder is far to restrictive as it is not always the Type Certificate holder that produces and even approve the appropriate maintenance data : STC holder, DOA with scope covering minor change/minor repair only, ETSO holders, etc. (as it is detailed in 145.A.45 (b) (3) Instructions for continuing airworthiness, issued by type certificate holders, supplementary type certificate holders, any other organisation required to publish such data by Annex I (Part- 21) to Regulation (EU) No 748/2012</p> <p>Wording should be changed as follows: The organisation may only modify maintenance instructions in accordance with a procedure that is specified in the maintenance organisation's exposition. With</p>			



respect to those changes, the organisation shall demonstrate that they result in equivalent or improved maintenance standards, and shall inform the type-certificate holder ~~the author of the maintenance data~~ of any such changes. Maintenance instructions for the purposes of this point means instructions on how to carry out the particular maintenance task: they exclude the engineering design of repairs and modifications.

AMC1 145.A.45 (c) and (d) shall be modified as well accordingly

response

See Section 1.

comment

850

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.45(b)	Page 15	In (b)(3) the reference to "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.	wording should be changed as follows: " (b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"	Yes	No
145.A.45(c)	Page 15	"(c) The organisation shall establish procedures to ensure that if found, <u>any</u> inaccurate, incomplete or ambiguous procedure..." The word "any" is unlimited, and this requirement relies on a subjective assessment of the of the maintenance	Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the	No	Yes



		instruction. It should be removed or a limitations to "any" should be defined.	<i>maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</i>		
145.A.45(c)	Page 16	Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related, and therefore a requirement to capture them in a 'safety reporting system' may be counter-intuitive. AS 145.A.60 requires an occurrence reporting scheme, and both sets of requirement identify the apture of issues in technical instructions, we suggest that the term 'reporting	Wording should be changed as follows: <i>"(c) The organisation shall establish procedures to ensure that any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety-reporting scheme referred to in point 145.A.202 , and notified to the author of the maintenance data."</i>	No	Yes



		system' is used instead of the 145.A.202 term 'Internal Safety Reporting System' to confirm that these issues are to be captured ahead of any filtering for their effect on safety. This assumes that the Safety reporting scheme is only a substream of an overall reporting scheme.			
response	See Section 1.				

comment 905 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.45(b)	15/170	(b)(3) statement including "instructions for continuing airworthiness" is not consistent with the wording included within Part 21 applicable to the TC, STC holders responsible for issuing such instructions.	wording should be changed as follows: "(b)(3)Instructions for continued continuing airworthiness, issued by type certificate holders,"	X	



response See Section 1.

comment 907 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.45(c)	15/170	<p>"(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure..."</p> <p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p>Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202, and notified to the author of the maintenance data."</p>		X



response

See Section 1.

comment

908

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.45(c)	16/202	<p>Not all inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data are safety related.</p> <p>Reporting issues is a step upstream of their filtering between safety or not safety related. Safety reporting scheme is only a substream of an overall reporting scheme.</p>	<p>Wording should be changed as follows: "(c) The organisation shall establish procedures to ensure that if found, any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data used by maintenance personnel is found, it is recorded as part of the internal safety-reporting scheme referred to in point 145.A.202 , and notified to the author of the maintenance data."</p>		X

response

See Section 1.



comment	<p>1046 comment by: <i>Dassault Falcon Service</i></p> <p>145 A 45 (b) (2): An Airworthiness Directive should not be a maintenance data for performing maintenance tasks on an aircraft, engine or component. The CAMO should convert the content of an AD into a Part 145 maintenance data (such as an Engineering Order) or should give the instruction to a Part 145 organisation to perform an AMM task or SB which would cover the embodiment of the AD.</p> <p>AD's may contain lots of data which are not related to maintenance tasks on an aircraft, engine or component (such as maintenance program update, maintenance data update, storage cleansing...).</p> <p>145 A 45 (b) (3): It's still unclear which data are considered as maintenance data.</p>
response	<p>See Section 1.</p>
comment	<p>1060 comment by: <i>Aircraft Electronics Association - Europe</i></p> <p>Why must a AMO "hold" data that isn't being used? In the general aviation community, 80% of your work requires 20% of your technical library. What safety advantage is made by the administrative cost to maintain (hold) the 80% of the technical library that is episodially used.</p> <p>The association recommends that the AMO may "validate and update prior to use" technical data for the aircraft or systems that they only see occationally.</p>
response	<p>See Section 1.</p>

145.A.47 Production planning

p. 17

comment	<p>30 comment by: <i>NHF Technical committee</i></p> <p>Text changes is fully supported by NHF.</p>
response	<p>See Section 1.</p>
comment	<p>56 comment by: <i>KLM Engineering & Maintenance</i></p> <p>145.A.47(b) : human performance limitations differ for each individual. How to take that into account?</p>
response	<p>See Section 1.</p>
comment	<p>103 comment by: <i>General Aviation Manufacturers Association</i></p> <p>The statemenet: "including the risk of fatigue for maintenance personnel" - this statement is considered to be redundant, as it is an integral part of human performance limitations and is part of the identified 'dirty dozen' human factor issues. Move to GM and provide additional explanation.</p>
response	<p>See Section 1.</p>



comment	<p>173 comment by: FAA</p> <p>145.A.47 b</p> <p>including the risk of fatigue for maintenance personnel</p> <p>Again a Human Factor. As a requirement ("shall") this needs more specificity in regulatory language and/or AMC.</p>
response	<p>See Section 1.</p>
comment	<p>277 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>(b) Fatigue risk is only one example of safety risk. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is not obvious why such emphasis on Fatigue risk is needed versus other "dirty dozen" items.</p> <p>Suggested resolution: Wording should be changed as follows: "(b) As part of the management system, the planning of maintenance task, and the organizing of shifts, shall take into account human performance limitations,. In addition, further explanation could be introduced through the Guidance Material.</p>
response	<p>See Section 1.</p>
comment	<p>326 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 17/170, to consider point 145.A.40 Equipment and tools</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of the point 145.A.40 to read: “(a) The organisation shall have available and use the necessary equipment and tools necessary for the approved scope of work and to perform the amount of work considered for the compliance with point 145.A.47 approved scope of work. [...”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The equipment and tools needed are related to the scope of work. Their quantity is related to the work planned considered for the compliance with point 145.A.47.</p>
response	<p>See Section 1.</p>
comment	<p>351 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 17/170, point 145.A.47 Production planning</p> <p>2. PROPOSED TEXT / COMMENT:</p>

	<p>It is proposed to amend the paragraph (a) of this point to read: “(a) The organisation shall have a system appropriate to the amount and complexity of work to plan the availability of all necessary personnel, equipment and tools, equipment, material, components, maintenance data and facilities in order to ensure the safe completion of the maintenance work.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete the reference to ‘material’. References to the following points is made for using the corresponding titles:</p> <ul style="list-style-type: none"> - 145.A.25 for necessary facilities, - 145.A.30 for necessary personnel, - 145.A.40 for equipment and tools, - 145.A.42 for components, and - 145.A.45 for necessary maintenance data
response	See Section 1.
comment	<p>352 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 17/170, point 145.A.47 Production planning</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (b) of this point to read: “(b) As part of the management system required by point 145.A.200, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Fatigue risk is only an example of safety risk. Referring in the Implementing Rule to fatigue risk may excessively (and therefore inappropriately) focus people’s attention (only) on this particular risk.</p>
response	See Section 1.
comment	<p>370 comment by: FNAM</p> <p>(b) In Part-145 organization context, FNAM is surprised and deeply concerned on the integration of the fatigue risk identification and analysis for maintenance personnel into the management system and on their associated tools. We are totally opposed to theses disposals. Part-145 organizations are not familiar with personnel’s’ fatigue identification, follow-up, management. A brand-new training will need to be developed to sensitize personnel, which will need significant resources and dedicated time to ensure compliance and safety monitoring. If such fatigue requirements were confirmed, European new disposals will require a sizable transition period and direct exchanges with EASA in order to ensure an efficient and harmonized implementation. No organization (Large, complex, nor small) has such fatigue management system in place. Guidelines (without any legal statute) will therefore not be sufficient to support organizations to implement new</p>



fatigue requirements. Meetings, such as constructive Workshop, will be more efficient than such guidelines in order to directly exchange on the implementation and the interpretation of such system.

Nowadays, French organizations already rely on French labor law and organizations agreements which are already ensuring a high level of safety.

Additionally, FNAM highlights that these new disposals, described in terms of working time limitation and rest conditions, seems to be out of EASA's scope of safety since it interferes directly with social laws. In this special case, where is the limit between social and safety measures ?

(see associated comments in AMC 145.A.47(b))

response **See Section 1.**

comment 643

comment by: SAFRAN LS

145.A.47(b)	17/170	Fatigue risk is only one example of safety risk. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is no obvious why such emphasis on Fatigue risk is needed versus other "dirty dozen" items	Wording should be changed as follows: <i>"(b) As part of the management system, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel."</i> In addition , further explanation could be introduced through the Guidance Material.
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response **See Section 1.**

comment 732

comment by: ASD

145.A.47(b)	17/170	Fatigue risk is only one example of safety risk. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is no obvious why such emphasis on Fatigue risk is needed versus other "dirty dozen" items	Wording should be changed as follows: <i>"(b) As part of the management system, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel."</i> In addition , further explanation could be introduced through the Guidance Material.
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response	See Section 1.													
comment	795	comment by: SAFRAN AEROSYSTEMS												
	<p>Fatigue risk is only one example of safety risk. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is no obvious why such emphasis on Fatigue risk is needed versus other "dirty dozen" items</p> <p>Wording should be changed as follows: "(b) As part of the management system, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel." In addition , further explanation could be introduced through the Guidance Material.</p>													
response	See Section 1.													
comment	832	comment by: Aircraft Engineers International												
	<p>AEI strongly support “including the risk of fatigue for maintenance personnel” in Part-145 IR.</p>													
response	See Section 1.													
comment	851	comment by: Rolls-Royce plc												
	<table border="1"> <thead> <tr> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>Page 17</td> <td> <p>Fatigue risk is only one example of safety risk related to human factors. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is not obvious why an emphasis on fatigue risk is needed versus other equally significant items, when it is already</p> </td> <td> <p>Wording should be changed as follows: "(b) As part of the management system, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel." In addition , further explanation could be introduced through</p> </td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	Page 17	<p>Fatigue risk is only one example of safety risk related to human factors. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is not obvious why an emphasis on fatigue risk is needed versus other equally significant items, when it is already</p>	<p>Wording should be changed as follows: "(b) As part of the management system, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel." In addition , further explanation could be introduced through</p>	No	Yes			
Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**										
Page 17	<p>Fatigue risk is only one example of safety risk related to human factors. Examples of safety risk may be relevant to guidance material but not to statements in the requirements (hard law). Furthermore it is not obvious why an emphasis on fatigue risk is needed versus other equally significant items, when it is already</p>	<p>Wording should be changed as follows: "(b) As part of the management system, The the planning of maintenance tasks, and the organising of shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel." In addition , further explanation could be introduced through</p>	No	Yes										

	included in the consideration of "human performance limitations"	the Guidance Material.		
response	See Section 1.			

comment 852 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (C) 145.A.47 & AMC1 145.A.47 (b)	Page 17	"including the risk of fatigue" implies fatigue can be assessed based on probability and not methods to assess levels of fatigue or good practice which is misleading.	Change to "including the threat of fatigue"	Yes	No

response See Section 1.

comment 909 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.47(b)	17/170	Fatigue risk is only one example of safety risk. Examples of safety risk may be relevant to guidance material but not to statements in	Wording should be changed as follows: "(b) As part of the management system, The the planning of maintenance tasks, and the organising of		X



		<p>the requirements (hard law). Furthermore it is no obvious why such emphasis on Fatigue risk is needed versus other "dirty dozen" items</p>	<p><i>shifts, shall take into account human performance limitations, including the risk of fatigue for maintenance personnel."</i> In addition , further explanation could be introduced through the Guidance Material.</p>		
response	<p>See Section 1.</p>				

comment

918

comment by: Air France

fatigue risk identification and analysis for maintenance personnel :

No Part-145 organizations has such fatigue management system in place. But Nowadays, French organizations already rely on French Labor Law and Work Council agreements which are already ensuring a high level of safety.

A comparison between OACI recommendations and French labor law has been made to ensure about the compliance of the last one :

The analysis revealed that some slight differences exist but both remain globally similar.

But the proposed guidelines don't give any other means of compliance other than OACI recommendations, though some national effort has been taken related to "night-shift" matters and medical recommendations for time schedules and the organization of "work in staggered hours". Air France already take into account those recommendations and has worked closely with the French institut « INRS » together. (ie. INRS National Research and Safety Institute for the prevention of accidents at work and occupational diseases) to proposed a time grid analysis tool based on painfulness. Moreover, Air France is performing a national study called "in the heart of the night shift" on the individual and collective prevention of cardiovascular and long-term risk factors for cardiovascular disease in night workers conjointement with the hospital center (CHU) of "Toulouse", which is the sponsor of the study, and in connection with AP-HP (Hospital Center of "iles de France" which represent a total of 38 hospitals) and CNRS (French Scientific Research National Center).

This issue has been the subject of numerous communications and publications from Air France:



	<p>- Communication at the symposium on Posted Work and Night: Organized by the Ministry of Social Affairs and Health: "Medical recommendations on the organization of work in staggered hours and / or at night".</p> <p>- Communication at aeronautical interviews of the Paris Air Show of 21/06/2013: "Work in staggered schedules in an aeronautical industrial environment" -</p> <p>- Presentation at the International Congress of Aerospace Medicine in Mexico City in October 2014: "Medical recommendations on the organization of work in staggered schedules by aeronautical maintenance personnel"</p> <p>- Insertion of the grid analysis tool into the training catalog provided by the INRS on staggered and atypical hours (since October 2018)</p> <p>Consequently, Air France advise EASA to reconsider the proposed guide line and in particular review the position concerning OACI recommendation without taking into account National Labor Law and scientific institutions recommendations on this matter.</p> <p>Enforcing a unique reference : "Appendix H to Chapter 3 POSSIBLE FATIGUE MANAGEMENT INTERVENTIONS" can be an obstacle against National Labor Law as well as work council agreements, please consider in the guide line an "Alternate Means of Compliance" or alternate procedure recognizing also National law and scientific institutions recommendations.</p>
response	See Section 1.
comment	989 comment by: Duane Kritzinger In para a we suggest using 'proportionate' instead of 'appropriate'
response	See Section 1.
comment	1066 comment by: DGAC France see general comment 1065
response	See Section 1.

145.A.48 Performance of maintenance

p. 17-18

comment	57 comment by: KLM Engineering & Maintenance 145.A.48(a): this could be interpreted that all tooling, equipment, manpower etc should always be in place beforehand for all the aircraft or component for which the organisation is approved. This is not true:it is proposed to rephrase (a) as follows : "The organisation shall only carry out maintenance when all the necessary facilities, equipment, tooling, material, maintenance data and personnel are available".
response	See Section 1.
comment	79 comment by: CAA-NL 145.A.48(c)(4):



	As a Part 145 approved organisation can also perform maintenance on aircraft regulated under Part ML, please include a reference to ML.A.304. (4)(d) damage is assessed, and modifications and repairs are carried out using the data specified in point M.A.304 or point ML.A.304.
response	See Section 1.
comment	104 comment by: <i>General Aviation Manufacturers Association</i> Section 145.A.48(c)(2): The statement: "an error-capturing method is implemented after the performance of any critical maintenance task;". This is considered to be a redundant task. Delete this statement as it's covered by 145.A.45(e).
response	See Section 1.
comment	157 comment by: <i>DGAC France</i> 145.A.48 (4) : At the end of (4) we suggest to add the following : "in point M.A.304 and ML.A.304, as applicable"
response	See Section 1.
comment	175 comment by: <i>FAA</i> 145.A.55 a As a minimum, the organisation shall retain all the records that are necessary to prove that all the requirements have been met for the issue of the certificate of release to service, including the subcontractor's release documents Our minimum is they have to be in a format acceptable to FAA. Retain records of return to service for two years. Make all records available to FAA and NTSB. 145.219
response	See Section 1.
comment	257 comment by: <i>DGAC France</i> We suggest to add the following : "(b) The organisation shall be responsible for the maintenance that is performed under its approval including the maintenance performed by the sub-contractors as referred in the 145.A.75 (b) "
response	See Section 1.
comment	258 comment by: <i>DGAC France</i> We suggest to add the word "during " as follows : "(c) (2) an error-capturing method is implemented during and after the performance of any critical maintenance task;"

response	See Section 1.
comment	<p>364 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 17/170, point 145.A.48 Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraphs (a) and (b) of this point to read: “(a) The organisation shall only carry out maintenance on an aircraft or component for which it is approved only when all the necessary facilities, equipment and, tooling, material, components, maintenance data and personnel are available. (b) The organisation shall be responsible for the maintenance that is performed under its approval.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete the reference to ‘material’. The titles of the following points are used as the reference:</p> <ul style="list-style-type: none"> - 145.A.25 for necessary facilities, - 145.A.30 for necessary personnel, - 145.A.40 for equipment and tools, - 145.A.42 for components, and - 145.A.45 for necessary maintenance data <p>It is proposed to move the paragraph (b) to the point 145.A.20. This will make a link between the organisation approval certificate (point 145.A.20) and the responsibility for the maintenance performed under this certificate.</p>
response	See Section 1.
comment	<p>369 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 17/170, point 145.A.48 Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (c)(1) of this point to read: (cb) The organisation shall establish procedures to ensure that: (1)(a) after the completion of the maintenance, a general verification is carried out to ensure that: (i) the aircraft or component is clear of all equipment and tools, equipment and any extraneous components parts, or residues such as material chips, and (ii) that all access panels that were removed have been correctly refitted;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The subparagraph (1) includes two kinds of considerations that should be separated to better highlight them. It is proposed to refer to the affected resources by cross-referencing titles of points:</p> <ul style="list-style-type: none"> - 145.A.40 for equipment and tools, and - 145.A.42 for components (including parts and materials)
response	See Section 1.



comment	<p>371 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.48 Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (c) of this point to read: “(cb) The organisation shall establish procedures to ensure that: [...] Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation’s safety risk management procedures required by point 145.A.200(a)(3).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete the sentence located at the end of the paragraph as it is not specific to the tasks in question: for example, the same sentence or a similar one could have been added to point 145.A.50, but it is not the case. If there is a need, one of the AMC 145.A.48(b) may remind the requirement (refer to comments on the paragraph (a) of the AMC2 145.A.48(c)(2)).</p>
response	<p>See Section 1.</p>

comment	<p>374 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.48 Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete the GM 145.A.48 and to move the definitions of ‘person authorised to sign off’ (to replace the term ‘authorised person’) and ‘sign-off’ in the AMC/GM dedicated to all definitions necessary to understand the Annex II (Part-145): “AUTHORISED PERSON AUTHORISED TO SIGN OFF An ‘authorised person authorised to sign off’ is a person formally authorised by the maintenance organisation to perform or supervise a maintenance task. An authorised person authorised to sign off is not necessarily ‘certifying staff’ or ‘support staff’. SIGN-OFF A ‘sign-off’ is a statement issued by the authorised person authorised to sign off’ which indicates that the task or group of tasks has been correctly performed. A ‘sign-off’ relates to one step in the maintenance process and is, therefore, different to the certification of maintenance a certificate of release to service.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘authorised person’ is used in different locations with different meanings (e.g. point 145.A.35). The term ‘person authorised to sign off’ is preferred. Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a).</p>
response	<p>See Section 1.</p>



comment 511 comment by: *Jean6francois RANNOU SAFRAN Helicopter Engines*

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The ability of the AMO to identify critical maintenance tasks is limited by its understanding of the technical design failure modes and consequences therefore unrealistic to expect the AMO to identify critical maintenance tasks. None of the instructions for continuing airworthiness provided as approved data from the DOA are seen as optional and all maintenance tasks have to be accomplished which makes all tasks important to maintain the airworthiness of the product. Rationale below: The Part 145 requirement to identify Critical Maintenance Tasks per 145.A.48 (c)(2) is counter-productive to improving aviation safety and could be misapplied especially to Engine maintenance activities. This is on the basis that an independent Approved Maintenance Organisation under Part 145 does not have the product knowledge at an aircraft level to identify tasks that could directly endanger the flight safety. Aircraft design is very complex and incorporates multiple layers of fail-safe systems to prevent one error directly endangering flight safety. When we undertake Engine maintenance all tasks are considered to be necessary to ensure the correct operation of the product. This regulation undermines aviation safety as it:

- 1) implies that some tasks are more important or necessary than others and sends the wrong message to the engineer where only "critical maintenance tasks" are important to sustain aviation safety.
- 2) introduces additional overchecks to ensure "critical maintenance tasks" have been completed correctly and from a Human Factors perspective sets up the situation where the performance and checking of work is undermined as it will be caught by someone else if it is done incorrectly.

The associated AMC and guidance material does not help as it purely places the onus on the Approved Maintenance Organisation to make best endeavours to essentially guess what constitutes a critical maintenance task. Therefore without the product knowledge from the Type Certificate Holder (TCH) an Approved Maintenance Organisation does not have the competence to identify the critical maintenance tasks. They will have an understanding of the potential for the engineer to get the task wrong but not the consequences of the error on flight safety. We therefore have concerns that if this requirement is enforced by the Competent Authority without any direct input from the TCH that we would have to consider all tasks as critical maintenance tasks leading to the undermining of aviation safety per above. We do not believe this is the desired outcome of this regulation.

Suggested resolution

(c)(2) bullet point should be removed: "an error-capturing method is implemented after the performance of any critical maintenance task;"

response **See Section 1.**

comment 512 comment by: *Jean6francois RANNOU SAFRAN Helicopter Engines*

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"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."



	<p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p> <p>Suggested resolution: Wording should be changed as follows: "Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation’s safety risk management procedures required by point 145.A.200(a)(3)."</p>
response	See Section 1.

	<p>646 comment by: SAFRAN LS</p> <p>145.A.48</p> <p>The ability of the AMO to identify critical maintenance tasks is limited by it's understanding of the technical design failure modes and consequences therefore unrealistic to expect the AMO to identify critical maintenance tasks. None of the instructions for continuing airworthiness provided as approved data from the DOA are seen as optional and all maintenance tasks have to be accomplished which makes all tasks important to maintain the airworthiness of the product. Rationale below: The Part 145 requirement to identify Critical Maintenance Tasks per 145.A.48 (c)(2) is counter-productive to improving aviation safety and could be misapplied especially to Engine maintenance activities. This is on the basis that an independent Approved Maintenance Organisation under Part 145 does not have the product knowledge at an aircraft level to identify tasks that could directly endanger the flight safety. Aircraft design is very complex and incorporates multiple layers of fail-safe systems to prevent one error directly endangering flight safety. When we undertake Engine maintenance all tasks are considered to be necessary to ensure the correct operation of the product. This regulation undermines aviation safety as it:</p> <ol style="list-style-type: none"> 1) implies that some tasks are more important or necessary than others and sends the wrong message to the engineer where only “critical maintenance tasks” are important to sustain aviation safety. 2) introduces additional overchecks to ensure “critical maintenance tasks” have been completed correctly and from a Human Factors perspective sets up the situation where the performance and checking of work is undermined as it will be caught by someone else if it is done incorrectly. The associated AMC and guidance material does not help as it purely places the onus on the Approved Maintenance Organisation to make best endeavours to essentially guess what constitutes a critical maintenance task. Therefore without the product knowledge from the Type Certificate Holder (TCH) an Approved Maintenance Organisation does not have the competence to identify the critical maintenance tasks. They will have an understanding of the potential for the engineer to get the task wrong but not the consequences of the error on flight safety. We therefore have concerns that if this requirement is enforced by the Competent Authority without any direct input from the TCH that we would have to consider all tasks as critical maintenance tasks leading to the undermining of aviation safety per above. We do not believe this is the desired outcome of this regulation.
response	See Section 1.



comment 648 comment by: SAFRAN LS

145.A.48	18/170	<p><i>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</i></p> <p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p>Wording should be changed as follows: <i>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</i></p>
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response **See Section 1.**

comment 733 comment by: ASD

145.A.48	18/170	<p><i>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</i></p> <p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p>Wording should be changed as follows: <i>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</i></p>
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response **See Section 1.**

comment 796 comment by: SAFRAN AEROSYSTEMS

- The ability of the AMO to identify critical maintenance tasks is limited by it's understanding of the technical design failure modes and consequences therefore unrealistic to expect the AMO to identify critical maintenance tasks. None of the instructions for continuing airworthiness provided as approved data from the DOA are seen as optional and all maintenance tasks have to be accomplished which makes all tasks important to maintain the airworthiness of the product. Rationale below:



The Part 145 requirement to identify Critical Maintenance Tasks per 145.A.48 (c)(2) is counter-productive to improving aviation safety and could be misapplied especially to Engine/component maintenance activities. This is on the basis that an independent Approved Maintenance Organisation under Part 145 does not have the product knowledge at an aircraft level to identify tasks that could directly endanger the flight safety. Aircraft design is very complex and incorporates multiple layers of fail-safe systems to prevent one error directly endangering flight safety. When we undertake engine/component maintenance all tasks are considered to be necessary to ensure the correct operation of the product.

This regulation undermines aviation safety as it:

- 1) implies that some tasks are more important or necessary than others and sends the wrong message to the engineer where only "critical maintenance tasks" are important to sustain aviation safety.
- 2) introduces additional overchecks to ensure "critical maintenance tasks" have been completed correctly and from a Human Factors perspective sets up the situation where the performance and checking of work is undermined as it will be caught by someone else if it is done incorrectly.

The associated AMC and guidance material does not help as it purely places the onus on the Approved Maintenance Organisation to make best endeavours to essentially guess what constitutes a critical maintenance task. Therefore without the product knowledge from the Type Certificate Holder (TCH) an Approved Maintenance Organisation does not have the competence to identify the critical maintenance tasks. They will have an understanding of the potential for the engineer to get the task wrong but not the consequences of the error on flight safety. We therefore have concerns that if this requirement is enforced by the Competent Authority without any direct input from the TCH that we would have to consider all tasks as critical maintenance tasks leading to the undermining of aviation safety per above. We do not believe this is the desired outcome of this regulation.

(c)(2) bullet point should be removed: "an error-capturing method is implemented after the performance of any critical maintenance task;"

- "Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."

The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.

Wording should be changed as follows: "~~Any~~ hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."

response

See Section 1.

comment

853

comment by: *Rolls-Royce plc*



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.48	Page 17	<p>The ability of the AMO to identify critical maintenance tasks is limited by its understanding of the technical design failure modes and consequences therefore unrealistic to expect the AMO to identify critical maintenance tasks. None of the instructions for continuing airworthiness provided as approved data from the DOA are seen as optional and all maintenance tasks have to be accomplished which makes all tasks important to maintain the airworthiness of the product. Rationale below:</p> <p>The Part 145 requirement to identify Critical Maintenance Tasks per 145.A.48 (c)(2) is counter-productive to improving aviation safety and could be misapplied especially to Engine maintenance</p>	<p>(c)(2) bullet point should be removed: <i>"an error-capturing method is implemented after the performance of any critical maintenance task;"</i></p>	No	Yes



	<p>activities. This is on the basis that an independent Approved Maintenance Organisation under Part 145 does not have the product knowledge at an aircraft level to identify tasks that could directly endanger the flight safety. Aircraft design is very complex and incorporates multiple layers of fail-safe systems to prevent one error directly endangering flight safety. When we undertake Engine maintenance all tasks are considered to be necessary to ensure the correct operation of the product.</p> <p>This regulation undermines aviation safety as it:</p> <ol style="list-style-type: none"> 1) implies that some tasks are more important or necessary than others and sends the wrong message to the engineer where only “critical maintenance tasks” are important to sustain aviation safety. 2) introduces additional overchecks to 			
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	<p>ensure “critical maintenance tasks” have been completed correctly and from a Human Factors perspective sets up the situation where the performance and checking of work is undermined as it will be caught by someone else if it is done incorrectly. The associated AMC and guidance material does not help as it purely places the onus on the Approved Maintenance Organisation to make best endeavours to essentially guess what constitutes a critical maintenance task. Therefore without the product knowledge from the Type Certificate Holder (TCH) an Approved Maintenance Organisation does not have the competence to identify the critical maintenance tasks. They will have an understanding of the potential for the engineer to get the task wrong but not the consequences of the error on flight</p>			
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		<p>safety. We therefore have concerns that if this requirement is enforced by the Competent Authority without any direct input from the TCH that we would have to consider all tasks as critical maintenance tasks leading to the undermining of aviation safety per above. We do not believe this is the desired outcome of this regulation.</p>			
145.A.48	Page 18	<p><i>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</i></p> <p>The word "any" is unlimited, and needs to be removed, or limited in some way. Some issues technically-identifiable as hazards (a very broadly-defined term in itself) may not be significant enough for formal assessment.</p>	<p>Wording should be changed as follows: <i>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</i></p>	No	Yes
response	See Section 1.				



comment

910

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.48	17/170	<p>The ability of the AMO to identify critical maintenance tasks is limited by it's understanding of the technical design failure modes and consequences therefore unrealistic to expect the AMO to identify critical maintenance tasks. None of the instructions for continuing airworthiness provided as approved data from the DOA are seen as optional and all maintenance tasks have to be accomplished which makes all tasks important to maintain the airworthiness of the product. Rationale below: The Part 145 requirement to identify Critical Maintenance Tasks per 145.A.48 (c)(2) is counter-productive to improving aviation safety and could be misapplied especially to Engine maintenance activities. This is on the basis that an independent Approved</p>	<p>(c)(2) bullet point should be removed: <i>"an error-capturing method is implemented after the performance of any critical maintenance task;"</i></p>		X



	<p>Maintenance Organisation under Part 145 does not have the product knowledge at an aircraft level to identify tasks that could directly endanger the flight safety. Aircraft design is very complex and incorporates multiple layers of fail-safe systems to prevent one error directly endangering flight safety. When we undertake Engine maintenance all tasks are considered to be necessary to ensure the correct operation of the product. This regulation undermines aviation safety as it:</p> <ol style="list-style-type: none"> 1) implies that some tasks are more important or necessary than others and sends the wrong message to the engineer where only “critical maintenance tasks” are important to sustain aviation safety. 2) introduces additional overchecks to ensure “critical maintenance tasks” have been completed correctly and from a Human Factors perspective sets up the situation where the performance and checking of work is undermined as it will 			
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	<p>be caught by someone else if it is done incorrectly. The associated AMC and guidance material does not help as it purely places the onus on the Approved Maintenance Organisation to make best endeavours to essentially guess what constitutes a critical maintenance task. Therefore without the product knowledge from the Type Certificate Holder (TCH) an Approved Maintenance Organisation does not have the competence to identify the critical maintenance tasks. They will have an understanding of the potential for the engineer to get the task wrong but not the consequences of the error on flight safety. We therefore have concerns that if this requirement is enforced by the Competent Authority without any direct input from the TCH that we would have to consider all tasks as critical maintenance tasks leading to the undermining of aviation safety per above. We do not believe this is the</p>			
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		desired outcome of this regulation.			
response	See Section 1.				
comment	911	comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)
	145.A.48	18/170	<p>"Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</p> <p>The word "any" is too wide/large/vague. It should be removed and/or a limitations to "any" should be defined.</p>	<p>Wording should be changed as follows: "Any hazards identified in relation to these tasks shall be addressed in accordance with the organisation's safety risk management procedures required by point 145.A.200(a)(3)."</p>	X
response	See Section 1.				
comment	961	comment by: Lufthansa Technik			
	<p>145.A.48 c) (4): A general requirement for "approved data" is in contraction with 145.A.45 "applicable maintenance data". CMM or design data during STC is not approved i.a.w. M.A.304. Thus it should be specified that this requirement is only valid for a/c in service.</p>				
response	See Section 1.				



comment	990	comment by: Duane Kritzinger
	in 145.A.48 para c 4 we suggest to replace "hazard" with "issues, non-conformances or irregularities"	
response	See Section 1.	

145.A.50 Certification of maintenance

p. 18

comment	93	comment by: MOHAMED.N.ALHABAHBH
	145.A.50 Certification of maintenance A certificate of release to service shall be issued by appropriately authorised certifying staff on behalf of the organisation when it has been verified that all the maintenance that was ordered has been properly carried out by the organisation in accordance with the procedures specified in point 145.A.70, taking into account the availability and use of the maintenance data specified in point 145.A.45, and that there are no known non-compliances endanger flight safety (prefer the use of the word 'effect' rather than 'endanger')	
response	See Section 1.	

comment	426	comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this point to read: “(a) A certificate of release to service shall be issued by appropriately authorised certifying staff on behalf of the organisation when it has been verified that all the maintenance that was ordered has been properly carried out by the organisation in accordance with the procedures specified in point 145.A.70, taking into account the availability and use of the maintenance data specified in point 145.A.45, and that there are no known non-compliances which are known to endanger flight safety aircraft continuing airworthiness.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The scope of this Regulation is defined in its Article 1. This Regulation “establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto”. Flight safety cannot be covered completely by this scope.</p>	
response	See Section 1.	

comment	460	comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p>	



	<p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (c) of this point to read: “(c) New defects or incomplete maintenance work orders identified during the above maintenance shall be brought to the attention of the aircraft operator person or organisation responsible for the aircraft continuing airworthiness for the specific purpose of obtaining agreement to rectify such defects or completing the missing elements of the maintenance work order. In the case where the aircraft operator person or organisation responsible for the aircraft continuing airworthiness declines to have such maintenance carried out under this point, point (e) is applicable.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The person or organisation responsible for making decisions with regard to the aircraft continuing airworthiness is not necessarily the aircraft operator (e.g. can be the owner). Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.</p>
response	See Section 1.
comment	<p>461 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the first paragraph of the AMC1 145.A.50(d) to read: “The purpose of the certificate is to release assemblies/items/components/parts (hereafter referred to as ‘item(s)’) after maintenance and to release certify maintenance work carried out on such items assemblies/items/components/parts (hereafter referred to as ‘item(s)’) under the approval of a competent authority. and to allow It includes the certification of the inspection of serviceable items removed from one aircraft/aircraft component to be fitted to another aircraft/aircraft component (no other maintenance carried out between the removal and the installation).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: This paragraph, like the second part of the statement mentioned in the AMC1 145.A.50(b) (i.e. “the aircraft/aircraft component is considered ready for release to service”), are at the origin of confusion and justify the need for the introduction of different GM on the meaning of point 145.A.50 certification of maintenance. Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a).</p>
response	See Section 1.
comment	<p>462 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p>

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 2.2. of the AMC2 145.A.50(d) to read:
 “2.2. An appropriately rated maintenance organisation approved under Part-145 may issue an EASA Form 1 as detailed in this AMC subparagraph 2.5 to 2.9, as appropriate, in accordance with procedures detailed in the exposition as approved by the competent authority. The appropriately rated organisation is responsible for ensuring that all ~~reasonable~~ measures have been taken to ensure that only approved and serviceable aircraft components are issued an EASA Form 1 under this paragraph. **For the reasons detailed in the GM1 145.A.50(a), this implies the involvement of the person or organisation responsible for the aircraft continuing airworthiness for subparagraphs 2.6 to 2.9: a certificate of release to service issued by an approved maintenance organisation does not necessarily mean that the component is serviceable. Determining the airworthiness status of the aircraft from which components are removed and the serviceability of these components always remains the responsibility of the person or organisation responsible for the continuing airworthiness of the aircraft.**”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The term ‘reasonable’ is ambiguous.
 These amendments are proposed with the hindsight of experience gained in the past three years on components removed from aircraft withdrawn from service. They aim at mitigating the potential consequences of hazards generated by such activities and organisation interfaces (e.g. CAMO-AMO) and to better manage the associated risks.

response

See Section 1.

comment

463

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 18/170, point 145.A.50 Certification of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the Note 1 of the subparagraph 2.5.1. of the AMC2 145.A.50(d) to read:

“Note 1: It should be understood that the **issuance of a certificate of release of to service for** a stored but unused aircraft component in accordance with this paragraph represents a **certification of maintenance (storage) release** under Part-145 and not a **certification of production release** under Part-21. It is not intended to bypass the production **release** procedure agreed by the Member State for parts and subassemblies intended for fitment on the manufacturers’ own production line.

(a) An acceptance test report or statement should be available for all ~~used and~~ unused aircraft components that are subjected to acceptance testing after manufacturing or maintenance as appropriate.

(b) The aircraft component should be inspected for compliance with the manufacturer’s instructions and limitations for storage and conditions including, **but not limited to**, any requirement for limited storage life, inhibitors, controlled climate and special storage containers. In addition, or in the absence of specific storage instructions, the aircraft component should be inspected for damage, corrosion and leakage to ensure good condition.

(c) The storage life used of any storage life-limited parts should be established.”



	<p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is unclear why reference is made to used aircraft components in a paragraph dealing with 'new/unused aircraft components'.</p>
response	See Section 1.
	<p>464 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the AMC2 145.A.50(d) to read: “[...]”</p> <p>2. In the case of the issue of EASA Form 1 for components in storage before Part 145 and Part 21 became effective and not released on an EASA Form 1 or equivalent in accordance with 145.A.42(a) or removed serviceable from a serviceable aircraft or an aircraft which has been withdrawn from service the following applies: [...]</p> <p>2.4.4. Detail of life used for service life limited parts life limited parts and time controlled components being any combination of fatigue, overhaul or storage life. [...]</p> <p>2.6.1 Serviceable aircraft components removed from a Member State registered aircraft may be issued with an EASA Form 1 by an appropriately rated organisation subject to compliance with this subparagraph. [...]</p> <p>(g) The flight hours/cycles/landings as applicable of any service life limited parts life limited parts and time controlled components including time since overhaul should be established. [...]</p> <p>2.8. Used aircraft components maintained by organisations not approved in accordance with Part 145. For used components maintained by a maintenance organisation not approved under Part 145, due care should be taken before acceptance of such components. In such cases an appropriately rated maintenance organisation approved under Part 145 should establish satisfactory conditions by: [...]</p> <p>(b) replacing all service life limit components life limited parts and time controlled components when no satisfactory evidence of life used is available and/or the components are in an unsatisfactory condition;</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: To reflect new wordings introduced by the Opinion 13/2016.</p>
response	See Section 1.
	<p>465 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p>

	<p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the item (c) in the subparagraph 2.6.1. of the AMC2 145.A.50(d) to read: “(c) The aircraft component should be inspected for satisfactory condition including in particular damage, corrosion or leakage and compliance with any additional maintenance data requirement of the maintenance programme applicable to the aircraft from which the component is removed. It is the responsibility of the person or organisation responsible for the continuing airworthiness (of the aircraft on which the component is to be installed) to establish the need for the alignment of scheduled maintenance that may be necessary (to comply with the maintenance programme of that aircraft) and to order the necessary maintenance to an appropriately approved maintenance organisation.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: In accordance with point M.A.301, the aircraft continuing airworthiness and the serviceability of both operational and emergency equipment is ensured inter alia by the accomplishment of all maintenance, in accordance with the aircraft maintenance programme.</p>
response	See Section 1.
comment	<p>466 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the item (e) in the subparagraph 2.6.1. of the AMC2 145.A.50(d) to read: “(e) A maintenance history record should be available for all used serialised aircraft components, when such a record is necessary to demonstrate compliance with point M.A.305.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The item (e) may be in contradiction with the outcomes of RMT.0276 on technical records. The expected GM M.A.305 resulting from the RMT.0276 indicates: “Aircraft continuing-airworthiness records should provide the owner/CAMO of an aircraft with the information needed: (1) to demonstrate that the aircraft is in compliance with the applicable airworthiness requirements; and (2) to schedule all future maintenance as required by the AMP, based on the last accomplishment of the specific maintenance, if any, as recorded in the aircraft continuing-airworthiness records.” It can be anticipated that a massive quantity of serialised aircraft components in the supply chain will have neither aircraft continuing-airworthiness records nor maintenance history records.</p>
response	See Section 1.
comment	<p>467 comment by: AIRBUS</p>



	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the subparagraph 2.6.2. of the AMC2 145.A.50(d) to read: “2.6.2. Serviceable aircraft components removed from a non-Member State registered aircraft may only be issued with an EASA Form 1 if the components are leased or loaned from the maintenance organisation approved under Part-145 who retains control of the airworthiness serviceability status of the components. This approved maintenance organisation is the organisation responsible for the serviceability of these components. An EASA Form 1 may be issued and should contain the information necessary to establish the component serviceability and the information as specified in paragraph 2.4 including the aircraft from which the aircraft component was removed.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For consistency with amendments proposed for the paragraph 2.2. of this AMC.</p>
response	See Section 1.
comment	<p>468 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: Can the EASA indicate how to formalise the fact that an aircraft is/is to be [permanently] withdrawn from service? Is there an EASA Form for this purpose?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The notions of ‘aircraft withdrawn from service’ and of ‘aircraft [/engine/propeller/component] permanently withdrawn from service’ are used in the paragraph 2.7. of the AMC2 145.A.50(d), and in the point M.A.305(h) & point M.A.714, respectively. Although the notion of ‘unsalvageable component’ and requirements for this kind of components exist in point 145.A.42 (AMC1 145.A.42(c) and GM1 145.A.42(c)(i)), there is nothing for aircraft permanently removed from service. This creates hazards for the component supply chain (potential pollution of the supply chain due to components removed from aircraft in an uncertain condition). A definition and a process to manage this transition in the aircraft life are found necessary. They will contribute to mitigate the potential consequences of hazards generated by this transition and organisation interfaces (e.g. CAMO-AMO) and to better manage the associated risks. This request is made with the hindsight of experience gained in the past three years on components removed from aircraft in such a situation</p>
response	See Section 1.
comment	<p>469 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p>



Page 18/170, point 145.A.50 Certification of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 2.7. of the AMC2 145.A.50(d) to read:

“2.7. Used aircraft components removed from an aircraft withdrawn from service. Serviceable aircraft components removed from a Member State registered aircraft withdrawn from service may be issued with an EASA Form 1 by a maintenance organisation approved under Part-145 subject to compliance with this subparagraph.

(a) Aircraft withdrawn from service are sometimes dismantled for spares. This is considered to be a ~~maintenance~~ **continuing airworthiness** activity and should be accomplished under the control of **the person or organisation responsible for the aircraft continuing airworthiness and** an organisation approved under Part-145, employing procedures approved by the competent authority.

(b) [...]

(c) As a minimum, the assessment will need to satisfy the standards set out in ~~the paragraphs 2.5 and 2.6 as appropriate. This should, where known, include the possible~~ **The possible** need for the alignment of scheduled maintenance that may be necessary to comply with the maintenance programme applicable to the aircraft on which the component is to be installed **does not necessarily prevent the issuance of an EASA Form 1. It is the responsibility of the person or organisation responsible for the continuing airworthiness of the aircraft on which the component is to be installed to establish this need and to order the necessary maintenance to an appropriately approved maintenance organisation.**

(d) Irrespective of whether the aircraft holds a certificate of airworthiness or not, the organisation responsible for ~~issuing a certificate of release to service for certifying~~ any removed component should ensure that the manner in which the components were removed and stored **comply with the maintenance programme applicable to the aircraft from which they were removed and** are compatible with the standards required by Part-145.

(e) A structured plan should be formulated to control the aircraft disassembly process, **in particular to ensure compliance with the aircraft maintenance programme with respect to the preservation of the aircraft and its components during the disassembly process.** The disassembly is to be carried out by an appropriately rated organisation under the supervision of certifying staff who will ensure that the aircraft components are removed and documented in a structured manner in accordance with the **aircraft maintenance programme and/or** appropriate maintenance data, and disassembly plan.

[...]”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Reference to paragraph 2.5 (new/unused components in storage) is not relevant.

These amendments are proposed with the hindsight of experience gained in the past three years on components removed from aircraft withdrawn from service. They aim at mitigating the potential consequences of hazards generated by such activities and organisation interfaces (e.g. CAMO-AMO) and to better manage the associated risks. The disassembly of an aircraft may take more or less time, and be carried out during successive periods separated by storage. In addition, the maintenance activities may require specific preservation measures to protect other aircraft components until their removal. This is possible until the preservation can no longer ensure suitable conditions to accept the issuance of an EASA Form 1 in accordance with the process described in the paragraph 2.7. of the AMC2 145.A.50(d). The Aircraft Maintenance Programme approved by the competent authority has to describe what is necessary



response	<p>to preserve an aircraft (during parking, storage, part-out, etc.) in accordance with the basic principle of the point M.A.301: the aircraft continuing airworthiness and the serviceability of both operational and emergency equipment shall be ensured, amongst others, by the accomplishment of <u>all</u> maintenance in accordance with the aircraft maintenance programme.</p> <p>See Section 1.</p>
comment	<p>470 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: As a result of the proposed amendments to the paragraph 2.7. of the AMC2 145.A.50(d), the following addition to the definition of the term ‘maintenance’ in the Article 2 of Regulation (EU) No 1321/2014 is suggested: “(h) ‘maintenance’ means any one or combination of the following activities: overhaul, repair, preservation, inspection, replacement, modification or defect rectification of an aircraft or component, with the exception of pre-flight inspection;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term preservation covers parking and storage of the aircraft and storage of components. It acknowledges the storage activities and requirements (e.g. points 145.A.25, 145.A.50). This amendment contributes to the consistency with US FAR 1 definitions.</p>
response	<p>See Section 1.</p>
comment	<p>471 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph 2.7. of the AMC2 145.A.50(d) to read: “(h) Suitable Part 145 facilities The resources for the removal and storage of removed components should be established using the system required by point 145.A.47 are to be used which include suitable environmental conditions, lighting, access equipment, aircraft tooling and storage facilities for the work to be undertaken. While it may be acceptable for components to be removed, given local environmental conditions, without the benefit of an enclosed facility, subsequent disassembly (if required) and storage of the components should be in accordance with the maintenance programme applicable to the aircraft from which they were removed the manufacturer’s recommendations.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to consider all the necessary resources, i.e. beyond the issue of facilities.</p>
response	<p>See Section 1.</p>



comment	<p data-bbox="379 239 432 280">472</p> <p data-bbox="1125 239 1398 280" style="text-align: right;">comment by: AIRBUS</p> <p data-bbox="379 300 1206 331">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="379 333 1074 367">Page 18/170, point 145.A.50 Certification of maintenance</p> <p data-bbox="379 407 807 439">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="379 441 1015 474">It is proposed to amend the GM 145.A.50(d) to read:</p> <p data-bbox="379 477 437 510">“[...]</p> <p data-bbox="379 512 1398 582">- Deviations from the customer work ordered by the person or organisation responsible for the aircraft continuing airworthiness.</p> <p data-bbox="379 584 437 618">[...”</p> <p data-bbox="379 658 1137 689">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="379 692 1398 797">The term ‘customer’ is found inappropriate. Refer to point M.A.201. Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.</p>
response	<p data-bbox="379 808 552 864" style="background-color: #FFD700;">See Section 1.</p>

comment	<p data-bbox="379 911 432 952">474</p> <p data-bbox="1125 911 1398 952" style="text-align: right;">comment by: AIRBUS</p> <p data-bbox="379 972 1206 1003">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="379 1005 1074 1039">Page 18/170, point 145.A.50 Certification of maintenance</p> <p data-bbox="379 1079 807 1111">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="379 1113 983 1146">It is proposed to amend the paragraph (f) to read:</p> <p data-bbox="379 1149 1398 1402">“(f) By derogation to points (a) and 145.A.42(a)(i), when an aircraft is grounded at a location other than the main line station or main maintenance base due to the non-availability of a component with the appropriate release certificate, it is permissible to temporarily fit a substitutional component without the appropriate release certificate but with a suitable release certificate, for a maximum of 30 flight hours or until the aircraft first returns of the aircraft to the main line station or main maintenance base, whichever is the sooner, subject to provided that:</p> <p data-bbox="379 1404 1398 1473">(i) the person or organisation responsible for the aircraft continuing airworthiness has given the aircraft operator agreement, and</p> <p data-bbox="379 1476 1398 1720">(ii) the substitutional said component is in a satisfactory condition, released on having a suitable release certificate but otherwise in compliance, marked in accordance with Subpart Q of the Annex I (Part-21) to Regulation (EU) No 748/2012, unless otherwise specified in Annex I (Part-21) to Regulation (EU) No 748/2012 or in this Annex, and complies with all the other applicable maintenance and operational requirements of this Annex, Annex I (Part-M) and Annex Vb (Part-ML).</p> <p data-bbox="379 1722 1398 1827">Such substitutional components shall be removed by the above prescribed time limit unless an appropriate release certificate has been obtained in the meantime under points (a) and 145.A.42.”</p> <p data-bbox="379 1868 1137 1899">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="379 1901 1398 1980">The use in the same sentence of the terms ‘component with the appropriate release certificate’, ‘component without the appropriate release certificate’, and ‘said</p>
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response	<p>component' creates an ambiguity. Reference to 'substitutional component' may help.</p> <p>All the notions of the point 145.A.42(a)(i) are repeated (except for the certification on an EASA Form 1 or equivalent) to make the acceptability criteria explicit.</p> <p>Reference made to 'maintenance and operational requirements' is found inaccurate.</p> <p>See Section 1.</p>
comment	<p>475 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 18/170, point 145.A.50 Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the AMC 145.A.50(f) to read: "1. 'Suitable release certificate' means a certificate which: (i) clearly states that the aircraft component is serviceable; that (ii) clearly specifies the organisation releasing said component together with details of the authority under whose approval the organisation works, including the approval or authorisation reference.</p> <p>2. Compliance 'Complies with all the other applicable Part 145 and operator requirements of this Annex, Annex I (Part-M) and Annex Vb (Part-ML)' means, in particular, making an appropriate entry in the aircraft continuing airworthiness record system (for example, the aircraft technical log system), checking the compatibility of the component design with the aircraft approved design (including compliance with point M.A.304 for repairs and modifications embodied), for compliance with type design standards, modifications, repairs, airworthiness directives, life limitations and condition of the aircraft component plus information on where, when and why the aircraft was grounded."</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of consistency with amendments proposed for the point 145.A.50(f).</p>
response	<p>See Section 1.</p>
comment	<p>991 comment by: Duane Kritzinger</p> <p>The term "verified" equates to "make sure or demonstrate that 'something' is true, accurate or justified". In our experience, some organisations CRS function [particularly C cert] is merely administrative and does not satisfy the intent of a responsible person satisfying themselves that the work performed is indeed ready for release to service. Clarity required in the AMC/GM?</p> <p>Could we suggest that "verified" be defined (possibly in the AMC) as "to make sure, or demonstrate, that something is true, accurate or justified". Some C-certified CRS's are performed by many part 145 organisations on an administrative basis only.</p>
response	<p>See Section 1.</p>
comment	<p>1047 comment by: Dassault Falcon Service</p> <p>145 A 50 (a): The sentence is clearer as it is proposed now.</p>



response See Section 1.

145.A.55 Record-keeping 1 Maintenance and airworthiness review records

p. 18-21

comment 31 comment by: *NHF Technical committee*

Text changes is supported by NHF

response See Section 1.

comment 58 comment by: *KLM Engineering & Maintenance*

145.A.55 (b) (1) : Please add: "For aircraft covered by Annex Vb (Part ML)".

response See Section 1.

comment 80 comment by: *CAA-NL*

145.A.55(a)(2):

As a Part 145 approved organisation can also perform maintenance on aircraft regulated under Part ML, please include a reference to ML.A.305.

(2)(b) The organisation shall provide a copy of each certificate of release to service to the aircraft owner/operator, together with a copy of any detailed maintenance records that are associated with the work carried out and that are necessary to demonstrate compliance with point M.A.305 or point ML.A.305.

response See Section 1.

comment 105 comment by: *General Aviation Manufacturers Association*

Section 145.A.55(c)(1)(i): The reference "145.A.200" should be replaced with "AMC 145.A.200(a)(3)". Further, additional information is required for broader management system key process guidance.

response See Section 1.

comment 159 comment by: *DGAC France*

(2) : At the end of paragraph (2) we suggest to add the following : "in point M.A.305 and ML.A.305, as applicable"

response See Section 1.

comment 176 comment by: *FAA*

145.A.55 d 4

Personnel records shall be kept as long as a person works for the organisation, and shall be retained until 3 years after the person has left the organisation,



response	<p>We do not have a Requirement to retain after employee has left.</p> <p>See Section 1.</p>
comment	<p>372 comment by: <i>FNAM</i></p> <p>(c)(2) According to EASA’s proposals, any management system records, as well as any contracts pursuant to point 145.A.205, shall be kept for a minimum period of 5 years. FNAM wonders why these specific records should be kept 5 years although other records should be kept 3 years. Safety will not be engaged if these documentations will be kept for 3 years instead of 5 years. Therefore, FNAM suggests modifying 5 years to 3 years.</p>
response	<p>See Section 1.</p>
comment	<p>373 comment by: <i>FNAM</i></p> <p>(d)(2) It seems that point (d)(2), requiring the record of all airworthiness staff qualification and experience details, is redundant with (d)(1)(ii), requiring the “records of the qualifications and the experience of all the airworthiness review staff “. FNAM suggests completing (d)(1)(ii) with (d)(2) disposals.</p>
response	<p>See Section 1.</p>
comment	<p>375 comment by: <i>FNAM</i></p> <p>More generally, FNAM highlights that 145.A.55 is complex and may not facilitate an efficient and homogeneous implementation. Therefore, FNAM suggests simplifying proposed disposals by requiring that a list of documents, as described in AMC, should be recorded by the organization at least during 3 years.</p>
response	<p>See Section 1.</p>
comment	<p>476 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 18-19/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: Airbus supports the initiative taken by the EASA to gather all record-keeping requirements applicable to maintenance organisations under a unique point. It is proposed to amend the paragraph (a)(1) of this point to read: “(a) Maintenance records (1)(a) The organisation shall record all the details of any maintenance work that is carried out under the organisation approval certificate referred to in point 145.A.20. As a minimum, the organisation shall retain all the records that are necessary to prove that all the requirements have been met for the certification of such maintenance work issue of the certificate of release to service, including the</p>



response	<p>subcontractor's release documents and for the issue of any airworthiness review certificate and recommendation.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The first sentence is amended to define the extent/limits of the maintenance work to be recorded. Point 145.A.50 title is 'Certification of maintenance'. The use of wordings such as 'certification of maintenance', 'maintenance certified', etc. is preferred to the reference to 'release to service'. This echoes the last paragraph of GM1 145.A.50(a).</p> <p>See Section 1.</p>
comment	<p>478 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 19/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a)(2) of this point to read: “(a) Maintenance records (1)(a) [...] (2)(b) The organisation shall provide a copy of each certificate of release to service to the person or organisation responsible for the aircraft continuing airworthiness aircraft owner/operator, together with a copy of any detailed maintenance records that are associated with the work carried out and that are necessary to demonstrate compliance with point M.A.305.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Reference to 'aircraft owner/operator' does not reflect all the possibilities (e.g. an independent CAMO). Reference to 'the person or organisation responsible for the management of the aircraft continuing airworthiness' is preferred.</p> <p>See Section 1.</p>
comment	<p>479 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 19/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a)(3) of this point to read: “(a) Maintenance records (1)(a) [...] (2)(b) [...] (3)(c) The organisation shall retain keep a copy of all detailed the maintenance records retained in accordance with the paragraph (a)(1) (including certificates of release to service) and any associated maintenance data for three 3 years from the date when the aircraft or component aircraft or component maintenance to which they work work relates was released from certified by the organisation. [...]”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p>



response	<p>The wording is adjusted to connect this paragraph with the paragraph (1). Point 145.A.50 title is 'Certification of maintenance'. The use of wordings such as 'certification of maintenance', 'maintenance certified', etc. is preferred to the reference to 'release to service'. This echoes the last paragraph of GM1 145.A.50(a).</p> <p>See Section 1.</p>
comment	<p>481 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 19/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a)(4) of this point to read: “(a) Maintenance records (1)(a) [...] (2)(b) [...] (3)(c) [...] (4)3- Where if an organisation approved under this Annex (Part 145) terminates its operation, all the retained maintenance records covering the last three 3 years shall be transferred distributed to the last owner or customer of the respective person or organisation responsible for the management of the aircraft continuing airworthiness or the serviceability of the component, or shall be stored as in the manner specified by the competent authority in case this person or organisation cannot be identified.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The storage solution should be possible only if the last person or organisation responsible for the management of the aircraft continuing airworthiness or the serviceability of the component cannot be identified.</p>
response	<p>See Section 1.</p>
comment	<p>482 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 19-20/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (c) of this point to read: “(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined resulting from the compliance with in point 145.A.200(a); (ii) contracts, both for contracting and subcontracting, as defined referred to in point 145.A.205; (2) Management system records, as well as any contracts pursuant to point 145.A.205, The organisation shall retain a copy of all the records referred to in point (c)(1) be kept for a minimum period of 5 years.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p>



response	<p>The point 145.A.200(a)(5) requires (but proposed for moving into an AMC) that the management system includes documentation of all management system key processes.</p> <p>The wording is adjusted to connect the paragraph (2) with the paragraph (1).</p> <p>See Section 1.</p>
comment	<p>483 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 19-20/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to create an AMC1 145.A.55(c) to read: “All records pertaining to the independent audit and the feedback system should be retained for the period specified in point 145.A.55(c) or for such periods as to support changes to the audit planning cycle in accordance with AMC2 145.A.200(a)(6), whichever is the longer.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The proposed text originates from the point 5. of the AMC4 145.A.200(a)(6). All record-keeping requirements are gathered under point 145.A.55.</p>
response	<p>See Section 1.</p>
comment	<p>484 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 20/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (d) of this point to read: “(d) Personnel records (1) The organisation shall ensure that the following records are retained: (i) records resulting from the compliance with point 145.A.30(cc) and (e) of the qualifications and the experience of the personnel involved in maintenance, compliance monitoring and safety management; (ii) [...]. (2) [...]. (3) The records of all the certifying staff and support staff shall contain the following: (i) the details of any aircraft maintenance licence held under Annex III (Part-66) or equivalent; (ii) all the relevant training that they completed; (iii) the scope of the certification authorisations that were issued, where relevant; (iv) the particulars of the staff that held limited or one-off certification authorisations. (4) The records of all ‘persons authorised to sign off’ shall contain the scope of their sign-off authorisation or equivalent that was issued. (45) Personnel All records referred to in (d)(1) to (d)(4) shall be kept as long as a person works for the organisation, and shall be retained until 3 years after the person has left the organisation, or after an authorisation has been revoked withdrawn.”</p>



	<p>(56) The staff referred to in (d)(2) and to (d)(34) shall upon request be given access to their personnel records as detailed above. In addition, upon request, the maintenance organisation shall furnish each of them with a copy of their personnel records on leaving the organisation.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Reference to point 145.A.30 is introduced to be specific on personnel affected and to ensure consistency with this point. A new point (4) is added to ensure consistency with the paragraph (b) of the AMC4 145.A.48(c)(2). The term ‘revoke’ is used in point 145.A.35(i) (for consistency).</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>486 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 20/170, point 145.A.55 Record-keeping</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (e) of this point to read: “(e) The organisation shall establish, implement, and maintain a system of record-keeping system that allows adequate storage and reliable traceability of all the activities developed, and that is capable of retrieval of individual records within a reasonable time period. (f) The format of the records shall be specified in the organisation’s procedures. (g) Records shall be stored in a manner that ensures that they are protected from damage, unauthorised alteration and theft.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The establishment of the system is not enough: it is important to deploy and maintain it. Such a system is inadequate if it is not capable to retrieve individual records within a reasonable time period. It is believed that it should be rather in the objective/requirement than in an AMC. An AMC should define what is reasonable and what is not. The format of records should be discussed in an AMC (it would be appropriate to re-identify AMC1 145.A.55 into AMC1 145.A.55(e)). It is recommended to review the CRD to NPA 2014-04 (RMT.0276) for the development of such AMC</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>521 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>Page 18 (1)(a) The organisation shall record all the details of any maintenance work that is carried out. "All the details " for any maintenance task" could be understood as any record shall be retained and is not realistic. Furthermore, it is in contradiction with the following sentence: "As a minimum, the organisation shall retain all the records that are necessary to prove..."</p>



response	<p>Suggested resolution: Remove the 1st sentence: " The organisation shall record all the details of any maintenance work that is carried out."</p> <p>See Section 1.</p>
comment	<p>522 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 19 "(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined in point 145.A.200;" Requirement 145.A.200 does not define the management system key processes. These key processes are only partially (safety ones) listed in the AMC1 145.A.200(a)(3).</p> <p>Suggested resolution: Wording should be changed as follows: (c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined in point 145.A.200;</p>
response	<p>See Section 1.</p>
comment	<p>604 comment by: <i>Baines Simmons</i></p> <p>145.A.55 paragraph (d)(1)(ii) states "records of the qualifications and the experience of ...".</p> <p>145.A.30(e) requires the organisation to "establish and control competency of personnel". The term Competency is used widely in this regulation and other regulations, and therefore we feel that record keeping should be to demonstrate Competency as opposed to the specific elements of qualifications and experience, as these two elements are two of the five listed to define competency.</p> <p>In GM1 to Annex II (Part-145) Definitions, Competency is described as a combination of individual skills, practical and theoretical knowledge, attitude, training and experience.</p>
response	<p>See Section 1.</p>
comment	<p>644 comment by: <i>Clockwork Research</i></p> <p>145.A.55 (d) Recommend that personnel records include hours of work in line with requirements outlined in ORO.FTL.245 to include: Start, duration and end of each work period, rest periods and days free of all duties; and reports on overtime and reduced rest periods.</p>
response	<p>See Section 1.</p>



comment	649			comment by: SAFRAN LS
	145.A.55	18/170	<p>(1)(a) The organisation shall record all the details of any maintenance work that is carried out.</p> <p>"All the details " for <u>any</u> maintenance task" could be understood as any record shall be retained and is not realistic. Furthermore, it is in contradiction with the following sentence: "As a minimum, the organisation shall retain all the records that are necessary to prove..."</p>	<p>Remove the 1st sentence: "The organisation shall record all the details of any maintenance work that is carried out."</p>
response	See Section 1.			

comment	650			comment by: SAFRAN LS
	145.A.55	19/170	<p>"(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined in point 145.A.200;"</p> <p>Requirement 145.A.200 does not define the management system key processes. These key processes are only partially (safety ones) listed in the AMC1 145.A.200(a)(3).</p>	<p>Wording should be changed as follows: (c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined in point 145.A.200;</p>
response	See Section 1.			

comment	734			comment by: ASD
	145.A.55	18/170	<p>(1)(a) The organisation shall record all the details of any maintenance work that is carried out.</p> <p>"All the details " for <u>any</u> maintenance task" could be understood as any record shall be retained and is not</p>	<p>Remove the 1st sentence: "The organisation shall record all the details of any maintenance work that is carried out."</p>



<p>response</p>	<table border="1"> <tr> <td data-bbox="379 183 512 398"></td> <td data-bbox="512 183 1093 398"> <p>realistic. Furthermore, it is in contradiction with the following sentence: <i>"As a minimum, the organisation shall retain all the records that are necessary to prove..."</i></p> </td> <td data-bbox="1093 183 1418 398"></td> </tr> </table> <p>See Section 1.</p>		<p>realistic. Furthermore, it is in contradiction with the following sentence: <i>"As a minimum, the organisation shall retain all the records that are necessary to prove..."</i></p>	
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<p>comment</p>	<p>797 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> (1)(a) The organisation shall record all the details of any maintenance work that is carried out. <p>"All the details " for any maintenance task" could be understood as any record shall be retained and is not realistic. Furthermore, it is in contradiction with the following sentence: "As a minimum, the organisation shall retain all the records that are necessary to prove..."</p> <p>Remove the 1st sentence: " The organisation shall record all the details of any maintenance work that is carried out."</p> <ul style="list-style-type: none"> "(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: 			



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response	See Section 1.

	854	comment by: <i>Rolls-Royce plc</i>																					
		<table border="1"> <thead> <tr> <th style="width: 10%;">Section, table, figure</th> <th style="width: 10%;">Page</th> <th style="width: 30%;">Comment Summary</th> <th style="width: 20%;">Suggested resolution</th> <th style="width: 10%;">Comment is an observation/suggestion*</th> <th style="width: 10%;">Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">145.A.55</td> <td style="text-align: center;">Page 18</td> <td> (1)(a) The organisation shall record all the details of any maintenance work that is carried out. "All the details of any maintenance work" could be understood as any record of any detail related to the work, however irrelevant to the proper accomplishment of the work, and needs a sensible limit. Furthermore, it is in contradiction with the following sentence: "As a minimum, the organisation shall retain all the records that are necessary to prove..." </td> <td>Remove the 1st sentence: "The organisation shall record all the details of any maintenance work that is carried out."</td> <td style="text-align: center;">No</td> <td style="text-align: center;">Yes</td> </tr> <tr> <td style="text-align: center;">145.A.55</td> <td style="text-align: center;">Page 19</td> <td> "(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the </td> <td>Wording should be changed as follows: (c) Management system,</td> <td style="text-align: center;">No</td> <td style="text-align: center;">Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	145.A.55	Page 18	(1)(a) The organisation shall record all the details of any maintenance work that is carried out. "All the details of any maintenance work" could be understood as any record of any detail related to the work, however irrelevant to the proper accomplishment of the work, and needs a sensible limit. Furthermore, it is in contradiction with the following sentence: "As a minimum, the organisation shall retain all the records that are necessary to prove..."	Remove the 1st sentence: " The organisation shall record all the details of any maintenance work that is carried out. "	No	Yes	145.A.55	Page 19	"(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the	Wording should be changed as follows: (c) Management system,	No	Yes			
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response	See Section 1.				

comment

912

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.55	18/170	<p>(1)(a) The organisation shall record all the details of any maintenance work that is carried out. "<u>All the details</u> " for <u>any</u> maintenance task" could be understood as any record shall be retained and is not realistic. Furthermore, it is in contradiction with the following sentence: "<i>As a minimum, the organisation shall retain all the</i></p>	<p>Remove the 1st sentence: "<i>The organisation shall record all the details of any maintenance work that is carried out.</i>"</p>		X



		records that are necessary to prove..."			
response	See Section 1.				

comment 913 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.55	19/170	"(c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined in point 145.A.200;" Requirement 145.A.200 does not define the management system key processes. These key processes are only partially (safety ones) listed in the AMC1 145.A.200(a)(3).	Wording should be changed as follows: (c) Management system, contracting and subcontracting records (1) The organisation shall ensure that the following records are retained: (i) records of management system key processes as defined in point 145.A.200;		X

response See Section 1.

comment 1048 comment by: Dassault Falcon Service



	145 A 55 (c) (2): Shouldn't it be possible to align the record keeping period of maintenance system and contracts with the 3 years period of all other records (instead of 5)?
response	See Section 1.
comment	1061 comment by: <i>Aircraft Electronics Association - Europe</i> Regarding: (d) Personnel records (3) (ii) all the relevant training that they completed; This should require a list or certificate of all the relevant training. An interpretation of "all the relevant training" could include all of the curricula, handouts, textbooks etc.
response	See Section 1.

145.A.60 Occurrence reporting

p. 21-22

comment	32 comment by: <i>NHF Technical committee</i> Paragraph (b) is fully supported by NHF. The importance is such reporting is highlighted in the IABN report after the Turøy accident.
response	See Section 1.
comment	81 comment by: <i>CAA-NL</i> 145.A.60(d): We wonder why this reporting obligation is limited to commercial operators and why a private operator should not be informed of these conditions? Any operator should be informed about the safety of his aircraft or components. We suggest the following change: (d) Where The organisation shall also report to the operator any such condition that affects the operator's aircraft or component.
response	See Section 1.
comment	90 comment by: <i>MOHAMED.N.ALHABAHBH</i> 145.A.60 d Add the Operator CAMO organization to the list of reportees.
response	See Section 1.
comment	106 comment by: <i>General Aviation Manufacturers Association</i> Are the reporting obligations under EU 376/2014 discharged when reporting occurrences to a competent authority? Please clarify.
response	See Section 1.



comment	107	comment by: <i>General Aviation Manufacturers Association</i>
	Section 145.A.60(b): The logic used within the narrative is unclear and could be misleading. We suggest that the statement is clarified and broken out into lists, with clear logic that triggers an action to report an occurrence.	
response	See Section 1.	
comment	108	comment by: <i>General Aviation Manufacturers Association</i>
	Section 145.A.60(c) & (f): The statement: "...in a form and manner established by the competent authority and shall contain all pertinent information..." - Section B requires the Competent Authority to define.	
response	See Section 1.	
comment	162	comment by: <i>DGAC France</i>
	(b) :Accident and serious incident shall be also reported to the state of registry of the aircraft. So we suggest to add at the end of the paragraph "and the state of registry".	
response	See Section 1.	
comment	376	comment by: <i>FNAM</i>
	(a) FNAM agrees that the management system should implement an occurrence reporting system.	
response	See Section 1.	
comment	377	comment by: <i>FNAM</i>
	(c) A lot of FNAM members feel that some urgent issues that were reported to national authorities and EASA have not been taken into account and even, and have not been analyzed. This issue is resulting from multi-channels occurrence reporting. Current disposals will not help to solve this issue since it proposes each competent authority to provide its own form of reporting. Therefore, FNAM suggests EASA to provide a unique form to be completed to report occurrence to national authorities, EASA or/and manufacturers and to modify (c) accordingly.	
response	See Section 1.	
comment	379	comment by: <i>FNAM</i>
	(e) FNAM thanks EASA for providing additional period beyond 72h to report.	
response	See Section 1.	



comment	<p data-bbox="384 210 432 239">487</p> <p data-bbox="1128 210 1386 239">comment by: AIRBUS</p> <p data-bbox="384 266 1206 295">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 302 991 331">Page 21/170, point 145.A.60 Occurrence reporting</p> <p data-bbox="384 374 807 403">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 409 1027 439">It is proposed to amend the AMC 145.A.60(a) to read:</p> <p data-bbox="384 445 1391 584">“Compliance with point 145.A.60 is a means to comply with Regulation (EU) No 376/2014, and vice versa. No duplicated demonstration of compliance is expected. AMC 20-8 General Acceptable Means of Compliance for Airworthiness of Products, Parts and Appliances provides further guidance on occurrence reporting.”</p> <p data-bbox="384 624 1137 654">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 660 1391 757">The aim is to make explicit that, for example, reporting to the competent authority in accordance with Part-145 also covers the reporting obligation of Regulation (EU) No 376/2014.</p>
response	<p data-bbox="384 790 552 819">See Section 1.</p>
comment	<p data-bbox="384 889 432 918">488</p> <p data-bbox="1128 889 1386 918">comment by: AIRBUS</p> <p data-bbox="384 945 1206 974">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 981 991 1010">Page 21/170, point 145.A.60 Occurrence reporting</p> <p data-bbox="384 1052 807 1081">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 1088 1139 1117">It is proposed to amend the paragraph (b) of this point to read:</p> <p data-bbox="384 1124 1391 1402">“(b) Without prejudice to point (a), the organisation shall ensure that any incident, malfunction, technical defect, exceeding of technical limitations, occurrence that would highlight inaccurate, incomplete or ambiguous information contained in data established in accordance with Annex I (Part 21) to Regulation (EU) No 748/2012 or other irregular circumstance that has or may have endangered the safe operation functioning of the aircraft and that has not resulted in an accident or serious incident are reported to the competent authority and to the relevant design approval holders organisation responsible for the design of the aircraft. [...]”</p> <p data-bbox="384 1444 1137 1473">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 1480 1007 1509">As worded, the paragraph is hardly understandable.</p> <p data-bbox="384 1516 1391 1581">The term ‘occurrence’ is defined in the Regulation (EU) No 376/2014 and therefore should not be used in this context as it would create a conflicting situation.</p> <p data-bbox="384 1588 1391 1722">Further, the point 145.A.45(c) already addresses “any incident, malfunction, technical defect, exceeding of technical limitations, occurrence that would highlight inaccurate, incomplete or ambiguous information contained in data established in accordance with Annex I (Part 21) to Regulation (EU) No 748/2012”:</p> <p data-bbox="384 1729 1391 1937">Any inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction contained in the maintenance data (therefore, including data established in accordance with Part 21) is notified to the author of the maintenance data (including design approval holders) in accordance with point 145.A.45(c), and to the authorities (if necessary) in accordance with point 145.A.60 through reference to the new point 145.A.202 in point 145.A.45(c).</p> <p data-bbox="384 1944 1391 2009">AMO will not wait for an incident, a malfunction, a technical defect, exceeding of technical limitations, or another kind of events to notify the relevant design approval</p>

holders. And in case of such events, they will also notify the relevant design approval holders. Then, the design approval holders will evaluate the need for reporting to the EASA (that will inform the competent authorities, if necessary). Duplications of requirements do not bring safety benefits and should be avoided.

The term ‘safe functioning of the aircraft’ is preferred to ‘safe operation of the aircraft’ in order to prevent misunderstanding (not to be confused with ‘air operations’).

The term ‘organisation responsible for the design of the aircraft’ may give the impression that reference is made exclusively to the holder of the type-certificate of the aircraft. Some may have doubts about, for example, whether the term in question covers or not the holders of a design approval issued under Regulation (EU) No 748/2012 or equivalent, other than the holder of the type-certificate of the aircraft (such as the holders of a major repair design approval). Another term, explicitly encompassing all affected stakeholders, should be contemplated.

Refer also to EASA answer to comment number 58 raised in the frame of NPA 2016-19.

Guidance Material should be developed to explain (with examples) the difference between the following terms:

- ‘occurrence’ means any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person and includes in particular an accident or serious incident; and
- circumstance that has or may have endangered the safe functioning of the aircraft and that has not resulted in an accident or serious incident.

If the term ‘occurrence’ already addresses the subject ‘circumstance’, then the paragraph (b) of point 145.A.60 should be deleted.

response

See Section 1.

comment

489

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 21/170, point 145.A.60 Occurrence reporting

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph (c) of this point to read:

“(c) Without prejudice to Regulation (EU) No 376/2014 and Implementing Regulation (EU) 2015/1018, the reports referred to in points (a) and (b) shall be made ~~The organisation shall make such reports~~ in a form and manner established by the EASA ~~competent authority~~ and shall ~~Agency and ensure that they contain all pertinent information about the condition and evaluation results known to the organisation.~~”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The reports should be made in form and a manner established by the EASA (i.e. ensuring the form and the manner are common to all) in order to limit the administrative burden on the persons and organisations concerned as much as possible, as specified in the Article 72 of the Regulation (EU) 2018/1139.

response

See Section 1.

comment

490

comment by: AIRBUS



1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 21/170, point 145.A.60 Occurrence reporting

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph (d) of this point to read:

“(d) ~~Where~~ **The maintenance organisation shall also report to the organisation responsible for the aircraft continuing airworthiness any such condition that affects the aircraft, including components thereof, if the maintenance organisation is contracted by to perform maintenance related to aircraft used:**

- (i) by licenced air carriers in accordance with Regulation (EC) No 1008/2008, or**
- (ii) for commercial specialised air operations, or CAT other than those by air carriers licenced in accordance with Regulation (EC) No 1008/2008, or commercial ATOs**

~~a commercial operator to carry out maintenance, the organisation shall also report to the operator any such condition that affects the operator’s aircraft or component.”~~

The paragraph (d) introduces the term ‘commercial operator’. Is reference made to aircraft operators engaged in Commercial Air Transport or other air operations subject to a certification or declaration requirement?

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Reference to the “organisation responsible for the aircraft continuing airworthiness” makes clear who (within the operator’s organisation) should receive reports.

It would appear that the term ‘commercial operator’ is not defined in the Regulation (EU) No 1321/2014. The term ‘commercial operation’ is defined in the Regulation (EC) No 216/2008 and referenced in the point 2.(a) of the Article 140 of Regulation (EU) 2018/1139. It means “any [air] operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator”.

response

See Section 1.

comment

491

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 21/170, point 145.A.60 Occurrence reporting

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph (f) of this point to read:

“(f) Where relevant, the organisation shall produce a follow-up report to provide details of the actions it intends to take to prevent similar occurrences in the future, as soon as these actions have been identified. This report shall be produced in a form and manner established by the **EASA competent authority.**”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The report should be made in form and a manner established by the EASA (i.e. ensuring the form and the manner are common to all) in order to limit the administrative burden on the persons and organisations concerned as much as possible, as specified in the Article 72 of the Regulation (EU) 2018/1139.



response	See Section 1.				
comment	525	comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i>			
	<p>Page 21: The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014</p> <p>(b) bullet is hardly understandable as worded. Suggested resolution: readability should be improved in presenting the various cases and conditions in separate indents.</p> <p>(c)...in a form and manner established by the competent authority" (f) This report shall be produced in a form and manner established by the competent authority. Are form and manner defined in section B applicable to the competent authority?</p>				
response	See Section 1.				
comment	594	comment by: <i>UK CAA</i>			
	<p>Page No: 22</p> <p>Paragraph No: 145.A.60, subparagraph (f)</p> <p>Comment: Some, but not all the required reporting timescales associated with EU 376/2014 are listed. For example, the initial reporting timescale is listed, but not the follow up requirements.</p> <p>Justification: For clarity and to avoid confusion.</p> <p>Proposed Text: We suggest the text should include the 72hr, 30 Day and 90 Day requirements</p>				
response	See Section 1.				
comment	651	comment by: <i>SAFRAN LS</i>			
	<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">145.A.60</td> <td style="width: 15%;">21/170</td> <td>The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014</td> </tr> </table>	145.A.60	21/170	The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014	
145.A.60	21/170	The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014			
response	See Section 1.				



comment	652		comment by: SAFRAN LS	
	145.A.60	21/170	(b) bullet is hardly understandable as worded.	readability should be improved in presenting the various cases and conditions in separate indents.
response	See Section 1.			
comment	702		comment by: SAFRAN LS	
	145.A.60	21/170	<p>(c)...in a form and manner established by the competent authority"</p> <p>(f) This report shall be produced in a form and manner established by the competent authority.</p> <p>Are form and manner defined in section B applicable to the competent authority?</p>	
response	See Section 1.			
comment	709		comment by: Collins Aerospace (Ratier-Figeac) - Frédéric RAMBLIERE	
	This obligation go beyond obligations of 145.A.60 (a), but with criteria less detailed. We suggest to merge those two paragraphs and standardize requirements with 21.A.3A(b) requirements.			
response	See Section 1.			
comment	736		comment by: ASD	
	145.A.60	21/170	The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014	
response	See Section 1.			
comment	737		comment by: ASD	
	145.A.60	21/170	(b) bullet is hardly understandable as worded.	readability should be improved in presenting the various cases and conditions in separate indents.

response See Section 1.

comment 738 comment by: ASD

145.A.60	21/170	<p>(c)...in a form and manner established by the competent authority"</p> <p>(f) This report shall be produced in a form and manner established by the competent authority.</p> <p>Are form and manner defined in section B applicable to the competent authority?</p>
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response See Section 1.

comment 798 comment by: SAFRAN AEROSYSTEMS

- The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014
- (b) bullet is hardly understandable as worded. readability should be improved in presenting the various cases and conditions in separate indents.
- "(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"

Why human performance is mentioned beyond human factors? Human performance is part of Human factors which is itself part of good maintenance practices.

Remove both "human factors" and "human performance".
Double check in all other requirements and do the same as necessary.

- Because Contractors are Part 145 approved, does must the procedures of the Organisation must ensure that human factors, human performance and good maintenance practices are taken into account by its contractors ?

response See Section 1.

comment 855 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
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145.A.60	Page 21	The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014	Reword as requested.	Yes	No
145.A.60(a)	Page 21	Item (a) identifies that an occurrence reporting system is to be established in compliance with EU 376/2014. This regulation requires the establishment by the maintenance organisation of a mandatory and voluntary reporting system, for the collection of reports, and the reporting to the appropriate state agency, but this appears to be largely duplicated by the new requirements in 145.A.202 for an Internal safety reporting scheme, for the collection of those issues that need to be reported. Moreover, the addition of the specific requirements in 145.A.60 for the reporting of issues to the competent authority then overlaps with the remaining reporting requirements of EU 376/2014 . Can the relationship	GM as requested.	No	Yes



		<p>between the two sets of regulations be clarified? Can it also be confirmed that there is a need for an evaluation method for the review of reports to identify those needed for reporting to the competent authority per (b)? (See also the comment against 145.A.45(b) above.) It would be beneficial to provide GM to explain the link between EU 376/2014 and the needs of this Part. This could be combined with the request for clarification of the reporting obligations in the comment on 21.A.60 above.</p>			
145.A.60(b)	Page 21	<p>The requirements in (b) are difficult to understand. It could be interpreted to require that every error or perceived ambiguity in data provided by the relevant design organisation should be reported to the competent authority, in addition to the issuing design organisation. This cannot be the</p>	<p>This section should be reworded and reorganised to present the various cases and conditions in separate indents.</p>	No	Yes



	<p>intention - it implies that the competent authority is required to investigate every error or lack of clarity in a technical manual regardless of its significance? We believe that this provision is for those occasions when the maintenance organisation observes an occurrence that is significant in terms of safety and traceable back to a problem of the technical instructions issued by a design organisation. Secondly, it appears that while point (b) requires potential safety issues to be reported to the design organisation, it appears that there is no similar requirement in (a) to report actual unsafe occurrences to the design organisation. Can these points be confirmed and corrected or clarified in the text?</p>			
145.A.60	<p>Page 21 <i>(c) ...in a form and manner established by the competent authority"</i> <i>(f) This report shall be produced in a form and manner</i></p>		Yes	No



		<p><i>established by the competent authority.</i> Can a link be established to any relevant requirements establishing the form and manner, defined in section B applicable to the competent authority?</p>			
response	See Section 1.				

comment 914 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.60	21/170	The requirement should clarify that reporting to the Competent Authority also covers the reporting obligation of 376/2014		X	

response See Section 1.

comment 916 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.60	21/170	(b) bullet is hardly understandable as worded.	readability should be improved in presenting the various cases		X



			and conditions in separate indents.		
response	See Section 1.				
comment	917		comment by: SAFRAN TRANSMISSION SYSTEMS		
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)
	145.A.60	21/170	<p>(c)...in a form and manner established by the competent authority"</p> <p>(f) This report shall be produced in a form and manner established by the competent authority.</p> <p>Are form and manner defined in section B applicable to the competent authority?</p>		X
response	See Section 1.				
comment	1023		comment by: Aeronautical Repair Station Association		
	<p>Aeronautical Repair Station Association Comment #2. 145.A.60-Occurrence reporting. Page 21.</p> <p>Point 145.A.60(b) requires the organisation to report to both the competent authority and the organisation responsible for the design of the aircraft, “any incident, malfunction, technical defect, exceeding of technical limitations, occurrence that would highlight inaccurate, incomplete or ambiguous information [in technical data] or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident.”</p> <p>ARSA is concerned that this requirement is overly broad and will impose unnecessary burdens on both certificated entities and the regulator. Many articles sent to</p>				



	<p>maintenance providers have experienced discrepancies. Serious, previously undetected defects caused by issues with design or production deficiencies, are relatively easy to recognize and report. On the other hand, the failures and malfunctions that are known, anticipated, recognized as correctable and have corrective action specified should not require a report.</p> <p>To avoid over-reporting and clogging up the regulator's system for handling reports under point 145.A.60(b) and to ensure unknown, unanticipated and serious matters are reported, logic dictates that the agency require reports on conditions (failures, malfunctions or defects) that do not have corrective actions available from (1) a design approval holder's maintenance data (manuals or instructions for continued airworthiness, service bulletins and the like); or, (2) other methods, techniques or practices acceptable to or approved by the agency; or (3) an airworthiness directive. If a corrective action is available, the seriousness of the failure, malfunction or defect has been affirmatively addressed and there is no need for a report.</p>
response	See Section 1.
comment	<p>1049 comment by: Dassault Falcon Service</p> <p>145 A 60 (c) and (f): As maintenance organisations might have developed their own occurrence reporting form, we would suggest the wording "accepted" instead of "established".</p>
response	See Section 1.
comment	<p>1062 comment by: Aircraft Electronics Association - Europe</p> <p>Regarding: (e) The organisation shall produce and submit such reports Reports shall be made as soon as practicable possible, but in any case within 72 hours of the organisation identifying the condition to which the report relates, unless exceptional circumstances prevent this.</p> <p>This should be revised to within 72 hours of return to service at the end of the job. It is not realistic to require within 72 hours of the writing of a discrepancy before it has been evaluated and determined to be a finding.</p>
response	See Section 1.

145.A.65 Safety and quality policy, Maintenance procedures and quality system	p. 22-23
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comment	<p>59 comment by: KLM Engineering & Maintenance</p> <p>145.A.65 body text:</p> <p>"...The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance to ensure and good maintenance practices are taken into account during maintenance, including all contracted and subcontracted activities, and"</p>
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	Comment: The contracting Part 145 organisation cannot be responsible for human performance and good maintenance practices of a contracted Part 145 organisation. That is their own responsibility toward EASA.
response	See Section 1.
comment	109 comment by: <i>General Aviation Manufacturers Association</i> Section 145.A.65 items (1) and (2): This material is too prescriptive. Suggest that this material is moved to GM.
response	See Section 1.
comment	178 comment by: <i>FAA</i> 145.A.70 (a) The organisation shall provide the competent authority with establish a maintenance organisation exposition (MOE) that, containing I would guess this is equivalent to our Contract for Service.
response	See Section 1.
comment	492 comment by: <i>AIRBUS</i> 1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 22/170, point 145.A.65 Maintenance procedures 2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “[...] The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors , and human performance to ensure and good maintenance practices are taken into account during maintenance, including all contracted and subcontracted activities, and which comply with the requirements of this Annex compliance with the applicable requirements established in 145.A.25 to 145.A.95. The maintenance procedures established under this point shall: [...] 3. RATIONALE / REASON / JUSTIFICATION for the Comment: The notion of ‘human factors’ includes ‘human performance’, as defined in this NPA in the GM1 to Annex II (Part-145). Referring to ‘human factors’, ‘human performance’, and ‘good maintenance practices’ separately gives the impression that ‘human factors’ and ‘human performance’ are not addressed by ‘good maintenance practices’. Contracted maintenance is carried out in accordance with the procedures of the contracted approved maintenance organisation (not those of the contracting organisation). So, the organisation cannot take any responsibility for the activities of other AMO.
response	See Section 1.



comment

493

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 22/170, point 145.A.65 Maintenance procedures

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this point to read:

“[...] The maintenance procedures established under this point shall:

(1) ensure that, **before providing maintenance services**, a clear work order or contract has been agreed between the **approved maintenance** organisation and the **person or organisation responsible for the aircraft continuing airworthiness requesting maintenance** to clearly establish the maintenance to be carried out so that the **maintenance performed on** aircraft and components may **at the end be certified released to service** in accordance with point 145.A.50; and,
[...]

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The sequence of events is essential for this requirement and should be specified (not only in the GM2 145.A65(1)): first the contract, then the execution of maintenance, and finally the certification of maintenance.

AMO should consider a maintenance contract only if it originates from the person or organisation responsible for the aircraft continuing airworthiness (or another AMO having a delegation from such a person or organisation): the contract is the tool for this person or organisation to ensure that he/she/it does not lose control of the maintenance activities coordination.

The coordination of maintenance activities is essential in the case of complex maintenance and operational arrangements (such as when several organisations are contracted, or when several levels of contracting/sub-contracting are included). The person or organisation responsible for the aircraft continuing airworthiness should assess the overall organisational structure, interfaces, workload, procedures, roles, responsibilities and qualifications/competences of key personnel across all contract/sub-contract levels within such arrangements in order to determine the amount and methods of coordination that will be required.

AMO should refrain from accepting contracts from any other parties in order to contribute to the mitigation of the potential consequences of hazards generated by organisation interfaces (e.g. CAMO-AMO) and to ease the management of the associated risks.

Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a).

response

See Section 1.

comment

494

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 22/170, point 145.A.65 Maintenance procedures

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this point to read:



	<p>“[...] The maintenance procedures established under this point shall: (1) [...] and; (2) cover all aspects of carrying out the maintenance, including the provision and control of interfaces with other maintenance organisations—specialised services, and lay down the standards to which the organisation intends to work. [...]”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is unclear why a special focus on specialised services is made. The proposed changes aim at mitigating the potential consequences of hazards generated by such activities and organisation interfaces (e.g. AMO-AMO, AMO-MO) and to better manage the associated risks. They help in ensuring that AMO adequately address complex maintenance and operational arrangements (assessment of the overall organisational structure, interfaces, etc.).</p> <p>response See Section 1.</p>				
comment	<p>526 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 22: "(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance" Why human performance is mentioned beyond human factors? Human performance is part of Human factors which is itself part of good maintenance practices.</p> <p>Suggested resolution: Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.</p> <p>response See Section 1.</p>				
comment	<p>583 comment by: <i>Le Blanc</i></p> <p>145.A.65 Because Contractors are Part 145 approved, does must the procedures of the Organisation must ensure that human factors, human performance and good maintenance practices are taken into account by its contractors ?</p> <p>response See Section 1.</p>				
comment	<p>653 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="391 1697 1388 2004"> <tr> <td data-bbox="391 1697 518 2004">145.A.65</td> <td data-bbox="518 1697 614 2004">22/170</td> <td data-bbox="614 1697 1109 2004"> <p><i>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</i> Why human performance is mentioned beyond human factors? Human performance is part of Human factors</p> </td> <td data-bbox="1109 1697 1388 2004"> <p>Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.</p> </td> </tr> </table>	145.A.65	22/170	<p><i>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</i> Why human performance is mentioned beyond human factors? Human performance is part of Human factors</p>	<p>Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.</p>
145.A.65	22/170	<p><i>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</i> Why human performance is mentioned beyond human factors? Human performance is part of Human factors</p>	<p>Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.</p>		



		which is itself part of good maintenance practices.	
response	See Section 1.		
comment	703	comment by: SAFRAN LS	
	145.A.65	22/170	Because Contractors are Part 145 approved, does -must-the procedures of the Organisation must ensure that human factors, human performance and good maintenance practices are taken into account by its contractors ?
response	See Section 1.		
comment	739	comment by: ASD	
	145.A.65	22/170	<p><i>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</i></p> <p>Why human performance is mentioned beyond human factors? Human performance is part of Human factors which is itself part of good maintenance practices.</p> <p>Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.</p>
response	See Section 1.		
comment	740	comment by: ASD	
	145.A.65	22/170	Because Contractors are Part 145 approved, does -must-the procedures of the Organisation must ensure that human factors, human performance and good maintenance practices are taken into account by its contractors ?
response	See Section 1.		



comment	856	comment by: <i>Rolls-Royce plc</i>					
		Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/ suggestion*	Comment is substantive/ objection**
		145.A.65	Page 22	<p><i>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</i></p> <p>Human performance is part of Human factors which is itself part of good maintenance practices, so it is not clear why these three elements are all mentioned in the rule..</p>	Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.	No	Yes
		145.A.65	Page 22	<p>If we assume that 'contractors' are Part 145 approved (notwithstanding the comment against the associated GM), must the procedures of the Organisation ensure that human factors, human performance and good maintenance practices are taken into account by its contractors ?</p>	Please clarify.	No	Yes
response	See Section 1.						
comment	919	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>					



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.65	22/170	<p>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</p> <p>Why human performance is mentioned beyond human factors? Human performance is part of Human factors which is itself part of good maintenance practices.</p>	<p>Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.</p>		X
response	See Section 1.				
comment	1050	comment by: Dassault Falcon Service			
	Should not be applicable to "contracted activities" as, according to GM2 145.A.205, contracted activities will be released under the approval of another maintenance organization which shall comply with the Part 145 regulation.				
response	See Section 1.				

145.A.70 Maintenance organisation exposition (MOE)

p. 23-24

comment	33	comment by: NHF Technical committee
	Item (17) is fully supported. Approved AMC's should also be published to the AOC holders contracting maintenance to the 145 organisations. This will create transparency.	
response	See Section 1.	



comment	60	comment by: <i>KLM Engineering & Maintenance</i>
	145.A.70 (a) (5): so it is now also necessary to embed Cat A, B1, B2 and C cert staff in the Org Chart? We are of the opinion that this does not add any value.	
response	See Section 1.	
comment	61	comment by: <i>KLM Engineering & Maintenance</i>
	145.A.70 (a) (7): We believe it is not the intent of the regulations to describe in the MOE what kind of system we have to plan availability of staff, just that we have a system to plan availability.	
response	See Section 1.	
comment	62	comment by: <i>KLM Engineering & Maintenance</i>
	145.A.70 (a) (17): We do not agree: the approved MOE in itself already shows how the organisation complies with the regulations, either directly with the regulations or via alternative MoC: the MOE in itself is the organisations' MoC to Annex 2. The Competent Authority and EASA already have an overview of currently approved alternative MoC: so there is no need to add this list to the MOE.	
response	See Section 1.	
comment	110	comment by: <i>General Aviation Manufacturers Association</i>
	Section 145.A.70(a)(1)-(17): Move these items to AMC / GM, as appropriate.	
response	See Section 1.	
comment	111	comment by: <i>General Aviation Manufacturers Association</i>
	General: the concept and understanding of 'quality' needs to be reintroduced into GM to enable the Applicant to better develop the implementation of the management system. Additional clarification and narrative required in GM 145.A.200 - this is essential as quality is the foundation of safety.	
response	See Section 1.	
comment	163	comment by: <i>DGAC France</i>
	(a) : "Instructions" are not defined. So we suggest to delete the word considering that it is already covered by the procedure concept.	
response	See Section 1.	
comment	164	comment by: <i>DGAC France</i>

response	<p>(a) (5) : The organisation chart should be limited to the persons referred to in points 145.A.30(a), (b), (c) and (ca).</p> <p>See Section 1.</p>
comment	<p>166 comment by: <i>DGAC France</i></p> <p>(a)(6) : We suggest to modify the paragraph as : "the certifying staff and, if applicable, the support staff, the airworthiness review staff.."</p>
response	<p>See Section 1.</p>
comment	<p>181 comment by: <i>FAA</i></p> <p>145.A.70 (a)1</p> <p>with the approved MOE If the accountable manager is not the chief executive officer of the organisation the chief executive shall countersign the statement</p> <p>In our 145 Rules we only speak to an Accountable Manager (AM). This conflicting statement having both (CEO and AM) sign is of concern. We say in our SMS there can only be one person with Responsibility. Seems also to conflict with typical SMS doctrine, e.g. from ICAO Safety Management Manual paragraph 9.3.5.1 "The accountable executive, typically the chief executive officer, is the person who has ultimate authority over the safe operation of the organization."</p>
response	<p>See Section 1.</p>
comment	<p>381 comment by: <i>FNAM</i></p> <p>FNAM suggests that the possibility to have several Manuals should be possible, such as:</p> <ul style="list-style-type: none"> • The MOE • The SMS manual • The compliance manual <p>In that way, changes will be easier to implement and to follow. Moreover, it may be difficult to have only one manual when there is a need / a requirement to pool several SMS together. For instance, it could be the case for CAMO SMS and Part-145 SMS.</p>
response	<p>See Section 1.</p>
comment	<p>498 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 23/170, point 145.A.70 Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT:</p>



It is proposed to amend the beginning of the paragraph (a) to read:
 “(a) ‘Maintenance organisation exposition’ means the document or documents that contain the material specifying the scope of work deemed to constitute approval and showing how the organisation intends to comply with this Annex (Part 145). The organisation shall provide the competent authority with establish a maintenance organisation exposition (MOE) that, containing the following information:
 - specifies the scope of work deemed to constitute approval under point 145.A.20; and
 - shows how the organisation intends to comply with this Annex, Annex I (Part-M) and Annex Vb (Part-ML), as applicable; and
 - provides all the necessary instructions, information and procedures for the personnel of working under the organisation approval certificate to perform their duties.
 [...]”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The scope of work is a link between the organisation approval certificate and the MOE. Reference to point 145.A.20 establishes this link in point 145.A.70. The organisation may have to comply with some applicable requirements of the Annex I (and the future Annex Vb) as reminded in the GM Article 3(2). The amendment aims also at ensuring that all personnel working under the organisation approval certificate, including the personnel of subcontracted organisations, receive the necessary instructions, information and procedures. These three bullets define the objectives to achieve with a MOE.

response

See Section 1.

comment

499

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 23/170, point 145.A.70 Maintenance organisation exposition (MOE)

2. PROPOSED TEXT / COMMENT:

It is proposed to move into the AMC1 145.A.70(a) the majority of the paragraph (a) contents, from the sentence starting with:

“It shall contain directly, or by reference, all of the following information”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The different bullets describe contents of the MOE to achieve the objectives specified earlier in the paragraph (a):

- item 9 (specifies the scope of work deemed to constitute approval)
- items 1 to 8 and 10 to 17 (shows how the organisation intends to comply)
- items 10 to 12 (provides all the necessary instructions, information and procedures)

The objectives to achieve should remain in the requirements, but the means to achieve these requirements should be moved into an AMC.

The item 17 is proposed for deletion for consistency with the comment on point 145.A.120 (point 1.12 should be deleted as well from MOE table of contents).

response

See Section 1.



comment	507 comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 24, point 145.A.70 Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraphs (b) and (c) of this point to read: “(b) The initial issue of the MOE shall be approved by the competent authority. The exposition It shall be amended as necessary so that it remains an up-to-date description of the organisation. The exposition and any subsequent amendment shall be approved by the competent authority. (c) The MOE shall be amended as necessary so that it remains an up-to-date description of the organisation. Amendments to the MOE shall be managed as defined in the procedures referred to in points (10) and (11). Any amendments that are not included in the scope of the procedure referred to in point (10), as well as any amendments related to the changes listed in point 145.A.85(a), shall be approved by the competent authority. Notwithstanding point (b) minor amendments to the exposition may be approved through an exposition procedure (hereinafter called indirect approval).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The initial issue of the MOE (paragraph (b)) is separated from the revisions (paragraph (c)). It is proposed to simplify the wording in the paragraph (c) on the basis of a concurrent amendment of the point 145.A.85.</p>
response	See Section 1.
comment	541 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines Page 24: (a)(17) a list of the currently approved alternative means of compliance. This bullet shall be removed. Refer to comment against 145.A.120 Suggested resolution: remove the bullet (a)(17)
response	See Section 1.
comment	605 comment by: Baines Simmons 145.A.70 (a)(17) is a positive addition.
response	See Section 1.
comment	645 comment by: Clockwork Research 145.A.70 (a) 7 The general description should also include commitment to Fatigue Risk Management, not simply adequate numbers of staff

response	See Section 1.		
comment	654	comment by: SAFRAN LS	
	145.A.65	22/170	<p><i>"(b) The organisation shall establish procedures agreed by the competent authority, which ensure that taking into account human factors, and human performance"</i></p> <p>Why human performance is mentioned beyond human factors? Human performance is part of Human factors which is itself part of good maintenance practices.</p>
			Remove both "human factors" and "human performance". Double check in all other requirements and do the same as necessary.
response	See Section 1.		
comment	655	comment by: SAFRAN LS	
	145.A.70	24/170	<p>(a)(17) a list of the currently approved alternative means of compliance. This bullet shall be removed. Refer to comment against 145.A.120</p>
			remove the bullet (a)(17)
response	See Section 1.		
comment	704	comment by: SAFRAN LS	
	145.A.70	24/170	<p>(a)(17) a list of the currently approved alternative means of compliance. This bullet shall be removed. Refer to comment against 145.A.120</p>
			remove the bullet (a)(17)
response	See Section 1.		
comment	741	comment by: ASD	
	145.A.70	24/170	<p>(a)(17) a list of the currently approved alternative means of compliance.</p>
			remove the bullet (a)(17)



		This bullet shall be removed. Refer to comment against 145.A.120				
response	See Section 1.					
comment	857		comment by: <i>Rolls-Royce plc</i>			
	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
	145.A.70	Page 24	(a)(17) a list of the currently approved alternative means of compliance. This bullet should be removed. Refer to comment against 145.A.120 below.	remove the bullet (a)(17)	No	Yes
response	See Section 1.					
comment	920		comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	145.A.70	24/170	(a)(17) a list of the currently approved alternative means of compliance. This bullet shall be removed. Refer to comment against 145.A.120	remove the bullet (a)(17)		X
response	See Section 1.					



comment	962	comment by: <i>Lufthansa Technik</i>
	145.A.70 (a) (17): Are existing Alt-MOCs that are already approved by the Competent Authority automatically approved, when this concept will be implemented?	
response	See Section 1.	
comment	1024	comment by: <i>Aeronautical Repair Station Association</i>
	Aeronautical Repair Station Association Comment #3. 145.A.70-Maintenance organisation exposition. Page 24.	
	Point 145.A.70(c) allows amendments to the MOE to be made in accordance with procedures adopted pursuant to points 145.A.70(a)(10) and (11) and provides that amendments outside the scope of the procedure in point (a)(10) and amendments related to changes listed in point 145.A.85(a) require approval by the competent authority. ARSA believes that, given the scope and breadth of issues treated in the MOE, certificated entities should have maximum flexibility to modify the Exposition provided that such changes are consistent with the company's SMS. As stated in our summary and comments related to 145.A.85 below (comment 4), we disagree in particular with the requirement that the certificated entity seek prior approval for personnel changes, a concept which is antithetical to SMS and may hinder the company's ability to remove unfit team members.	
response	See Section 1.	

145.A.75 Privileges of the organisation 1

p. 25

comment	82	comment by: <i>CAA-NL</i>
	145.A.75.(f) These are privileges, and as such it does not work well with the word 'shall'. We propose to change this into 'may'. (f) If specifically approved to do so for aircraft covered by Annex Vb (Part-ML) ELA1 aircraft not involved in commercial operations, and if it has its principal place of business in one of the Member States, it <i>may</i> perform airworthiness reviews and issue the corresponding airworthiness review certificate under the conditions specified in point ML.A.903 of Annex Vb (Part-ML) to this Regulation.	
response	See Section 1.	
comment	382	comment by: <i>FNAM</i>
	FNAM would like that SMS implementation engage alleviations for Part-145 European disposals. The risks analysis, identification and avoidance are included into SMS in particular by monitoring personnel experiences and by ensuring Staff training, including to human	



	<p>factors and human performances. Some privilege should be possible, such as the possibility for the Accountable Manager to nominate Certifying Staff (CofRs) based on competences notwithstanding its Part-66 license and SMS results for all types of aircraft where it is not possible or difficult to benefit from Part-147 dedicated training.</p> <p>Therefore, FNAM suggests benefiting of this NPA and SMS discussions to integrate rapidly alleviations, in particular to solve the issue of aircraft without Part-147 or with non-accessible Part-147.</p>
response	<p>See Section 1.</p>
comment	<p>508 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 25/170, point 145.A.75 Privileges of the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraphs (a) and (b) of this point to read: “In accordance with the MOE exposition, the organisation shall be entitled to carry out the following tasks: (a) Maintain Perform any aircraft and/or component maintenance for which it is approved at the locations identified in the approval organisation approval certificate and in the MOE exposition; (b) Arrange for Subcontract the maintenance of any aircraft or component maintenance for which it is approved at another subcontracted to another organisation that is working under the quality management system of the approved maintenance organisation. [...]”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The current wording may give the impression that only the aircraft or component are taken into account to define the scope of the approval. An organisation is approved to perform a certain scope of maintenance (activity) for a certain scope of aircraft and/or components (physical items). Therefore, a wording such as “perform any aircraft and/or component maintenance for which it is approved” seems better because it makes a combination of both the physical items and the activities. The original proposal may give the impression that the maintenance can only be performed <u>at</u> the subcontracted organisation’s facilities (“arrange for [...] maintenance at another subcontracted organisation”). The wording “subcontract [...] to” is preferred.</p>
response	<p>See Section 1.</p>
comment	<p>509 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 25/170, point 145.A.75 Privileges of the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (b) of this point to read: “In accordance with the MOE exposition, the organisation shall be entitled to carry out the following tasks:</p>



- (a) [...];
- (b) [...]. This refers to work being carried out by an organisation not itself appropriately approved to carry out such maintenance under this Part, ~~refers to work being carried out by an organisation not itself appropriately approved to carry out such maintenance under this Part and~~ is limited to the work scope permitted under the procedures laid down in point 145.A.65(b). This work scope, and it shall not include a base maintenance check of an aircraft, or a complete workshop maintenance check or overhaul of an engine or an engine module;

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

One may ask why the possibility to perform maintenance as a subcontractor should not be offered to organisations appropriately approved to carry out the involved maintenance. A simple answer is because the (sub)contracted party could and should exercise the privileges it holds to certify the maintenance it has performed.

The fundamental reasons for allowing an AMO to subcontract certain maintenance tasks are reminded in the paragraph 3.1. of the AMC1 145.A.75(b). There are mainly linked to the acceptance of maintenance performed by organisations not appropriately approved:

(a) for specialised maintenance services (e.g. plating, heat treatment, plasma spraying), this may be justified on the basis that requiring such organisations to be approved could turn them off the aviation industry sector (due to the costs and burden associated with obtaining and maintaining an approval versus benefits, in comparison with other industry sectors such as car/truck industry). In the end, this could have detrimental effects on aviation industry, some services becoming unavailable.

(b) for aircraft or engine maintenance (limited scope) [and component maintenance should be added], when it is unrealistic to expect direct approval of those organisations by the competent authority. This may be justified, for example, in the case of a supplier building an aircraft structural section for an aircraft manufacturer. Such a supplier may want to participate in the maintenance activities involving this structural section (with the aim to improve the product) for which the aircraft manufacturer AMO is contracted.

Therefore, there are some justifications to allow an AMO to subcontract certain maintenance tasks to organisations not appropriately approved.

No reasonable justification has been found to allow an AMO to subcontract certain maintenance tasks to another AMO: the person or organisation responsible for the aircraft continuing airworthiness can directly contract this latter AMO (make organisations more responsible and prevent the phenomenon of empty shell organisations).

Offering this possibility is in contradiction with the principle of the Article 4(1)(a) of the Basic Regulation and puts an unnecessary risk on the objective to establish and maintain a high uniform level of civil aviation safety: e.g. when the reason to subcontract maintenance is the absorption of workload peaks (may indicate some issues with point 145.A.47(a), in case of recurrence), the organisation may be pushed to its capacity limits. The possibility to contract should always be preferred to the subcontracting solution.

This understanding is based on the Regulation (EU) 2018/1139, which establishes the ordinary arrangements in its Article 15(2): “an approval shall [...] be required in respect of [...] organisations responsible for the maintenance and continuing airworthiness management of products, parts and non-installed equipment”.



	<p>The Article 15(2) and the Article 17(1)(b) provide an exemption clause “for the situations in which such approvals are not to be required”, “taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned”. The derogation mode aims to address cases like those introduced earlier in (a) and (b).</p> <p>When organisations are appropriately approved to carry out maintenance, they can and should (it is just a matter of contract) exercise the privileges they hold to certify the maintenance they have performed.</p>
response	See Section 1.
comment	<p>519 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 25/170, point 145.A.75 Privileges of the organisation</p> <p>2. PROPOSED TEXT / COMMENT: The paragraph (c) of this point reads: “(c) Maintain any aircraft or any component for which it is approved at any location subject to the need for such maintenance arising either from the unserviceability of the aircraft or from the necessity of supporting occasional line maintenance, subject to the conditions specified in the exposition;” Can the EASA define the notion of “unserviceability”? Is reference made to AOG situations (events of urgent unforeseeable circumstances) or to any situation of an aircraft that requires maintenance before next flight (e.g. aircraft unserviceable as a result of a maintenance visit that is due immediately)? What is the difference between ‘airworthiness’ and ‘serviceability’?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The lack of definition may contribute to a distortion of market conditions. Note: 145.A.30(j)5. and 145.A.50(f) refer to “aircraft grounded at a location other than”.</p>
response	See Section 1.
comment	<p>520 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 25/170, point 145.A.75 Privileges of the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (e) of this point to read: “(e) Issue certificates of release to service in respect of completion of Certify maintenance in accordance with point 145.A.50;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete the reference to ‘certificate of release to service’. Reference to the point 145.A.50 is made for using the corresponding title ‘certification of maintenance’.</p>
response	See Section 1.



comment	963	comment by: <i>Lufthansa Technik</i>
	145.A.75 (b): This privilege to be able to subcontract also approved organisations is highly welcome. Thank you!	
response	See Section 1.	

145.A.80 Limitations on the organisation

p. 25-26

comment	384	comment by: <i>FNAM</i>
	145.A.85 Into CRT tool, it is impossible to make comment on 145.A.85. There is no box to complete on the website dedicated to 145.A.85.	
response	See Section 1.	

comment	385	comment by: <i>FNAM</i>
	145.A.85 (a)(3) Guidelines and practical proposals for implementing proposed disposals would be welcome into an AMC and GM in order to support organizations to settle an efficient system to manage changes. Indeed, organizations without SMS or with not fully developed SMS will hardly be able to create such system.	
response	See Section 1.	

comment	524	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 25/170, point 145.A.85 Changes to the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this point to read: “(a) The following changes to the organisation shall require prior approval: (1) changes that affect the scope of the work of the organisation or the organisation approval certificate or the terms of approval of the organisation; (2) changes to the personnel nominated in accordance with points 145.A.30(b), (c) and (ca); (3) changes to the reporting lines between the personnel nominated in accordance with points 145.A.30(b), (c) and (ca), and the accountable manager; (4) the procedure as regards changes not requiring prior approval referred to in point (c) and any amendments that are not in the scope of this procedure; (5) additional locations of the organisation other than those that are subject to point 145.A.75(c).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For consistency with comments on point 145.A.20.</p>	



	<p>Would not it be simpler to state the following: “(a) All changes to the organisation shall require prior approval, except amendments to the MOE that are in the scope of the procedure for changes not requiring prior approval referred to in point (c)”?</p> <p>The changes currently listed in the paragraph (a) are not expected to be listed in the procedure referred to in (a)(4), are they? Why this list in paragraph (a)? Does it provide the exhaustive list of items common to all AMO that cannot be changed without approval (ref. GM1 145.A.85(b))? Could this imply that a change to the occurrence reporting system, for example, may be possible without prior approval (ref. GM1 145.A.85(b))?</p> <p>Refer also to comment on point 145.A.70 paragraphs (b) and (c).</p>
response	See Section 1.
comment	<p>527 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 26/170, point 145.A.85 Changes to the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraphs (b) and (c) of this point to read: “(b) For all changes requiring prior approval in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall apply for and obtain an approval issued by the competent authority. The application shall be submitted before any such change takes place, in order to enable the competent authority to determine that there is continued compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts, and to amend, if necessary, the organisation approval certificate and the related terms of approval that are attached to it. The organisation shall provide the competent authority with any relevant documentation. The change shall only be implemented upon the receipt of a formal approval from the competent authority in accordance with point 145.B.330. The organisation shall operate under the conditions prescribed by the competent authority during such changes, as applicable. (c) All changes not requiring prior approval shall be managed and notified to the competent authority as defined in the a procedure of the MOE referred to in point 145.A.15(b), which is approved by the competent authority in accordance with point 145.B.310(h).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: There is an unnecessary duplication with “before any such change takes place” and “the change shall only be implemented upon the receipt of a formal approval”. For consistency with comments on point 145.A.15.</p>
response	See Section 1.
comment	<p>964 comment by: Lufthansa Technik</p> <p>145.A.85 (a) (1) and GM: What is meant by "affect the scope of the certificate and the terms of approval of the organisation"?</p>



	<p>This needs more clarification. It leaves too much room for interpretation, as the list in the GM is just an example. How about moving one shop to another building within an approved location under the existing rating? Would this be considered as "affect the terms of approval"?</p>
response	See Section 1.
comment	<p>965 comment by: <i>Lufthansa Technik</i></p> <p>145.A.85 (c): Good: The concept of changes not requiring prior approval is very appreciated.</p>
response	See Section 1.
comment	<p>1025 comment by: <i>Aeronautical Repair Station Association</i></p> <p>Aeronautical Repair Station Association Comment # 4. 145.A.85-Changes to the organisation. Page 25. NOTE: ARSA's comments on 145.A.85 are inserted here because the CRT system page for this NPA did not include a comment segment function for 145.A.85.</p> <p>The proposed requirement that certificated entities seek prior approval from the competent authority before changing personnel nominated in accordance with points 145.A.30(b), (c) and (ca) is contrary to the philosophy of SMS, would impose unnecessary burdens on certificate holders and regulators and would potentially undermine safety. We also disagree with the proposal to eliminate the very reasonable provision in the current 145.A.85 that recognizes certain personnel changes may be unplanned and requiring notification of those changes at the earliest possible opportunity.</p> <p>A key concept underlying SMS is that the organisation is responsible for the safety of its operations, not individuals. Requiring the regulator to approve personnel changes made in accordance with the company's SMS defeats the purpose of the system and rule changes. It is the company's responsibility, not regulators, to manage operations and make decisions about who is best suited to ensure compliance, safety and the company's success. Once the company has properly designed and implemented its SMS, the new employees appointed to key positions must be qualified and trained as required by point 145.A.30(e). The new approval requirements in 145.A.85 would give regulators unprecedented authority over internal personnel changes, diverting agency resources and undermining the ability of certificate holders to manage their businesses. Finally, by requiring the regulator's approval of personnel changes, the new rule will undermine safety by thwarting a company's ability to remove a team member whose acts or omissions run contrary to the company's SMS.</p> <p>For all these reasons, we urge EASA to remove the prior approval requirement and use instead use a notification system, particularly as it relates to unanticipated personnel changes.</p>
response	See Section 1.



145.A.90 Continued validity

p. 27

comment	83	comment by: CAA-NL
	<p>145.A.90.(a)(3) The validity of is a certificate compromised when it is suspended, no work can be performed and released under that condition. Please include suspension in (a)(3): 3. the certificate not being surrendered, <i>suspended</i> or revoked.</p>	
response	See Section 1.	
comment	530	comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 27/170, point 145.A.90 Continued validity</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “(a) An approval shall be issued for an unlimited duration. It The organisation’s approval certificate shall remain valid, subject to compliance with all of the following conditions: 1. the organisation remaining in compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts Annex II (Part 145), in accordance with, taking into account the provisions related to the handling of findings as specified under point 145.B.350 145.B.50; and 2. the competent authority being granted access to the organisation as specified in point 145.A.140 to determine continued compliance with this Part; and 3. the certificate not being surrendered or revoked. (b) Upon surrender or revocation, the organisation approval certificate approval shall be returned to the competent authority as soon as possible without delay.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of consistency with comments on the point 145.A.20. The term ‘without delay’ is found inappropriate because, until organisation approval certificates are digitised, there will always be a delay between the revocation, for example, and the time the organisation approval certificate is returned to the competent authority (‘as soon as possible’ is proposed).</p>	
response	See Section 1.	

145.A.95 Findings

p. 27

comment	26	comment by: Paradigm Precision
	<p>It is proposed to delete 145.A.95 (a), (b) & (c) and replace with new content. Deleting 145.A.95 (a) & (b) also deletes the definitions of Level 1 and Level 2 findings but these definitions do no appear to have been moved elsewhere in the document or to the AMC or GM. However, 145.B.305, 145.B.330, 145.B.350, AMC 145.B.31.(c) and GM145.B.350(b);(c) all refer to Level 1 and/or Level 2 findings. In particular 145.B.350(b) calls for the issuance of a Level 1 finding and 145.B.355 allows for the</p>	



	<p>suspension, limitation or revocation of a certificate pursuant to such a (undefined) finding.</p> <p>Please consider reinstating the definitions of Level 1 and Level 2 somewhere within the regulation.</p>
response	See Section 1.
comment	<p>34 comment by: <i>NHF Technical committee</i></p> <p>Paragraph (a) is fully supported. Effectiveness of the corrective action should also be included to the list.</p>
response	See Section 1.
comment	<p>63 comment by: <i>KLM Engineering & Maintenance</i></p> <p>145.A.95 (a) : we understand that for the Part 145 organisations' internal audit process it is not necessary any longer to maintain finding levels.</p>
response	See Section 1.
comment	<p>182 comment by: <i>FAA</i></p> <p>145.A.90 all</p> <p>All points in (a) and (b)</p> <p>under 145.55 we only issue Repair Facility Certificates for 12 Calendar Months. We can extend to 24. I don't see this limit in EASA Rules</p>
response	See Section 1.
comment	<p>606 comment by: <i>Baines Simmons</i></p> <p>145.A.95 has deleted the Level 1 and Level 2 findings categories, yet in 145.B.350, Findings and corrective actions, the authorities can still raise Level 1 and Level 2 findings. We feel this is inconsistent.</p>
response	See Section 1.

145.A.120 Means of compliance	p. 28
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comment	<p>35 comment by: <i>NHF Technical committee</i></p> <p>As mentioned earlier, AMC's should be published or distributed to the organisations (CAMO/AOC holders) contracting maintenance to the Part-145 organisation.</p>
response	See Section 1.



comment	64	comment by: <i>KLM Engineering & Maintenance</i>
	Requesting prior approval from the competent authority for alternative means of compliance turns AMC material into Hard Law.	
response	See Section 1.	
comment	112	comment by: <i>General Aviation Manufacturers Association</i>
	General: these statements imply that the AMC previously seen as "soft law" have become "hard law", and any deviation is only permitted, subject to competent authority approval based on an AltMOC application. Recommended these statements are deleted as too prescriptive and restrictive.	
response	See Section 1.	
comment	183	comment by: <i>FAA</i>
	145.A.200(a) 1	
	direct safety accountability of the accountable manager	
	We use Responsibility. The Accountable Manager is the Ultimate Responsibility.	
response	See Section 1.	
comment	531	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 28/170, point 145.A.120 Means of compliance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete this point (and its AMC1). Refer also to the comments on AMC2 145.A.15.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: This point effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, an applicant is not legally required to demonstrate compliance with an AMC of the Part-145 Section A. The competent authorities are legally required to accept demonstrations of compliance when applicants use the AMC published by the EASA as the means to comply with the implementing rules. An AMC represents 'a means, but not the only means' to comply with a requirement of an implementing rule. AMC act as a convenient mechanism for applicants to follow, with the effect that compliance with the requirement is a given with the use of the AMC (a convenience also for the competent authority). They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and industry practices that exist, and have never been offered as such. Any other means may be proposed and then used to demonstrate compliance with a requirement, once the competent authority is satisfied, as shown by the award of</p>	



an approval. No specific detailed treatment of deviations from any given AMC is needed in the Regulation. It would inevitably generate an unnecessary administrative burden: the competent authority is able to judge the overall effectiveness of the organisation's systems, in particular with the approval of the MOE (refer to the point 145.A.85 and the GM1 145.A.85(b)).

The new provisions of point 145.A.120 has the effect of making AMC binding in the absence of a formal agreement of a deviation. It will be possible to make a finding of non-compliance against a non-compliance with an AMC. It is not the basis on which AMC have been created to date, and will have the effect that every future piece of AMC needs to be scrutinised and compliance/non-compliance for each piece justified and documented as if it were a rule (the response "it's only an AMC" will no longer be acceptable).

The retrospective nature of Part-145 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained for any deviation from any piece of AMC (creating another unnecessary administrative burden). For those organisations currently declared as compliant by their competent authority, any deviation from an AMC will automatically make them non-compliant.

The fact that compliance with an AMC is not binding provided an AltMoC can be formally accepted by the Regulator could amount to saying that a rule is not binding because a new rule can be adopted.

Industry has asked for the transfer of prescriptive provisions into AMC precisely because this has the effect of leaving objectives in the (performance-based) requirements, and the means of compliance can be judged on their effectiveness to achieve these objectives. This requirement will have one of two effects:

- it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in details, and an assessment of the effects of deviating from any piece of an AMC has to be proposed and formally agreed, or

- it will have the effect of stifling the creation of compliant mechanisms tailored to the maintenance activities and organisations, due to the reluctance of applicants and competent authorities to engage in detailed discussions about the precise intent of a particular AMC, including what risks it was originally intended to address.

In any case the EASA will have to publish, before the implementation of this requirement, detailed explanations on what risks each mechanism in the AMC is addressing (as most AMC are defined around a particular rulemaking group's preferred way of organising compliance). Without these explanations, the risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms.

It is unfortunate that this requirement gives an impression of resistance to moving away from compliance-only oversight.

response

See Section 1.

comment

544

comment by: Jean6francois RANNOU SAFRAN Helicopter Engines

Page 28:

This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They



represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

Suggested resolution:

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of



	<p>general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>656 comment by: SAFRAN LS</p> <p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>



This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response

See Section 1.

comment

742

comment by: ASD

145.A.120	28/170	<p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.</p> <p>Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent</p>	<p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely</p>
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	<p>authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness.</p>	<p>manner ahead of using them in future Decisions and Opinions.</p>
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	<p>This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>	
<p>response</p>	<p>See Section 1.</p>	
<p>comment</p>	<p>799</p>	<p>comment by: SAFRAN AEROSYSTEMS</p>



This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application.

Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through



the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response **See Section 1.**

comment

858

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.120	Page 28	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not	No	Yes



	<p>compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is</p>	<p>through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>		
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	<p>unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the</p>			
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	<p>transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC</p>			
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		<p>is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p>			
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response

See Section 1.

comment

859

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**



NPA 2019-05 (C) 145.A.120	Page 28	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the CA approval based on an AltMOC application. Given the detail of AMC introduced for SMS its highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the CA inspector.	Remove this rule	No	Yes
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response

See Section 1.

comment

921

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.120	28/170	This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance published by the	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field,		X



	<p>Agency are legally non-binding on the applicant, and binding only on the competent authority. They represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed -</p>	<p>while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a</p>		
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	<p>the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of a deviation, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 21 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from</p>	<p>timely manner ahead of using them in future Decisions and Opinions.</p>		
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		<p>AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed</p>			
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	<p>and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to</p>			
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		be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.			
response	See Section 1.				
comment	966	comment by: <i>Lufthansa Technik</i>			
	145.A.120	(b): This new concept is highly welcome, but needs more specification. What are the criteria for the Competent Authority to assess and approve an applied Alt MOC?			
response	See Section 1.				
comment	1036	comment by: <i>Thales</i>			
	<p>This effectively makes AMC material previously seen as "soft law" now "hard law" as deviation from AMC is only permitted subject to the Competent Authority approval based on an AltMOC application. Currently, Acceptable Means of Compliance represent 'a means, but not the only means' to comply with a regulation. They act as a convenient mechanism for organisations to follow, with the effect that compliance with the regulations is a given - a convenience for the competent authority also. They cannot, however, cover all the possibilities for compliance for the wide variety of organisational structures and practices that exist, and have never been offered as such. Any means of compliance may be proposed to a regulation, provided that the competent authority is satisfied, as shown by the award of an approval. No detailed treatment of the specific deviations from any given AMC is needed - the competent authority is able to judge the overall effectiveness of the organisation's systems. This new provision has the effect of making AMC binding - in the absence of a formal agreement of an alternative, it will be possible to make a finding of non-compliance against a non-compliance with the AMC. This is unacceptable. It is not the basis on which AMC has been created to date, and will have the effect that every future piece of AMC needs to be scrutinised as if it is rule - it will not be acceptable to offer the response 'it's only AMC'. The retrospective nature of Part 145 also means that every current piece of AMC will have to be re-examined, and formal agreement obtained, for those organisations currently declared by their competent authority as compliant, as any deviation from AMC will automatically make these compliant organisations non-compliant. It is not sufficient to argue that AMC is not binding if an alternate AMC can be formally defined by the regulator - this is the same as saying that a rule is not</p>				



	<p>binding, because a new rule can be created. Industry has lobbied for the transfer of prescriptive regulation into AMC precisely because this has the effect of leaving a more performance-based rule, and the means of compliance can be judged on its effectiveness. This regulation will have one of two effects - it will either increase the administrative burden for both applicants and competent authorities, as compliant mechanisms have to be defined in detail, and an assessment of the effect of deviating from the AMC has to be proposed and formally agreed, or it will have the effect of stifling the creation of compliant mechanisms due to the reluctance of organisations and competent authorities to engage in detailed discussion of the precise intent of a particular AMC, including what risks it was originally intended to address (and in reality, most AMC is defined around a particular rulemaking group's preferred way of organising compliance, and does not contain an explanation of what risks the choice of mechanism in the AMC is addressing). The risks will have to be presumed, or guessed. Both of these outcomes result in an increased burden in showing compliance with prescriptive mechanisms. It is ironic that this rule is being offered as part of an NPA delivering SMS, as SMS is meant to be performance-based, and moving away from compliance-only oversight, and this requirement is moving in exactly the opposite direction.</p> <p>Suggested resolution: delete 145.A.120</p>
response	See Section 1.

145.A.140 Access

p. 28

comment	36	comment by: <i>NHF Technical committee</i>
	Text change is fully supported.	
response	See Section 1.	
comment	113	comment by: <i>General Aviation Manufacturers Association</i>
	The statement: "whether it is contracted/subcontracted or not, <u>to any person</u> authorised by one of the following authorities" - We disagree with the statement highlighted. Re-use 21.A.9 Investigations (NPA 2019-05 (B)) requirement narrative to make consistent access requests taking account an organization's access restrictions due to security, health and safety polices etc.	
response	See Section 1.	
comment	387	comment by: <i>FNAM</i>
	FNAM suggests clarifying that only aeronautical documents and procedures may be provided to the competent authorities when Part-145 organizations are contracted/subcontracted activities. FNAM suggests ensuring the meaning of "activity subject to certification" by precisising no access to commercial or/and social scope may be provided to the competent authorities.	
response	See Section 1.	



comment	<p>532</p> <p style="text-align: right;">comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 28/170, point 145.A.140 Access</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material make arrangements that allow the following authorities to perform any investigations relevant to its the organisation’s activity subject to certification, whether it is contracted/subcontracted or not, to any person authorised by one of the following authorities:”</p> <p>(a) the competent authority defined in point 145.1; (b) the authority acting under the provisions of point 145.B.300(d) or 145.B.300(e).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Considering access conditions, including restricted area and security, health and safety policies, access cannot be granted to <u>any</u> person, at <u>any</u> time, to <u>any</u> facility. Refer also to comment on point 145.B.205. Contracted activities are not conducted under the organisation approval certificate of the AMO <u>contracting</u> another AMO, but under the responsibility of the <u>contracted</u> AMO.</p>
response	<p>See Section 1.</p>

comment	<p>555</p> <p style="text-align: right;">comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>Page 28 "For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, whether it is contracted/subcontracted or not, to any person authorised by one of the following authorities:"</p> <p>Considering access conditions including restricted areas and security, health and safety policies, access cannot be granted to any person at any time to any facility.</p> <p>Suggested resolution: Wording should be changed as follows: "For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall make arrangements that allow the competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable requirements of this Annex." Furthermore, this will make this requirement consistent with the one on the same topic including within NPA to Part 21 (Part 21.A.9).</p>
response	<p>See Section 1.</p>



comment

657

comment by: SAFRAN LS

145.A.140	28/170	<p><i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access <u>at any time</u> to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, whether it is contracted/subcontracted or not, to <u>any person</u> authorised by one of the following authorities:"</i></p> <p>Considering access conditions including restricted areas and security, health and safety policies, access cannot be granted to any person at any time to any facility.</p>	<p>Wording should be changed as follows: <i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall make arrangements that allow the competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable requirements of this Annex."</i></p> <p>Furthermore, this will make this requirement consistent with the one on the same topic including within NPA to Part 21 (Part 21.A.9).</p>
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response

See Section 1.

comment

743

comment by: ASD

145.A.140	28/170	<p><i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access <u>at any time</u> to any facility, aircraft, document, records, data, procedures or any other material</i></p>	<p>Wording should be changed as follows: <i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and</i></p>
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	<p><i>relevant to its activity subject to certification, whether it is contracted/subcontracted or not, to <u>any person authorised by one of the following authorities:</u>"</i></p> <p>Considering access conditions including restricted areas and security, health and safety policies, access cannot be granted to any person at any time to any facility.</p>	<p><i>implementing acts, the organisation shall make arrangements that allow the competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable requirements of this Annex."</i></p> <p>Furthermore, this will make this requirement consistent with the one on the same topic including within NPA to Part 21 (Part 21.A.9).</p>
response	<p>See Section 1.</p>	
comment	<p>800 comment by: SAFRAN AEROSYSTEMS</p> <p>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, whether it is contracted/subcontracted or not, to any person authorised by one of the following authorities:"</p> <p>Considering access conditions including restricted areas and security, health and safety policies, access cannot be granted to any person at any time to any facility.</p> <p>Wording should be changed as follows:</p> <p>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall make arrangements that allow the competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable requirements of this Annex."</p> <p>Furthermore, this will make this requirement consistent with the one on the same topic including within NPA to Part 21 (Part 21.A.9).</p>	
response	<p>See Section 1.</p>	



comment	860		comment by: <i>Rolls-Royce plc</i>		
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection*
145.A.140	Page 28	<p><i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access <u>at any time</u> to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, whether it is contracted/subcontracted or not, to <u>any person</u> authorised by one of the following authorities:"</i></p> <p>Considering access conditions including restricted areas and security, health and safety policies, access cannot be granted to any person at any time to any facility.</p>	<p>Wording should be changed as follows: <i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall make arrangements that allow the competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable</i></p>	No	Yes



			<p><i>requirements of this Annex."</i> Furthermore, this will make this requirement consistent with the one on the same topic including within NPA to Part 21 (Part 21.A.9).</p>		
response		See Section 1.			

comment 922 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.140	28/170	<p><i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall grant access <u>at any time</u> to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to certification, whether it is contracted/subcontracted or not, to <u>any person</u> authorised by one of the following authorities:"</i></p>	<p>Wording should be changed as follows: <i>"For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, the organisation shall make arrangements that allow the</i></p>		X



		<p>Considering access conditions including restricted areas and security, health and safety policies, access cannot be granted to any person at any time to any facility.</p>	<p><i>competent authority to make any investigations, including investigations of partners, supplier and subcontractors, that are necessary to determine the compliance and the continued compliance of the organisation with the applicable requirements of this Annex."</i></p> <p>Furthermore, this will make this requirement consistent with the one on the same topic including within NPA to Part 21 (Part 21.A.9).</p>		
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>967 comment by: <i>Lufthansa Technik</i></p> <p>145.A.140: Access to contractors is not required, as approved contractors work under their own approval and are under surveillance of their Competent Authority. This requirement is therefore not necessary and would be difficult to implement. It might also lead to an unnecessary increase of audit activities. Controlling of one AMO by another AMO would dilute the responsibilities.</p>				



response	See Section 1.

145.A.155 Immediate reaction to a safety problem

p. 28

comment 114 comment by: *General Aviation Manufacturers Association*
 What are the mechanisms the Competent Authority or Agency will use to inform an organization of a safety issue, as 145.B.135 provides insufficient information or guidance and subject to inconsistent regulatory interpretation. Please clarify the scope and mechanisms of this requirement.

response See Section 1.

comment 533 comment by: *AIRBUS*
1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:
 Page 28/170, point 145.A.155 Immediate reaction to a safety problem
2. PROPOSED TEXT / COMMENT:
 Can the EASA clarify what type of safety problems is considered under this requirement and frame the scope of this requirement (maybe in point 145.B.135)?
3. RATIONALE / REASON / JUSTIFICATION for the Comment:
 The requirement (including point 145.B.135) is not specific enough and therefore subject to inconsistent interpretations. Refer also to comment on point 145.B.135.

response See Section 1.

comment 562 comment by: *Jean6francois RANNOU SAFRAN Helicopter Engines*
 Page 28:
 It is unclear what type of safety issues/problems are envisaged by this requirement. As currently worded, the requirement is too open ended and therefore subject to inconsistent interpretation.
 Is this requirement related to level 1 findings, suspension or revocation of the organisation approval which are already subject of other requirements within the Part 145?
Suggested resolution:
 Clarify and frame the scope of this requirement or remove it.

response See Section 1.

comment 658 comment by: *SAFRAN LS*

145.A.155	28/170	It is unclear what type of safety issues/problems are envisaged by this	Clarify and frame the scope of this
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		<p>requirement. As currently worded, the requirement is too open ended and therefore subject to inconsistent interpretation. Is this requirement related to level 1 findings, suspension or revocation of the organisation approval which are already subject of other requirements within the Part 145?</p>	<p>requirement or remove it.</p>
response	See Section 1.		
comment	744	comment by: ASD	
	145.A.155	28/170	<p>It is unclear what type of safety issues/problems are envisaged by this requirement. As currently worded, the requirement is too open ended and therefore subject to inconsistent interpretation. Is this requirement related to level 1 findings, suspension or revocation of the organisation approval which are already subject of other requirements within the Part 145?</p>
			<p>Clarify and frame the scope of this requirement or remove it.</p>
response	See Section 1.		
comment	801	comment by: SAFRAN AEROSYSTEMS	
	<p>It is unclear what type of safety issues/problems are envisaged by this requirement. As currently worded, the requirement is too open ended and therefore subject to inconsistent interpretation. Is this requirement related to level 1 findings, suspension or revocation of the organisation approval which are already subject of other requirements within the Part 145?</p>		
	<p>Clarify and frame the scope of this requirement or remove it.</p>		
response	See Section 1.		
comment	861	comment by: Rolls-Royce plc	



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.A.155	28/170	It is unclear what type of safety issues/problems are envisaged by this requirement. As currently worded, the requirement is too open ended and therefore subject to inconsistent interpretation. Is this requirement related to Level 1 findings, suspension or revocation of the organisation approval which are already subject of other requirements within the Part 145?	Clarify and frame the scope of this requirement or remove it.	No	Yes

response

See Section 1.

comment

923

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.155	28/170	It is unclear what type of safety issues/problems are envisaged by this requirement. As currently worded, the requirement is too	Clarify and frame the scope of this requirement or remove it.		X



	<p>open ended and therefore subject to inconsistent interpretation. Is this requirement related to level 1 findings, suspension or revocation of the organisation approval which are already subject of other requirements within the Part 145?</p>			
response	See Section 1.			
comment	1051	comment by: <i>Dassault Falcon Service</i>		
	What does "relevant mandatory safety information issued by the Agency" mean? Could you give examples?			
response	See Section 1.			

145.A.200 Management system

p. 28-30

comment	37	comment by: <i>NHF Technical committee</i>		
	Item (2-7), and (b) and (c) is supported change of text by NHF.			
response	See Section 1.			
comment	115	comment by: <i>General Aviation Manufacturers Association</i>		
	Section 145.A.200(a): This section needs updating to include requirements for safety assurance, and safety promotion components which are missing. We suggest this 145.A.200(a) is updated to more clearly reflect the four (4) pillars of an SMS that need to be implemented within the management system, specifically safety assurance and promotion and be consistent with AMC and GM.			
response	See Section 1.			
comment	116	comment by: <i>General Aviation Manufacturers Association</i>		
	Section 145.A.200(a)(1): The statement: "...clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager;" - This statement should be replaced with "clearly			



	<p>defined accountability and lines of responsibility throughout the organisation, including a direct safety accountability of the accountable manager;". This revised statement correctly aligns and is consistent with GM2 145.A.200(a)(1).</p>
response	<p>See Section 1.</p>
comment	<p>172 comment by: <i>DGAC France</i></p> <p>(a)(6) : We suggest to add the following : "Compliance monitoring shall include an independant audit system and a system to feed back findings to the accountable manager..."</p>
response	<p>See Section 1.</p>
comment	<p>389 comment by: <i>FNAM</i></p> <p>We also appreciate EASA's efforts to propose European SMS requirements closed to and compatible with current national disposals. Applicable French requirements are similar to the one proposed by EASA. FNAM thanks EASA for harmonizing European regulations, in particular in terms of SMS disposals. EASA proposed system is based on existing and required SMS, such as the required SMS for CAT operators described in Regulation (EU) N°965/2012, but also on national regulation and future Part-CAMO regulation.</p> <p>However, due to some national features, FNAM insists that AltMoc would be necessary in order to propose several alternative means of compliance with the same level of safety but also to harmonize the implementation of proposed disposals throughout Europe. There are some differences with national management system, in particular into AMC and GM details (See comments of AMC1 145.A.200(a)(2), GM2 145.A.200(a)(3) and GM2 145.A.200(a)(6)).</p>
response	<p>See Section 1.</p>
comment	<p>534 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 28-29/170, point 145.A.200 Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this point to read: “(a) The organisation shall establish, implement, and maintain a management system to proactively identify aviation hazards entailed by the activities of the organisation and to mitigate the related safety risks before they result in aviation accidents and incidents.that includes:</p> <p>(1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager; (2) a description of the overall philosophies and principles of the organisation with regard to safety, referred to as the safety policy, and the related safety objectives; (3) the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of the associated risks, including taking actions to mitigate the risks and verify their effectiveness; (4) maintaining personnel trained and competent to perform their tasks;</p>



~~(5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending this documentation;~~
~~(6) a function to monitor the compliance of the organisation with the relevant requirements. Compliance monitoring shall include a system to feed back findings to the accountable manager to ensure the effective implementation of corrective actions as necessary;~~
~~(7) any additional relevant requirements that are laid down in this Regulation.”~~

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The paragraph (a) is causing concerns because it includes a list of items that is non-exhaustive (with the statement ‘any additional relevant requirements that are laid down in this Regulation’). This may be at the origin of endless discussions between the applicant and the competent authority on what is and what is not to be included in the management system. Therefore, an objective-based requirement is preferred (deleted text to be amended and introduced into a new AMC1 145.A.200(a)).

Some parts of the wording proposed for introduction in the paragraph (a) originate from the first sentence of the GM1 145.A.200.

response

See Section 1.

comment

535

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Pages 28-29/170, point 145.A.200 Management system

2. PROPOSED TEXT / COMMENT:

It is proposed to create a new AMC1 145.A.200(a) to read:

“MANAGEMENT SYSTEM

The management system should:

- (1) clearly define lines of responsibility and accountability throughout the organisation. It includes the accountability (no delegation possible) of the accountable manager for the safety performance of the organisation, sometimes referred to as the ‘direct accountability of the accountable manager for safety’;
- (2) describe the overall philosophies and principles of the organisation with regard to safety management, referred to as the safety policy, and the related safety objectives;
- (3) identify aviation safety hazards entailed by the activities of the organisation or by a change in the organisation or in this Regulation, evaluate them and manage the associated risks, including taking actions to mitigate the risks and verify the effectiveness of actions taken;
- (4) document all processes necessary to establish compliance of the organisation with the relevant requirements of this Regulation, including the management system key processes referred to in AMC1 145.A.200(a)(3), a process for making personnel aware of their responsibilities as detailed in the AMC1 145.A.200(a)(4) and in GM1 145.A.200(a)(4), and the procedure for amending this documentation;
- (6) include a function to monitor the compliance of the organisation with the relevant requirements. Compliance monitoring should include a system to feedback findings to the accountable manager to ensure the effective implementation of corrective actions as necessary.



	<p>If the maintenance organisation holds one or more additional organisation approval certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the establishment and sharing of central functions with the other approved organisations.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of consistency with comments on point 145.A200(a).</p>
response	<p>See Section 1.</p>
comment	<p>556 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 29, point 145.A.200 Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (b) of this point to read: “(b) The management system shall correspond to the size of the organisation and the amount, nature, and complexity of its activities, taking into account the hazards and the associated risks inherent in these activities.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The amount of activities is a parameter that should be taken into account as it is in the point 145.A.47.</p>
response	<p>See Section 1.</p>
comment	<p>584 comment by: Le Blanc</p> <p>145.A.200(a)(3) Identification of Safety Hazards for a Part 145 Organisation relies also on the TCH, STC, DOAH to provide the Hazards of the aircraft</p> <p>Suggested resolution: revise the statement accordingly</p>
response	<p>See Section 1.</p>
comment	<p>599 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: "The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new ‘management system’ of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system" Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.</p>



response	See Section 1.
comment	<p>600 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 28 (a) "The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager"; Accountability is not subject of lines of delegations as correctly stated within the GM2 145.A.200(a)(1).</p> <p>Suggested resolution: wording should be changed as follows: "The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined accountability and lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p>
response	See Section 1.
comment	<p>601 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 29/170 (a)</p> <p>The safety performance monitoring and measurement is described in AMC1 145.A.200(a)(3)(d) and GM1 145.A.200 but it is not mentioned as a requirement in the implementing rule. Same philosophy was applied for the management of change that is not part of 145.A.200.</p> <p>Suggested resolution: A bullet should be added to implement a 'safety assurance component' It is suggested to add a requirement regarding safety assurance component including the management of change with a cross reference to 145.A.85 (although the management of change concept is described in AMC2 145.A.85 cross referring to AMC1 145.A.200(a)(3) point (e).</p>
response	See Section 1.
comment	<p>607 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 29 - (a) (4)</p> <p>This bullet covers the requirement in terms of training and competency for the maintenance personnel. It does not focus on the safety promotion required in the organization through training, education and communication. The safety promotion is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4).</p>



response	<p>Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.</p> <p>Suggested resolution: To mention within this requirement the safety promotion component of the SMS.</p> <p>See Section 1.</p>			
comment	<p>613 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 29/170 (c) This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3))</p> <p>Suggested resolution: Wording is proposed to be changed as follows: "If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</p> <p>See Section 1.</p>			
comment	<p>659 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="389 1272 1385 1832"> <tr> <td data-bbox="389 1272 523 1832">145.A.200</td> <td data-bbox="523 1272 625 1832">28/170</td> <td data-bbox="625 1272 1385 1832"> <p>All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: <i>"The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"</i> Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.</p> </td> </tr> </table> <p>See Section 1.</p>	145.A.200	28/170	<p>All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: <i>"The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"</i> Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.</p>
145.A.200	28/170	<p>All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: <i>"The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"</i> Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.</p>		
response	<p>See Section 1.</p>			



comment	660		comment by: SAFRAN LS	
	145.A.200(a)	28/170	<p>"The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p> <p>Accountability is not subject of lines of delegations as correctly stated within the GM2 145.A.200(a)(1).</p>	<p>wording should be changed as follows:</p> <p>"The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined accountability and lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p>
response	See Section 1.			
comment	662		comment by: SAFRAN LS	
	145.A.200(a)(3)	29/170	<p>Identification of Safety Hazards for a Part 145 Organisation relies also on the TCH, STC, DOAH to provide the Hazards of the aircraft</p>	<p>revise the statement accordingly</p>
response	See Section 1.			
comment	663		comment by: SAFRAN LS	
	145.A.200(a)(4)	29/170	<p>This bullet covers the requirement in terms of training and competency for the maintenance personnel. It does not focus on the safety promotion required in the organization through training, education and communication. The safety promotion is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4).</p> <p>Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.</p>	<p>To mention within this requirement the safety promotion component of the SMS.</p>

response See Section 1.

comment 664

comment by: SAFRAN LS

145.A.200(c)	29/170	<p>This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3))</p>	<p>Wording is proposed to be changed as follows: <i>"If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</i></p>
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response See Section 1.

comment 705

comment by: SAFRAN LS

145.A.200(a)	29/170	<p>The safety performance monitoring and measurement is described in AMC1 145.A.200(a)(3)(d) and GM1 145.A.200 but it is not mentioned as a requirement in the implementing rule. Same philosophy was applied for the management of change that is not part of 145.A.200.</p>	<p>A bullet should be added to implement a 'safety assurance component' It is suggested to add a requirement regarding safety assurance component including the management of change with a cross reference to 145.A.85 (although the management of change concept is described in AMC2 145.A.85 cross</p>
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			referring to AMC1 145.A200(a)(3) point (e).
response	See Section 1.		
comment	745	comment by: ASD	
	145.A.200	28/170	<p>All references to Quality (quality management system, quality policy, quality records, ...) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: <i>"The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"</i> Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.</p>
response	See Section 1.		
comment	746	comment by: ASD	
	145.A.200(a)	28/170	<p><i>"The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</i> Accountability is not subject of lines of delegations as correctly stated within the GM2 145.A.200(a)(1).</p> <p>wording should be changed as follows: "The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined accountability and lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p>



response See Section 1.

comment 747 comment by: ASD

145.A.200(a)	29/170	The safety performance monitoring and measurement is described in AMC1 145.A.200(a)(3)(d) and GM1 145.A.200 but it is not mentioned as a requirement in the implementing rule. Same philosophy was applied for the management of change that is not part of 145.A.200.	A bullet should be added to implement a 'safety assurance component' It is suggested to add a requirement regarding safety assurance component including the management of change with a cross reference to 145.A.85 (although the management of change concept is described in AMC2 145.A.85 cross referring to AMC1 145.A.200(a)(3) point (e).
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response See Section 1.

comment 748 comment by: ASD

145.A.200(a)(3)	29/170	Part 145 organisation cannot judge the hazards of the aircraft, and should therefore be looking only for those hazards to proper completion of maintenance	revise the statement accordingly
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response See Section 1.

comment 749 comment by: ASD

145.A.200(a)(4)	29/170	This bullet covers the requirement in terms of training and competency for the maintenance personnel. It does not focus on the safety promotion required in the organization through training, education and communication. The safety promotion	To mention within this requirement the safety promotion component of the SMS.
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	<table border="1"> <tr> <td data-bbox="379 183 592 481"></td> <td data-bbox="592 183 651 481"></td> <td data-bbox="651 183 1168 481"> <p>is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4). Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.</p> </td> <td data-bbox="1168 183 1412 481"></td> </tr> </table>			<p>is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4). Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.</p>	
		<p>is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4). Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.</p>			
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>750 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="379 745 550 1512"> <p>145.A.200(c))</p> </td> <td data-bbox="550 745 651 1512"> <p>29/170</p> </td> <td data-bbox="651 745 970 1512"> <p>This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3)</p> </td> <td data-bbox="970 745 1412 1512"> <p>Wording is proposed to be changed as follows: <i>"If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</i></p> </td> </tr> </table>	<p>145.A.200(c))</p>	<p>29/170</p>	<p>This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3)</p>	<p>Wording is proposed to be changed as follows: <i>"If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</i></p>
<p>145.A.200(c))</p>	<p>29/170</p>	<p>This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3)</p>	<p>Wording is proposed to be changed as follows: <i>"If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</i></p>		
<p>response</p>	<p>See Section 1.</p>				
<p>comment</p>	<p>802 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: 				



Quote: "The newly introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"

Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.

- 145.A.200(a)

"The organisation shall establish, implement, and maintain a management system that includes:

(1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";
Accountability is not subject of lines of delegations as correctly stated within the GM2 145.A.200(a)(1).

wording should be changed as follows:

"The organisation shall establish, implement, and maintain a management system that includes:

(1) clearly defined accountability and lines of responsibility ~~and accountability~~ throughout the organisation, including a direct safety accountability of the accountable manager";

- The safety performance monitoring and measurement is described in AMC1 145.A.200(a)(3)(d) and GM1 145.A.200 but it is not mentioned as a requirement in the implementing rule. Same philosophy was applied for the management of change that is not part of 145.A.200.

A bullet should be added to implement a 'safety assurance component'

It is suggested to add a requirement regarding safety assurance component including the management of change with a cross reference to 145.A.85 (although the management of change concept is described in AMC2 145.A.85 cross referring to AMC1 145.A.200(a)(3) point (e).

- 145.A.200(a)(3)

Identification of Safety Hazards for a Part 145 Organisation relies also on the TCH, STC, DOAH to provide the Hazards of the aircraft
revise the statement accordingly

- 145.A.200(a)(4)

This bullet covers the requirement in terms of training and competency for the maintenance personnel. It does not focus on the safety promotion required in the



organization through training, education and communication. The safety promotion is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4).

Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.

- 145.A.200(c)

This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system.

This is a welcome provision, but it needs to explicitly accomodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used.

Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3))

Wording is proposed to be changed as follows:

"If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."

response

See Section 1.

comment

863

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
145.A.200	Page 28	All references to Quality (quality management system, quality policy, quality records, ...) have been removed from Part 145 requirements including in the description of the management system. However, Part A of the NPA clarifies that: <i>"The newly introduced SMS elements in Part-</i>		No	Yes



		<p>145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; <u>it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"</u></p> <p>This recognition of the inclusion of the existing quality requirements should be reflected within GM1 145.A.200, to retain the link to quality as an essential foundation for safety.</p>			
145.A.200(a)	Page 28	<p><i>"The organisation shall establish, implement, and maintain a management system that includes:</i> <i>(1) clearly defined lines of responsibility and accountability throughout the organisation, including a direct</i></p>	<p>wording should be changed as follows: "The organisation shall establish, implement, and maintain a management system that includes: (1) clearly</p>	No	Yes



		<p>safety accountability of the accountable manager"; Accountability is distinct from the lines of delegations as stated within GM2 145.A.200(a)(1).</p>	<p>defined accountability and lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p>		
145.A.200(a)	Page 29	<p>The safety performance monitoring and measurement is described in AMC1 145.A.200(a)(3)(d) and GM1 145.A.200 but it is not mentioned as a requirement in the associated implementing rule (145.A.200 (a) (3) only covers identification and management of hazards and associated risks). The same philosophy was applied for the management of change that is not part of 145.A.200.</p>	<p>To avoid AMC creating new requirements, we suggest a bullet should be added to implement a 'safety assurance component', or similar, to include the management of change with a cross reference to 145.A.85 (noting that the management of change concept is described in AMC2 145.A.85 cross referring to AMC1 145.A.200(a)(3) point (e).</p>	No	Yes
NPA 2019-05 (C) 145.A.200 (a) (1) & GM1 145.A.200 (a)	Page 28	<p>"responsibility and accountability", you can delegate responsibility not accountability so</p>	<p>Change to "accountability and responsibility"</p>	Yes	No



		accountability needs to come first			
145.A.200(a)(3)	Page 29	It should be recognised that the maintenance organisation is not in a position to directly identify hazards to the aircraft - the knowledge of the tolerance of the aircraft systems to maintenance issues should not be assumed to be within the capability of the maintenance organisation. The maintenance organisation may only identify hazards to the proper completion of all maintenance for which it has been tasked.	Revise the statement accordingly	Yes	No
145.A.200(a)(4)	Page 29	This bullet covers the requirement in terms of training and competency for the maintenance personnel. It does not focus on the safety promotion required in the organization through training, education and communication. The safety promotion is detailed in GM1 145.A.200(a)(4)	Include within this requirement the safety promotion component of the SMS.	Yes	No



		and communication on safety in AMC1 145.A.200(a)(4). Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.			
145.A.200(c)	Page 29	This recognises that organisation may hold multiple approvals such as DOA, POA & AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3)	Wording is proposed to be changed as follows: <i>"If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</i>	Yes	No



NPA 2019-05 (C) 145.A.200 (c)	Page 29	This recognises that organisation may hold multiple approvals such as DOA, POA & AMO in an integrated management system. There is no guidance or clarity on how this would be overseen and coordinated between the Agency and CAs which could lead to conflict in implementation and interpretation of SMS compliance.	Provide clarity in AMC or GM on how this will be controlled	No	Yes
response	See Section 1.				

comment

924 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.200	28/170	All references to Quality (quality management system, quality policy, quality records,) have been removed from Part 145 requirements including in the description of the management system. However, it is well acknowledged by EASA through the part A of the NPA that: Quote: "The newly	To clarify		X



		<p><i>introduced SMS elements in Part-145 follow the integrated approach used in the other domains, through the introduction of an integrated management system. As example, the new 'management system' of point 145.A.200 for Part-145 is introduced; it incorporates the existing quality system of point 145.A.65 with the ICAO SMS SARPs in an integrated management system"</i></p> <p>Unquote: Such acknowledgement should be reflected within the GM1 145.A.200. This is essential as Quality is the foundation for Safety.</p>			
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response See Section 1.

comment

925 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.200(a)	28/170	<i>"The organisation shall establish, implement, and maintain a management system that includes: (1) clearly defined lines of responsibility and</i>	wording should be changed as follows: "The organisation shall establish, implement, and maintain a management system that includes:		X



		<p>accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p> <p>Accountability is not subject of lines of delegations as correctly stated within the GM2 145.A.200(a)(1).</p>	<p>(1) clearly defined accountability and lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager";</p>		
response	See Section 1.				

comment 926 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.200(a)	29/170	<p>The safety performance monitoring and measurement is described in AMC1 145.A.200(a)(3)(d) and GM1 145.A.200 but it is not mentioned as a requirement in the implementing rule. Same philosophy was applied for the management of change that is not part of 145.A.200.</p>	<p>A bullet should be added to implement a 'safety assurance component'</p> <p>It is suggested to add a requirement regarding safety assurance component including the management of change with a cross reference to 145.A.85 (although the</p>		X



response

			management of change concept is described in AMC2 145.A.85 cross referring to AMC1 145.A200(a)(3) point (e).		
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See Section 1.

comment

927 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.200(a)(3)	29/170	Identification of Safety Hazards for a Part 145 Organisation relies also on the TCH, STC, DOAH to provide the Hazards of the aircraft	revise the statement accordingly	X	

response

See Section 1.

comment

928 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.200(a)(4)	29/170	This bullet covers the requirement in terms of training	To mention within this requirement the safety	X	



		and competency for the maintenance personnel. It does not focus on the safety promotion required in the organization through training, education and communication. The safety promotion is detailed in GM1 145.A.200(a)(4) and communication on safety in AMC1 145.A.200(a)(4). Ensure consistency with NPA 2019-05 (B) – 21.A.139(c)(5) and 21.A.239(c)(5) that cross refer to GM and AMC for further details.	promotion component of the SMS.		
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response **See Section 1.**

comment

929

comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.A.200(c)	29/170	This recognises that organisation may hold multiple approvals such as DOA, POA &	Wording is proposed to be changed as follows: <i>"If the organisation holds one or</i>	X	



	<p>AMO handled in an integrated management system. This is a welcome provision, but it needs to explicitly accommodate approved organisations that are part of a larger organisation, so that centrally-controlled (corporate) functions and resources may be used. Such principles were already considered in Part 21 for the DOA independent system monitoring (AMC 21.A.239(a)(3)</p>	<p><i>more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held. This may include the use of central functions when the approved organisation is part of a larger organisation."</i></p>		
response	<p>See Section 1.</p>			
comment	<p>992 comment by: Duane Kritzinger</p> <p>In 145.A.200 (a)(3) the language is harmonised with ORO.Gen yet a part 145 organisation is a more stable environment and its interpretation is wide. EASA clarity/consistency around this aspect is needed across the entire regulatory framework. Eg NPA 2015-18 (B) refers to ALARP; a term often used in the regulation and management of safety-critical and safety-involved systems. There is a possibility that compliance issues are 'risk assessed' into acceptance</p>			
response	<p>See Section 1.</p>			
comment	<p>993 comment by: Duane Kritzinger</p>			



response	<p>In 145.A.200 para (a)(3)), the identification of aviation safety hazards: This requirement and the AMC does not refer to ALARP, which is significant in the deployment of SRM (see NPAs 2013/01 and 2015/2018)</p>
	<p>See Section 1.</p>
comment	<p>1026 comment by: <i>Aeronautical Repair Station Association</i></p> <p>Aeronautical Repair Station Association Comment #5. 145.A.200-Management system. Page 28-29.</p> <p>Proposed point 145.A.200(a)(1) requires the organisation to establish, implement, and maintain a management system that includes, “clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager.” This wording is unclear. We believe it is the agency’s intent that accountability be “to” (not “of”) the accountable manager. In the alternative, replacing “a” with “the” in front of the phrase “direct safety accountability” would clarify that it is the accountable manager who is directly accountable for safety.</p> <p>ARSA agrees with the intent of points 145.A.200(b) and (c), viz., that SMS should be scalable and correspond to the organisation’s size and risks associated with its activities, and that organisations holding multiple certificates should be allowed to integrate their SMS. We urge that these concepts be maintained in the final regulation.</p>
response	<p>See Section 1.</p>
comment	<p>1035 comment by: <i>Cengiz Turkoglu</i></p> <p>145.A.200 Management system</p> <p>(a) The organisation shall establish, implement, and maintain a management system that includes:</p> <p>(1).....</p> <p>(2).....</p> <p>(3) the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of the associated risks taking into consideration of relevant human factors and/or human performance limitations, including taking actions to mitigate the risks and verify their effectiveness;</p> <p>The similar statement is already newly added to 145.A.45 Maintenance Data (e) in this NPA. So it makes perfect sense to integrate the HF principles within the safety risk management process as well.</p>
response	<p>See Section 1.</p>

145.A.202 Internal safety reporting scheme

comment 38

comment by: *NHF Technical committee*



	NHF support the change of text, but would like the Agency to add a paragraph regarding just culture during handling of reports, and add text to support reporting of non-mandatory occurrences as well as mandatory occurrences.
response	See Section 1.
comment	66 comment by: <i>KLM Engineering & Maintenance</i> 145.A.202 (c) (1) states: "...identify the causes of and contributing factors to any errors, near misses". Comment: we believe it is not possible to do that. And it is contrary to the essentials of Safety Risk Management: all occurrences receive hazard classification and based upon that classification they are investigated or not.
response	See Section 1.
comment	101 comment by: <i>General Aviation Manufacturers Association</i> The statement: "...maintenance data used by maintenance personnel is found, it is recorded as part of the <u>internal safety reporting scheme</u> referred to in point 145.A.202," - suggest rephrasing the underlined statement to "internal reporting scheme" - delete 'safety' as this is too prescriptive. Further, change the title of 145.A.202 to Internal Reporting Scheme for consistency.
response	See Section 1.
comment	118 comment by: <i>General Aviation Manufacturers Association</i> The statement: "identify the causes of, and contributing factors to, <u>any errors, near misses, and hazards reported</u> , and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3);" The underlined requirement is too prescriptive and imposes an unnecessary burden. We suggest that this narrative is aligned with GM1 21.A.3(a)(1)(ii) and 21.A.3(b)(1)(i) bullets (a) and (b).
response	See Section 1.
comment	119 comment by: <i>General Aviation Manufacturers Association</i> 145.A.202(e): The statement: "The organisation shall cooperate on safety investigations with any other organisation that makes a significant contribution to the safety of its own maintenance activities." - Please clarify the intent and expectations of this statement and provide AMC and GM, as appropriate.
response	See Section 1.
comment	120 comment by: <i>General Aviation Manufacturers Association</i> Additional AMC and GM is required to support the sharing of potential hazards and risks with external suppliers and other entities regarding maintenance activities, other than the owner / operator or CAMO. Please provide clarification.

response	See Section 1.
comment	390 comment by: <i>FNAM</i> c) FNAM agrees and supports EASA's proposals.
response	See Section 1.
comment	392 comment by: <i>FNAM</i> (d) In order to ensure the proper collection of data and to avoid any additional burden for organization, FNAM suggests that the collection of any safety issues related to subcontracted activities should be limited to work order. In the case of subcontracted and contracted organizations based out of Europe, such as US, the collection of any safety data will not be possible.
response	See Section 1.
comment	557 comment by: <i>AIRBUS</i> 1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 30, point 145.A.202 Internal safety reporting scheme 2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “(a) As part of its management system, the organisation shall establish an internal safety reporting scheme to enable the collection, and evaluation subsequent processing in accordance with point 145.A.200(a) , of such occurrences that are to be reported under point 145.A.60. (b) The scheme shall also enable the collection, and evaluation subsequent processing in accordance with point 145.A.200(a) , of those errors, near misses , and hazards reported internally that do not fall under point (a). (c) Through this scheme, the organisation shall: (1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3); (2) ensure an evaluation of all the known, relevant information relating to errors, the inability to follow procedures, near misses, and hazards, and a method to circulate the information as necessary. (dc) The organisation shall make arrangements to ensure the collection of any safety issues required by point (a) and (b) related in relation to subcontracted activities. (e) The organisation shall cooperate on safety investigations with any other organisation that makes a significant contribution to the safety of its own maintenance activities.” 3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete the paragraph (c) because the subject evaluations are not falling under the topic ‘reporting’. To clarify this, reference is made to ‘subsequent processing in accordance with point 145.A.200(a)’.



	<p>It is proposed to delete references to ‘near misses’ because near misses may significantly increase the quantity of items to collect and process to such a point that they could overwhelm any scheme.</p> <p>It is proposed to delete the paragraph (e) because the cooperation in safety investigations managed by other organisations is not relevant for the internal reporting scheme. Further, the paragraph (b) of GM1 145.A.200(a)(3) addresses the matter.</p>
response	See Section 1.
comment	<p>608 comment by: <i>Baines Simmons</i></p> <p>145.A.202 in general does not mention the confidentiality options as per (EU)376/2014. Should this be clarified?</p>
response	See Section 1.
comment	<p>614 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 30/172 - (c) (1) “(c) Through this scheme, the organisation shall: (1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3);” This bullet (1) is too prescriptive when mentioning ‘any errors, near misses, and hazards reported’. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p> <p>Suggested resolution: It is suggested to align the wording of this bullet with GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) bullets (a) and (b).</p>
response	See Section 1.
comment	<p>615 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 30/170 - (e) What does constitute ‘a significant contribution to the safety of its own maintenance activities’? Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .</p> <p>Suggested resolution: ‘significant contribution’ should be clarified through a GM. Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme. Bullet (d) in GM1 145.A.200(a)(3) covers already this topic</p>
response	See Section 1.
comment	<p>665 comment by: <i>SAFRAN LS</i></p>



<p>145.A.202 (c)(1)</p>	<p>30/172</p>	<p>"(c) Through this scheme, the organisation shall: (1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3);" This bullet (1) is too prescriptive when mentioning 'any errors, near misses, and hazards reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p>	<p>It is suggested to align the wording of this bullet with GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) bullets (a) and (b).</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>666</p>		<p>comment by: SAFRAN LS</p>
<p>145.A.202(e))</p>	<p>30/170</p>	<p>What does constitute 'a significant contribution to the safety of its own maintenance activities'? Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .</p>	<p>'significant contribution' should be clarified through a GM. Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme. Bullet (d) in GM1 145.A.200(a)(3) covers already this topic</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>751</p>		<p>comment by: ASD</p>
<p>145.A.202 (c)(1)</p>	<p>30/172</p>	<p>"(c) Through this scheme, the organisation shall: (1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in</p>	<p>It is suggested to align the wording of this bullet with GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) bullets (a) and (b).</p>



	<table border="1"> <tr> <td data-bbox="379 183 534 582"></td> <td data-bbox="534 183 1077 582"> <p><i>accordance with point 145.A.200(a)(3);"</i></p> <p>This bullet (1) is too prescriptive when mentioning 'any errors, near misses, and hazards reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p> </td> <td data-bbox="1077 183 1412 582"></td> </tr> </table>		<p><i>accordance with point 145.A.200(a)(3);"</i></p> <p>This bullet (1) is too prescriptive when mentioning 'any errors, near misses, and hazards reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p>		
	<p><i>accordance with point 145.A.200(a)(3);"</i></p> <p>This bullet (1) is too prescriptive when mentioning 'any errors, near misses, and hazards reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p>				
response	<p>See Section 1.</p>				
comment	<p>752 comment by: ASD</p> <table border="1"> <tr> <td data-bbox="379 750 550 1232">145.A.202(e)</td> <td data-bbox="550 750 646 1232">30/170</td> <td data-bbox="646 750 997 1232"> <p>What does constitute 'a significant contribution to the safety of its own maintenance activities'?</p> <p>Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .</p> </td> <td data-bbox="997 750 1412 1232"> <p>'significant contribution' should be clarified through a GM.</p> <p>Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme.</p> <p>Bullet (d) in GM1 145.A.200(a)(3) covers already this topic</p> </td> </tr> </table>	145.A.202(e)	30/170	<p>What does constitute 'a significant contribution to the safety of its own maintenance activities'?</p> <p>Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .</p>	<p>'significant contribution' should be clarified through a GM.</p> <p>Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme.</p> <p>Bullet (d) in GM1 145.A.200(a)(3) covers already this topic</p>
145.A.202(e)	30/170	<p>What does constitute 'a significant contribution to the safety of its own maintenance activities'?</p> <p>Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .</p>	<p>'significant contribution' should be clarified through a GM.</p> <p>Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme.</p> <p>Bullet (d) in GM1 145.A.200(a)(3) covers already this topic</p>		
response	<p>See Section 1.</p>				
comment	<p>803 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> 145.A.202 (c) (1) <p>"(c) Through this scheme, the organisation shall: (1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3);"</p> <p>This bullet (1) is too prescriptive when mentioning 'any errors, near misses, and hazards reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p> <p>It is suggested to align the wording of this bullet with GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) bullets (a) and (b).</p>				



- 145.A.202(e)

What does constitute ‘a significant contribution to the safety of its own maintenance activities’?

Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .

‘significant contribution’ should be clarified through a GM.

Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme. Bullet (d) in GM1 145.A.200(a)(3) covers already this topic

response

See Section 1.

comment

864

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection**
145.A.202 (c)(1)	Page 30	<p><i>"(c) Through this scheme, the organisation shall:</i></p> <p><i>(1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3);</i></p> <p><i>"</i></p> <p>This bullet (1) is too prescriptive when mentioning ‘any errors, near misses, and hazards</p>	<p>We suggest aligning the wording of this bullet with GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) bullets (a) and (b).</p>	No	Yes



		reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.			
145.A.202(e)	Page 30	Some clarification is needed on the type of organisations that make 'a significant contribution to the safety of its own maintenance activities'? Also, this point is not directly relevant to the internal reporting scheme but appears to relate to cooperation in safety investigations managed by other organisations .	The 'significant contribution' etc should be clarified through a GM. Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme. GM1 145.A.200(a)(3)(d) appears to cover this co-operation already.	No	Yes

response

See Section 1.

comment

930

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is
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				observation (suggestion)	substantive (objection)
145.A.202 (c)(1)	30/172	<p>"(c) Through this scheme, the organisation shall: (1) identify the causes of, and contributing factors to, any errors, near misses, and hazards reported, and address them as part of their safety risk management process in accordance with point 145.A.200(a)(3);"</p> <p>This bullet (1) is too prescriptive when mentioning 'any errors, near misses, and hazards reported'. An assessment of the safety implications is necessary related to errors. Then a full root cause analysis should be performed depending on their criticality.</p>		It is suggested to align the wording of this bullet with GM1 21.A.3A(a)(1)(ii) and (b)(1)(i) bullets (a) and (b).	X

response **See Section 1.**

comment 931 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)



145.A.202(e)	30/170	<p>What does constitute ‘a significant contribution to the safety of its own maintenance activities’? Furthermore, this bullet is not relevant to the internal reporting scheme but to cooperation in safety investigations managed by other organisations .</p>	<p>‘significant contribution’ should be clarified through a GM. Remove this bullet (e) from this 145.A.202 requirement as not being relevant to the internal reporting scheme. Bullet (d) in GM1 145.A.200(a)(3) covers already this topic</p>	X
response	See Section 1.			

comment 1052 comment by: Dassault Falcon Service
 Just culture should be addressed in this chapter.

response See Section 1.

145.A.205 Contracting and subcontracting

p. 30-31

comment 84 comment by: CAA-NL
 145.A.205(a)(1):
 The organisation shall ensure that the work outsourced is in compliance with all applicable requirements. Please change (1) accordingly (in line with CAMO.A.205).
 (1) these maintenance activities conform to the applicable requirements ; and

response See Section 1.

comment 251 comment by: KLM Engineering & Maintenance
 145.A.205 (a) (1) : A part 145 organisation can show that contracted or subcontracted maintenance activities conform to the requirements of this Annex. But that cannot be said of the purchase of equipment or services.
 145.A.205 (a) (2) :



response	<p>"Any aviation safety hazards": how far do you go? Where is the dividing line? It is unclear what this scope is. The contracting, subcontracting or purchase of equipment and services will only be managed and risk-assessed under the management system when confirmed to be significant.</p> <p>See Section 1.</p>
comment	<p>393 comment by: <i>FNAM</i></p> <p>(a)(2) Audits and collection of any safety issues of contracting and subcontracting organizations should be used to ensure the compliance of subcontracting/contracting organizations with their internal requirements (quality system, management system, procedures, etc.). For some subcontracting/contracting organizations, Part-145 organizations are not technically expert in subcontracting/contracting organizations specificities. Therefore, Part-145 organizations may not be in position to judge and to oversight subcontracting/contracting organizations' specific tasks and their associated risks. Checking that subcontracting/contracting organizations have their particular qualification and diploma but also their specific approvals and authorizations should be sufficient to ensure the subcontracting/contracting organizations' competencies and the risk management.</p>
response	<p>See Section 1.</p>
comment	<p>395 comment by: <i>FNAM</i></p> <p>(a) "or when purchasing equipment or services" Part-145 organizations will not be able to follow proposed EASA's requirements with suppliers. Indeed :</p> <ol style="list-style-type: none"> 1. Maintenance organizations maintaining numerous types of aircraft but also organizations maintaining "old" aircraft have often a lot of different and various suppliers throughout all the World. 2. Suppliers are not regulated by any standards nor regulations. It would be therefore difficult to sensitize them to restrict their economic model to European Part-145 Regulations. <p>Part-145 organizations will therefore not have the available resources for ensuring that suppliers are compliant with proposed European regulations and that any risks specific to the suppliers are linked to the management system. We suggest that the following of the quality of the received parts/components and / or the use of survey should be sufficient to evaluate suppliers' quality and their associated risks.</p>
response	<p>See Section 1.</p>
comment	<p>396 comment by: <i>FNAM</i></p> <p>General comment: In order to ensure an efficient implementation and also to be in line with GM2 145.A.205 definition, FNAM suggests precisising "subcontracting" requirements or "contracting" requirements (purchase, organizations, activities,</p>



response	<p>etc.) by, respectively, “maintenance subcontracting” requirements and “maintenance contracting” requirement.</p> <p>See Section 1.</p>
comment	<p>560 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 30/170, point 145.A.205 Contracting and subcontracting</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) to read: “(a) The organisation shall ensure that when contracting or subcontracting any part of its maintenance activities, or including when purchasing equipment and tools or components services: (1) these maintenance activities conform to the requirements of this Annex; and (2) any aviation safety hazards associated with such contracting, subcontracting or purchase are considered as part of the organisation’s management system.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘services’ is introduced but not defined. It may create confusion with the term ‘maintenance activities’.</p>
response	<p>See Section 1.</p>
comment	<p>960 comment by: DGAC France</p> <p>We suggest to delete “purchase” in the following paragraph</p> <p>(2) any aviation safety hazards associated with such contracting, subcontracting, or purchase are considered as part of the organisation’s management system.</p> <p>It does not seem possible for the part 145 maintenance organisation to take into account the safety hazards linked to the design and manufacturing activities of the equipment which are purchased from production organization / distributors / dealers.</p>
response	<p>See Section 1.</p>
comment	<p>968 comment by: Lufthansa Technik</p> <p>145.A.205 (a): Please remove the term "contracting": Contracting to another approved organisation, is not on the same risk level, than subcontracting. In case of contracting the Quality & Management System of the approved organisation is in full responsibility of Part-145 compliance. Thus the AMO is only responsible for its subcontracted organisations. Accordingly this paragraph should deal with subcontracting only.</p>
response	<p>See Section 1.</p>



comment	1050 ❖	comment by: Dassault Falcon Service
	Should not be applicable to "contracted activities" as, according to GM2 145.A.205, contracted activities will be released under the approval of another maintenance organization which shall comply with the Part 145 regulation.	
response	See Section 1.	

145.B.005 Scope

p. 32

comment	564	comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 32/170, point 145.B.005 Scope</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: "This section establishes the administrative and management system requirements to be followed by tThe competent authority that is in charge of the implementation and enforcement of Section A of this Annex shall comply with the administrative and management system requirements of this section."</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: There is no requirement ('shall') in the original proposal.</p>	
response	See Section 1.	

comment	616	comment by: Jean6francois RANNOU SAFRAN Helicopter Engines
	<p>Section B - All pages</p> <p>The beginning of the proposed section B states '[Section B is replaced by]', which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that 'deleted text is struck through; new or amended text is highlighted in grey; an ellipsis '[...]' indicates that the rest of the text is unchanged.'</p> <p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this 'new' text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p> <p>Suggested resolution:</p>	



response

See Section 1.

comment

865

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
Section B	Page 32	The beginning of the proposed section B states '[Section B is replaced by]', which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that ' <i>deleted text is struck through; new or amended text is highlighted in grey; an ellipsis '[...]' indicates that the rest of the text is unchanged.</i> '	The text of the current applicable Part 145 should appear and be amended to be consistent with the editorial arrangements used throughout the rest of the NPA and defined on page 6/170.	No	Yes



	<p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this 'new' text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p>			
<p>response</p>	<p>See Section 1.</p>			



comment

932

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
Section B	all	<p>The beginning of the proposed section B states '[Section B is replaced by]', which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that <i>'deleted text is struck through; new or amended text is highlighted in grey; an ellipsis [...]' indicates that the rest of the text is unchanged.'</i></p> <p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text</p>	<p>The text of the current applicable Part 145 should appear and be amended to be consistent with the editorial arrangements used throughout the rest of the NPA and defined on page 6/170.</p>		X



		<p>is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this 'new' text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p>			
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response **See Section 1.**

comment 933 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.120	32/170	This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already		X



	<p>evaluating, recording and informing the applicant of its decision, and when it has decided in favours of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave</p>	<p>exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations</p>		
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		concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.	and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.		
response	See Section 1.				

145.B.115 Oversight documentation

p. 32

comment	174	comment by: DGAC France
	We suggest to change the tittle as " Certification and Oversight documentation"	
response	See Section 1.	

145.B.120 Means of compliance

p. 32-33

comment	177	comment by: DGAC France
	(d) : we suggest to add the following : "in accordance with point 145.A.120 by analysing the documentation provided including the revised MOE with the reference of the alternative means of compliance and, if considered necessary, by conducting an inspection of the organisation."	
	In order to do not create confusion, we suggest to keep only the certificate in paragraph (d)(1) as follows : "notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the approval or certificate of the applicant accordingly;"	
response	See Section 1.	
comment	179	comment by: DGAC France
	(d)(2) and (e)(2) : In order to simplify the process, we suggest that all relevant documentation to be archived by NAAs but not to be sent automatically to EASA.	



	<p>To clarify on which Section the NAA can use AltMoc, we suggest to modify the paragraph (e) as follows : "If the competent authority itself uses alternative means of compliance on Section A or Section B to achieve compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts"</p>
response	<p>See Section 1.</p>
comment	<p>565 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 32/170, point 145.B.120 Means of compliance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: "(a) The Agency shall develop Acceptable Means of Compliance ('AMC') that may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts. (b) Alternative means of compliance may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts. (c) The competent authority shall establish a system to consistently evaluate that all alternative means of compliance used by itself or by organisations under its oversight allow for the establishment of compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts. (d) The competent authority shall evaluate all the alternative means of compliance proposed by an organisation in accordance with point 145.A.120 by analysing the documentation provided and, if considered necessary, by conducting an inspection of the organisation. When the competent authority finds that the alternative means of compliance are in accordance with Regulation (EU) 2018/1139 and its delegated and implementing acts, it shall without undue delay: (1) notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the approval or certificate of the applicant accordingly; (2) notify the Agency of their content, and include copies of all the relevant documentation. (e) If the competent authority itself uses alternative means of compliance to achieve compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts, it shall: (1) make them available to all the organisations and persons under its oversight; (2) notify the Agency without undue delay. The competent authority shall provide the Agency with a full description of the alternative means of compliance, including any revisions to procedures that may be relevant, as well as an assessment demonstrating that they comply with Regulation (EU) 2018/1139 and its delegated and implementing acts."</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The paragraph (a) is not necessary as the matter is already addressed in the paragraph 3. of the Article 76 in the Regulation (EU) 2018/1139. There is no requirement ('shall') in the paragraph (b). It may be moved into the GM1 145.B.120. The paragraphs (c) and (d) are proposed for deletion because no specific detailed treatment of deviations from any given AMC is needed in the Regulation. It would</p>



response	<p>inevitably generate an unnecessary administrative burden: the competent authority is able to judge the overall effectiveness of the organisation’s systems, in particular with the approval of the MOE (refer to the point 145.A.85 and the GM1 145.A.85(b)).</p>				
	<p>See Section 1.</p>				
comment	<p>617 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i> Page 32/170</p> <p>The beginning of the proposed section B states ‘[Section B is replaced by]’, which we interpret to mean that no text has been retained from the current version of Section B. By comparison, the corresponding changes to the contents on page 2 only show the changed title of Section B. This format for the presentation of the changes proposed in the NPA does not conform with the editorial conventions stated in page 6/170 of this NPA (2019-05 (C)), which states that ‘deleted text is struck through; new or amended text is highlighted in grey; an ellipsis ‘[...]’ indicates that the rest of the text is unchanged.’</p> <p>This convention has been used throughout the rest of the NPA, and this deviation for Section B of Part 145 makes the new proposals for this section very difficult to review, since the deleted text is not shown, and the whole of the Section has to be presumed to be new. The lack of deleted text in particular means that it is not possible to determine whether existing text has been re-used, possibly in a different place, or has just been edited for clarity. This means that all of this ‘new’ text has to be compared line-by-line with a copy of the existing text, or alternately, all the content has to be treated as completely new ideas, with both options resulting in an additional review burden for industry and competent authorities.</p> <p>Suggested resolution:</p> <p>This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>				
response	<p>See Section 1.</p>				
comment	<p>754 comment by: <i>ASD</i></p> <table border="1" data-bbox="391 1915 1385 1995"> <tr> <td data-bbox="391 1915 523 1995">145.B.120</td> <td data-bbox="523 1915 624 1995">32/170</td> <td data-bbox="624 1915 1007 1995">This section instructs the competent authority to require</td> <td data-bbox="1007 1915 1385 1995">This section should be deleted, awaiting a cross-</td> </tr> </table>	145.B.120	32/170	This section instructs the competent authority to require	This section should be deleted, awaiting a cross-
145.B.120	32/170	This section instructs the competent authority to require	This section should be deleted, awaiting a cross-		



	<p>a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.</p>	<p>domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.</p>
response	<p>See Section 1.</p>	
comment	<p>804</p> <p>This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these</p>	<p>comment by: SAFRAN AEROSYSTEMS</p>



reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some benefit of a formal system. We oppose this requirement, as increasing the bureaucratic burden with no benefit to safety.

This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner ahead of using them in future Decisions and Opinions.

response

See Section 1.

comment

834

comment by: *Aircraft Engineers International*

145.B.120 (d): There should be a requirement for the Agency to establish a database of approved alternative means of compliance available to the public, also those used by organisations, ensuring level playing field and insight for maintenance personnel.

response

See Section 1.

comment

866

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.120	Page 32	This section instructs the competent authority to require a formal submission for any deviation from AMC, to have a mechanism for evaluating, recording and informing the applicant of its	This section should be deleted, awaiting a cross-domain review of its effectiveness and suitability in the domains in which it already exists, before any attempt is made to make it more widely	No	Yes



	<p>decision, and when it has decided in favour of the deviation proposed, inform EASA of the alternate means of compliance. This is unacceptable. It will have the effect of either delivering a large number of detailed reviews, or of stifling the acceptance of compliant systems, as reporting the compliance to EASA will bring the assumption of some form of judgement - what EASA does with these reports is unclear. It is also stated in the AMC to this rule that a means of compliance found acceptable by a competent authority may not be adopted by another authority or organisation without going through the formal process as if it were the first occurrence. Notwithstanding the grave concerns over the general rule, this last item takes away even the possibility of some</p>	<p>applicable. Other ways of ensuring level-playing field, while maintaining flexibility, should be explored instead. For example, standardization of the interpretation of AMCs could be achieved through a forum for competent authorities to review means of compliance with EASA in broad terms (not through the systematic submission of numerous alternative means of compliance), A mechanism for applicants to raise any concerns with EASA should also be provided, and it is recommended that EASA use a mechanism similar to the JAA Temporary Guidance Leaflets (suitably balloted) to identify interpretations and good practice of general applicability in a timely manner</p>		
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		benefit of a formal system. We oppose this requirement, as increasing the bureucratic burden with no benefit to safety.	ahead of using them in future Decisions and Opinions.		
response	See Section 1.				
comment	983	comment by: <i>Lufthansa Technik</i>			
	145.B.120 (d): The criteria on which basis the assessment is done should be more specific. What does compliance with regulation mean in this regard? Maybe a documented risk assessment could be an basis for approving an Alt-MOC				
response	See Section 1.				
comment	1038	comment by: <i>Thales</i>			
	See comment #1036. Suggested resolution: delete 145.B.120				
response	See Section 1.				

145.B.125 Information to the Agency

p. 33

comment	39	comment by: <i>NHF Technical committee</i>			
	NHF fully support that the Agency gathers information regarding signficant problems with the application of the regulation and its delegated and implementing acts. NHF also supports paragraph (b) as this wil drive safety forward in a positive manner.				
response	See Section 1.				
comment	41	comment by: <i>NHF Technical committee</i>			
	Item (a and b): Change of text is fully supported by NHF.				
response	See Section 1.				
comment	85	comment by: <i>CAA-NL</i>			
	145.B.125				



response	<p>The CAA-NL agrees with the insertion of 145.B.125, where par. (a) deals with problems with the implementation of the EU aviation regulations and par. (b) deals with any safety-significant information stemming from occurrence reports. Taking into account that level 1 findings (ref. 145.B.350) “lowers safety or seriously endangers flight safety” and also level 2 findings can have an safety-significant impact, while 145.B.355 Suspension, limitation or revocation doesn’t mention the reporting to EASA, it is proposed to add: 145.B.125(c) “The competent authority of the Member State shall provide EASA with any safety-significant information stemming from the suspension, limitation or revocation.”</p>				
	See Section 1.				
comment	<p>184 comment by: FAA</p> <p>145.B.135 (b)</p> <p>The Agency shall implement a system to appropriately analyse any relevant safety information received, and without undue delay, provide to Member States and the Commission any information, including recommendations or corrective actions to be taken, that is necessary for them to react in a timely manner to a safety problem involving products, parts, appliances, persons or organisations that are subject to Regulation (EU) 2018/1139 and its delegated and implementing acts.</p> <p>I think this is where we are trying to get to. The information sharing aspect to prevent incidents or accidents. I'm not sure were there. I know we recommend using SMS software programs like WBAT, just not sure we are fully requiring this.</p>				
response	See Section 1.				
comment	<p>618 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>Page 33/170</p> <p>The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21. Should it not be changed to "EASA" in part 145</p> <p>Suggested resolution: Double check , to replace "Agency" by "EASA" in allinstancies in part 145 and associated AMC/GMs.</p>				
response	See Section 1.				
comment	<p>668 comment by: SAFRAN LS</p> <table border="1" data-bbox="392 1843 1385 2000"> <tr> <td data-bbox="392 1843 523 2000">145.B.125</td> <td data-bbox="523 1843 624 2000">33/170</td> <td data-bbox="624 1843 1059 2000">The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the</td> <td data-bbox="1059 1843 1385 2000">Double check , to replace "Agency" by "EASA" in allinstancies in part 145</td> </tr> </table>	145.B.125	33/170	The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the	Double check , to replace "Agency" by "EASA" in allinstancies in part 145
145.B.125	33/170	The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the	Double check , to replace "Agency" by "EASA" in allinstancies in part 145		



		NPA to Part 21. Should it not be changed to "EASA" in part 145	and associated AMC/GMs.													
response	See Section 1.															
comment	805	comment by: <i>SAFRAN AEROSYSTEMS</i>														
	<p>The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21. Should it not be changed to "EASA" in part 145</p> <p>Double check , to replace "Agency" by "EASA" in allinstancies in part 145 and associated AMC/GMs.</p>															
response	See Section 1.															
comment	867	comment by: <i>Rolls-Royce plc</i>														
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>145.B.125</td> <td>Page 33</td> <td>The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21. Should it not be changed to "EASA" in part 145</td> <td>Double check , to replace "Agency" by "EASA" in all instancias in part 145 and associated AMC/GMs.</td> <td>Yes</td> <td>No</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	145.B.125	Page 33	The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21. Should it not be changed to "EASA" in part 145	Double check , to replace "Agency" by "EASA" in all instancias in part 145 and associated AMC/GMs.	Yes	No			
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**											
145.B.125	Page 33	The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21. Should it not be changed to "EASA" in part 145	Double check , to replace "Agency" by "EASA" in all instancias in part 145 and associated AMC/GMs.	Yes	No											
response	See Section 1.															
comment	934	comment by: <i>SAFRAN TRANSMISSION SYSTEMS</i>														
	<table border="1"> <thead> <tr> <th>Section Table Figure</th> <th>Page</th> <th>Comment summary</th> <th>suggested resolution</th> <th>Comment is an</th> <th>Comment is</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is									
Section Table Figure	Page	Comment summary	suggested resolution	Comment is an	Comment is											



				observation (suggestion)	substantive (objection)
145.B.125	33/170	The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21. Should it not be changed to "EASA" in part 145		Double check , to replace "Agency" by "EASA" in allinstancies in part 145 and associated AMC/GMs.	X
response	See Section 1.				

145.B.135 Immediate reaction to a safety problem

p. 33

comment	40	comment by: <i>NHF Technical committee</i>
	Regarding item (a), NHF would like to see a plan on how the competent authority shall collect, analyse and disseminate safety information in a satisfactory way. This is a very important action, if performed to the best standard. Please specify on what level of general knowledge, experience and organisation knowledge the CAA need to fulfill this requirement.	
	Item (d) is fully supported by NHF!	
response	See Section 1.	

comment	42	comment by: <i>NHF Technical committee</i>
	Regarding item (a), NHF fully support the collection and analysis of data. NHF would like the Agency to make this data transparent for the operators and maintenance organisations after the analysis is finished.	
response	See Section 1.	

comment	43	comment by: <i>NHF Technical committee</i>
	Regarding item (d): NHF fully support the notification to all involved stakeholders.	
response	See Section 1.	



comment	123	comment by: <i>General Aviation Manufacturers Association</i>
	These statements require clarification on what are the mechanisms and scope for implementing directives and measures - these statements are too open ended and subject to inconsistent regulatory interpretation. Please clarify the scope and mechanisms suggested in this requirement.	
response	See Section 1.	
comment	567	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 33/170, point 145.B.135 Immediate reaction to a safety problem</p> <p>2. PROPOSED TEXT / COMMENT: The scope of the paragraphs (a) and (b) is unclear. Is reference made to the immediate reactions referred to in the paragraph 1.(c) of the Article 4 of the Regulation (EU) 2018/1139 (i.e. immediate reactions to established causes of accidents, serious incidents and intentional security breaches)?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The scope of requirements is not specific enough and therefore subject to inconsistent interpretations. Refer also to comment on point 145.A.155.</p>	
response	See Section 1.	
comment	969	comment by: <i>Lufthansa Technik</i>
	<p>145.B.135 (c): The referred points (a) & (b) are related to safety <u>information</u>. Not all of it might be a safety problem that requires certain measures.</p>	
response	See Section 1.	

145.B.200 Management system	p. 33-35
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comment	121	comment by: <i>General Aviation Manufacturers Association</i>
	Section 145.B.200(c): The statement: "If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held." Although, we welcome this approach, we believe additional AMC and GM is required to provide clarification on how the scope and control of oversight will be undertaken for an integrated SMS across an organization with multiple certificates.	
response	See Section 1.	
comment	568	comment by: <i>AIRBUS</i>



1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:
 Pages 33-34/170, point 145.B.200 Management system

2. PROPOSED TEXT / COMMENT:
 It is proposed to amend this point to read:
 “(a) The competent authority shall establish and maintain a management system, including as a minimum:
 [...] (3) personnel in sufficient number to support activities or services undertaken in the public interest, who are qualified to perform their allocated tasks, and who have the necessary knowledge, experience, initial and recurrent training to ensure continuing competency competence;
 (4) adequate tools, facilities and office accommodation to perform the allocated tasks;
 [...]”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:
 Competent authorities should be provided with sufficient personnel to prevent, for example, that hundreds of passengers are stuck in a remote location because an approval cannot be delivered over a week-end (consistent with details of the paragraph (c) of the AMC1 145.B.200).
 It is essential that competent authorities are provided with adequate tools, e.g. to access (digital) information published with electronic tools that are more and more modern.

response See Section 1.

comment 609 comment by: *Baines Simmons*

145.B.200 Management System paragraph (a) requires the competent authority to establish and maintain a management system, however in 145.A.200 the organisation is required to establish, implement and maintain a management system. This appears inconsistent. ORO.GEN.200 also requires the organisatin to establish, implement and maintain. We suggest adding the word implement to 145.B.200 for consistency.

response See Section 1.

comment 669 comment by: *SAFRAN LS*

145.B.200	33/170	This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This is fully in contradiction with the	A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach.
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		<p>EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level. This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.</p> <p>Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p>	<p>For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>
response	See Section 1.		
comment	755	comment by: ASD	
	145.B.125 33/170	<p>The word "Agency" is still used in this requirement and in other requireemnts in this NPA wher it has been changed to "EASA" in the NPA to Part 21.</p> <p>Should it not be changed to "EASA" in part 145</p>	<p>Double check , to replace "Agency" by "EASA" in allinstancies in part 145 and associated AMC/GMs.</p>
response	See Section 1.		
comment	756	comment by: ASD	
	145.B.200 33/170	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at</p>	<p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach.</p> <p>For example, EPAS including relevant identification of hazards and definition</p>

		EASA level (the EPAS) and at MS level. This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system. Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.	of Safety plans at Air Transport System level is key to support SMS implementation
response	See Section 1.		

comment	806	comment by: SAFRAN AEROSYSTEMS
	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level. This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system. Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p> <p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>	
response	See Section 1.	

comment	868	comment by: Rolls-Royce plc												
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation / suggestion*</th> <th>Comment is substantive / objection*</th> </tr> </thead> <tbody> <tr> <td>145.B.200</td> <td>Page 33</td> <td>This requirement establish a Management system which puts the Safety Risk management process</td> <td>A competent authority should support industry by implementation of a</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>		Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection*	145.B.200	Page 33	This requirement establish a Management system which puts the Safety Risk management process	A competent authority should support industry by implementation of a	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation / suggestion*	Comment is substantive / objection*									
145.B.200	Page 33	This requirement establish a Management system which puts the Safety Risk management process	A competent authority should support industry by implementation of a	No	Yes									



		<p>under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities.</p> <p>This is not aligned with the approach taken by the EPAS which emphasises a streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level.</p> <p>This is key to foster definition of Safety risk objectives, identifications of hazards and associated mitigations, for all relevant stakeholders in Aviation system.</p> <p>Refer to EPAS draft 2020-2024 in particular the policy on Safety Management Systems in Appendix E.</p>	<p>complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>		
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response

See Section 1.

comment

935

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)



145.B.200	33/170	<p>This requirement establish a Management system which put Safety Risk management process under compliance monitoring (bullet (a)(5). This limits the scope of risk management to risks internal to the Competent Authority and only those which can be raised through compliance monitoring activities. This is fully in contradiction with the EPAS approach which does underline the streamlined approach between the various plans for Safety at ICAO level (the GASP), at ATM level, at EASA level (the EPAS) and at MS level. This is key to foster definition of Safety risk objectives, identification of hazards and associated mitigations, for all relevant stakeholders in Aviation system. Refer to EPAS draft 2020-2024 and for instance policy on Safety Management System in Appendix E.</p>	<p>A competent authority should support industry by implementation of a complete (not limited to compliance monitoring activities) Safety Risk Management approach. For example, EPAS including relevant identification of hazards and definition of Safety plans at Air Transport System level is key to support SMS implementation</p>	X	
response		See Section 1.			



comment	<p>259 comment by: DGAC France</p> <p>Part 145 is related only to qualified organization and we should not focus on person. So we suggest to modify the first sentence as follows : "Tasks related to the initial certification, or to the continuing oversight of persons, or organisations subject to Regulation (EU) 2018/1139"</p>
response	<p>See Section 1.</p>
comment	<p>569 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 35/170, point 145.B.205 Allocation of tasks to qualified entities</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “(a) Tasks related to the initial certification, or to the continuing oversight of persons, or organisations subject to Regulation (EU) 2018/1139 and its delegated and implementing acts, may be allocated only to qualified entities. When allocating tasks, the competent authority remains accountable and shall ensure that it has: [...] (c) The competent authority shall ensure that the system required in point 145.B.205(a)(1) includes provisions for an organisation or applicant to object to the involvement of the selected qualified entity when a conflict of interest would arise as a result of such involvement. When the competent authority receives such an objection, it must as soon as possible investigate the case and take appropriate action to resolve conflicts of interest that are confirmed.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within Industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entity... may not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their personnel must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflicts of interest when an entity is identified, or when specifically tasked, so that its involvement can be challenged if necessary, and the competent authority can directly address the concern (including the withdrawal the task from the entity), if the conflict of interest is confirmed. Without such a mechanism, the organisation might be obliged to place</p>



response	<p>limitations on access to protect its intellectual property or competitive advantage, which would conflict with the access requirements of point 145.A.140.</p> <p>See Section 1.</p>				
comment	<p>619 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Page 35/170</p> <p>Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 145.A.140.</p> <p>Suggested resolution: Add a new point (c) : (c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it. Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</p>				
response	<p>See Section 1.</p>				
comment	<p>670 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="392 1879 1385 2004"> <tr> <td data-bbox="392 1879 525 2004">145.B.205</td> <td data-bbox="525 1879 624 2004">35/170</td> <td data-bbox="624 1879 1034 2004">Although the potential for the accreditation of qualified entities to perform oversight on</td> <td data-bbox="1034 1879 1385 2004">Add a new point (c) : <i>(c) The competent authority</i></td> </tr> </table>	145.B.205	35/170	Although the potential for the accreditation of qualified entities to perform oversight on	Add a new point (c) : <i>(c) The competent authority</i>
145.B.205	35/170	Although the potential for the accreditation of qualified entities to perform oversight on	Add a new point (c) : <i>(c) The competent authority</i>		



	<p>behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of</p>	<p><i>shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.</i></p> <p><i>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</i></p>
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	<p>interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 145.A.140.</p>	
response	<p>See Section 1.</p>	

comment

757

comment by: ASD

<p>145.B.205</p>	<p>35/170</p>	<p>Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the</p>
		<p>Add a new point (c) :</p> <p><i>(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.</i></p> <p><i>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</i></p>



	<p>potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 145.A.140.</p>	
response	<p>See Section 1.</p>	
comment	<p>807</p> <p>Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over</p>	<p>comment by: SAFRAN AEROSYSTEMS</p>



conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 145.A.140.

Add a new point (c) :

(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.

Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.

response **See Section 1.**

comment

869

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.205	Page 35	Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation	Add a new point (c) : <i>(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt</i>	No	Yes



	<p>states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the</p>	<p><i>of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.</i></p> <p><i>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation should be documented.</i></p>		
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		<p>use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 145.A.140.</p>			
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response

See Section 1.

comment

936

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
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145.B.205	35/170	<p>Although the potential for the accreditation of qualified entities to perform oversight on behalf of competent authorities is established in the Basic Regulation Article 69, there is a concern within industry that some entities may gain a commercial advantage from the information or experience they obtain through performing oversight activities. While Annex VI of the Basic Regulation states that “a qualified entitymay not be involved, either directly or as authorised representatives, in the design, production, marketing or maintenance of the products, parts, non-installed equipment, constituents or systems or in their operations, service provision or use”, and that their staff must use “professional secrecy” with regard to information acquired in the course of their duties, there</p>	<p>Add a new point (c) :</p> <p><i>(c) The competent authority shall ensure that system required in (a) (1) includes provision for an organisation or applicant to object to the involvement of the qualified entity when a conflict of interest would arise as a result of such involvement. When in receipt of such an objection, the competent authority must investigate the conflict of interest, and take appropriate action to resolve it.</i></p> <p><i>Additionally, further to similar points made in these comments, the allocation of tasks to qualified entities should be subject to standardisation by EASA and such standardisation</i></p>	X
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	<p>remains the possibility of less obvious examples of commercial advantage, such as organisations competing for future research contracts, or consultancies selling training courses based on industry experience. In some cases, the potential for such advantage may not be apparent to the competent authority or may evolve after the award of the authorisation to the entity, or from the use of an already-accredited qualified entity of a different Member State. A mechanism is needed for applicants to raise any concerns over conflict of interest when an entity is identified, or when specifically tasked, so that their involvement can be challenged if necessary, and the competent authority can directly address the concern, (including the withdrawal the task from the entity) if the conflict of interest is recognised. Without such a</p>	<p><i>n should be documented.</i></p>		
--	---	---------------------------------------	--	--



		mechanism, the organisation may be obliged to place limitations on access to protect its intellectual property or competitive advantage, which conflicts with the access requirements of 145.A.140.			
response	See Section 1.				

145.B.220 Record-keeping

p. 36-37

comment	180	comment by: DGAC France
	<p>(a)(4)(ii) : we suggest to add "recommandations" as follows : "the competent authority's continuing oversight programme, including all the assessments, audits, inspection and recommandations records;"</p> <p>(a)(4)(vi) : We suggest to add "action plan when applicable" to the list.</p> <p>(a)(4)(viii) : We suggest to add "and the associated approvals".</p> <p>(a)(5) : We suggest to add "including the revised MOE with the reference of the alternative means of compliance"</p>	
response	See Section 1.	

comment	185	comment by: FAA
	<p>145.B.220 All</p> <p>All Reference</p> <p>Do not see anything here to record and maintain those risk controls issued from an SRM.</p>	
response	See Section 1.	

145.B.300 Oversight principles

p. 37

comment	44	comment by: NHF Technical committee
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response	<p>Regarding item (d) NHF fully support the delegation of oversight to the CA in the country where the facilities is located, or by the Agency in third-countries.</p> <p>See Section 1.</p>
comment	<p>46 comment by: <i>NHF Technical committee</i></p> <p>Regarding item (d): Fully supported by NHF. Also see earlier comment on same topic.</p>
response	<p>See Section 1.</p>
comment	<p>86 comment by: <i>CAA-NL</i></p> <p>145.B.300(e): It is a general practice to inform all competent authorities of another State when performing oversight on their territory. Please remove the limitation to Member States from this point. (in line with CAMO.B.300) (e) For any oversight activities that are performed at facilities located in <i>another</i> State than where the organisation has its principal place of business, the competent authority, as defined in point 145.1, shall inform the competent authority of that State before performing any on-site audit or inspection of the facilities.</p>
response	<p>See Section 1.</p>
comment	<p>122 comment by: <i>General Aviation Manufacturers Association</i></p> <p>The statement: "If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificate(s) held." Although, we welcome this approach, we believe additional AMC and GM is required to provide clarification on how the scope and control of oversight will be undertaken for an integrated SMS across an organization with multiple certificates.</p>
response	<p>See Section 1.</p>
comment	<p>124 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 145.B.301(f): The notion of ‘any’ does not seem appropriate, as does not limit data to be collected – all data collected should be necessary and justified. The unannounced inspection is not appropriate and irrelevant in relation to this requirement. Wording should be modified as follows: “The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections.</p>
response	<p>See Section 1.</p>
comment	<p>137 comment by: <i>DGAC France</i></p> <p>145.B.300(b)(3) : an AMC/GM should define “assessment” versus “audit” versus “inspection”.</p>



response	See Section 1.
comment	<p>139 comment by: DGAC France</p> <p>Point (b)(3) is not consistent with point (b)(3) of 21.B.221 where unannounced inspections are to be performed only if needed. We suggest to re-use 21.B.221 wording.</p>
response	See Section 1.
comment	<p>201 comment by: DGAC France</p> <p>We suggest to modify the title as "Certification and Oversight principles" to be consistent with (a).</p> <p>(a)(1) we suggest to modify the paragraph as follows : "prior to issuing an organisation certificate or approving change which need to be directly approved, as applicable"</p> <p>(b)(1), (d) and (e) : we suggest to modify the wording as follows "certification and safety oversight"</p>
response	See Section 1.
comment	<p>570 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 37/170, point 145.B.300 Oversight principles</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: “(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations of point 145.B.310 prior to issuing an organisation certificate, as applicable; [...]"</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The statement proposed for deletion is relevant to initial certification, which is the purpose of the point 145.B.310 (similar situation for the first paragraph of AMC1 145.B.300(a);(b);(c)).</p>
response	See Section 1.
comment	<p>571 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 37/170, point 145.B.300 Oversight principles</p> <p>2. PROPOSED TEXT / COMMENT: It is recommended to develop GM on the potential issues resulting from the compliance with the paragraphs (d) and (e) of this point.</p>



response	<p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: GM1 145.A.200(a)(3) has been created for organisations. Similar GM may be useful for authorities in order to ensure proper coordination.</p> <p>See Section 1.</p>
comment	<p>572 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 37/170, point 145.B.300 Oversight principles</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (f) of this point to read: “(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The word “any” does not provide limits to the information that could be requested to the organisation. This may create an administrative burden on the persons and organisations concerned that should be limited as much as possible, as specified in the Article 72 of the Regulation (EU) 2018/1139. Same applies to the non-exhaustive list (“as a minimum”) of the AMC1 145.B.300(f). The wording “including unannounced inspections” is not relevant to the purpose of collecting information.</p>
response	<p>See Section 1.</p>
comment	<p>620 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>“(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;” This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)</p> <p>Suggested resolution: Remove (a)(1) statement</p>
response	<p>See Section 1.</p>
comment	<p>621 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>“(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections.” The word “any” does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable. Furthermore the AMC1 145.B.300(f) provide a list a minimum information for the oversight but with no upper limit.</p>



response	<p>The data which could be collected, should limited to the strict minimum necessary of the oversight by the competent authority. The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p> <p>Suggested resolution: Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections."</p> <p>See Section 1.</p>				
comment	<p>622 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>"(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections." The word "any" does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable . Furthermore the AMC1 145.B.300(f) provide a list a minimum information for the oversight but with no upper limit. The data which could be collected, should limited to the strict minimum necessary of the oversight by the competent authority. The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p> <p>Suggested resolution: Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections."</p> <p>See Section 1.</p>				
response	<p>See Section 1.</p>				
comment	<p>671 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="389 1630 1385 1926"> <tr> <td data-bbox="389 1630 523 1926">145.B.300</td> <td data-bbox="523 1630 625 1926">37/170</td> <td data-bbox="625 1630 1206 1926"> <p>"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"</p> <p>This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)</p> </td> <td data-bbox="1206 1630 1385 1926">Remove (a)(1) statement</td> </tr> </table>	145.B.300	37/170	<p>"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"</p> <p>This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)</p>	Remove (a)(1) statement
145.B.300	37/170	<p>"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"</p> <p>This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)</p>	Remove (a)(1) statement		



response See Section 1.

comment 672 comment by: SAFRAN LS

145.B.300	37/170	knowing that organisation approvals are relevant either to EASA (for the DOA) or competent authority (for POA, MOA,...) oversight, some further guidance for their coordination could be necessary.	Assess the need for further guidance within a GM to 145.B.300
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response See Section 1.

comment 673 comment by: SAFRAN LS

145.B.300	37/170	<p><i>"(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections."</i></p> <p>The word "any" does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable. Furthermore the AMC1 145.B.300(f) provide a list a minimum information for the oversight but with no upper limit. The data which could be collected, should limited to the strict minimum necessary of the oversight by the competent authority.</p> <p>The wording <i>"including unannounced inspections"</i> is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p>	<p>Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections."</p>
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response See Section 1.



comment	758			comment by: ASD
	145.B.300	37/170	<p>"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;"</p> <p>This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)</p>	Remove (a)(1) statement
response	See Section 1.			
comment	759			comment by: ASD
	145.B.300	37/170	<p>knowing that organisation approvals are relevant either to EASA (for the DOA) or competent authority (for POA, MOA,...) oversight, some further guidance for their coordination could be necessary.</p>	Assess the need for further guidance within a GM to 145.B.300
response	See Section 1.			
comment	760			comment by: ASD
	145.B.300	37/170	<p><i>"(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections."</i></p> <p>The word "any" does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable. Furthermore the AMC1 145.B.300(f) provide a list a minimum information for the oversight but with no upper limit. The data which could be collected, should limited to the strict minimum necessary of the oversight by the competent authority.</p>	<p>Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections."</p>



	<table border="1"> <tr> <td data-bbox="379 183 526 403"></td> <td data-bbox="526 183 1050 403"> <p>The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p> </td> <td data-bbox="1050 183 1412 403"></td> </tr> </table>		<p>The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p>	
	<p>The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p>			
response	<p>See Section 1.</p>			
comment	<p>808 comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> "(a) The competent authority shall verify: <ul style="list-style-type: none"> (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;" <p>This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)</p> <p>Remove (a)(1) statement</p> <ul style="list-style-type: none"> knowing that organisation approvals are relevant either to EASA (for the DOA) or competent authority (for POA, MOA,...) oversight, some further guidance for their coordination could be necessary. <p>Assess the need for further guidance within a GM to 145.B.300</p> <p>☐ "(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections."</p> <p>The word "any" does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable. Furthermore the AMC1 145.B.300(f) provide a list a minimum information for the oversight but with no upper limit.</p> <p>The data which could be collected, should limited to the strict minimum necessary of the oversight by the competent authority.</p> <p>The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p> <p>Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections."</p> 			
response	<p>See Section 1.</p>			
comment	<p>870 comment by: Rolls-Royce plc</p>			



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.300	Page 37	"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;" This statement is relevant to initial certification which covered by 145.B.310, and appears to be a duplicate of 21.B.310(a)	Remove (a)(1) statement	Yes	No
145.B.300	Page 37	knowing that organisation approvals are relevant either to EASA (for the DOA) or competent authority (for POA, MOA,...) oversight, some further guidance for their coordination could be necessary.	Assess the need for further guidance within a GM to 145.B.300	Yes	No
145.B.300	Page 37	"(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections." The word "any" does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable. AMC1	Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including	No	Yes



	<p>145.B.300(f) defines minimum information for oversight but with no upper limit. We suggest establishing the principle that the data which could be collected should be limited to the minimum necessary for the oversight by the competent authority, as appropriate for the oversight scope. This principle should also be used if the competent authority is using another authority to carry out surveillance for elements of the maintenance organisation based in a third country. The wording "including unannounced inspections" is irrelevant to the purpose of this bullet (f) dealing with collection of data.</p>	<p>unannounced inspections."</p>		
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response

See Section 1.

comment

937

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
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145.B.300	37/170	"(a) The competent authority shall verify: (1) compliance with the requirements that are applicable to organisations prior to issuing of an organisation certificate;" This statement is relevant to initial certification which is the purpose of 145.B.310 requirement. Furthermore such statement is already in 21.B.310(a)	Remove (a)(1) statement	X	
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response

See Section 1.

comment

938

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.300	37/170	knowing that organisation approvals are relevant either to EASA (for the DOA) or competent authority (for POA, MOA,...) oversight, some further guidance for their coordination could be necessary.	Assess the need for further guidance within a GM to 145.B.300	X	

response

See Section 1.

comment

939

comment by: SAFRAN TRANSMISSION SYSTEMS



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.300	37/170	<p><i>"(f) The competent authority shall collect and process any information deemed useful for conducting oversight activities, including unannounced inspections."</i></p> <p>The word "any" does not provide any limit to the data which could be collected by the Competent Authority. This is not reasonable. Furthermore the AMC1 145.B.300(f) provide a list a minimum information for the oversight but with no upper limit. The data which could be collected, should be limited to the strict minimum necessary of the oversight by the competent authority. The wording <i>"including unannounced inspections"</i> is irrelevant to the purpose of this bullet (f) dealing</p>	<p>Wording should be changed as follows: "(f) The competent authority shall collect and process any information deemed useful necessary for conducting oversight activities, including unannounced inspections."</p>		X



		with collection of data.			
response	See Section 1.				
comment	970	comment by: <i>Lufthansa Technik</i>			
	<p>145.B.300 (a) (3): On what basis are safety measures be defined? It would be good to have procedure for establishing such measures, e.g. 1. AMO proposes action, 2. Competent Authority assess these actions and consults with Agency, 3. If proposal is not satisfying, the Competent Authority will demand other/additional measures.</p>				
response	See Section 1.				

145.B.305 Oversight programme

p. 38-39

comment	45	comment by: <i>NHF Technical committee</i>
	<p>Regarding item (c) NHF support this, but does not support the change in item (d). Extending the oversight cycle for 36 is a to long period without any oversight from the authorities, as many parametres in the organisation can change dramatically during such a period. NHF is not satisfied by the way the Agency make operators/maintenance organisations control themself for such a long period without any external control from the NAA's. As well, extending to 48 months is even worse. Relying on reporting in a maintenance organisation with a lot of contractors, who are hired by their behaviour during their last contract will not be very successful.</p>	
response	See Section 1.	
comment	125	comment by: <i>General Aviation Manufacturers Association</i>
	<p>The statement: “unannounced inspections”. While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140. We suggest deletion of this requirement and associated AMC and GM.</p>	
response	See Section 1.	



comment	<p>140 comment by: DGAC France</p> <p>We suggest to modify the point (b)(1) related to unannounced inspections as follows :</p> <p>"(1) assessments, audits and inspections, including unannounced inspections and, as applicable:</p> <ul style="list-style-type: none"> (i) management system assessments and process audits; (ii) product audits of a relevant sample of the maintenance carried out by the organisation; (iii) sampling of the airworthiness reviews performed; (iv) unannounced inspections."
response	<p>See Section 1.</p>
comment	<p>186 comment by: FAA</p> <p>145.B.305 ©</p> <p>For organisations certified by the competent authority, an oversight planning cycle not exceeding 24 months shall be applied.</p> <p>I don't believe we put a calendar time frame on their planning we just say regularly review.</p>
response	<p>See Section 1.</p>
comment	<p>573 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 38/170, point 145.B.305 Oversight programme</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to remove “unannounced inspections” from the hard law.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: While Airbus recognises that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice implies that the inspection will be unlikely to gain access to everything it wishes. The organisation cannot promptly arrange the availability of key personnel, key documents or records, or access to all facilities (including subcontractors’ facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (e.g. when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against point 145.A.140.</p>
response	<p>See Section 1.</p>



comment	<p>623 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier’s facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p> <p>Suggested resolution: Remove "unannounced inspections "from the requirements (hard law)</p>									
response	<p>See Section 1.</p>									
comment	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="375 840 526 1948">674</td> <td data-bbox="526 840 1418 1948" style="text-align: right;">comment by: <i>SAFRAN LS</i></td> </tr> <tr> <td data-bbox="375 929 526 1780"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; vertical-align: middle;">145.B.305</td> <td style="width: 15%; text-align: center; vertical-align: middle;">38/170</td> <td style="width: 70%; padding: 5px;"> <p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier’s facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p> </td> </tr> </table> </td> <td data-bbox="526 929 1418 1780" style="padding: 5px;"> <p>Remove "unannounced inspections "from the requirements (hard law)</p> </td> </tr> <tr> <td data-bbox="375 1780 526 1948">response</td> <td data-bbox="526 1780 1418 1948"> <p>See Section 1.</p> </td> </tr> </table>	674	comment by: <i>SAFRAN LS</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; vertical-align: middle;">145.B.305</td> <td style="width: 15%; text-align: center; vertical-align: middle;">38/170</td> <td style="width: 70%; padding: 5px;"> <p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier’s facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p> </td> </tr> </table>	145.B.305	38/170	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier’s facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p>	<p>Remove "unannounced inspections "from the requirements (hard law)</p>	response	<p>See Section 1.</p>
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response	<p>See Section 1.</p>									
comment	<p>761 comment by: <i>ASD</i></p>									



145.B.305	38/170	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p>	<p>Remove "unannounced inspections "from the requirements (hard law)</p>
response	<p>See Section 1.</p>		
comment	<p>809</p> <p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p> <p>Remove "unannounced inspections "from the requirements (hard law)</p>	<p>comment by: SAFRAN AEROSYSTEMS</p>	
response	<p>See Section 1.</p>		
comment	<p>872</p>	<p>comment by: Rolls-Royce plc</p>	



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.305	Page 38	<p>“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable</p>	Remove "unannounced inspections" from the requirements (hard law)	No	Yes



		limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”			
response	See Section 1.				

comment 940 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.305	38/170	“While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the availability of key personnel, documents or key records, or access to all facilities (including supplier's	Remove "unannounced inspections "from the requirements (hard law)		X



	<p>facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.”</p>			
response	<p>See Section 1.</p>			
comment	<p>971</p> <p>145.B.305 (d) & (e): This specification is highly welcome. Nevertheless it could be more specific, that the extension of the audit period is not only possible, but also recommended, provided that the performance of the AMO is good.</p>		<p>comment by: <i>Lufthansa Technik</i></p>	
response	<p>See Section 1.</p>			
comment	<p>1039</p> <p>While we recognise that the authority may see merit in unannounced inspections, and may wish to keep the option for specific cases, it should be recognised that, especially for large organisations, the lack of notice means that the inspection will be unlikely to gain access to everything it wishes, as the organisation cannot arrange the</p>		<p>comment by: <i>Thales</i></p>	



	<p>availability of key personnel, documents or key records, or access to all facilities (including supplier's facilities), especially where facilities are not conducting operations at the time of the operation, or where special arrangements need to be made in advance (for example when the facility is shared with military activity subject to access restrictions). In addition to the inevitable limitation on the effectiveness and efficiency of the audit, it is important that this consequent lack of access should not result in findings against 145.A.140.</p> <p>Suggested resolution: remove "unannounced inspections" from the requirements (hard law)</p>
response	See Section 1.

145.B.310 Initial certification procedure

p. 39-40

comment	<p>202 comment by: DGAC France</p> <p>For better understanding we suggest the following :</p> <p>(a) : We suggest to add the following : "compliance with the applicable requirements including the MOE and its associated documents."</p> <p>(c) : We suggest to add the following : "all findings, corrective action plan, closure actions"</p> <p>(e)(2) : We suggest to add the following : "formally approve the MOE including all associated documents"</p> <p>(h) : We suggest to modify the paragraph as follows : "To enable the organisation to implement changes which do not require prior approval from the competent authority in accordance with point 145.A.85(c), the competent authority shall approve the relevant MOE procedure that defines the scope of such changes and describes how such changes will be managed, validated by the organisation and notified to the authority."</p>
response	See Section 1.

comment	<p>574 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 39/170, point 145.B.310 Initial certification procedure</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this point to read: "[...]"</p> <p>(b) A meeting with the accountable manager of the organisation shall be convened at least once during the investigation for initial certification to ensure that he or she fully understands the significance of the certification process, and the reason for signing the statement specified in point 145.A.70(a)(1).</p> <p>[...]</p>
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(e) When satisfied that the organisation complies with the applicable requirements, the competent authority shall:

(1) issue the **organisation approval** certificate ~~as established~~ using the template in Appendix III 'EASA Form 3-145' to this Annex;

(2) formally approve the MOE.

(f) The **organisation approval** certificate reference number shall be included on the EASA Form 3-145 certificate in a manner specified by the Agency.

(g) The **organisation approval** certificate shall be issued for an unlimited duration. The privileges and the **terms of approval scope of the activities** that the organisation is approved to conduct, including any limitations as applicable, shall be specified in the **organisation approval terms of approval attached to the** certificate.
[...]"

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

It is recommended to remove the meeting agenda from the hard law: this reason should not be the only one to meet the accountable manager.

'Organisation approval certificate' for sake of consistency with comments on the point 145.A.20.

The terms of approval are given on the page 2 of the organisation approval certificate (in accordance with the template in Appendix III 'EASA Form 3-145' to this Annex).

response

See Section 1.

145.B.330 Changes — organisatio

p. 40

comment

77

comment by: CAA-NL

145.A.15(b), 145.A85 and 145.B.330 introduce 'changes requiring prior approval' vs. 'changes not requiring prior approval'. For changes requiring prior approval the approved organisation has to file an application and the competent authority has to approve these (after investigation). For other changes no application has to be made, only a notification and the competent authority doesn't have to approve them (only review such changes during continuing oversight). So, the word 'prior' isn't relevant and only can create confusion, e.g. where a competent authority is approving changes for which no application is required. See also the remarks made with 21.B.240 and 21.B.435. Please change in line with those proposals and make the text consistent over the parts.

response

See Section 1.

comment

126

comment by: General Aviation Manufacturers Association

Section 145.B.330(d): This statement is too prescriptive. Revise accordingly: "Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate".

response

See Section 1.



comment	<p>203 comment by: DGAC France</p> <p>(d) : We suggest to move this paragraph to the point 145.B.355 about suspension process.</p> <p>(e) : In order to provide flexibility to NAAs, we suggest to modify the paragraph as follows : "the competent authority shall include the review of such changes by survey in its continuing oversight"</p>
response	<p>See Section 1.</p>
comment	<p>399 comment by: FNAME</p> <p>In order to be in line with FNAME's proposals into AMC1 145.A.85, FNAME suggests that deadlines should also be required to the competent authority since delays of approval answer may engage the safety of Part-145 activities. For example:</p> <ul style="list-style-type: none"> • For the amendment of an organization certificate : since the competent authority has received proposals by the organization 30 days before the date of their application, the competent authority should provide an answer within 20 days; and • For planned change of a nominated person : since the competent authority has received proposals by the organization 20 days before the date of their application, the competent authority should provide an answer within 15 days.
response	<p>See Section 1.</p>
comment	<p>575 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 40/170, point 145.B.330 Changes — organisations</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete the paragraph (d) of this point. It is proposed to amend the paragraph (e) to read: “(e) For changes not requiring prior approval, the competent authority shall include the review of such changes in its continuing oversight in accordance with the principles set forth in point 145.B.300. If any non compliance is found, the competent authority shall: (1) notify the organisation about the non compliance and request further changes; (2) in the case of level 1 or level 2 findings, act in accordance with point 145.B.350.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The suspension, limitation, or revocation of an organisation approval certificate is the matter of point 145.B.355. No specific detailed treatment of non-compliances is needed in this point.</p>



response	See Section 1.		
comment	624	comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i>	
	<p>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate." This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.</p> <p>Suggested resolution: Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	See Section 1.		
comment	675	comment by: <i>SAFRAN LS</i>	
	145.B.330	40/170	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.</p> <p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>
response	See Section 1.		
comment	762	comment by: <i>ASD</i>	



145.B.330	40/170	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.</p>	<p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>
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response

See Section 1.

comment

810

comment by: SAFRAN AEROSYSTEMS

"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."

This requirement is far too much prescriptive , the suspension,limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowlege of the specific context.

Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority ~~shall~~ may suspend, limit or revoke the organisation's certificate."

response

See Section 1.

comment

873

comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
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145.B.330	Page 40	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is too prescriptive - the suspension, limitation, revocation of the certificate should be left to the discretion of the competent authority, if it considers the issue a serious breach, depending on the context of the issue.</p>	<p>Wording shall be changed as follows: "(d) Without prejudice to any additional enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>	No	Yes
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response

See Section 1.

comment

941

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.330	40/170	<p><i>"(d) Without prejudice to any additional enforcement measures, if the organisation implements changes</i></p>	<p>Wording shall be changed as follows: "(d) Without prejudice to any additional</p>		X



		<p><i>that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall suspend, limit or revoke the organisation's certificate."</i></p> <p>This requirement is far too much prescriptive, the suspension, limitation, revocation of the certificate shall be left as the appreciation of the competent authority, depending on its own knowledge of the specific context.</p>	<p>enforcement measures, if the organisation implements changes that require prior approval without having received the approval of the competent authority pursuant to point (c), the competent authority shall may suspend, limit or revoke the organisation's certificate."</p>		
response	<p>See Section 1.</p>				
comment	<p>972 comment by: <i>Lufthansa Technik</i></p> <p>145.B.330 (b): The term "change" has to be defined in this regard. This paragraph should be only relevant when "change" means the conditions for maintaining the approval are at risk.</p>				
response	<p>See Section 1.</p>				
comment	<p>1027 comment by: <i>Aeronautical Repair Station Association</i></p> <p>Aeronautical Repair Station Association Comment #6. 145.B.330-Changes-organisations. Page 40.</p> <p>The proposed section fails to provide due process and accountability. While requiring the competent authority to "suspend, limit or revoke" the certificate of an organisation that makes changes without prior approval (point 145.B.330(d)), it does not mandate timely review of the proposed change by the regulator or response to</p>				



	<p>the certificate holder. Our concerns with the breadth of “prior approval” requirements are documented above at comments 3 and 4. The combination of expansion of the regulator’s authority under the proposed 145.A.70 and 145.A.85 combined with the lack of transparency and accountability embodied in the proposed 145.B.330 would potentially put certificate holders in bureaucratic limbo while the regulator reviews proposed changes. We urge the removal of proposed 145.B.330(d) and adoption of a clear timetable for reviewing and responding to requested changes.</p>
response	See Section 1.

145.B.350 Findings and corrective actions

p. 40-42

comment	87	comment by: CAA-NL
	<p>145.B.350(d) For clarity we suggest to include the words ‘competent authority’ in the introductory paragraph.</p> <p>(d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EU) 2018/1139 and its delegated and implementing acts, communicate the finding to the organisation in writing, and request corrective action to address the non-compliance(s) identified. If a finding directly relates to an aircraft, the competent authority shall inform the <i>competent authority of the State</i> in which the aircraft is registered.</p>	
response	See Section 1.	

comment	88	comment by: CAA-NL
	<p>Findings as detailed in 145.B.350 are related to compliance based regulations. With the implementation of SMS in Part 145 we try to take the first steps towards performance based oversight. Within the context of performance based oversight there could be circumstances where the issuance of findings could result in a reactive compliance based behaviour instead of the establishment of pro-active improvements. Therefore it is proposed:</p> <p>Include in 145.B.350 “A level 3 finding shall be issued by the competent authority when there is objective evidence that the management system should be improved.”</p> <p>Include in 145.B.350(d)(3) into “in case of level 3 findings:</p> <p>(i) grant an improvement action implementation period that is appropriate to the nature of the finding, which in any case shall initially not be more than 3 months. The period shall commence from the date of the written communication of the finding to the organisation, requesting improvement action to address the identified process / area. At the end of this period, and subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period provided that a satisfactory improvement action plan has been agreed by the competent authority; and</p>	



response	<p>(ii) assess the improvement action and implementation plan proposed by the organisation, and if the assessment concludes that they are sufficient to address the process / area, accept them; Renumber current items (3) and (4) into (4) and (5).</p> <p>All in consistency with our proposals for Part 21.</p> <p>See Section 1.</p>
comment	<p>127 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 145.B.350(b): Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non-compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety. Modify to: "A level 1 finding shall be issued by the competent authority when it detects a non-compliance that may lead to uncontrolled non-compliances with the applicable design data which lowers safety or seriously endanger flight safety may result in an unsafe condition".</p>
response	<p>See Section 1.</p>
comment	<p>128 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 145.B.350(d)(2): The statement: "subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance. Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period".</p>
response	<p>See Section 1.</p>
comment	<p>129 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Section 145.B.350(d)(2)(i): "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority. Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and...".</p>
response	<p>See Section 1.</p>
comment	<p>187 comment by: <i>FAA</i></p> <p>145.B.350</p>



	<p>ALL</p> <p>Different than our Compliance Program. I don't think this is of concern for us</p>
response	<p>See Section 1.</p>
comment	<p>205 comment by: DGAC France</p> <p>In order to clarify which findings are considered, we propose to rewrite (a) as follows : "The competent authority shall have a system to analyse findings observed during the certification and oversight of the organisations for their safety significance".</p> <p>(d)(2)(ii) : We propose de rewrite the beggining of the paragraph as follows : "assess the corrective action plan and implemented corrective action proposed by the organisation, and..."</p>
response	<p>See Section 1.</p>
comment	<p>576 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 40-42/170, point 145.B.350 Findings and corrective actions</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend tis point to read: “(a) [...]. (b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation’s procedures and MOE manuals, or with the terms of an approval or organisation approval certificate which lowers safety or seriously endangers aircraft continuing airworthiness flight safety. The level 1 findings shall also include: (1) [...]; (2) obtaining or maintaining the validity of the organisation approval certificate by falsification of the submitted documentary evidence; (3) any evidence of malpractice or fraudulent use of the organisation approval certificate; (4) the lack of an accountable manager. (c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation’s procedures and MOE manuals, or with the terms of an approval or organisation approval certificate which may lower safety or endanger aircraft continuing airworthiness flight safety. (d) [...]. (1) [...]. (2) If there are any level 2 findings, the competent authority shall: (i) grant the organisation a corrective action implementation period that is appropriate to the nature of the finding, which in any case shall initially not be more than 3 months. The period shall commence from the reception date of the written</p>



communication of the finding to the organisation, requesting corrective action to address the non-compliance identified. At the end of this period, and subject to the nature of the finding ~~and the past safety performance of the organisation~~, the competent authority may extend the 3-month period provided that a **satisfactory** corrective action plan has been agreed by the competent authority;

- (ii) [...].
- (3) [...].
- (4) [...].
- (e) [...].”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The term ‘manuals’ is ambiguous, particularly in plural form.
 ‘Organisation approval certificate’ for sake of consistency with comments on the point 145.A.20.
 The scope of this Regulation is defined in its Article 1. This Regulation “establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto”. Flight safety cannot be covered completely by this scope.
 Safety cannot be fully described and addressed by the activities related to continuing airworthiness. While the term ‘safety’ is recognized and understood by the aviation community as a part of the global objective to reach, it shall not be confused with the term ‘airworthiness’ that only entails a series of activities necessary but not sufficient to reach the global ‘safety’ objective. Although the inappropriate accomplishment of maintenance activities may impact the full safety chain, the selection of the term ‘safety’ in this very specific context should be avoided as it may impose on AMO to investigate on potential consequences (and their severity) beyond the limits of the Regulation (EU) 1321/2014 and their competences.
 Depending on the media used (regular mail or electronic mail), the level playing field is not ensured (e.g. with regular mails in the case of organisations located far away from the European continent). Taking the reception date of the written communication of the finding to the organisation restore this level playing field.
 Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance. Further, the word “satisfactory” is redundant since the action plan is subject to the agreement of the competent authority.

response

See Section 1.

comment

625 comment by: *Jean6francois RANNOU SAFRAN Helicopter Engines*
 Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,



	<p>Suggested resolution: Wording should be changed as follows: (b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which lowers safety or seriously endangers flight safety may result in an unsafe condition"</p>
response	<p>See Section 1.</p>
comment	<p>626 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which may lower safety or endanger flight safety." This definition for level 2 finding seems excluding non compliances which do not lead to safety issues.</p> <p>Suggested resolution: Review the definition of level 2 finding and revise accordingly.</p>
response	<p>See Section 1.</p>
comment	<p>627 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance.</p> <p>Suggested resolution: Wording should be changed as follows: "subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</p>
response	<p>See Section 1.</p>
comment	<p>628 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.</p>



response	See Section 1.		
comment	676	comment by: SAFRAN LS	
145.B.350	41/170	<p>Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p>Wording should be changed as follows: <i>(b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which lowers safety or seriously endangers flight safety may result in an unsafe condition"</i></p>
response	See Section 1.		
comment	677	comment by: SAFRAN LS	
145.B.350	41/170	<p><i>(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which may lower safety or endanger flight safety."</i></p> <p>This definition for level 2 finding seems excluding non compliances which do not lead to safety issues.</p>	<p>Review the definition of level 2 finding and revise accordingly.</p>



response See Section 1.

comment 678 comment by: SAFRAN LS

145.B.350	41/170	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</i> the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance.</p>	<p>Wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p>
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response See Section 1.

comment 679 comment by: SAFRAN LS

145.B.350	41/170	<p>the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.</p>	<p>Wording should be changed as follows: <i>"...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</i></p>
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response See Section 1.

comment 763 comment by: ASD

145.B.350	41/170	<p>Level 1 finding shall be raised only for serious concerns affecting flight</p>	<p>Wording should be changed as follows: <i>(b) A level 1 finding shall be issued</i></p>
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		<p>safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p>	<p><i>by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which lowers safety or seriously endangers flight safety may result in an unsafe condition"</i></p>
response	See Section 1.		
comment	764	comment by: ASD	
	145.B.350 41/170	<p>(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which may lower safety or endanger flight safety."</p> <p>This definition for level 2 finding seems excluding non compliances which do not lead to safety issues.</p>	<p>Review the definition of level 2 finding and revise accordingly.</p>
response	See Section 1.		
comment	765	comment by: ASD	
	145.B.350 41/170	<p>"subject to the nature of the finding and the past safety performance of</p>	<p>Wording should be changed as follows:</p>



		<p><i>the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance.</i></p>	<p><i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>766</p>		<p>comment by: ASD</p>
<p>response</p>	<p>See Section 1.</p>		
<p>comment</p>	<p>811</p>		<p>comment by: SAFRAN AEROSYSTEMS</p> <ul style="list-style-type: none"> Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. <p>Proposed wording suggests that there are other safety issues than flight safety issues to be considered.</p> <p>Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,</p> <p>Wording should be changed as follows:</p>



(b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which ~~lowers safety or seriously endangers flight safety~~ may result in an unsafe condition"

- (c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which may lower safety or endanger flight safety."

This definition for level 2 finding seems excluding non compliances which do not lead to safety issues.

Review the definition of level 2 finding and revise accordingly.

- There is a gap between Part21 findings (level 1 to 3) and Part145 findings (level 1 and 2 only). This fact undermine the options for the competent authority in Part145 to proportionate the level of findings in a safety management system approach. Some findings may be seen as "near misses" in a SMS approach even without having any direct potential effect on airworthiness / safety. Therefore these events seen during the competent authority audits shall be collected as such (similar to what is expected in the voluntary reporting). It is proportionate as the industry has no limit of time to take these into account into its safety management system. It is sometimes a way as well to promote safety barriers within the organisation, which is value added to the promotion expected in a SMS. This inconsistency between Part21 and Part145 shall be resolved.
- "subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance.

Wording should be changed as follows: "subject to the nature and safety impact of the finding ~~and the past safety performance of the organisation~~, the competent authority may extend the 3-month period"



response	<ul style="list-style-type: none"> the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority. <p>Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a satisfactory corrective action plan has been agreed by the competent authority; and..."</p>
	See Section 1.

comment

874 comment by: Rolls-Royce plc

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.350	Page 41	A Level 1 finding should only be raised for serious concerns affecting flight safety, i.e. leading to a potential unsafe condition. The proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all result in unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety.	Wording should be changed as follows: <i>(b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which lowers safety or seriously endangers flight safety may result in an unsafe condition"</i>	No	Yes



145.B.350	Page 41	<p>(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which may lower safety or endanger flight safety."</p> <p>This definition for level 2 finding seems to exclude non compliances which do not lead to safety issues.</p>	Review the definition of level 2 finding and revise accordingly.	Yes	No
145.B.350	Page 41	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</p> <p>We suggest that the past safety performance of the organisation is not the primary concern for the extension. The agreement of a period longer than three months for</p>	Wording should be changed as follows: " <i>subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period</i> "	No	Yes



		<p>corrective action must be based on the potential future safety impact of such an extension. Some corrective actions may require a long implementation period, regardless of the organisation's past performance, and it is surely more relevant to consider the past performance of the organisation in correctly assessing the time needed, and addressing the finding in that time, rather than the concept of 'safety performance' (see below).</p>			
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response

See Section 1.

comment

875

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.350	Page 41	The concept of safety performance is not properly defined. If this concept is used as a mean of assessing organisations, common assesement	Delete the reference to safety performance in this article (see above).	No	Yes



		criteria should be defined.			
145.B.350	Page 41	the word "satisfactory" appears redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a <i>satisfactory</i> corrective action plan has been agreed by the competent authority; and..."	Yes	No

response

See Section 1.

comment

942

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.350	41/170	Level 1 finding shall be raised only for serious concerns affecting flight safety, i.e. leading to potential unsafe condition. Proposed wording suggests that there are other safety issues than flight safety issues to be considered. Many, or may	Wording should be changed as follows: <i>(b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's</i>		x



		be all, non compliances to the regulation may be construed as "lowering safety", but fortunately not all are creating unsafe conditions. The level 1 findings should be reserved for such cases that have the potential to significantly affect flight safety,	<i>procedures and manuals, or with the terms of an approval or certificate which lowers safety or seriously endangers flight safety may result in an unsafe condition"</i>		
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response

See Section 1.

comment

943

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.350	41/170	<i>(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EU) 2018/1139 and its delegated and implementing acts, with the organisation's procedures and manuals, or with the terms of an approval or certificate which</i>	Review the definition of level 2 finding and revise accordingly.	X	



		<p><i>may lower safety or endanger flight safety."</i></p> <p>This definition for level 2 finding seems excluding non compliances which do not lead to safety issues.</p>			
response	See Section 1.				

comment

944

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.350	41/170	<p><i>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period":</i> the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future</p>	<p>Wording should be changed as follows: <i>"subject to the nature and safety impact of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period"</i></p>		X



		safety impact of such extension, not the past safety performance.			
response	See Section 1.				
comment	945	comment by: SAFRAN TRANSMISSION SYSTEMS			
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)
	145.B.350	41/170	the word "satisfactory" is redundant since the action plan is subject to the agreement of the competent authority.	Wording should be changed as follows: "...the competent authority can extend the 3-month period provided that a <i>satisfactory</i> corrective action plan has been agreed by the competent authority; and..."	X
response	See Section 1.				
comment	1040	comment by: Thales			
	<p>"subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period": the past safety performance of the organisation is not relevant for such decision. Some corrective actions may require long implementation period, regardless of the past safety performance of the organisation. The only relevant factor for accepting an extension beyond the standard 3-month period is the potential future safety impact of such extension, not the past safety performance.</p> <p>Suggested resolution: Wording should be changed as follows: "<i>subject to the nature of the finding and the past safety performance of the organisation, the competent authority may extend the 3-month period</i>"</p>				



response

See Section 1.

145.B.355 Suspension, limitation and revocation

p. 42

comment

130

comment by: *General Aviation Manufacturers Association*

Section 145.B.355(c): "...suspend a certificate if the competent authority's inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located." This requirement requests a full suspension of the certificate when only one facility of several could be of concern. A 24-month period is understood to the oversight cycle referenced in point 145.B.305. Such a cycle being extendable up to 48 months. We suggest the wording is modified to: "suspend or limit a certificate if the competent authority's inspectors are unable over the oversight period established in 145.B.305 to discharge their oversight responsibilities...".

response

See Section 1.

comment

249

comment by: *Luftfahrt-Bundesamt*LBA comment to 145.B.355(c)

Is the intent of this point to prohibit maintenance activities in politically unstable regions? We know about some UN missions that would not have been possible without maintenance activities at facilities/line stations, where no audit visits were possible.

response

See Section 1.

comment

577

comment by: *AIRBUS***1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:**

Page 42/170, point 145.B.355 Suspension, limitation and revocation

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this point to read:

"The competent authority shall:

- (a) suspend a certificate on reasonable grounds in the case of a potential **safety** threat **to aircraft continuing airworthiness;**
- (b) suspend, revoke or limit a certificate pursuant to point 145.B.350; or
- (c) suspend **or limit** a certificate if the competent authority's inspectors are unable over **a period of 24 months the oversight cycle established in accordance with point 145.B.305** to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The scope of this Regulation is defined in its Article 1. This Regulation "establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto". The potential threats to be considered should not exceed this scope (the



	<p>management of interfaces with the other aviation domains being included in this scope). Anything outside this scope may exceed the competences of AMO personnel. That’s one of the reasons why this regulation should refrain from using the term ‘safety’ without a systematic consideration for the implications for organizations. Safety cannot be fully described and addressed by the activities related to continuing airworthiness. While the term ‘safety’ is recognized and understood by the aviation community as a part of the global objective to reach, it shall not be confused with the term ‘airworthiness’ that only entails a series of activities necessary but not sufficient to reach the global ‘safety’ objective. Although the inappropriate accomplishment of maintenance activities may impact the full safety chain, the selection of the term ‘safety’ in a specific context should be avoided as it may impose on AMO to investigate on potential consequences (and their severity) beyond the limits of the Regulation (EU) 1321/2014 and their competences.</p> <p>The paragraph (c) asks for a full suspension of the organisation approval certificate when only one facility of several could be of concern. The limitation of this certificate is appropriate in such a case. Further, 24 months is understood as the basic oversight cycle mentioned in point 145.B.305. Such cycle may be extended up to 48 months. Therefore, reference to the ‘oversight cycle established in accordance with point 145.B.305’ is found appropriate.</p>
response	See Section 1.

comment	<p>629 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>(c) suspend a certificate if the competent authority’s inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located." This requirement ask for a full suspension of the certificate when only one facility of several could be of concern. 24 months is understood as the oversight cycle mentionned in point 145.B.305. Such cycle being extendable up to 48 months.</p> <p>Suggested resolution: Wording should be changed as follows: "(c) suspend or limit a certificate if the competent authority’s inspectors are unable over the oversight cycle established in accordance with point 145.B.305 a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</p>
response	See Section 1.

comment	<p>680 comment by: SAFRAN LS</p> <table border="1" data-bbox="391 1736 1385 1998"> <tr> <td data-bbox="391 1736 523 1998">145.B.355</td> <td data-bbox="523 1736 624 1998">42/170</td> <td data-bbox="624 1736 978 1998"><i>(c) suspend a certificate if the competent authority’s inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the</i></td> <td data-bbox="978 1736 1385 1998">Wording should be changed as follows: <i>"(c) suspend or limit a certificate if the competent authority’s inspectors are unable over the oversight cycle established in accordance with point 145.B.305</i></td> </tr> </table>	145.B.355	42/170	<i>(c) suspend a certificate if the competent authority’s inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the</i>	Wording should be changed as follows: <i>"(c) suspend or limit a certificate if the competent authority’s inspectors are unable over the oversight cycle established in accordance with point 145.B.305</i>
145.B.355	42/170	<i>(c) suspend a certificate if the competent authority’s inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the</i>	Wording should be changed as follows: <i>"(c) suspend or limit a certificate if the competent authority’s inspectors are unable over the oversight cycle established in accordance with point 145.B.305</i>		



		<p><i>security situation in the State where the facilities are located."</i></p> <p>This requirement ask for a full suspension of the certificate when only one facility of several could be of concern.</p> <p>24 months is understood as the oversight cycle mentionned in point 145.B.305. Such cycle being extendable up to 48 months.</p>	<p>a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</p>
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response See Section 1.

comment 767

comment by: ASD

145.B.355	42/170	<p><i>(c) suspend a certificate if the competent authority's inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</i></p> <p>This requirement ask for a full suspension of the certificate when only one facility of several could be of concern.</p> <p>24 months is understood as the oversight cycle mentionned in point 145.B.305. Such cycle being extendable up to 48 months.</p>	<p>Wording should be changed as follows: <i>"(c) suspend or limit a certificate if the competent authority's inspectors are unable over the oversight cycle established in accordance with point 145.B.305 a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</i></p>
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response See Section 1.

comment 823

comment by: SAFRAN AEROSYSTEMS



(c) suspend a certificate if the competent authority’s inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located." This requirement ask for a full suspension of the certificate when only one facility of several could be of concern. 24 months is understood as the oversight cycle mentionned in point 145.B.305. Such cycle being extendable up to 48 months.

Wording should be changed as follows:
 "(c) suspend or limit a certificate if the competent authority’s inspectors are unable over the oversight cycle established in accordance with point 145.B.305 ~~a period of 24 months~~ to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."

response **See Section 1.**

comment

876

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
145.B.355	Page 42	<i>(c) suspend a certificate if the competent authority’s inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</i> This requirement results in a full suspension of the certificate when only one facility of several could be inaccessible. The circumstances of the problem	Wording should be changed as follows: <i>"(c) suspend or limit a certificate if the competent authority’s inspectors are unable over the oversight cycle established in accordance with point 145.B.305 a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</i>	No	Yes



		<p>need to be taken into account so tha the competent authority has a range of remedies to use. WE note that 24 months is the oversight cycle mentioned in point 145.B.305, but the oversight cycle is potentially extendable under 145.B.305, and so we propose that this extended cycle is taken into account where applicable.</p>			
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response **See Section 1.**

comment 946 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
145.B.355	42/170	<i>(c) suspend a certificate if the competent authority's inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the</i>	Wording should be changed as follows: <i>"(c) suspend or limit a certificate if the competent authority's inspectors are unable over the oversight cycle established in accordance with point 145.B.305 or period of 24 months to</i>		X



		<p><i>State where the facilities are located."</i></p> <p>This requirement ask for a full suspension of the certificate when only one facility of several could be of concern. 24 months is understood as the oversight cycle mentionned in point 145.B.305. Such cycle being extendable up to 48 months.</p>	<p><i>discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the facilities are located."</i></p>		
response	See Section 1.				
comment	973	comment by: <i>Lufthansa Technik</i>			
	<p>145.B.355 (a): Please remove the word "potential". As the suspension of an approval is a very hard measure, it should be only taken, if there <u>is</u> a safety thread. This should be examined by the similar standards that apply for checking the necessity for an Airworthiness Directive. The term "potential" leaves a large room for interpretation and might be misused in this regard.</p>				
response	See Section 1.				
comment	1028	comment by: <i>Aeronautical Repair Station Association</i>			
	<p>Aeronautical Repair Station Association Comment #7. 145.B.355-Suspension, limitation and revocation. Page 42.</p> <p>The provision describes circumstances under which the competent authority shall suspend, limit or revoke certificates. However, it does not define a process by which determinations are made, nor does it provide a process for appealing the regulator's decision. We urge the inclusion of language establishing procedural guidelines to ensure due process and fairness for organisations facing certificate action.</p>				
response	See Section 1.				



Appendix II—Class and Ratings System used for the Approval of Part-145 Maintenance Organisations referred to in Annex I (Part-M) Subpart F and Annex II (Part-14	p. 43-47
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comment	<p>206 comment by: DGAC France</p> <p>In paragraph (c) we suggest to delete word "exact" as follows : "of work specified in the MOE defines the exact limits of its approval. It" This word is never used in others Parts to define the scope of approval of the organisations.</p>
response	<p>See Section 1.</p>
comment	<p>400 comment by: FNAME</p> <p>(k) " Notwithstanding point 145.A.85(a)(1), when a component capability list is used that could be subject to frequent amendments, then the organization may propose to include such amendments in the procedure referred to in point 145.A.85(c) for changes not requiring prior approval." FNAME agrees with this proposal</p>
response	<p>See Section 1.</p>

MAINTENANCE ORGANISATION APPROVAL CERTIFICATE	p. 48-49
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comment	<p>89 comment by: CAA-NL</p> <p>Appendix III, condition 3: Point 145.A.90 continued validity has been amended to refer to (EU) 2018/1139 and its delegated and implementing acts. We suggest to include the same change here for consistency reasons. 3. This approval is valid whilst the approved maintenance organisation remains in compliance with Regulation (EU) No 2018/1139 and its delegated and implementing acts.</p> <p>Another option is to delete the reference to Part 145 as the organisation also has to be in compliance with other annexes of regulation 1321/2014: 3. This approval is valid whilst the approved maintenance organisation remains in compliance with Regulation (EU) No 1321/2014.</p>
response	<p>See Section 1.</p>
comment	<p>207 comment by: DGAC France</p> <p>Why the Annex I (Part M) is struck through? The certificate should refer either to the Annex I (Part M) or the Annex Vb (Part ML), as applicable.</p>



response

See Section 1.

GM1to Annex II (Part-145) Definitions

p. 50-52

comment

11

comment by: *Falcon Aviation Services/Andrew Gardner*

Suggest "Safety Training" is changed to "Maintenance Safety Training" as evidence of Safety Training is easily provided but it will not be to the prescribed syllabus. e.g. Previously there was Maintenance Human Factors to discriminate from Human Factors which would not comply to Part 145 GM requirements.

response

See Section 1.

comment

14

comment by: *HF CAG*

Ref definition of 'Organisational factor'. This does not necessarily always affect safety risk controls. I They can effect any aspect of Part-145 including more administrative issues like records storage etc.

Organisational factors are not necessarily latent. If manpower is not sufficient for specific task (i.e. not enough staff to provide clearance signals during an aircraft maneuvering into a hangar and the aircraft wing comes into contact with the hangar door) then this is more of an active failure. Propose to delete the word 'latent' from this definition.

response

See Section 1.

comment

15

comment by: *HF CAG*

Ref Risk assessment, propose to add "or intolerable" at the end of the definition as the current definition only considers 2 of the possible outcomes of a risk assessment. Therefore it would read "Risk assessment - is an evaluation based on engineering and operational judgement and/or analysis methods in order to establish whether the achieved or perceived risk is acceptable, tolerable or intolerable."

response

See Section 1.

comment

16

comment by: *HF CAG*

Safety training should support staff in performing their roles in general. Effective, intent based compliance is arguably as significant with regard to safety risk control in Part-145 as implementing an SMS. Propose to delete the word 'safety' and just have 'roles' here or change to 'roles safely'. Therefore it would read:

"Note: the main purpose of the safety training programme is to ensure that personnel at all levels of the organisation maintain their competency to fulfil their safety roles. Safety training should, in particular, consider the safety knowledge derived from hazard identification and risk management processes, and support the fostering of a positive safety culture."



	<p>or</p> <p>"Note: the main purpose of the safety training programme is to ensure that personnel at all levels of the organisation maintain their competency to fulfil their roles safely. Safety training should, in particular, consider the safety knowledge derived from hazard identification and risk management processes, and support the fostering of a positive safety culture."</p>
response	<p>See Section 1.</p>
comment	<p>208 comment by: DGAC France</p> <p>We suggest to add the definition of "smallest organisation" as an organisation with one to 10 persons.</p> <p>This GM defines the word "Correction" but it is used only 2 times in all the rule. We consider that the use of this word can only add confusion with "corrective action", we suggest to delete this word in all the text.</p> <p>This GM defines also what is a "Preventive action". But the preventive action is already considered in the "corrective action" as to prevent cause of a potential non-compliance, or other undesirable potential situations. So we suggest to delete this word in all the text and to replace it by "corrective action" if needed.</p>
response	<p>See Section 1.</p>
comment	<p>279 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 50/170, GM1 to Annex II (Part-145) Definitions</p> <p>2. PROPOSED TEXT / COMMENT: This GM provides readers with some definitions or some references to find definitions. In the end, definitions are disseminated in the Article 2 of Regulation (EU) No 1321/2014, in some points of the Implementing Rules (e.g. paragraph (b) of point 145.A.45, for the definition of the term 'maintenance data'), in some AMC (e.g. AMC1 145.A.10 for the term 'line maintenance'), and in some GM (e.g. this GM). It would be appropriate that the EASA consolidates in one unique AMC or GM (to be determined) all the definitions necessary to understand the Annex II (Part-145), unless the definition is: (i) relevant for introduction in the Article 2 of Regulation (EU) No 1321/2014 (unless these latter can be also gathered with the others), or (ii) specific to one unique point of Part-145.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Airbus fully supports the intent to gather definitions in one unique location: the dissemination of definitions makes reading difficult.</p>
response	<p>See Section 1.</p>
comment	<p>280 comment by: AIRBUS</p>



	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 50/170, GM1 to Annex II (Part-145) Definitions</p> <p>2. PROPOSED TEXT / COMMENT: Terms: ‘Audit’, ‘Inspection’, and ‘Assessment’. The definitions of these terms include a note. For ‘Audit’ and ‘Inspection’, the note indicate the relationship between both terms. It is recommended to do it for the three terms (not only for two of them).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of understanding/clarity</p>
response	See Section 1.

comment	<p>281 comment by: AIRBUS</p>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 50/170, GM1 to Annex II (Part-145) Definitions</p> <p>2. PROPOSED TEXT / COMMENT: The definition of the term ‘Competency’ has been found confusing with the one in the Collins dictionary. It is recommended to keep using the term ‘Competence’ in Part-145.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: “Competency in British (ˈkɒmpɪtənsɪ) noun Word forms: plural -cies 1. law. capacity to testify in a court of law; eligibility to be sworn 2. a less common word for competence (sense 1), competence (sense 2)” “Competence in British (kɒmpɪtəns) noun 1. the condition of being capable; ability 2. a sufficient income to live on 3. the state of being legally competent or qualified 4. <i>embryology</i>. the ability of embryonic tissues to react to external conditions in a way that influences subsequent development 5. <i>linguistics</i>. (in transformational grammar) the form of the human language faculty, independent of its psychological embodiment in actual human beings. Compare performance (sense 7), langue, parole (sense 5).”</p> <div data-bbox="389 1760 523 1895" style="border: 1px solid black; height: 60px; width: 84px; margin-top: 20px;"></div>
response	See Section 1.



comment	<p>282 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 50/170, GM1 to Annex II (Part-145) Definitions</p> <p>2. PROPOSED TEXT / COMMENT: The definition of the term ‘Error’ does not explain that there is no intent to deviate from accepted procedures or regulations. It is recommended to make it explicit.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of clarity</p>
response	See Section 1.
comment	<p>283 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 51/170, GM1 to Annex II (Part-145) Definitions</p> <p>2. PROPOSED TEXT / COMMENT: It is recommended to amend the definition of the term ‘Human factors’ to read: “Human factors is anything that affects human performance, which means principles that apply to aeronautical design, certification, training, operations and maintenance activities, and which seek a safe interface between the human and other system components by proper consideration of human performance”.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The current definition gives the impression that some activities are excluded such as production or continuing airworthiness management.</p> <p>Note: it is recommended considering a clarification of the term ‘other system components’ (question: is reference made to ‘aircraft system components’?).</p>
response	See Section 1.
comment	<p>284 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 52/170, GM1 to Annex II (Part-145) Definitions</p> <p>2. PROPOSED TEXT / COMMENT: It is recommended to amend the definition of the term ‘Safety training’ to read: “Safety training refers to dedicated training to support safety management policies and processes, including human factors training. <i>Note: the main purpose of the safety training programme is to ensure that personnel at all levels of the organisation that are involved in any maintenance, airworthiness reviews, safety management and compliance monitoring, maintain their competency competence to fulfil their safety management roles. Safety training should, in particular, consider the safety knowledge derived from hazard identification and risk management processes, and support the fostering of a positive safety culture.</i>”</p>



Note: safety management training means specific training for the staff involved in safety management functions in accordance with point 145.A.30(ca) or 145.A.200(a)(3)".

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The current definition is not consistent with the point 145.A.30(e).

response See Section 1.

comment 835 comment by: Aircraft Engineers International

GM1 to Annex II

Comment 1: The definition for "Base maintenance" and "Line maintenance" in this GM has little value since it refers to AMC1 145.A.10 which is interpreted very differently among member states and maintenance organisations. AEI suggest improving AMC1 145.A.10.

Comment 2: This GM should include the definition (or where to find the definition) of "Minor repairs and modifications" ref. AMC1 145.A.10 and it should also include the definition of "Major repairs and modifications". Reason: The definition is not found in Regulation (EU) No 1321/2014 or its AMC / GM and the terms Minor and Major are interpreted differently among member states and maintenance organisations.

response See Section 1.

comment 947 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
all AMCs	N/A	Given the detail of AMC introduced for SMS its highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.	Move the details of AMCs into GMs.		X

response See Section 1.

comment 994 comment by: Duane Kritzinger



Organisational factors - not all are latent. Remove the term latent or include active. Maybe include the term threats here? Threats are conditions or agents that act to compromise the effectiveness of your safety risk controls e.g. lack of manpower, time pressure. These require active management, not risk assessing.

Safety risk; Whilst this is a common definition, when using ALARP, safety is a condition or a state in which the chance of harm [risk] is reduced and kept to an acceptable level. Calculation of Probability vs Severity is pervasive currently and quite different to the philosophy of ALARP. However it is recognised that ALARP should address both the probability and severity aspects of risk.

The definition of error as written may be confused with the term violation due to the caveat regarding procedures. Error is an unintentional act that may reduce the effectiveness of organisational 'defences'. The outcome of error is shaped by the context in which the error happened and should not shape our view of the error. Suggest simply "an *unintentional act that reduces the effect of organisational safety risk control measures*".

Definition of Risk Assessment: 'operational judgement' - should this not be specifically informed by data? We suggest amend to "*evaluation based on ALARP principles using informed operational judgement to determine if the risk is ultimately acceptable*"

Definition of Fatigue: Does not directly match the ICAO definition.

Definition of Safety Risk: The intent is to create a condition where the chance of harm within the organisation is reduced to an acceptable level. Philosophically, how do you assign severity and likelihood to organisational risks (noting that ALARP is not dependent on it)? It is probably not a suitable approach for an MRO, where threats needs managing (not hazards needing risk assessment).

response **See Section 1.**

comment 1044 comment by: Dassault Falcon Service

Competency: according to French law and legal practice, employees' attitude should not be evaluated as the evaluation would be based on subjective criteria's. The wording "attitude" should be removed.

response **See Section 1.**

AMC1 145.A.10 Scope

p. 53

comment 286 comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:



	<p>Page 53/170, AMC1 145.A.10 Scope</p> <p>2. PROPOSED TEXT / COMMENT: The contents of the point 1. of this AMC should be transferred into the common location for definitions (refer also to GM 66.A.20(a)). The contents of the point 2. of this AMC should be transferred into an AMC with the point 145.A.20.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The point 1 of this AMC defines the term ‘Line Maintenance’ (and ‘Base Maintenance’ by opposition). However, none of these terms is used in point 145.A.10. Further, it is not a means to show compliance with point 145.A.10. The point 2 of this AMC identifies what is indicated on the organisation approval certificate with respect to facilities.</p>
response	See Section 1.

comment	<p>819 comment by: SAFRAN AEROSYSTEMS</p> <p>Given the detail of AMC introduced for SMS its highly unlikely that all NAAs acting as CAs will interpret and apply the AMC consistently creating an unlevel playing field and subjective at the interpretation of the Competent Authority inspector.</p> <p>Move the details of AMCs into GMs.</p>
response	See Section 1.

comment	<p>836 comment by: Aircraft Engineers International</p> <p>AMC1 145.A.10 is interpreted differently among the member states and maintenance organisations. AEI suggest including the examples from UG.CAO.00134-004 of tasks that are considered Base maintenance, thus making it easier to identify which tasks are “subject to a risk assessment”.</p>
response	See Section 1.

comment	<p>877 comment by: Rolls-Royce plc</p> <table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>all AMCs</td> <td>N/A</td> <td>We are concerned by the level of detail introduced in AMC in this NPA, which limits the flexibility of organisations to organise their structure and</td> <td>Move the detailed methods, syllabuses, and procedures as examples in GM (this has been done in</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	all AMCs	N/A	We are concerned by the level of detail introduced in AMC in this NPA, which limits the flexibility of organisations to organise their structure and	Move the detailed methods, syllabuses, and procedures as examples in GM (this has been done in	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**								
all AMCs	N/A	We are concerned by the level of detail introduced in AMC in this NPA, which limits the flexibility of organisations to organise their structure and	Move the detailed methods, syllabuses, and procedures as examples in GM (this has been done in	No	Yes								



	<p>procedures to suit the size and complexity of their business. The detail also creates the risk that different NAAs acting as CAs will interpret and apply the AMC inconsistently, creating an unlevel playing field and (particularly when combined with our concerns about the new 'Means of Compliance' rule) feel unable to agree different interpretations. Although EASA is committed at senior level to the development of performance-based rulemaking, introducing prescriptive detail in 'soft law' creates a contradiction with this position. The level of detail in this NPA also appears unbalanced when compared with the existing unchanged parts of Part 21. We strongly recommend that the AMC and GM proposed in this NPA is re-evaluated to maximise the performance-based elements in AMC, with detailed considerations left to GM. We would be happy to participate constructively in such a review.</p>	<p>some cases), and retain performance-based means to comply in the AMC.</p>		
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response	See Section 1.
comment	<p>1016 comment by: Duane Kritzinger</p> <p>AMC1 145.A10(1)(b): This process should be owned by the responsible managers/nominated persons and compliance should be monitored by the Compliance Monitoring manager</p> <p>AMC1 145.A10(1)(b): Using the term "risk assessment" might drive a likelihood vs severity approach, instead of an informed decision approach)</p>
response	See Section 1.
comment	<p>1053 comment by: Dassault Falcon Service</p> <p>AMC1 145.A.10 (1) (b): "For temporary or occasional cases (ADs, SBs)...": not only SB's might be performed by a line maintenance provided a risk assessment is performed.</p> <p>The words between brackets should be removed.</p>
response	See Section 1.

GM1 145.A.10 Scope

p. 54-56

comment	<p>22 comment by: Seref</p> <p>GM1 145.A.10 Scope explains smallest organisations but there is no definition and separation between large and smallest organisation.</p>
response	See Section 1.
comment	<p>209 comment by: DGAC France</p> <p>In order to be consistent in all the the Part 145, we suggest to change "safety manager" by "safety and compliance monitoring manager" in paragraphs 3.1 and 4.1</p> <p>To be consistent with paragraph 3.1.1, we suggest to modify the word "contracted" by "subcontracted" at the end of paragraph 4.1 as follows : "independent audit of the compliance monitoring function, this element may be subcontracted in accordance to with paragraph 3.1.1.</p>
response	See Section 1.
comment	<p>402 comment by: FNAM</p>



	<p>This GM proposes disposals for “small organizations”. FNAM would like to remind that small organizations may not only be light aircraft maintenance hangar or component maintenance workshop (2.), but small organizations can also maintain complex motor-powered aircraft. In small organizations, even maintaining complex motor-powered aircraft, the same level of resources facilities or complex maintenance procedure are less complex than larger organizations. Therefore, FNAM suggests including this kind of organizations into GM1 145.A.10.</p> <p>Moreover, FNAM wonders what is the definition of light aircraft : it is the one used for Part ML or the one used for Part CAO ? This should be clarified.</p>
response	See Section 1.
comment	<p>404 comment by: FNAM</p> <p>3.1.1 See comment of AMC1 145.A.30(b) Personnel requirements</p>
response	See Section 1.
comment	<p>550 comment by: ATR SMS</p> <p>Define what smallest organization means</p>
response	See Section 1.
comment	<p>1054 comment by: Dassault Falcon Service</p> <p>GM1 145.A.10 3.1: ...“if that person <u>if</u> absent”: replace the second “if” by “is” (typo error)</p> <p>GM1 145.A.10 3.1.1: “under Part 145 or contracted to a person”: replace “contracted” by “subcontracted” as the person is "working under the management system of the organisation".</p>
response	See Section 1.
comment	<p>1063 comment by: Aircraft Electronics Association - Europe</p> <p>Regarding: SMALLEST ORGANISATIONS</p> <p>The examples should include specialty shops such as avionics. MAny of these shops are small or medium size enterprises but because of their specialization may work directly or contact work on larger aircraft.</p>
response	See Section 1.

AMC1 145.A.15 Application for an organisation certificate	p. 56
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comment 405

comment by: FNAM



response	<p>Proposed EASA disposals introduce the notion of “using a single EASA Form 2”. In order to ensure an efficient implementation and harmonized interpretation of these disposals, FNAM suggests clarifying the notion of “using a single EASA Form 2” by rewording.</p> <p>Plus, a single EASA Form 2 may be not practical when amending all approvals. Amendments for all approvals are rarely identical and therefore the request for amendments may lead to confusion.</p>
	See Section 1.

AMC2 145.A.15 Application for an organisation certificate	p. 56
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comment	<p>210 comment by: DGAC France</p> <p>In paragraph (a) we propose to clarify that it is about the initial process and not the final certificate/approval. So we suggest to modify the text as follows : "The initial certification or approval of changes process cannot take place".</p> <p>In paragraph (c), we propose to modify the wording as follows : "is to ensure that the organisation has internally verified its compliance with the Regulation and its internal procedures/MOE."</p>
response	See Section 1.

comment	<p>290 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 56/170, AMC2 145.A.15 Application for an organisation certificate</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “GENERAL</p> <p>(a) Draft documents should be submitted at the earliest opportunity so that assessment of the application can begin. The initial certification or approval of changes cannot take place until the competent authority has received the completed documents.</p> <p>AMC adopted by the EASA or alternative means of compliance may be used by an organisation to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts.</p> <p>(b) This information, including the results of a compliance verification performed by the applicant the pre-audit specified in point 145.A.15(b)(1), will should be provided to enable the competent authority to conduct its assessment in order to determine the volume of certification and oversight work that is necessary, and the locations where it will be carried out.</p> <p>(c) The intent of the internal pre-audit referred to in point 145.A.15(b)(1) is to compliance verification performed by the applicant should ensure that the organisation has internally verified its compliance with the Regulation. This should allow the organisation to demonstrate to the competent authority the extent to which the applicable requirements are complied with, and to provide assurance that</p>
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response	<p>the organisation management system is established to a level that is sufficient to perform maintenance activities.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The paragraph (a) of the point 145.A.120 has been moved into this AMC. The intent of the paragraph (b)(1) in point 145.A.15 has been moved into this AMC.</p> <p>See Section 1.</p>
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AMC1 145.A.25(a) Facility requirements	p. 57
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comment

293

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 57/170, point 145.A.25 Facility requirements

2. PROPOSED TEXT / COMMENT:

The limits between the paragraph (a) of point 145.A.25 and the point 145.A.47 are unclear. It is proposed to amend the point 145.A.25 to read:

“The organisation shall ensure that:

(a) Facilities are provided **and** appropriate for all ~~planned~~ work **planned in accordance with point 145.A.47**, ensuring in particular, protection from the weather elements: ~~Specialised workshops and bays are segregated as appropriate, to ensure that environmental and work area contamination is unlikely to occur.~~

1. For base maintenance of aircraft, aircraft hangars are both available and large enough to accommodate aircraft on planned base maintenance;
2. For component maintenance, component workshops are large enough to accommodate the components on planned maintenance.

(b) Specialised workshops and bays are segregated as appropriate, to ensure that environmental and work area contamination is unlikely to occur.

(bc) [...]

(ed) [...]

(de) Secure storage facilities are provided for components, equipment, tools and material. Storage conditions **shall:**

1. ensure segregation of serviceable components and material from unserviceable aircraft components, material, equipment and tools;
2. ~~The conditions of storage are~~ **be** in accordance with the manufacturer's instructions to prevent deterioration and damage of stored items.

Access to storage facilities ~~is~~ **shall be** restricted to authorised personnel.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

There is no definition for the term ‘planned maintenance’. ‘Planned maintenance’ and ‘scheduled maintenance’ are frequently mistaken for each other. Reference to point 145.A.47 eliminates ambiguities.

The requirement for the segregation of specialised workshops and hangar bays is proposed as a separate item for sake of clarity (applies similarly to the requirement about access to storage facilities).

response

See Section 1.



comment	<p data-bbox="384 210 432 239">294</p> <p data-bbox="1128 210 1386 239">comment by: AIRBUS</p> <p data-bbox="384 266 1206 295">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 302 1027 331">Page 57/170, AMC1 145.A.25(a) Facility requirements</p> <p data-bbox="384 374 807 403">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 409 887 439">It is proposed to amend this AMC to read:</p> <p data-bbox="384 445 1390 618">“1. Where the hangar is not owned by the organisation, it may be necessary to establish proof of tenancy. In addition, sufficiency of hangar space to carry out planned base maintenance should be demonstrated by the preparation of a projected aircraft hangar visit plan relative to the maintenance programme. The aircraft hangar visit plan should be updated on a regular basis.”</p> <p data-bbox="384 660 1136 689">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 696 1390 972">This AMC should not make a systematic link between the aircraft maintenance programme and the aircraft hangar visit plan: Some AMO have specialised in on-demand maintenance services, i.e. CAMO contract them for one-shot or specific non-routine services. In such cases, the aircraft hangar visit plan (similarly to the man-hour plan) does not take into account the applicable aircraft maintenance programme (in particular the maintenance schedule of the AMP). The projected aircraft hangar visit plan is only an element for making the decision at a given time to accept or reject new contracts.</p>
response	<p data-bbox="384 1003 552 1032">See Section 1.</p>
comment	<p data-bbox="384 1102 432 1131">295</p> <p data-bbox="1128 1102 1386 1131">comment by: AIRBUS</p> <p data-bbox="384 1158 1206 1187">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="384 1193 1027 1223">Page 57/170, AMC1 145.A.25(a) Facility requirements</p> <p data-bbox="384 1265 807 1294">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="384 1301 887 1330">It is proposed to amend this AMC to read:</p> <p data-bbox="384 1337 1390 1469">“2. Protection from the weather elements relates to the normal prevailing local weather elements that are expected throughout any twelve month period. A risk assessment should demonstrate to the satisfaction of the competent authority that:</p> <p data-bbox="384 1476 1390 1543">(i) Aaircraft hangar and component workshop structures should prevent the ingress of, as applicable, rain, hail, ice, snow, wind, and dust, etc.</p> <p data-bbox="384 1550 1390 1617">(ii) Aaircraft hangar and component workshop floors should be sealed to minimise dust generation.”</p> <p data-bbox="384 1659 1136 1688">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="384 1695 1390 1794">The new point 5. (proposed for introduction in this AMC) offers the possibility to use facilities other than a hangar that encloses the whole aircraft, subject to a risk assessment and agreement by the competent authority.</p> <p data-bbox="384 1800 1390 1973">The wording of point 2. is amended in line with this new point 5 in order to ensure a consistent approach for the assessment of facilities. For example, a risk assessment may demonstrate in some cases that hangar doors are not necessary or the facilities referred to in point 5. may compensate for the absence of hangar doors in order to reach the objective of ‘protection from the weather elements’.</p>
response	<p data-bbox="384 2000 552 2029">See Section 1.</p>



comment	<p data-bbox="368 237 432 275">296</p> <p data-bbox="1128 237 1398 275">comment by: AIRBUS</p> <p data-bbox="368 297 1398 371">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 57/170, AMC1 145.A.25(a) Facility requirements</p> <p data-bbox="368 405 1398 479">2. PROPOSED TEXT / COMMENT: It is proposed to delete the paragraph 4. of this AMC.</p> <p data-bbox="368 512 1398 586">3. RATIONALE / REASON / JUSTIFICATION for the Comment: The subject text is a duplication of the second paragraph of the AMC 145.A.25(b).</p>
response	<p data-bbox="368 595 552 651">See Section 1.</p>
comment	<p data-bbox="368 685 432 723">297</p> <p data-bbox="1128 685 1398 723">comment by: AIRBUS</p> <p data-bbox="368 745 1398 819">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 57/170, AMC1 145.A.25(a) Facility requirements</p> <p data-bbox="368 853 1398 927">2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “5. Subject to a risk assessment and agreement by the competent authority, the organisation may use facilities at the approved location, other than a hangar that encloses the whole aircraft, for certain aircraft base maintenance tasks, provided that those facilities offer levels of weather and environmental protection that are equivalent to those of a hangar, as well as a suitable working environment for the particular work package. In absence of explicit statement authorising this possibility in the maintenance data relevant for the particular work package, the risk assessment may require inputs from the author of the maintenance data. This does not exempt an organisation from the requirement to have an aircraft hangar in order to be approved to conduct base maintenance at a given location.”</p> <p data-bbox="368 1323 1398 1581">3. RATIONALE / REASON / JUSTIFICATION for the Comment: Airbus supports the general intent of this AMC, but also recommends coordination with maintenance data authors (incl. Approved Design Organisations). Such coordination aims at preventing/mitigating any potential adverse risk. For example, some holders of a design approval may have based the development of their instructions for base maintenance on the assumption that the aircraft is systematically within a hangar.</p>
response	<p data-bbox="368 1592 552 1648">See Section 1.</p>
comment	<p data-bbox="368 1682 432 1720">597</p> <p data-bbox="839 1682 1398 1720">comment by: Aircraft Engineers International</p> <p data-bbox="368 1753 1398 1966">Comment 1: It is questionable if it is legal to issue an AMC that directly opposes an Implementing Rule that is a "shall" requirement, ref. IR Part-145.A.25 states "The organisation shall ensure that:" and continues in paragraph (a) "1. For base maintenance of aircraft, aircraft hangars are both available and large enough to accommodate aircraft on planned base maintenance;"</p>

response	<p>Comment 2: There is already enough flexibility to this problem in AMC 145.A.10 Scope - para. 1. (b) "For temporary or occasional cases"</p> <p>See Section 1.</p>
comment	<p>837 comment by: <i>Aircraft Engineers International</i></p> <p>AMC1 145.A.25(a) 5. Comment 1: It is questionable if it is legal to issue an AMC that directly opposes an Implementing Rule that is a "shall" requirement, ref. IR Part-145.A.25 states "The organisation shall ensure that:" and continues in paragraph (a) "1. For base maintenance of aircraft, aircraft hangars are both available and large enough to accommodate aircraft on planned base maintenance;"</p> <p>Comment 2: There is already enough flexibility to this problem in AMC 145.A.10 Scope - para. 1. (b) "For temporary or occasional cases"</p>
response	<p>See Section 1.</p>
comment	<p>974 comment by: <i>Lufthansa Technik</i></p> <p>Highly appreciated! Thank you! Some criteria for the competent authority's agreement may be helpful.</p>
response	<p>See Section 1.</p>

AMC1 145.A.30(a) Personnel requirements	p. 57
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comment	<p>17 comment by: <i>HF CAG</i></p> <p>In AMC1 145.A.30(a) Accountable Manager, consider replacing 'his or her position' with 'their' position.</p>
response	<p>See Section 1.</p>
comment	<p>211 comment by: <i>DGAC France</i></p> <p>This AMC is in Section A. So we suggest to modify the last sentence as follows : "When the accountable manager is not the chief executive officer, he/she has to demonstrate to the competent authority that he /she has direct access to the chief executive officer and has the necessary a sufficiency of 'maintenance funding' allocation. "</p>
response	<p>See Section 1.</p>
comment	<p>299 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 57/170, AMC1 145.A.30(a) Personnel requirements</p>



	<p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “ACCOUNTABLE MANAGER With regard to the ‘Accountable manager’, it is normally intended to mean the chief executive officer of the approved maintenance organisation, who by virtue of his or her position, has overall (including in particular financial) responsibility for running the organisation. It includes in particular the financial responsibility that contributes to ensure the availability of all necessary resources referred to in point 145.A.47(a). The accountable manager may be the accountable manager for more than one organisation, and is not necessarily required to be necessarily knowledgeable on technical matters, as the maintenance organisation exposition MOE defines the maintenance standards. When the accountable manager is not the chief executive officer, the competent authority will need to should be assured that such an the accountable manager has direct access to the chief executive officer and has the necessary a sufficiency of ‘maintenance funding’ allocation.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The reference to point 145.A.47 makes explicit the relationship between the financial responsibility and the necessary resources.</p>
response	See Section 1.

AMC1145.A.30(b) Personnel requirements

p. 57-58

comment	<p>23 comment by: Seref</p> <p>To give more clarification about the changes of AMC1 145.A.30 Personnel requirements for Small and Large Organisations, sample charts are required as seen below examples. Example I : “Example and Guidelines for a CASR Part 145 APPROVED MAINTENANCE ORGANISATION EXPOSITION Page 11 1.1 Management organisational chart (Subparagraph 145.A.70(a) 4 of the Part 145 MOS refers)</p>
response	See Section 1.

comment	<p>24 comment by: Seref</p> <p>To give more clarification about the changes of AMC1 145.A.30 Personnel requirements for Small and Large Organisations, sample charts are required as seen below examples. Example I : “Example and Guidelines for a CASR Part 145 APPROVED MAINTENANCE ORGANISATION EXPOSITION Page 11 1.1 Management organisational chart (Subparagraph 145.A.70(a) 4 of the Part 145 MOS refers)</p>
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comment	<p>212 comment by: DGAC France</p> <p>Paragraph (1) : To be consistent with the others points of the Part, we suggest to add the following "However, the compliance monitoring function and safety function should be independent from the other functions."</p>
response	<p>See Section 1.</p>
comment	<p>301 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 58/170, AMC1 145.A.30(b) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "MANAGEMENT STRUCTURE FOR MAINTENANCE The person or group of persons nominated under point 145.A.30(b) with the responsibility for ensuring compliance should represent the management structure of the organisation, and be responsible for the daily operation of the organisation, for all maintenance functions.</p> <p>1. Dependent upon the size of the organisation, the Part-145 functions may be subdivided under individual managers or combined in any number of ways. However, the compliance monitoring function should be independent from the other functions.</p> <p>[...]</p> <p>3. The base maintenance manager is responsible for ensuring that all maintenance required to be carried out in the hangar or in facilities at the approved location, other than a hangar that encloses the whole aircraft, plus any defect rectification carried out during base maintenance, is carried out to the design and quality standards specified in point 145.A.65(b). The base maintenance manager is also responsible for any corrective action resulting from the quality compliance monitoring of point 145.A.200(a)(6) 145.A.65(c).</p> <p>[...]</p> <p>5. The workshop manager is responsible for ensuring that all work on aircraft components whilst off the aircraft is carried out to the standards specified in point 145.A.65(b), and is also responsible for any corrective action resulting from the quality compliance monitoring of point 145.A.200(a)(6) 145.A.65(c).</p> <p>[...]</p> <p>8. Where If an organisation the accountable manager chooses to appoint nominate managers for all or any combination of the identified Part-145 functions because of the size of the undertaking, it is necessary that these managers should ultimately report to the accountable manager ultimately through either the base maintenance manager, or the line maintenance manager, or the workshop manager, or the quality compliance monitoring manager or the safety manager, as appropriate, to the accountable manager.</p> <p>[...]"</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The introductory sentence should explicitly state that the subject persons are responsible for the daily operation of the organisation (to make a clear difference with the compliance monitoring function).</p>



	<p>Point 1.: the matter of the compliance monitoring function is discussed in point 145.A.30(c). It is proposed to move the sentence on this matter into an AMC of this latter point.</p> <p>Point 3.: the new point 5 of the AMC1 145.A.25(a) should be taken into account.</p> <p>Point 5.: the proposal aims at aligning the AMC text with the words used in the paragraph (d) of point 145.A.50.</p> <p>Point 8.: the proposal aims at aligning the AMC text with the words used in the paragraph (b) of point 145.A.30.</p>
response	<p>See Section 1.</p>
comment	<p>406 comment by: FNAM</p> <p>FNAM agrees that it could possible that a unique person could endorse several functions, including the compliance monitoring function. Since this possibility is already provided in aerodrome domain, it should be possible in maintenance domain.</p> <p>Nevertheless, FNAM wonders why, on one hand in AMC1 145.A.30(b), proposed disposals ensure that “compliance monitoring function should be independent from the other functions”; and on the other hand, AMC1 145.A.30(c);(ca) suggests that one person could be safety manager and have the responsibility to ensure the compliance monitoring function. FNAM therefore suggests listing precisely into a GM the responsibilities which should remain independent.</p>
response	<p>See Section 1.</p>
comment	<p>407 comment by: FNAM</p> <p>Current point (6) disposals are now reserved. FNAM wonders why empty (6) is not definitively removed or why no additional information is provided on future (6) disposals.</p>
response	<p>See Section 1.</p>
comment	<p>585 comment by: Le Blanc</p> <p>AMC1 145.A.30(b)3 This paragraph does not cover the case introduced in new AMC1 145.A.25(a)5</p> <p>Suggested resolution: This paragraph should cover the use of facilities at the approved location other than a hangar</p>
response	<p>See Section 1.</p>
comment	<p>630 comment by: Jean6francois RANNOU SAFRAN Helicopter Engines</p> <p>Page 58 The compliance monitoring function is introduced in 145.A.30(c) so it is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b).</p>



response	<p>It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p> <p>Suggested resolution: Remove the last sentence that was added i.e. “However, the compliance monitoring function should be independent from the other functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)©</p>				
	<p>See Section 1.</p>				
comment	<p>682 comment by: SAFRAN LS</p> <table border="1" data-bbox="392 667 1385 1361"> <tr> <td data-bbox="392 667 571 1361"> <p>AMC1 145.A.30(b)1.</p> </td> <td data-bbox="571 667 667 1361"> <p>58/170</p> </td> <td data-bbox="667 667 1050 1361"> <p>The compliance monitoring function is introduced in 145.A.30(c) so it is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p> </td> <td data-bbox="1050 667 1385 1361"> <p>Remove the last sentence that was added i.e. “However, the compliance monitoring function should be independent from the other functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)©</p> </td> </tr> </table>	<p>AMC1 145.A.30(b)1.</p>	<p>58/170</p>	<p>The compliance monitoring function is introduced in 145.A.30(c) so it is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p>	<p>Remove the last sentence that was added i.e. “However, the compliance monitoring function should be independent from the other functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)©</p>
<p>AMC1 145.A.30(b)1.</p>	<p>58/170</p>	<p>The compliance monitoring function is introduced in 145.A.30(c) so it is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p>	<p>Remove the last sentence that was added i.e. “However, the compliance monitoring function should be independent from the other functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)©</p>		
response	<p>See Section 1.</p>				
comment	<p>683 comment by: SAFRAN LS</p> <table border="1" data-bbox="392 1639 1385 1796"> <tr> <td data-bbox="392 1639 571 1796"> <p>AMC1 145.A.30(b)3</p> </td> <td data-bbox="571 1639 667 1796"> <p>58/170</p> </td> <td data-bbox="667 1639 1018 1796"> <p>This paragraph does not cover the case introduced in new AMC1 145.A.25(a)5</p> </td> <td data-bbox="1018 1639 1385 1796"> <p>This paragraph should cover the use of facilities at the approved location other than a hangar</p> </td> </tr> </table>	<p>AMC1 145.A.30(b)3</p>	<p>58/170</p>	<p>This paragraph does not cover the case introduced in new AMC1 145.A.25(a)5</p>	<p>This paragraph should cover the use of facilities at the approved location other than a hangar</p>
<p>AMC1 145.A.30(b)3</p>	<p>58/170</p>	<p>This paragraph does not cover the case introduced in new AMC1 145.A.25(a)5</p>	<p>This paragraph should cover the use of facilities at the approved location other than a hangar</p>		
response	<p>See Section 1.</p>				



comment	769			comment by: ASD
	AMC1 145.A.30(b)1.	58/170	The compliance monitoring function is introduced in 145.A.30(c) so it is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)	Remove the last sentence that was added i.e. "However, the compliance monitoring function should be independent from the other functions." and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)©
response	See Section 1.			
comment	770			comment by: ASD
	AMC1 145.A.30(b)3	58/170	This paragraph does not cover the case introduced in new AMC1 145.A.25(a)5	This paragraph should cover the use of facilities at the approved location other than a hangar
response	See Section 1.			
comment	786			comment by: Lee Carslake
	"However, the compliance monitoring function should be independent from the other functions."			
	Comment - the word "should" indicates or implies there is a possibility that the compliance monitoring system does not have to be completely independent of other functions within the AMO or larger organisation. Suggest the words "should be" is replaced by "is to be" to avoid this possible interpretation.			
response	See Section 1.			



comment	<p>824</p> <p style="text-align: right;">comment by: <i>SAFRAN AEROSYSTEMS</i></p> <p>AMC1 145.A.30(b) 1</p> <p>The compliance monitoring function is introduced in 145.A.30(c) so it is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p> <p>Remove the last sentence that was added i.e. “However, the compliance monitoring function should be independent from the other functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p>
response	<p>See Section 1.</p>

comment	<p>878</p> <p style="text-align: right;">comment by: <i>Rolls-Royce plc</i></p>												
<table border="1"> <thead> <tr> <th style="text-align: center;">Section, table, figure</th> <th style="text-align: center;">Page</th> <th style="text-align: center;">Comment Summary</th> <th style="text-align: center;">Suggested resolution</th> <th style="text-align: center;">Comment is an observation/suggestion*</th> <th style="text-align: center;">Comment is substantive/objection*</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">AMC1 145.A.30(b) 1.</td> <td style="vertical-align: top;">Page 58</td> <td style="vertical-align: top;">Notwithstanding the more detailed comments on this section, although it is stated in rule, AMC and GM that the various management activities expected within the maintenance organisation may be divided appropriately for the needs of the organisation, there are many inconsistencies in that the terms 'safety manager', 'base maintenance manager', 'compliance monitoring manager' and</td> <td style="vertical-align: top;">Review and rewrite as requested.</td> <td style="vertical-align: top;">No</td> <td style="vertical-align: top;">Yes</td> </tr> </tbody> </table>		Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection*	AMC1 145.A.30(b) 1.	Page 58	Notwithstanding the more detailed comments on this section, although it is stated in rule, AMC and GM that the various management activities expected within the maintenance organisation may be divided appropriately for the needs of the organisation, there are many inconsistencies in that the terms 'safety manager', 'base maintenance manager', 'compliance monitoring manager' and	Review and rewrite as requested.	No	Yes
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AMC1 145.A.30(b) 1.	Page 58	Notwithstanding the more detailed comments on this section, although it is stated in rule, AMC and GM that the various management activities expected within the maintenance organisation may be divided appropriately for the needs of the organisation, there are many inconsistencies in that the terms 'safety manager', 'base maintenance manager', 'compliance monitoring manager' and	Review and rewrite as requested.	No	Yes								



		<p>similar are regularly used, even to the point of specifying competencies for roles such as the safety manager, and in some cases requiring that even with management duties divided across a structure, a single focal point for the function is expected. This is not a consistent approach,. A review of the rules, AMC and GM is needed, to ensure a consistent approach is taken so that the requirements and expectations of the organisation are clearly shown primarily as requirements of the management structure, with one route to compliance being to appoint a single individual in each of the different manager roles named.that the various functions, but the rules and AMC/GM can be read without making this assumption.</p>			
<p>AMC1 145.A.30(b) 1.</p>	<p>Page 58</p>	<p>The compliance monitoring function is introduced in 145.A.30(c) so for consistency, it does not seem appropriate to introduce the independence of</p>	<p>Remove the last sentence that was added i.e. "However, the compliance monitoring function should be independent from the other</p>	<p>No</p>	<p>Yes</p>



		the function in this AMC, especially as the compliance monitoring manager/function should not be one of the persons/functions referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)	functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)		
AMC1 145.A.30(b) 3	Page 58	This paragraph does not cover the facilities case introduced in new AMC1 145.A.25(a)5	This paragraph should cover the use of facilities at the approved location other than a hangar	Yes	No

response

See Section 1.

comment

948

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 145.A.30(b) 1.	58/170	The compliance monitoring function is introduced in 145.A.30(c) so it	Remove the last sentence that was added i.e. “However, the compliance		X



		<p>is confusing to have this sentence (even if it is true) when referring to the management structure for Maintenance and considering the compliance monitoring manager should not be one of the persons referred to in point 145.A.30(b). It would be more appropriate to highlight that the compliance monitoring function should be independent from the other functions preferably in the AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca)(c)</p>	<p>monitoring function should be independent from the other functions.” and move it AMC1 145.A.30(c);(ca)(b) and AMC1 145.A.30(c);(ca) ©</p>		
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response

See Section 1.

comment

949

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 145.A.30(b)3	58/170	This paragraph does not cover the case introduced in new AMC1 145.A.25(a)5	This paragraph should cover the use of facilities at the approved	X	



			location other than a hangar		
response	See Section 1.				

GM1 145.A.30(b) Personnel requirements

p. 59

comment 302

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 59/170, GM1 145.A.30(b) Personnel requirements

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this GM to read:

“RESPONSIBILITY FOR ENSURING COMPLIANCE

For day-to-day ~~activities—functions~~, the responsibility for ensuring that all maintenance ~~functions—activities~~ are performed in accordance with the applicable **regulatory** requirements and procedures lies with the person(s) nominated in accordance with point 145.A.30(b).

These nominated persons should demonstrate a complete understanding of the applicable **regulatory** requirements, and ensure that the organisation’s processes and standards accurately reflect the applicable **regulatory** requirements. It is their role to ensure that compliance is proactively managed, and that any early warning signs of non-compliance are documented and acted upon.

In the case of large maintenance organisations, they may demonstrate an understanding of the applicable regulatory requirements, provided they have a direct access to a person or group of persons that demonstrate a complete understanding of the applicable regulatory requirements.”

Can the EASA define the term ‘early warning signs of non-compliance’ (maybe with examples)?

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The AMC1 145.A.30(b) states that “the Part-145 functions may be subdivided under individual managers or combined in any number of ways.” Referring to “day-to-day functions” is confusing.

In the context of this GM, it is deemed necessary to use the term ‘regulatory requirements’ to prevent confusion with requirements contained in the maintenance data.

In large maintenance organisations, the hierarchical positions held by these nominated persons allow them to secure the availability of all necessary resources, but without holding themselves the expertise on regulatory requirements.

response See Section 1.

AMC1 145.A.30(c) Personnel requirements

p. 59



comment	<p data-bbox="379 208 432 237">304</p> <p data-bbox="1128 208 1385 237">comment by: AIRBUS</p> <p data-bbox="379 264 1206 293">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p data-bbox="379 300 1115 329">Page 59/170, AMC1 145.A.30(c);(ca) Personnel requirements</p> <p data-bbox="379 371 807 400">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="379 407 887 436">It is proposed to amend this AMC to read:</p> <p data-bbox="379 443 1212 472">“SAFETY MANAGEMENT AND COMPLIANCE MONITORING FUNCTION</p> <p data-bbox="379 479 625 508">(a) Safety manager</p> <p data-bbox="379 515 483 544">(1) [...].</p> <p data-bbox="379 551 1034 580">(2) The functions of the safety manager should be to:</p> <p data-bbox="379 586 483 616">(i) [...];</p> <p data-bbox="379 622 483 651">(ii) [...];</p> <p data-bbox="379 658 1390 687">(iii) provide periodic reports on safety performance to the safety review board. The functions of the safety review board are those defined in the AMC1 145.A.200(a)(1);</p> <p data-bbox="379 694 483 723">(iv) [...];</p> <p data-bbox="379 730 1390 759">(v) ensure that there is safety training available, and that it meets acceptable standards using GM1 145.A.30(e) as a basis;</p> <p data-bbox="379 766 432 795">[...].”</p> <p data-bbox="379 943 1137 972">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="379 978 1390 1008">The AMC1 145.A.200(a)(1) refers to this AMC for the functions of the safety manager. It would be appropriate to refer to the AMC1 145.A.200(a)(1) for the functions of the safety review board.</p> <p data-bbox="379 1014 1390 1043">The term ‘acceptable’ associated with the term ‘standards’ makes the regulator’s expectations ambiguous. A clarification is deemed necessary.</p>
response	<p data-bbox="379 1182 552 1211">See Section 1.</p>

AMC1 145.A.30(c);(ca) Personnel requirements	p. 59-60
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comment	<p data-bbox="379 1384 400 1413">2</p> <p data-bbox="1018 1384 1385 1413">comment by: Yusuf Sogukoglu</p> <p data-bbox="379 1440 1390 1608">(f) If the same person is designated to manage both the compliance monitoring function and safety management-related processes and tasks, the accountable manager, with regard to his or her direct accountability for safety, should ensure that sufficient resources are allocated to both functions, taking into account the size of the organisation, and the nature and complexity of its activities.</p> <p data-bbox="379 1653 1390 1753">It is important that safety manager should be free from all other functions including compliance monitoring for the complex organizations so the above statement should be revised as below for clarification.</p> <p data-bbox="379 1798 1390 2009">(f) Accountable manager shall nominate a person who has direct access to him/her with the responsibility for managing the development, administration, and maintenance of effective safety management processes as part of the management system. But, for the small size of the organizations, it is possible that the same person is designated to manage both the compliance monitoring function and safety management-related processes and tasks.</p>
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response	See Section 1.
comment	<p>131 comment by: <i>General Aviation Manufacturers Association</i></p> <p>AMC1 145.A.30(c);(ca) item (c)(1): Item (c)(1) states “The compliance monitoring manager should:... ..not be one of the persons referred to in point 145.A.30(b)”. Reference 145.A.30(b) states: “The accountable manager shall nominate a person or group of persons with the responsibility for ensuring that the organisation is always in compliance with this Annex, Annex I (Part-M) and Annex Vb (Part-ML). Procedures shall make clear who deputises for any particular person in the case of lengthy absence of the said person.”</p> <p>Not all repair station organisation should be categorized as medium-large - with an equipment manufacturers, they may be small. It may not be practical for the compliance monitoring manager to be someone other than the “persons referred to in point 145.A.30(b)” even though point 145.A.30(c) requires the nomination of “a person or group of persons with the responsibility for managing the compliance monitoring function”. Irrespective of these requirements for separate nominations, 145.A.30(c) does not state that the person cannot be the same individual nominated for the responsibility in 145.A.30(b).</p> <p>Delete this requirement or provide allowances for organizations where it is impractical for a company to not use “one of the persons referred to in point 145.A.30(b)” as the compliance monitoring manager.</p>
response	See Section 1.
comment	<p>214 comment by: <i>DGAC France</i></p> <p>Paragraphs (a) and (b) shall be consistent in their wordings and description. As for paragraph (a) and because this AMC is linked to the staff management system, the title of the paragraph (b) should be "compliance monitoring manager “ and should include b(1) The compliance monitoring manager should act as the focal point for effective compliance monitoring management processes, and be responsible for their development, administration and maintenance. (2) The functions of the compliance monitoring manager should be to:</p> <p>The paragraph (c) should be applicable to the safety manager and compliance monitoring manager. So we suggest to rewrite (c) as follows : "The safety manager and the compliance monitoring manager should : "</p>
response	See Section 1.
comment	<p>305 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 60/170, AMC1 145.A.30(c);(ca) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read:</p>



	<p>“(e) The compliance monitoring function should be independent from the other functions. If the functions related to compliance monitoring or safety management are combined with other duties, the organisation should ensure that this does not result in any conflicts of interest.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Sentence moved from the AMC1 145.A.30(b).</p>
response	See Section 1.
comment	<p>306 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 60/170, AMC1 145.A.30(c);(ca) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “(g) Subject to a risk assessment and agreement by the competent authority, with due regard to the size of the organisation and the nature and complexity of its activities, the compliance monitoring manager role and/or safety manager role may be exercised by the accountable manager, provided that he or she has demonstrated the related competence(s)y as defined in point (c)(2) and/or GM5 145.A.30(e).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The competence for both role should be taken into account.</p>
response	See Section 1.
comment	<p>409 comment by: FNAM</p> <p>(a)(2)(v) “ensure that there is safety training available, and that it meets acceptable standard” FNAM suggests to precise in GM the standards referred in AMC1 145.A.30 (c);(ca). Indeed, without any clarification, FNAM fears that a lot of different standards, more or less valuable, will be used to demonstrate this EASA’s proposed disposal.</p>
response	See Section 1.
comment	<p>410 comment by: FNAM</p> <p>(b)(2) In order to correspond with current work between Part-145 organizations and maintenance subcontracting / contracting organizations, we suggest modifying (b)2 with : “any maintenance contracted to another maintenance organization is monitored for compliance with the contract <u>or the purchase order</u>” This will ensure that any subcontracting / contracting organizations working only with purchase order will also be covered by proposed European regulations.</p>
response	See Section 1.



comment	411 (c)(1) See comment 145.A.30(c)	comment by: <i>FNAM</i>
response	See Section 1.	
comment	412 (f) <i>FNAM</i> agrees that one person could be safety manager and have the responsibility to ensure the compliance monitoring function.	comment by: <i>FNAM</i>
response	See Section 1.	
comment	413 (g) <i>FNAM</i> agrees with EASA that the accountable manager may be able to be also the compliance monitoring manager and safety manger depending on the size of the organization and the nature and the complexity of its activities.	comment by: <i>FNAM</i>
response	See Section 1.	
comment	586 AMC1 145.A.30(c);(ca)(f) This paragraph covers the possibility for a single person to endorse both roles at it were the role of 'compliance monitoring manager' and the role of 'safety manager'. If this is allowed this means that the person should be independent from the other functions (that is requested at least for the compliance monitoring manager). Is that judicious? How could one person ensure independent compliance monitoring of another activity HE/SHE is doing?	comment by: <i>Le Blanc</i>
response	See Section 1.	
comment	787 AMC1 145.A.30(c);(ca) Personnel requirements Specifically in regard to para "(f) If the same person is designated to manage both the compliance monitoring function and safety management-related processes and tasks, the accountable manager, with regard to his or her direct accountability for safety, should ensure that sufficient resources are allocated to both functions, taking into account the size of the organisation, and the nature and complexity of its activities." Comment - (a) "should ensure that sufficient resources....", suggest the word "should" is replaced with "must", as should indicates that this is optional, experience indicates that where an organisation does not provide sufficient compliance and safety resource, those departments are subject to inappropriate stresses.	comment by: <i>Lee Carslake</i>



	<p>Comment (b) propose additional text after "activity" as follows:</p> <p>"Where the compliance monitoring and safety management position is combined, or combined with those of other regulatory approvals, demonstration of appropriate resource level to support all functions is required to be presented to the competent authority through provision of a resource allocation plan by the accountable manager."</p> <p>Justification is to prevent organisations not providing proportionate and appropriate levels of resource for these functions within complex organisations.</p>
response	<p>See Section 1.</p>
comment	<p>984 comment by: DGAC France</p> <p>DGAC suggests to delete "and it meets acceptable standards" in the following paragraph as there is no recommended standards on particular safety training issue:</p> <p>(a)(2)(v) "ensure that there is safety training available, and it meets acceptable standards"</p> <p>b) (2) DGAC suggests to add a reference to the purchase order in the following sentence (to cover the case where there are only purchase orders) (b)2) with : "any maintenance contracted to another maintenance organization is monitored for compliance with the contract or the purchase order"</p>
response	<p>See Section 1.</p>
comment	<p>1021 comment by: Duane Kritzinger</p> <p>The safety manager should act as the focal point for effective safety management processes, and be responsible for their development, administration and maintenance. The role of the SM requires clarity - the term safety management processes is not helpful as many safety risk controls are embedded into the broader regulatory compliance requirements. The safety manager is responsible for reporting safety performance.</p>
response	<p>See Section 1.</p>

GM1 145.A.30(ca) Personnel requirements	p. 61
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comment	<p>65 comment by: KLM Engineering & Maintenance</p> <p>Although EASA argues that both functions can be merged in one person, here it can be deducted that the safety manager and the compliance monitoring manager</p>
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	cannot be one and the same person because AMC 1 145.A.30(c)(ca) (e) cannot reasonably be met at the same time.
response	See Section 1.
comment	<p>307 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 61/170, GM1 145.A.30(ca) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: This GM states “it is important that the safety manager remains the unique focal point for the development, administration, and maintenance of the organisation’s management system”. Does it, or anything else in the regulatory material, imply that the safety manager’s decisions take precedence over those taken by the compliance monitoring manager?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The interactions between the safety manager and the compliance monitoring manager deserve some explanations in case of disagreement between them.</p>
response	See Section 1.
comment	<p>995 comment by: Duane Kritzinger</p> <p>Is this suggesting the SM is now responsible for the MS's upkeep? This contradicts A.30 requirements regarding responsibility.</p>
response	See Section 1.

AMC1 145.A.30(cc) Personnel requirements	p. 61-62
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comment	<p>48 comment by: NHF Technical committee</p> <p>Supported by NHF.</p>
response	See Section 1.
comment	<p>67 comment by: KLM Engineering & Maintenance</p> <p>This new AMC introduces a drastic change to current practice and will severely limit candidates for the role of nominated person.</p> <p>AMC 1 145.A.30 (cc) under (c) and (d) : these requirements will in most cases be contradictory: on the one hand an engineering degree is required but on the other hand can be replaced by 5 years experience in tasks related to aircraft maintenance.....and or surveillance of such tasks.</p>



	<p>People qualifying for the one or the other are miles apart and in our view cannot both be fit and able to perform the role of nominated person</p>
response	See Section 1.
comment	<p>132 comment by: <i>General Aviation Manufacturers Association</i></p> <p>Not all repair station organisation should be categorized as medium-large - with an equipment manufacturers, they may be small. It may not be practical for the "Persons or group(s) of persons nominated in accordance with points 145.A.30(b), (c) and (ca)" to have the all necessary experience preseumed by AMC1 145.A.30(cc).</p> <p>Amend the requirements to be performance-based or provide allowances / alleviations for organizations where it is impractical for a company to achieve them.</p>
response	See Section 1.
comment	<p>215 comment by: <i>DGAC France</i></p> <p>We suggest to add an item (3) to paragraph (b) as follows : "compliance monitoring management principles".</p>
response	See Section 1.
comment	<p>308 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 61/170, AMC1 145.A.30(cc) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "KNOWLEDGE, BACKGROUND AND EXPERIENCE OF NOMINATED PERSON(S) The person or Persons or group(s) of persons nominated in accordance with [...] should have:"</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The paragraph (cc) of point 145.A.30 does not refer to group of persons.</p>
response	See Section 1.
comment	<p>309 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 61/170, AMC1 145.A.30(cc) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: This AMC states "Persons or group(s) of persons nominated in accordance with [...] should have: (a) practical experience and expertise in the application of aviation safety standards and safe operating practices; [...]"</p>



	<p>What does “aviation safety standards and safe operating practices” mean?</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: What are these safety standards and operating practices as regulatory requirements are covered by the paragraph (h) of this AMC and maintenance requirements published by aircraft/equipment manufacturers are covered by the paragraph (g)? For sake of understanding.</p>
response	<p>See Section 1.</p>
comment	<p>310 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 61/170, AMC1 145.A.30(cc) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “(d) a relevant engineering degree or an aircraft maintenance technician qualification with additional education that is acceptable to the competent authority. ‘Relevant engineering degree’ means an engineering degree from aeronautical, mechanical, electrical, electronic, avionic or other studies that are relevant to the maintenance and/or continuing airworthiness management of aircraft/aircraft components; [...]”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The person should not be required to show that studies covered both maintenance of aircraft/aircraft components and continuing airworthiness management of aircraft. It would make the AMC too complex for a limited benefit, if any.</p>
response	<p>See Section 1.</p>
comment	<p>414 comment by: FNAM</p> <p>(c) Proposed EASA’s disposals require that nominated person “for the person responsible of ensuring that the organization is always in compliance with Part M and Part ML”, the accountable manager and the person responsible for managing the compliance monitoring function have at least 5 years of relevant work experience including 2 years in the aeronautical industry. This proposal is not adapted to current supply of experienced labor. Nowadays, organizations, and above all for less attractive organizations such as Small and Medium Enterprises, face difficulties to hire highly qualified and experienced labor. Such organizations have already issues to find anyone for these works, so, with proposed disposals, FNAM fears that Part-145 SME will not find any appropriate and qualified staff.</p> <p>Nevertheless, FNAM understands the need for demonstrating experience when having responsibilities. In order to be more adapted with the current labor market limitation, FNAM suggests reducing the required working experience by justifying with the school curriculum and mitigating with an organization integration cursus :</p>



response	<p>“(c) 2 years of relevant work experience, of which at least 6 months should be from the aeronautical industry in an appropriate position provided that school curriculum is adapted to relevant responsibilities and provided that an organization integration course is planned for at least 30 days;”</p> <p>See Section 1.</p>
comment	<p>415 comment by: <i>FNAM</i></p> <p>(d)</p> <p>This proposal is not adapted to current experienced maintenance workers availability on the European labor market. It is not possible to find someone with at least 10 years of experience. Nowadays, organizations face difficulties to hire highly qualified and experienced staff. Organizations, and above all Small and Medium Enterprises (SME), have already issues to find anyone for these works, so, with proposed disposals, FNAM fears that Part-145 SME will not find any appropriate staff.</p> <p>Nevertheless, FNAM understands the need for demonstrating experience when having responsibilities. In order to be more adapted with the current labor market limitation, FNAM suggests reducing the required working experience by justifying with the school curriculum but also diverse experiences :</p> <p>“The above recommendation may be replaced by 2 years of experience in addition to those already recommended by the paragraph (c) above. These 2 years should cover an appropriate combination of experience in tasks related to aircraft maintenance and/or continuing airworthiness management and/or the surveillance of such tasks;”</p>
response	<p>See Section 1.</p>
comment	<p>416 comment by: <i>FNAM</i></p> <p>(f)</p> <p>“These courses could be provided by a Part-147 organization, by the manufacturer, by the Part-145 organization or by any other organization accepted by the competent authority. Aircraft/engine type training courses should be at least at a level equivalent to the Part-66 Appendix III Level 1 General Familiarization.”</p> <p>Proposed EASA’s disposals for safety nominated persons’ training are not adapted to current organizations resources and to nominated persons’ responsibility. We understand the need to have the knowledge of aircraft type, but the training should not be similar to mechanics training. Nominated persons should be able to know where to find the correct information / requirements but do not need to know perfectly all aircraft details such as mechanics. Therefore, we suggest extending the possibility to demonstrate the required knowledge proposed for “all balloons and any other aircraft of 2 730 kg MTOM or less”, to “all balloons and any other aircraft of 5700 kg MTOM or less”.</p>
response	<p>See Section 1.</p>

comment	312 comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 62/170, AMC1 145.A.30(d) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph 1. of this AMC to read: “1. ‘Has sufficient staff competent personnel’ means that the organisation employs or contracts competent staff personnel, as detailed in the man-hour plan, of which at least half the staff competent personnel that perform maintenance in each workshop, hangar or flight line on any shift should be employed to ensure organisational stability. For the purpose of meeting a specific operational necessity of the organisation, a temporary increase of the proportion of contracted staff personnel may be permitted to the organisation by the competent authority, in accordance with an approved procedure which should describe the extent, specific duties, and responsibilities for ensuring adequate organisation stability. For the purpose of this subparagraph;</p> <ul style="list-style-type: none"> - ‘employed’ means the person is directly employed as an individual by the maintenance organisation approved under Part-145, whereas - ‘contracted’ means the person is employed by another organisation (for example, a temporary work agency), and there is a contracted by between that organisation to and the maintenance organisation approved under Part-145, resulting in the accomplishment of maintenance. <p>The possibility to contract personnel under this AMC should not be used to circumvent the limitations applicable when the AMO subcontract maintenance tasks under the AMC1 145.A.75(b), and vice versa.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘personnel’ is used for consistency with the point title. The objective is to ensure the organisational stability with respect to personnel performing maintenance. This objective is achieved by maintaining a reasonable ratio between AMO employees and any additional personnel contracted (under any form of contract) in order to support the AMO employees in accomplishing maintenance. The proposal aims at:</p> <ul style="list-style-type: none"> - preventing AMO becoming empty shells when various contracts are concluded with third-party companies to carry out maintenance as discrete packages of work, and - reminding that this AMC should be considered concurrently with the AMC1 145.A.75(b): e.g. considered concurrently, these AMCs prevent the acceptance of an aircraft base maintenance check completely performed by outsourced personnel. It helps in ensuring that AMO adequately address complex maintenance and operational arrangements to prevent loss of control (assessment of the overall organisational structure, interfaces, procedures, roles, responsibilities and qualifications/competences of key personnel across <u>all</u> sub-contract levels).
response	See Section 1.
comment	313 comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p>



Page 62/170, AMC1 145.A.30(d) Personnel requirements

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

“SUFFICIENT NUMBER OF PERSONNEL

[...]

6. The ~~quality monitoring~~ man-hours allocated to the compliance monitoring function ~~man-hours~~ should be sufficient to meet the requirement of point 145.A.200(a)(6) ~~145.A.65(e)~~, which means taking into account ~~AMCs to 145.A.200(a)(6) AMC 145.A.65(e)~~. Where ~~the quality compliance monitoring staff personnel~~ also perform other functions, the time allocated to ~~such those functions~~ needs to be taken into account in determining the number of ~~quality compliance monitoring staff personnel numbers~~.

7. The maintenance man-hour plan should be:

(i) reviewed at a frequency appropriate to the amount and complexity of the ongoing work and of the work generally performed by the maintenance organisation, without exceeding ~~least every~~ 3 months, and

(ii) updated when necessary.

[...]

9. In addition, as part of its management system in accordance with point 145.A.200, the organisation should have a procedure to assess and mitigate the risks:

(1) if the actual number of ~~staff personnel~~ available is less than the planned staffing level for any particular work shift or period;

(2) if there is a temporary increase in the proportion of subcontracted ~~staff personnel~~ in order to meet specific operational needs of the organisation.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The term ‘personnel’ is used for consistency with the point title.

The amount and complexity of activities carried out by some organisations imply that their man-hour plan needs to be reviewed every week, for example. The point 7. should take into account the information of the AMC 145.A.47(a).

response

See Section 1.

comment

647

comment by: Clockwork Research

AMC1 145.A.30(d) para 8. Recommend addition of overtime consideration in addition to short-fall in available man-hours

response

See Section 1.

AMC1 145.A.30(e) Personnel requirements

p. 63-65

comment

189

comment by: FAA

AMC 145.A.30 e (3)

All staff should be able to demonstrate an understanding of the safety management principles, human factors and human performance issues in relation to their job function, and be trained as per AMC2 145.A.30(e)



response	<p>We don't put Human Factors as requirements. Same as comment #10 above, "human factors," is a broad area. This needs more specificity in the regulatory language and/or in AMC.</p> <p>See Section 1.</p>
comment	<p>190 comment by: FAA</p> <p>AMC 145.A.30 e</p> <p>SAFETY TRAINING (INCLUDING HUMAN FACTORS)</p> <p>again in their training they include Human Factors we don't require this. See comments #10 and 22.</p>
response	<p>See Section 1.</p>
comment	<p>216 comment by: DGAC France</p> <p>We suggest to add to the paragraph (3) the following : "All staff should be able to demonstrate an understanding of the safety management and the compliance monitoring management principles,"</p>
response	<p>See Section 1.</p>
comment	<p>315 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 63/170, AMC1 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend and then move the following text into a new AMC1 145.A.55(d)(1): "A record of should be kept such of each individual's qualifications and competence competency competence assessment should be kept (refer also to point 145.A.55(d)). This should include copies of all documents that attest to the their experience and qualifications, such as the a licence and/or any authorisation held, as applicable."</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: All record-keeping requirements are now in the point 145.A.55.</p>
response	<p>See Section 1.</p>
comment	<p>316 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 63-65/170, AMC1 145.A.30(e) Personnel requirements</p>



2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

“For a proper ~~competence~~ **competency** ~~competence~~ assessment of its personnel, the organisation should consider that:

[...]

5. Criteria should allow the assessment to establish that, among others **aspects** (titles might be different in each organisation):

- Managers are able to properly manage the work output, processes, resources and priorities described in their assigned duties, **accountabilities, and responsibilities, and authorities** in accordance with the safety policy and objectives and in compliance with the applicable requirements ~~in a safe compliant manner in accordance with regulations and organisation procedures.~~

[...]

- ~~Specialised services staff are able to~~ **Personnel carrying out or controlling specialised maintenance tasks are able to perform or control (as appropriate) such tasks** to the standard specified in the maintenance data. They should be able to communicate with **their** supervisors and report accurately when necessary.

[...]

- **Certifying staff** are able to determine when the aircraft or aircraft component maintenance is ready to be **released to service certified**, and when it should not be **certified released to service.**

[...]

- ~~Quality audit~~ **Compliance monitoring staff personnel** are able to monitor compliance with ~~Part-145~~ this Regulation and to identifying non-compliances in an effective and timely manner so that the organisation may remain in compliance with this Regulation ~~Part-145.~~

- **Staff Personnel** who have been **designated** **nominated with** safety management responsibilities are familiar with the relevant processes in terms of hazard identification, risk management, and the monitoring of safety performance.

- **All staff personnel involved in any maintenance, airworthiness reviews, safety management and compliance monitoring** are familiar with the safety policy and the procedures and tools that can be used for internal safety reporting.

[...]”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

GM6 145.A.30(e) indicates that training should be provided to management and personnel when changing roles affect their safety management roles, accountabilities, responsibilities, and authorities. The ability to take proper decisions should be assessed.

The notion of ‘specialised services staff’ is not defined. For example, point 145.A.30(f) refers to “personnel who carry out or control a continued-airworthiness non-destructive test”.

Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a). The paragraph (e) of point 145.A.30 refers only to personnel involved in any maintenance, airworthiness reviews, safety management and compliance monitoring.



response	See Section 1.						
comment	418		comment by: FNAM				
	3. FNAM thanks for adding Safety management disposals which are in line with French SMS.						
response	See Section 1.						
comment	598		comment by: Aircraft Engineers International				
	There should be a requirement for planners to be trained in how to avoid fatigue among maintenance personnel and for planners to understand the risks related to fatigue.						
response	See Section 1.						
comment	771		comment by: ASD				
	<table border="1"> <tr> <td>AMC2 145.A.30(e)(a)</td> <td>65/170</td> <td> <p>Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.</p> </td> <td> <p>In the first bullet (a), remove the comma and add the term 'including' after safety management to read as follows: "<i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:</i>"</p> </td> </tr> </table>	AMC2 145.A.30(e)(a)	65/170	<p>Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.</p>	<p>In the first bullet (a), remove the comma and add the term 'including' after safety management to read as follows: "<i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:</i>"</p>		
AMC2 145.A.30(e)(a)	65/170	<p>Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.</p>	<p>In the first bullet (a), remove the comma and add the term 'including' after safety management to read as follows: "<i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:</i>"</p>				
response	See Section 1.						
comment	838		comment by: Aircraft Engineers International				
	AMC1 145.A.30(e) There should be a requirement for planners to be trained in how to avoid fatigue among maintenance personnel and for planners to understand the risks related to fatigue.						
response	See Section 1.						



AMC2 145.A.30(e) Personnel requirements

p. 65-66

comment	13	comment by: HF CAG
	<p>Ref para (a) is the Accountable Manager included in this list? It should do. Also the wider 'enterprise' senior management team (i.e. finance, HR, commercial, contracts, continuous improvement etc.) should attend as they need to appreciate the reasons people report and need to cooperate with NPs when they ask for more / different resources, time, commitment etc. If they are not educated in SMS/HF they will not take the same view as the NPs. .</p>	
response	See Section 1.	
comment	18	comment by: HF CAG
	<p>AMC2 145.A.30(e) Personnel requirements, para (b), propose to remove the a before training in the following paragraph:</p> <p>"All personnel, including personnel being recruited from any other organisation, should receive initial human factors safety training that is compliant with the organisation's training standards prior to commencing the actual job function, unless their competence competency assessment justifies that there is no need for such a training. Newly directly employed personnel who working under direct supervision may receive training within 6 months after joining the maintenance organisation."</p>	
response	See Section 1.	
comment	19	comment by: HF CAG
	<p>Ref AMC2 145.A.30(e) Personnel requirements para (b) in the last paragraph, how would this work with a newly employed nominated person? Does this mean that if a new NP joins the company and they require safety training they must be under direct supervision to qualify for the 6 month grace period? Direct supervision is very unlikely. This means they should be trained prior to commencing the actual job, which is also unlikely.</p>	
response	See Section 1.	
comment	20	comment by: HF CAG
	<p>Ref AMC2 145.A.30(e) Personnel requirements, paragraph (c). As all staff are required to undergo recurrent safety training, the compliance monitoring and safety management staff should attend as participants in any case. If this paragraph is recommending that compliance monitoring and / or safety management staff should attend (not necessarily participate in) each training course to provide a consistent presence, facilitate feedback and collect information, the text should be clearer on the purpose of their attendance.</p>	



response	See Section 1.
comment	<p>69 comment by: KLM Engineering & Maintenance</p> <p>AMC 2 145.A.30(e) under item (d): "...Safety training should be delivered by a competent trainer...." This presupposes that Safety Training is always a Classroom Type of training. We object: because under (b) and (c) is stated that safety training can be integrated within other training, which will for the large part be training by electronic means. So we would like to leave room for that.</p>
response	See Section 1.
comment	<p>317 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 65/170, AMC2 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: The EASA proposes an amendment of this AMC (and in some other points/AMC/GM) to refer to 'recurrent training' instead of 'continuation training'. Airbus recommends keeping the term 'continuation training'.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The notion of 'recurrent training' may convey the idea that the same training course can be repeated again and again (no evolutions required). The term 'continuation training' indicates that there is a build-up along time of knowledge.</p>
response	See Section 1.
comment	<p>318 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 65/170, AMC2 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "SAFETY TRAINING (INCLUDING HUMAN FACTORS) Refer to the definition of safety training in GM1 to Annex II (Part-145). (a) With respect to the understanding of the application of safety management, including human factors and human performance issues, all maintenance organisation personnel involved in any maintenance, airworthiness reviews, safety management and compliance monitoring should have received an initial and continuation recurrent continuation human factors safety training, appropriate for their responsibilities. This should concern include to a minimum at least the following staff members personnel: - [...] <ul style="list-style-type: none"> - Technical support personnel such as planners, engineers, technical record staff personnel; - [...] - Specialised services staff Personnel carrying out or controlling specialised maintenance tasks; </p>



	<p>- [...] - Stores department staff personnel, purchasing department staff personnel; [...]"</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: In accordance with point 145.A.30(e), only the organisation personnel involved in any maintenance, airworthiness reviews, safety management and compliance monitoring is affected (not all personnel). The notion of 'human factors', as defined in this NPA, includes 'human performance'. Refer to GM1 to Annex II (Part-145). The notion of 'specialised services staff' is not defined.</p>
response	See Section 1.
comment	<p>319 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 66/170, AMC2 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "(b) [...]" All personnel referred to in the paragraph (a) of this AMC, including personnel being recruited ('employed' or 'contracted' within the meaning of subparagraph 1. of the AMC1 145.A.30(d)) from any other organisation or working under the management system of the organisation in accordance with point 145.A.75(b), should receive initial human factors safety training that is compliant with the organisation's training standards prior to commencing the actual job function, unless their competence assessment justifies that there is no need for such a training. New, by directly employed personnel ('employed' within the meaning of subparagraph 1. of the AMC1 145.A.30(d)) who working under direct supervision may receive training within 6 months after joining the maintenance organisation."</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The AMC1 145.A.30(d) has an impact on the wordings used to refer to the different categories of personnel due to the nature of their respective contract.</p>
response	See Section 1.
comment	<p>320 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 66/170, AMC2 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "(c)2- The purpose of human factors continuation recurrent continuation safety training is primarily to ensure that staff personnel referred to in the paragraph (b) of this AMC remain current in terms of SMS principles and human factors, and also to collect feedback on safety and human factors issues. Consideration should be given to the possibility that such training has the involvement of the quality</p>



	<p>department compliance monitoring staff personnel and the key safety management personnel in this training. There should be a procedure to ensure that feedback is formally reported by passed from the trainers through the internal safety reporting scheme to the quality department to initiate action where necessary. [...].”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: To ensure consistency with the paragraph (b) of this AMC.</p>
response	See Section 1.
comment	<p>321 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 66/170, AMC3 145.A.30(e) Personnel requirements Page 67/170, AMC4 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to merge the AMC3 and AMC4 145.A.30(e) to read: “Competence assessments should check whether there is a need for additional training (e.g. on fuel tank safety issues or EWIS), if this is relevant: - Additional training in fuel tank safety, as well as the associated inspection standards and maintenance procedures, should be required for staff for maintenance organisations’ technical personnel, especially technical personnel personnel identified in the Appendix IV to AMC3 145.A.30(e) and AMC2 145.B.200(a)(3) involved in the compliance of CDCCL tasks. Guidance for the training of maintenance organisation personnel on Fuel Tank Safety issues is provided in the same Appendix IV. - Guidance on EWIS training programmes for maintenance organisation personnel is provided in AMC 20-22. EASA Guidance is provided for the training to of maintenance organisation personnel is provided in Appendix IV to AMC3 145.A.30(e) and AMC2 145.B.200(a)(3) 145.B.10(3). Safety promotion material may be used to inform other personnel involved in maintenance, when the maintenance to be performed may affect aircraft areas or aircraft components subject to specific safety issues.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For example, training requirements on fuel tank safety issues should be limited to personnel involved in the maintenance of the aircraft fuel system and its components. What is the added value to train personnel on fuel tank safety issues when they maintain cabin seats, for example? Safety promotion material on fuel tank safety may be used to inform other maintenance personnel. The amendment proposal contributes to make this Regulation resilient to new safety issues triggering training needs.</p>
response	See Section 1.
comment	<p>419 comment by: FNAM</p>



response	<p>(c) The proposed disposal of safety reporting scheme is in line with French SMS.</p> <p>See Section 1.</p>				
comment	<p>587 comment by: <i>Le Blanc</i></p> <p>AMC2 145.A.30(e)(a)</p> <p>Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.</p> <p>Suggested resolution: In the first bullet (a), remove the comma and add the term ‘including’ after safety management to read as follows: "In respect to the understanding of the application of safety management <u>including</u> human factors and human performance issues, all maintenance organisation personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:"</p>				
response	<p>See Section 1.</p>				
comment	<p>706 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="391 987 1390 1608"> <tr> <td data-bbox="391 987 582 1608">AMC2 145.A.30(e)(a)</td> <td data-bbox="582 987 678 1608">65/170</td> <td data-bbox="678 987 997 1608"> <p>Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.</p> </td> <td data-bbox="997 987 1390 1608"> <p>In the first bullet (a), remove the comma and add the term ‘including’ after safety management to read as follows: "<i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:</i>"</p> </td> </tr> </table>	AMC2 145.A.30(e)(a)	65/170	<p>Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.</p>	<p>In the first bullet (a), remove the comma and add the term ‘including’ after safety management to read as follows: "<i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:</i>"</p>
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response	<p>See Section 1.</p>
comment	<p>815 comment by: <i>yuji.yoshikawa@panasonic.aero</i></p> <p>Defines personnel who is required to take Safety Training, and it includes “purchasing department staff”. While the job definitions and functions of “purchasing department staff” vary between corporations, we recommend the paragraph to be made more specific in job roles and functions rather than the name of the department.</p>
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comment	<p>816 comment by: <i>yuji.yoshikawa@panasonic.aero</i></p> <p>Defines personnel who is required to take Safety Training, and it includes “purchasing department staff”. While the job definitions and functions of “purchasing department staff” vary between corporations, we recommend the paragraph to be made more specific in job roles and functions rather than the name of the department.</p>
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response	<p>See Section 1.</p>
comment	<p>821 comment by: <i>yuji.yoshikawa@panasonic.aero</i></p> <p>(a) defines personnel who is required to take Safety Training, and it includes “purchasing department staff”. While the job definitions and functions of “purchasing department staff” vary between corporations, we recommend the paragraph to be made more specific in job roles and functions rather than the name of the department.</p> <p>(d) states “Safety training should be delivered by a competent trainer, and may be conducted by the maintenance organization itself, independent trainers, or any training organizations acceptable to the competent authority”. The provisions for Computer Based Training, particularly for recurrent training, are not defined. It is practical for a large MRO to conduct the initial training in the classroom and the recurrent training on the CBT environment.</p>
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response	See Section 1.

comment	826	comment by: <i>yuji.yoshikawa@panasonic.aero</i>
	<p>(a) defines personnel who is required to take Safety Training, and it includes “purchasing department staff”. While the job definitions and functions of “purchasing department staff” vary between corporations, we recommend the paragraph to be made more specific in job roles and functions rather than the name of the department.</p> <p>(d) states “Safety training should be delivered by a competent trainer, and may be conducted by the maintenance organization itself, independent trainers, or any training organizations acceptable to the competent authority”. The provisions for Computer Based Training, particularly for recurrent training, are not defined. It is practical for a large MRO to conduct the initial training in the classroom and the recurrent training on the CBT environment.</p>	
response	See Section 1.	

comment	879	comment by: <i>Rolls-Royce plc</i>												
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>AMC2 145.A.30(e)(a)</td> <td>Page 65</td> <td>The first paragraph of this AMC requires "all maintenance organisation personnel" to undergo appropriate safety training, but then goes on to define the members of staff expected to be trained</td> <td>Suggest a rewording as follows: "<i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should</i></td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>		Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	AMC2 145.A.30(e)(a)	Page 65	The first paragraph of this AMC requires "all maintenance organisation personnel" to undergo appropriate safety training, but then goes on to define the members of staff expected to be trained	Suggest a rewording as follows: " <i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should</i>	No	Yes
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**									
AMC2 145.A.30(e)(a)	Page 65	The first paragraph of this AMC requires "all maintenance organisation personnel" to undergo appropriate safety training, but then goes on to define the members of staff expected to be trained	Suggest a rewording as follows: " <i>In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation personnel should</i>	No	Yes									



		as a minimum. This is inconsistent. The human factors and human performance subjects should be considered as part of the safety training.	<i>have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members, as appropriate to the organisation structure:"</i>		
response	See Section 1.				

comment

951

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC2 145.A.30(e)(a)	65/170	Ensure consistency of the 1st paragraph with the content of the 4th bullet. Also it is important to understand that SMS has a systemic perspective encompassing technical, human and organizational factors. Human is integrated and not isolated.	In the first bullet (a), remove the comma and add the term 'including' after safety management to read as follows: <i>"In respect to the understanding of the application of safety management including human factors and human performance issues, all maintenance organisation</i>		X



			<p><i>personnel should have received initial and recurrent safety training, appropriate for their responsibilities. This should include at least the following staff members:"</i></p>		
response	<p>See Section 1.</p>				

comment	1007	comment by: Duane Kritzinger
	<p>AMC1 145.A.48(c)(3): Could be misinterpreted; suggest signed off by an authorised person once it has been verified that the task has been satisfactorily completed which may require the use of stage checks.</p> <p>AMC1 145.A.48(c)(3)(a): Procedures should be aimed at; minimising multiple errors and preventing omissions. Therefore, the procedures should specify: (1) that every maintenance task is signed off only after completion. This may be misinterpreted so suggest "<i>Signed off by an authorised person once it has been verified that the task has been satisfactorily completed taking into account appropriate stage checks</i>"</p>	
response	<p>See Section 1.</p>	

AMC3 145.A.30(e) Personnel requirements

p. 66

comment	420	comment by: FNAM
	<p>This AMC is referring to AMC2 145.B.200(a)(3) and to itself. Therefore, FNAM suggests removing the reference to AMC3 145.A.30(e).</p>	
response	<p>See Section 1.</p>	

AMC5 145.A.30(e) Personnel requirements

p. 67

comment	322	comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 67/170, AMC5 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT:</p>	



	<p>It is proposed to move the paragraphs (b), (c), and (d) of this AMC in the AMC1 145.A.30(e), which is about competence assessment.</p> <p>It is proposed then to amend the AMC5 145.A.30(e) to read:</p> <p>“INITIAL AND RECURRENT CONTINUATION TRAINING</p> <p>(a) Adequate initial and recurrent continuation training should be provided and recorded to ensure that staff remain competent.</p> <p>(b) Initial and continuation training should take into account the information reported through the internal safety reporting scheme, whilst maintaining appropriate confidentiality as defined in AMC1 145.A.202.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p>The title of the AMC5 145.A.30(e) is “initial and recurrent continuation training”. The paragraphs (b), (c), and (d) of this AMC discuss the competence assessment (that is also discussed in the AMC1 145.A.30(e)).</p> <p>A new paragraph (d) is added to address the (second) paragraph (b)(3) of the AMC1 145.A.202.</p>
response	See Section 1.
comment	<p>422 comment by: FNAM</p> <p>FNAM globally agrees with proposed initial and recurrent training disposals. Nevertheless, we fear that NAA may have various interpretations which may lead to a new administrative burden for Part-145 organizations.</p>
response	See Section 1.

GM1 145.A.30(e) Personnel requirements

p. 68-70

comment	<p>323 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:</p> <p>Page 68/170, GM1 145.A.30(e) Personnel requirements</p> <p>2. PROPOSED TEXT / COMMENT:</p> <p>It is proposed to amend the point 2.3 to read “questioning culture” instead of “informed culture”.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p>The term “questioning culture” is full of meaning and is already used by the industry in defining a safety culture. The objective is to encourage a culture where people question what they are doing or being asked to do, and to speak-up if it is not the right thing to do.</p>
response	See Section 1.
comment	<p>423 comment by: FNAM</p> <p>4. Human performance and limitations / 4.12 Fatigue and fatigue risk management</p> <p>See comment of 145.A.47 and AMC1 145.A.47(b)</p>



response	See Section 1.						
comment	631	comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i>					
	<p>"informed culture" - this is not a helpful term in defining safety culture as related to having current knowledge and dissemination of analysis</p> <p>Suggested resolution: change to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.</p>						
response	See Section 1.						
comment	684	comment by: <i>SAFRAN LS</i>					
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response	See Section 1.						
comment	772	comment by: <i>ASD</i>					
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response	See Section 1.						
comment	825	comment by: <i>SAFRAN AEROSYSTEMS</i>					



"informed culture" - this is not a helpful term in defining safety culture as related to having current knowledge and dissemination of analysis

change to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.

response **See Section 1.**

comment 881 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
GM1 145.A.30	Page 68	This AMC defining a training syllabus is very prescriptive, and only permits flexibility provided all the topics are covered (!). The same level of detail is not considered necessary in mechanics technical training, for example, so it also appears disproportionate. This material is helpful as an example, but should be treated as guidance to help develop an appropriate level of training to suit the needs of the organisation, and there are alternate means to establish an appropriate understanding of safety. As an example, there are several different sub-divisions of "safety culture"	Suggest this is converted to GM, to encourage the development of specific training, and change "informed culture" to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.	No	Yes



		into individual elements, and this syllabus identifies one such model, though, to illustrate the point, "informed culture" might be substituted with "questioning culture".			
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response

See Section 1.

comment

952

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 145.A.30 €	68/170	"informed culture" - this is not a helpful term in defining safety culture as related to having current knowledge and dissemination of analysis	change to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.		X

response

See Section 1.

comment

975

comment by: Lufthansa Technik

GM1 145.A.30(e) 10.:



	Just culture principles are already mentioned in point 2.
response	See Section 1.
comment	996 comment by: <i>Duane Kritzinger</i> "Violation" mentioned but not listed in definitions. Violation is an intentional act that deviates from agreed methods of work within the organisations. "Flexible/learning culture" - are they on the same line intentionally? Definitions does not contain the term risk – only safety risk
response	See Section 1.

GM2 145.A.30(e) Personnel requirements

p. 70-73

comment	5 comment by: <i>Falcon Aviation Services/Andrew Gardner</i> Ref table: Teamwork, decision making and leadership skills should be included in compliance monitoring staff and Safety Manager and Key SM personnel to remain consistent with the Competency of the Safety Manager which states at item (i) "Interpersonal and leadership skills, and ability to influence staff;". I suggest the same applies to the compliance monitoring staff as their job role and competency is identical on this point.
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response See Section 1.

comment	6 comment by: <i>Falcon Aviation Services/Andrew Gardner</i> Ref table: "Understanding of his/her own human performance and limitations". I suggest this is equally applicable for Safety Manager and key SM personnel as it is for Compliance monitoring staff. I also suggest Compliance Monitoring Manager (CMM) should also be included in the title as the CMM has similar HF limitations as the SM.
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response See Section 1.

comment	595 comment by: <i>UK CAA</i> Page No: 71 Paragraph No: GM2 145.A.30(e) Personnel requirements Comment: Within the competency assessment table, the 'Manager' position is not required to have "knowledge of occurrence reporting..." Justification: Knowledge of occurrence reporting is key for managers to promote a just culture within their organisations.
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	<p>Proposed Text: We recommend that within the competency assessment table, place an X in the “Knowledge of occurrence reporting..” competency box for all ‘Manager’ positions.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>871 comment by: <i>Cengiz Turkoglu</i></p> <p>My comment is specifically about GM2 145.A.30 (e) Personnel requirements "Competency Assessment" and the associated table. Although the changes in this table refer to specific safety management implementation, there is one other extremely important area which should be considered to update this table based on the recent developments and trends in the industry.</p> <p>Currently, one of the most important items in this table - in my view - is the "teamwork, decision making and leadership skills". This item which has three distinctive but complementary competency attributes is only required for 'Managers' and 'Supervisors'.</p> <p>The proposed change is to include all the groups (including Managers, Planners, Supervisors, CS & Support Staff, Mechanics, Specialised Service Staff, Compliance Monitoring Staff, Safety Manager and Key SM personnel) for the 'Teamwork, decision making and leadership skills'. This may sound excessive or not proportionate particularly for the leadership skills but specifically the teamwork and decision making are crucial requirements for any individual working in aviation maintenance, in fact for any professional working in the entire aviation industry.</p> <p>Particularly relevance of this competency requirement to the certifying staff and mechanics is based on the following argument. One of the trends in the industry in recent years is the reduction in levels of supervision. This was highlighted and proposed as a new safety issue by the Royal Aeronautical Society Human Factors Specialist Group during Human Factors Collaborative Analysis Groups meetings within the last 2 years. So it is not only my opinion but a collective view of experts. Due to the shortages of qualified maintenance personnel in the industry, the policies and practices of some approved maintenance organisations in the EU today, enable even non-certifying staff to carry out inspections and sign off such tasks. Furthermore, - in some cases - organisations put pressure on the certifying staff to release the aircraft to service without satisfying themselves by supervision of those individuals carrying out and signing off the tasks.. Sometimes the non-certifying staff / mechanics who are given authorisation to sign off certain maintenance tasks come from outside of aviation and not necessarily receive sufficient level of training before they are given certain privileges.</p> <p>Overall, frontline operators make important safety risk decisions everyday including the outcome of an inspection of safety critical system. Please do consider to make this change so that the maintenance organisations should train their personnel for making better decisions.</p> <p>If you think, it is impossible to make this change under this NPA, please consider creating a new RMT.</p>



response	See Section 1.
comment	1013 comment by: Duane Kritzinger Whilst the table is illustrative, it is wildly variable and inconsistent. eg managers not necessarily required to know about reporting systems!
response	See Section 1.

GM4 145.A.30(e) Personnel requirements

p. 75

comment	25 comment by: AIR FORMATION NPA states : "A good understanding of training and facilitation techniques, and communication skills that enable the trainer to influence attitudes and behaviours." How the 145 could asses this point, does trainer should have a specific training for teaching or does an evaluation would be required and by who ? As a training organism for human factor and human factor trainers we identified that : Trainers, often, do not relay the human factors concepts to reality. Of course the instructor can not have the knowledge of all type of organization and various tasks, but is it his role? His role is to FACILITATE discussion among various public not to provide information. Often a Human factor instructor does not make the link between theory & practice ex: "vision" and the use this theme on the field. We would like to see regulation considering Human Factor instructor and ensure that it should be train to facilitation technics rather than lecturing. Human factor training is useless if the human factors trainer is not himself qualified, that's the reason why CRM trainer for crew should be himself trained.
response	See Section 1.
comment	596 comment by: UK CAA Page No: 75 Paragraph No: GM5 145.A.30(e) Personnel requirements Comment: Knowledge of root cause is not included within the personnel requirements for the safety manager. Justification: A thorough understanding of root cause methodologies and their application should be considered a minimum requirement for safety managers, without this knowledge they will not be able to determine why an event occurred, resulting in repeat occurrences coupled to the associated safety risk.



	<p>Proposed Text: We recommend “A thorough understanding of root cause methodologies and their application” should be included in the personnel requirements for the safety manager</p>
response	See Section 1.
comment	<p>827 comment by: <i>yuji.yoshikawa@panasonic.aero</i></p> <p>GM4 145.A.30 defines the competency requirements for a trainer who conducts Safety Training. Once again, the provisions for computer-based training, particularly for recurrent training, are not defined. The applicability of the Safety Training type (Initial or recurrent) is not clearly defined in this paragraph.</p>
response	See Section 1.

GM5 145.A.30(e) Personnel requirements

p. 76

comment	<p>425 comment by: <i>FNAM</i></p> <p>(a) FNAM agrees that European regulation should be mastered by the safety manager. However, ICAO recommendations and requirements are already transcribed into national and / or European regulations. Therefore, the safety manager should be able to know where to find the information but should not master ICAO requirements, which are not directly in force. We suggest removing the knowledge of ICAO standards from competency of the safety manager.</p>
response	See Section 1.
comment	<p>427 comment by: <i>FNAM</i></p> <p>(l) & (j) & (i) Some criterions should be the choice of the organization and should not depend on European regulations. In particular, it is the case of professional integrity, leadership, etc. These criterions may depend on the policy of the organization and on the personality, needs depending on the team already in place. Therefore, FNAM suggests removing such criterions which are dealing with social aspects. In particular, proposed EASA’s disposals require that the competency of a safety manager should include the operational experience related to the activities of the organization. This proposal is not adapted to current experienced maintenance workers availability on the European labor market. Nowadays, organizations face difficulties to hire highly qualified and experienced staff. Organizations, and above all Small and Medium Enterprises (SME), have already issues to find anyone for these works, so, with proposed disposals, FNAM fears that Part-145 SME will not find any appropriate staff.</p>
response	See Section 1.
comment	<p>997 comment by: <i>Duane Kritzinger</i></p>



	The guidance here is fine yet when held up against the responsible managers it could be construed that the SM, for example, is responsible for the promotion of the safety culture alone. Needs to be balanced. Equally it specifically states ICAO and EU requirements on safety management as opposed to established good practice for safety management inc ALARP.
response	See Section 1.

GM6 145.A.30(e) Personnel requirements

p. 76-77

comment	428	comment by: <i>FNAM</i>
	(a) FNAM salute the effort of EASA to propose adapted and proportionate requirements depending on the size of the organization and the complexity of its activities.	
response	See Section 1.	
comment	880	comment by: <i>Cengiz Turkoglu</i>
	The content of safety training should include 'risk-based decision making' for all staff.	
response	See Section 1.	

AMC1 145.A.30(j)(4) Personnel requirements

p. 78-79

comment	7	comment by: <i>Falcon Aviation Services/Andrew Gardner</i>
	3. renumbered to 2.(ii). Suggest the validity of the authorization be changed to 24 months to remain consistent with continuation training as per engineers. (why should flight crew be more restrictive). It is an administrative burden to issue flight crew authorizations every twelve months while engineers two years.	
response	See Section 1.	
comment	217	comment by: <i>DGAC France</i>
	In paragraph (3) we suggest to replace "the applicable aircraft type" by "tasks already authorized" in order to be consistent in all the AMC.	
response	See Section 1.	
comment	998	comment by: <i>Duane Kritzing</i>
	AMC1 145.A.30(j)(5) and (j)(5)(i) and (j)(5)(ii): This should be under the control of the NP/responsible manager and audited by the CM. Likewise the NP /responsible manager should perform any [safety] risk assessment	
response	See Section 1.	



GM 145.A.30(j)(4) Personnel requirements (Flight crew)

p. 79-80

comment

429

comment by: *FNAM*

See comment of AMC1 145.A.30(j)(4)

response

See Section 1.**AMC1 145.A.35(d) Certifying staff and support staff**

p. 82-83

comment

218

comment by: *DGAC France*

In order to be consistent in all the Part, we suggest to add the following in paragraph 1 : "Recurrent training is a two-way process to ensure that certifying staff remain current in terms of the necessary procedures, safety management **and compliance monitoring**, human factors.."

We suggest to add in paragraph 2 the following : "or to the modification standard of the products being maintained, as well as any human factors and safety issues identified from any internal or external analysis of incidents **and compliance monitoring results**."

response

See Section 1.

comment

329

comment by: *AIRBUS***1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:**

Page 82/170, AMC1 145.A.35(d) Certifying staff and support staff

2. PROPOSED TEXT / COMMENT:

Airbus recommends reconsidering the contents of the AMC for 145.A.30(e) and of the AMC for 145.A.30(d), keeping in mind the following question:

What are the differences of training needs between a support/certifying staff and other maintenance personnel?

AMC5 145.A.30(e) should provide an acceptable means in terms of initial and continuation training for maintenance personnel, and AMC1 145.A.35(d) should indicate what is expected in addition for support/certifying staff.

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The paragraphs 1. and 3. of the AMC1 145.A.35(d) have similarities with the paragraph (c) of the AMC2 145.A.30(e). It gives the impression of an unnecessary duplication. Refer also to AMC1 145.A.35(f).

response

See Section 1.

comment

330

comment by: *AIRBUS***1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:**

Page 82/170, AMC1 145.A.35(d) Certifying staff and support staff



2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 1. of this AMC to read:

“1. ~~Continuation~~ **Recurrent Continuation** training is a two-way process to ensure that certifying staff **and support staff** remain current in terms of **the necessary technical knowledge, procedures, and safety management, (including human factors) and technical knowledge,** and that the organisation receives feedback on the adequacy of its procedures and maintenance instructions. Due to the interactive nature of this training, consideration should be given to ~~the possibility that such training has the involvement of the compliance monitoring staff and the key safety management personnel in this training quality department to ensure that feedback is actioned.~~ Alternatively, there ~~There~~ should be a procedure to ensure that feedback is formally reported by ~~passed from the trainers through the internal safety reporting scheme training department to the quality department to initiate action.~~”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Some amendments are for sake of consistency with previous comments.

Reference to support staff added for sake of consistency with AMC1 145.A.30(h): “[...] the qualification requirements (basic licence, aircraft ratings, recent experience and continuation training) are identical for certifying staff and for support staff”.

Items of knowledge should be sorted in the sequence of acquisition (technical, organisation’s procedures, and safety management), otherwise the sequence gives the impression that compliance with procedures and safety management are predominant.

But in the end, is the content of this paragraph 1. really specific to support/certifying staff?

response

See Section 1.

comment

331

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 82/170, AMC1 145.A.35(d) Certifying staff and support staff

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 2. of this AMC to read:

“2. ~~Continuation~~ **Recurrent Continuation** training should cover **any changes made to in the modification standard(s) of the products being maintained, to the relevant requirements such as Part-145, changes in or to the organisation’s procedures, safety policy and objectives, and or to the modification standard of the products being maintained,** plus as well as any human factors and safety issues identified from any internal or external analysis of incidents. It should also address **any instances where in which staff failed to follow the procedures,** and the reasons why particular procedures **were** are not always followed. In many cases, the ~~continuation~~ **recurrent** training will reinforce the need to follow **the** procedures and **will** ensure that **any** incomplete or incorrect procedures are identified to the company **in order** so that they can be corrected. ~~This does not preclude the possible need~~ **It may be necessary to carry out an quality audit of such these procedures.**”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Items of knowledge should be sorted in the sequence of acquisition (technical, organisation’s procedures, and safety management), otherwise the sequence gives



	<p>the impression that compliance with procedures and safety management are predominant. But in the end, is the content of this paragraph 2. really specific to support/certifying staff?</p>
response	See Section 1.
comment	<p>999 comment by: Duane Kritzinger</p> <p>AMC1 145.A.35(d) (1): Needs to be owned by the NP's; if staff do not permit NP's to be informed then a safety report should be raised</p>
response	See Section 1.
comment	<p>1000 comment by: Duane Kritzinger</p> <p>AMC1 145.A.45(d) Maintenance data: Ownership needs to be with the NP's which may include an assessment to ensure safety is not affected. Overseen by CM</p>
response	See Section 1.
comment	<p>1055 comment by: Dassault Falcon Service</p> <p>The text requirement should address both the certifying and support staff. The current text only addresses the certifying staff, whereas the title of this chapter refers to both certifying and support staff.</p>
response	See Section 1.

AMC1 145.A.35(f) Certifying staff and support staff

p. 84

comment	<p>219 comment by: DGAC France</p> <p>AMC 6 to point 145.A.30(e) shall be also added to the AMCs list.</p>
response	See Section 1.

AMC1 145.A.45(c) Maintenance data

p. 84

comment	<p>830 comment by: SAFRAN AEROSYSTEMS</p> <p>"A record of such communications to the author of the maintenance data should be retained by the Part-145 approved organisation until such time as the type certificate holder has clarified the issue by e.g. amending the maintenance data."</p> <p>The author is the maintenance data is not always the type certificate holder nor the one who did the approval of the maintenance data. It can be a STC Holder, a minor change/repair design holder, the ETSO holder, even the EASA... It is the author of the</p>
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	<p>maintenance data who is responsible then to update the maintenance data and get the appropriate approval from the appropriate Part21 DOA. Communication to both the author of the maintenance and the TC Holder puts to much administrative burden on the maintenance organisation as they may not have direct access to the TC Holder, especially when its comes to maintenance organization that repairs components only.</p> <p>Clarification of the maintenance data may not always require an update of the document, other exemples should be given.</p> <p>Wording should be changed as follows: "A record of such communications to the author of the maintenance data should be retained by the Part-145 approved organisation until such time as the type certificate holder author of the maintenance data has clarified the issue by e.g. amending the maintenance data, gives complementary explanations that may not need to amend the document, etc.."</p>
response	See Section 1.
comment	<p>976 comment by: <i>Lufthansa Technik</i></p> <p>AMC1 145.A.45(c) 1.: "Type certificate holder" has to be replaced by "author". It is not always the TC-holder who revises the mtc. data.</p>
response	See Section 1.

AMC1 145.A.45(d) Maintenance data

p. 84-85

comment	<p>70 comment by: <i>KLM Engineering & Maintenance</i></p> <p>It is not compliance monitoring personnel that approves a modified maintenance instruction; this is done by qualified engineers , enlisted by the maintenance organisation.</p>
response	See Section 1.
comment	<p>220 comment by: <i>DGAC France</i></p> <p>Why only CDCCL is noted here as an "airworthiness limitations"? ALS items as CMR, ALL... are also airworthiness limitatins for which any modification consitutes an aircraft modification that shall be approved in accordance with Part 21.</p>
response	See Section 1.
comment	<p>344 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 84/170, AMC1 145.A.45(d) Maintenance data</p>



2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

“The referenced procedure should address the need for a practical demonstration by ~~the mechanic~~ a personnel referred to in point M.A.403(b) to the compliance monitoring quality personnel of the proposed modified maintenance instruction. Depending on the nature of the maintenance instruction modification, the safety management personnel may be required to perform a safety risk assessment. When satisfied, the quality compliance monitoring personnel should approve the modified maintenance instruction, and ensure that ~~the type certificate or supplementary type certificate holder~~ the person or organisation that published in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012 the data before modification is informed of the modified maintenance instruction. The procedure should include a paper/electronic traceability of the complete process from start to finish, and ensure that the relevant maintenance instruction clearly identifies the modification. Modified maintenance instructions should only be used in the following circumstances:

(a) Where the ~~type certificate / supplementary type certificate holder's~~ original intent of the person or organisation that published the data before modification can be carried out in a more practical or more efficient manner.

(b) Where the ~~type certificate / supplementary type certificate holder's~~ original intent of the person or organisation that published the data before modification cannot be achieved by following the maintenance instructions. For example, where a component cannot be replaced following the original maintenance instructions.

(c) For the use of alternative tools / equipment.

Important Note: ~~Critical Design Configuration Control Limitations (CDCCL) are airworthiness limitations.~~ Any modification of the mandatory maintenance instructions ~~linked to or associated airworthiness limitations (including Critical Design Configuration Control Limitations – CDCCL) constitutes an aircraft modification change to type certificate that should be requires an approved issued~~ in accordance with Annex I (Part-21) to Regulation (EU) No 748/2012.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

It is believed that the term ‘mechanic’ is not precise enough to determine the qualification of the personnel performing the practical demonstration.

The type certificate/supplemental type certificate holders are not the only organisations publishing maintenance data that may be subject to modification by AMO.

Referring too frequently to CDCCL may excessively (and therefore inappropriately) focus people’s attention (only) on these particular airworthiness limitations and associated mandatory instructions.

response

See Section 1.

comment

345

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 85/170, AMC1 145.A.45(d) Maintenance data

2. PROPOSED TEXT / COMMENT:

Can the EASA provide the rationale justifying the possibility for AMO to modify certain maintenance instructions in accordance with point 145.A.45(d)?



3. RATIONALE / REASON / JUSTIFICATION for the Comment:

In the (RMT.0252-related) NPA 2018-01 ‘Instructions for continued airworthiness’, the EASA proposes the following text in a new point 21.A.90C ‘Stand-alone changes to ICA’:

“(a) Stand-alone changes to instructions for continued airworthiness are changes that are not directly prepared together with a change to the type design.

(b) Stand-alone changes to instructions for continued airworthiness can only be made by the holder of the design approval for which those instructions have been established.

(c) For stand-alone changes to instructions for continued airworthiness that:

- do not affect the airworthiness limitations section of the instructions for continued airworthiness, or
- do not require additional work to demonstrate compliance with the certification basis,

points 21.A.91 to 21.A.109 are not applicable. The stand-alone changes to instructions for continued airworthiness will be approved by the holder of the design approval under a procedure agreed with the Agency.”

It may appear as a contradiction with point 145.A.45(d) and deserves an explanation. This is valid for ICA addressed in the item (3) of the paragraph (b) of point 145.A.45, but the situation should also be reviewed for the other items of the same paragraph.

response

See Section 1.

comment

773

comment by: ASD

AMC1 145.A.45(d)	84/170	<p>“...When satisfied, the quality compliance monitoring personnel should approve the modified maintenance instruction, and ensure that the type certificate or supplementary type certificate holder is informed of the modified maintenance instruction.”</p> <p>Refer to comment raised against 145.A.45(d) requirement.</p>	<p>The Wording in this AMC should be changed as follows: “When satisfied, the quality compliance monitoring personnel should approve the modified maintenance instruction, and ensure that the type certificate or supplementary type certificate holder is informed of the modified maintenance instruction.”</p>
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response

See Section 1.

comment

191

comment by: FAA



	<p>AMC1 145.A.47.b</p> <p>All Section</p> <p>I don't know of regulations for Maintenance to be limited on work for Fatigue Risk management except the no more than 24 consecutive hours in any seven days. 121.37</p>
response	<p>See Section 1.</p>
comment	<p>347 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 85/170, AMC1 145.A.45(e) Maintenance data</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “1. The maintenance organisation should: — accurately transcribe accurately the maintenance data onto such work cards or worksheets, or - make precise reference to the particular maintenance task(s) contained in such the maintenance data, which already identifies the task as a CDCCL where applicable. 21. ‘Relevant parts of the organisation’ means, with regard to aircraft base maintenance, aircraft line maintenance, engine workshops, mechanical workshops and avionic workshops. Therefore, engine workshops, for example, should have a common system throughout such the engine workshops that may be different to from that in the aircraft base maintenance. 32. The workcards work cards should differentiate and specify, when relevant, disassembly, the accomplishment of tasks, reassembly and testing. In the case of a lengthy maintenance task involving a succession of personnel to complete such a task, it may be necessary to use supplementary workcards work cards or worksheets to indicate what was actually accomplished by each individual person. 43. Where the organisation provides a maintenance service to a person or organisation responsible for the management of the aircraft continuing airworthiness that requires his/her/its work cards or worksheet system to be used, then those work cards or that worksheet system may be used. In this case, the organisation should establish a procedure to ensure that person or organisation’s work cards or worksheets are correctly completed. Where required by the operator/CAMO to use their work card or worksheet system, the The maintenance organisation should assess the system for compliance with the maintenance organisation procedures, for example, the subdivision of complex maintenance tasks into clear stages.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The first paragraph adds no value to the text in the Implementing Rules. Further, referring too frequently to CDCCL may excessively (and therefore inappropriately) focus people’s attention (only) on these particular airworthiness limitations and associated mandatory instructions. Text from the point 145.A.45(e) is inserted. Reference to ‘an aircraft operator’ or ‘operator/CAMO’ does not reflect all the possibilities (e.g. the owner). Reference to</p>



response	‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.				
	See Section 1.				
comment	685 comment by: SAFRAN LS				
response	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 5px;">GM1 145.A.30 €</td> <td style="width: 15%; padding: 5px;">68/170</td> <td style="width: 40%; padding: 5px;">"informed culture" - this is not a helpful term in defining safety culture as related to having current knowledge and dissemination of analysis</td> <td style="width: 30%; padding: 5px;">change to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.</td> </tr> </table>	GM1 145.A.30 €	68/170	"informed culture" - this is not a helpful term in defining safety culture as related to having current knowledge and dissemination of analysis	change to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.
GM1 145.A.30 €	68/170	"informed culture" - this is not a helpful term in defining safety culture as related to having current knowledge and dissemination of analysis	change to "questioning culture" as this is more meaningful and readily used in defining safety culture in the industry. The objective is to encourage a culture where people question what they are doing or being asked to do and to speak up if its not the right thing to do.		
	See Section 1.				

AMC1 145.A.47(b) Production planning

p. 85-86

comment	71 comment by: KLM Engineering & Maintenance
	<p>AMC 1 145.A.47 (b) : comment to the recommended Appendix H to Chapter 3 of ICAO doc 9824:</p> <p>On a general note KLM is of the opinion that the Dutch Working Hours Act (ATW) already regulates most aspects of the recommendations, and most recommendations in Appendix H do not add additional value to these regulations.</p> <p>Furthermore, although the ICAO Doc 9824 is not an EASA document, any changes to this document can have effect on the EASA regulations. Therefore KLM is of the opinion that either these recommendations should directly be included in the EASA documents, or a reference should be made to a specific version of the ICAO Doc 9824.</p> <p>Questions:</p> <ol style="list-style-type: none"> 1. What is the scope of ‘Aircraft maintenance personnel’? 2. What is the definition of a break? <p><u>Recommendation No. 1:</u> No scheduled shift should exceed 12 hours</p> <p>Since this recommendation is already regulated in the Dutch Working Hours Act (Article 5:7 section 2a), KLM does not see the added value of adding this recommendation in the EASA regulations.</p> <p><u>Recommendation No. 2:</u> No shift should be extended beyond a total of 13 hours by overtime.</p>



KLM is of the opinion that this recommendation is already regulated in the Dutch Working Hours Act (Article 5:7 section 2a and for standby shifts in Article 5:9 section 4). Therefore KLM does not see the added value of adding this recommendation in the EASA regulations.

Recommendation No. 3:

A minimum rest period of 11 hours should be allowed between the end of a shift and the beginning of the next, and this should not be compromised by overtime.

KLM agrees with this recommendation in order to reduce the risk of fatigue of employees.

Recommendation No. 4:

A maximum of 4 hours work before a break.

KLM agrees that there should be enough moments of recovery within a shift, in order to reduce the risk of fatigue of employees. This depends on the definition of a break (is a coffee break a break?) Otherwise this is very restrictive in the operation.

Recommendation No. 5:

A minimum break period of 10 minutes plus 5 minutes for each hour worked since the start of the work period or the last break.

Since the total duration of breaks within a shift will most likely be increased with this recommendation, employees will be forced to be present for a longer period of time. KLM expects this will be demotivating for employees.

Recommendation No. 6:

Scheduled work hours should not exceed 48 hours in any period of 7 successive days.

KLM agrees this is a good principle, however in specific situations this recommendation can be too restrictive. For example:

1. One of the default 5-shift system with clustered weekends will be restricted.

Shift	Mon	Tue	Wed	Thur	Fri	Sat	Sun
1	D	D	E	E	N	N	N
2					D	D	D
3	E	E	N	N			
4			D	D	E	E	E
5	N	N					

D = Day shift, E = Evening shift, N = Night Shift

2. Scheduling longer periods of successive working days at a distant location, in order to reduce the total travel time (and therefore increasing the possibility of rest) will be less feasible.

Recommendation No. 7:

Total work, including overtime, should not exceed 60 hours or 7 successive work days before a period of rest days.

The European Labour Law already states the maximum number of working time should be limited. The Dutch Working Hours Act restricts the maximum number of working time to 60 within a week. Therefore KLM does not feel this recommendation has an added value to the existing regulations.



Recommendation No. 8:

A period of rest days should include a minimum of 2 successive rest days continuous with the 11 hours off between shifts (i.e. a minimum of 59 hours off). This limit should not be compromised by overtime.

This recommendation implicates scheduling longer working periods to facilitate longer resting periods. Therefore this recommendation appears to be conflicting with recommendations which restrict the span of successive working days.

In addition scientifically proven healthy schedules are prevented with this regulations, for example a default 7x2 schedule:

Shift	Mon	Tue	Wed	Thur	Fri	Sat	Sun
1	E			D	D	D	D
2		E	E	E			
3	D	D	D		E	E	E

D = Day shift, E = Evening shift

Recommendation No. 9:

Wherever possible, the aim should be for a total of 28 days of annual leave. This should not be reduced to less than 21 days of annual leave by overtime.

Since the European Labour Law already has a minimum of 4 weeks of annual leave (Directive 2003/88/EC, Chapter 2, Article 7, section 1), KLM does not see the added value of this recommendation. Furthermore within KLM a full-time employee already has a minimum of 30 days of annual leave.

Advise:

In addition KLM advises that the recommendation states the annual leave days should be calculated in ratio for part-timers.

Recommendation No. 10:

A span of successive night shifts involving 12 or more hours of work should be limited to 6 for shifts of up to 8 hours long, 4 for shifts of over 8 hours to 10 hours long and 2 for shifts of over 10 hours. These limits should not be exceeded by overtime.

KLM agrees with this recommendation.

Recommendation No. 11:

A span of night shifts should be immediately followed by a minimum of 2 successive rest days continuous with the 11 hours off between shifts (i.e. a minimum of 59 hours off) and this should be increased to 3 successive rest days (i.e. 83 hours off) if the preceding span of night shifts exceeds 3 (or 36 hours of work). These limits should not be compromised by overtime.

KLM does not agree with this recommendation, because with this recommendation a default 5x3 schedule becomes impossible.

Shift	Mon	Tue	Wed	Thur	Fri	Sat	Sun
1	D	D	D	D	D		

2	E	E	E	E	E		
3	N	N	N	N	N		

D = Day shift, E = Evening shift, N = Night shift

In addition, this recommendation implicates scheduling longer working periods to facilitate longer resting periods. Therefor this recommendation appears to be conflicting with recommendations which restrict the span of successive working days.

The Dutch Working Time Act states the minimum hours of rest following a span of 3 or more successive night shifts should be at least 46 hours. Is scientifically proven 46 hours does not allow for sufficient recovery?

Recommendation No. 12:

The finish time of the night shift should not be later than 0800 hours.

With this recommendation, within work areas where work does not start before (for example) 04:00 hours, employees will have a period where there will be no work during the night. Having no work during a night shift is very tiring for employees, in addition to being demotivating.

Furthermore, within the collective labour agreement of KLM, shifts with a length of 4 hours are prohibited for full time employees (which are the employees for which the fatigue risks are the highest).

Short shifts will also result in either more working days or longer shifts on other moments.



Example of no production in a larger part of the night.

Recommendation No. 13:

A morning or day shift should not be scheduled to start before 0600 hours and, wherever possible, should be delayed to start between 0700 and 0800 hours.

KLM agrees that shifts starting before 0600 hours are an increased risk in fatigue of employees, and agrees these shifts should be avoided whenever possible. However, in cases of workload demand starting just before 0600 hours, the fact of having no work during the earlier stages of a night shift, should be considered as well.

Advise

In addition KLM advices to change the recommendation from "... should be delayed to start between 0700 and 0800 hours." to "... should be delayed to start at 0700 hours or later.".

Recommendation No. 14:

A span of successive morning or day shifts that start before 0700 hours should be limited to 4, immediately following which there should be a minimum of 2 successive rest days continuous with the 11 hours off between shifts (i.e. a minimum of 59 hours off). This limit should not be compromised by overtime.

While KLM agrees that they will do their utmost in order to minimize the use of morning shifts, this recommendation seems to rule out rotating schedules with a fast rotation. These schedules minimize disruption of the master circadian clock (S.E.



Verbiest, A. Goudswaard, T. Bosch, J.M. Kooij-de Bode, M.P. de Looze, M.M. Blok, Gezond gezonder gezondst, Tijdschrift voor HRM 2, 2013).

In addition this recommendation does not allow for a 2-shift system with early and afternoon shifts, for example:

Shift	Mon	Tue	Wed	Thur	Fri	Sat	Sun
1	M	M	M	M	M		
2	E	E	E	E	E		

M = Morning shift, E = Evening shift

This 2-shift system is predictable and creates sufficient recovery for employees. Therefor KLM does not agree with this recommendation.

Recommendation No. 15:

Whenever possible aircraft maintenance engineers should be given at least 28 days' notice of their work schedule.

Since this recommendation is already regulated in the Dutch Working Hours Act (Article 4:2), KLM does not see the added value of adding this recommendation in the EASA regulations.

Recommendation No. 16:

Employers of aircraft maintenance personnel should consider developing risk management systems for the control of fatigue

We understand that if personnel is subjected to physical and mental fatigue that this results in a fatigue situation.

We do our utmost to minimize such fatigue risks and to prevent physical and mental fatigue that results in a fatigue situation.

Plan

1. 1. draw up an inventory of the number of personnel working in shifts
2. 2. we make norms of maximum working times and minimal rest times (Collective Labour Agreement (hereafter "CLA"))
3. 3. set rules for building rosters and approval by works council
4. 4. evaluate such norms and rules

Actions

A. Norms of maximum working times and minimal rest times

The explanatory note states that compliance with the EU Working Time Directive does not relieve the organization from identifying fatigue related hazards and managing the related safety risks. The Kingdom of the Netherlands has a Labourtime Act of 2007 that has more strict norms that apply than the norms of the Directive of 2003. And moreover the CLA of KLM Royal Dutch Airlines (2012-2014) has on itself more strict norms than the Dutch Labourtime act of 2007.

So we have to obey much more strict norms on the subject of working times than the EU Working Time Directive. This gives us more guarantee that such fatigue related hazards and safety risks are as small as possible.

B. Set rules for building rosters

We make rosters in which there is not made use of any of the possible derogations of the Directive, Labourtime Act or the CLA.



Only in individual cases a derogation can be made use of in the day- to-day business. If this will lead to a infringement of the CLA, the manager will give extra working time off.

And our enterprise build rosters taking into regards ergonomic principles, such as (but not limited to)

1. rotating shifts forward;
2. as less inconvenient shifts (e.g. nights shifts) as possible
3. the necessary night shifts as short as possible
4. rest built in the rosters which leads to less turn-outs

Pregnant employees are excluded to perform night shifts

And employees older than 55 years and are working in shifts for 9 years can request to exclude night shifts from their roster.

C. Approval by Works Council - Rosters are subject of approval by works councils

In the Kingdom of the Netherlands working time arrangements are subject to approval by the Works council (article 27 of the Dutch Works Council Act). Works Councils will check whether or not a roster is in compliance with the CLA.

Check actions

1. Every month we make management summaries on the subject of maximum working times and minimal rest times.
2. The ICT in use with KLM checks whether or not a roster is in conformity with th CLA and the Dutch Labourtime act. In case of non-compliance corrections will be made before implementation.
3. Works Councils will check whether or not a roster is in compliance with the CLA. In case of non compliance corrections will be made before implementation. In specific situations where working times does not comply with the CLA but does comply with the Dutch labour Act dispensation of the CLA will be requested to the unions. In case of no approval of the unions, the roster can not be implemented.

Evaluate

Other instruments to prevent fatigue risks of maintenance personnel.

We made use of the following instruments (such as but not limited to):

- personnel monitors in which employee can made known that there are fatigue risks
- functional meetings of employee and employer
- revolving general employees and managers meetings

So we think that we have enough checks and balances in place to minimize fatigue safety risks and to prevent fatigue situations.

Recommendation No. 17:

Educational programmes should be developed to increase the awareness of aircraft maintenance personnel to the problems associated with shift work. In particular, it is important to draw their attention to the objective trends in risk with a view to increasing their vigilance at points when risk may be high despite the fact that fatigue may not be. It is also important to provide information on



	<p>how to plan for night shift work and to give guidance on the health risks which seem to be associated with shift work, particularly at night.</p> <p>...</p> <p>Recommendation No. 18: Aircraft maintenance personnel should be required to report for duty adequately rested.</p> <p>...</p> <p>Recommendation No. 19: Aircraft maintenance personnel should be discouraged or prevented from working for other commercial organizations on their rest days and, hence, from exceeding the proposed recommendations on work schedules despite their implementation by their main employer. Should voluntary work also be considered in this case?</p>
response	<p>See Section 1.</p>

comment	<p>204 comment by: FAA</p> <p>Page 86 GM1 145.A.47(b) Production planning <u>Reference text:</u> Para (b)With regard to fatigue, there are three primary factors that are relevant: (1) the amount of proper sleep" <u>Comment:</u> What is the definition of "proper sleep" versus sleep? This seems highly subjective and could benefit from further discussion since it relates to fatigue in general <u>Proposed Resolution:</u> Consider expanding discussion on the qualifying parameters for "proper sleep" in this guidance</p>
response	<p>See Section 1.</p>

comment	<p>221 comment by: DGAC France</p> <p>It is proposed to change this AMC into a GM and delete the term "FRM": see general comment 1065.</p> <p>Fatigue is one of the cause linked to errors in maintenance but not the only one, not the most important. There are several others Human Factors which are comparable to fatigue regarding the potential safety consequences.</p> <p>In some cases, for certain activities, for certain organisations, fatigue is less important compared to others issues.</p> <p>Bad safety culture, bad management methods, bad communication system, stress from the management are more important issues compared to some cases of</p>
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	<p>peoples working hard during short time period but in a good ambiance, good team dynamic.</p> <p>Maintenance activities during classic administrative hours from 8 to 5 PM , 5 days / 7 in small aircraft maintenance organisation, in components workshops are not so concerned about fatigue issue but are concerned to others importants issue they have to manage.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>353 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 85/170, AMC1 145.A.47(b) Production planning</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this AMC to read: “FATIGUE RISK MANAGEMENT (a) Human performance can be affected by excessive hours of duty and shift working, particularly with multiple shift periods, additional overtime or night work. Induced fatigue is one of the factors that contributes towards maintenance errors. In accordance with point 145.A.200(a)(3), these Fatigue-related risks should be assessed and managed by the organisation in accordance with point 145.A.200(a)(3), taking into account the size, nature, and complexity of the organisation and its operational working hours.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to move the first two sentences into the GM1 145.A.47(b) due to their explanatory nature.</p>
<p>response</p>	<p>See Section 1.</p>
<p>comment</p>	<p>430 comment by: FNAM</p> <p>Fatigue risk management is currently regulated by French national law (labor code). FNAM suggests that this AMC should be applicable only for country where no rule and requirement are settled and defined working limits and rest requirements. Therefore, FNAM suggests adding at the beginning of the AMC :</p> <p>“ In case no national law defines working limits and rest requirements, following requirements should apply : “</p> <p>In that way, FNAM welcomes EASA for proposing requirements for countries which do not have any national or specific constraints on fatigue. This will improve the flight safety level and will increase the harmonization of rules in Europe. Indeed, some country, such as France, already benefit of national laws ensuring the work safety by regulating the fatigue. National regulations are indeed limiting the work hours and ensuring a minimum period of rest. Since work limits is part of social rights, these limits have been discussed and negotiated with union representatives In France. (cf.attached document)</p>
<p>response</p>	<p>See Section 1.</p>



comment

431

comment by: FNAM

EASA's proposals have been settled on the basis of answers to EASA's survey on SMS implemented to Part-145 and Part-21 which was launched in February 2018. In this survey, it was never mentioned, nor questioned how organizations are dealing with the management of the fatigue. Fatigue Risk Management System (FRMS or FRM) for maintenance should have been soundly discussed with all stakeholders before integrating a heavy system into the global management system of the organization. Despite the transition could have been without difficulties between European SMS and national SMS, new disposals on fatigue management will be a burden for all Part-145 organizations. New resources will need to be allocated to comply with these new requirements, which may not be possible for some SME.

In Part-145 organization context, FNAM is surprised and deeply concerned on the integration of the fatigue risk identification and analysis for maintenance personnel into the management system and on their associated tools. We are totally opposed to these disposals. Part-145 organizations are not familiar with

personnel's' fatigue identification, follow-up, management. A brand-new training will need to be developed to sensitize personnel, which will need significant resources and dedicated time to ensure compliance and safety monitoring.

If such fatigue requirements were confirmed, European new disposals will require a sizable transition period and direct exchanges with EASA in order to ensure an efficient and harmonized implementation. No organization (Large, complex, nor small) has such fatigue management system in place. Guidelines (without any legal statute) will therefore not be sufficient to support organizations to implement new fatigue requirements. Meetings, such as constructive Workshop, will be more efficient than such guidelines in order to directly exchange on the implementation and the interpretation of such system.

Nowadays, French organizations already rely on French labor law and organizations agreements which are already ensuring a high level of safety. These national disposals should be accepted as AltMoc as soon as possible since they propose work hour limitations and impose minimum rest to warrantee a high level of safety. We agree that European countries without such national disposals should follow European limitations, but when national disposals are equal or more stringent than European disposals, national requirements could be kept as AltMoc.

Additionally, FNAM highlights that these new disposals, described in terms of working time limitation and rest conditions, seems to be out of EASA's scope of safety since it interferes directly with social laws. In this special case, where is the limit between social and safety measures ?

More precisely:

1. The edition of Appendix H to Chapter 3 of ICAO Doc 9824 is not precised into the AMC1 145.47(b):
 - FNAM wonders therefore how EASA and European stakeholders will follow and control European regulation changes since European regulations will be *de facto* amended when Appendix H to Chapter 3 of ICAO Doc 9824 recommendations will be amended by ICAO.
 - FNAM wonders which edition will be therefore required. Indeed, as no precision has been provided into the European regulation, competent



authorities but also Part-145 organizations are free to choose their preferred edition of Appendix H to Chapter 3 of ICAO Doc 9824 recommendations.

2. AMC1 145.A.47 (b) suggests not to exceed work hour limits defined under Appendix H to Chapter 3 of ICAO Doc 9824 recommendations although these are describing work hour limits but also rest disposals. FNAM wonders therefore what should be applied from Appendix H to Chapter 3 of ICAO Doc 9824 : all provisions or only work hour limits ? FNAM suggests clarifying this disposal.
3. In particular, Appendix H to Chapter 3 of ICAO Doc 9824 recommendations propose a minimum period of annual leaves. Since it is impacting social agreements and laws, FNAM wonders if referring to this Annex will not extend EASA's scope of work beyond its definition in Regulation (EU) 1139/2018.
4. In particular, Appendix H to Chapter 3 of ICAO Doc 9824 recommendations propose that a "planning" should be addressed at least 28 days in advance. In maintenance, depending on the size and resources of the organization, it is impossible to provide schedules which will remain unchanged 28 days in advance. For ensuring effective organizations, managers plan and schedule tasks, but the schedule remains flexible and can be modified when unforeseen circumstances happen. For instance, while performing an annual check, the aircraft camshaft occurs to be corroded. This observation leads to change entirely the initial man/hour schedule for the Part-145 organization because extra works is required due to the damaged camshaft. Another example is, due to the large scope of some Part-145 organizations, it is impossible to have in stock each and every parts for all aircraft. If supplier have delay, all scheduled maintenance may be revised. Finally, ICAO nor EASA is defining the notion of planning although it is the base of this ICAO recommendation understanding.
5. FNAM fears that, as it is the case nowadays with some pilots, some mechanics abuse of the fatigue excuse to not be available to work. For some organization with limited resources due to labor shortage on the market, it will be impossible to plan and to organize maintenance when some personal abuse of fatigue justification. Due the current tensed labor market, FNAM fears that the abuse of this possibility will directly impact flight safety level by impacting significantly the resources available.
6. In particular, Appendix H to Chapter 3 of ICAO Doc 9824 recommendations propose a minimum weekly rest of 59 hours although 35 hours are required by French law (shall be 24 consecutive hours minimum plus the 11 hours' daily rest required). French mechanics does not feel a particular fatigue with the French pace of work, but French Part-145 organizations will be limited by EASA proposals. FNAM suggests that French laws could be applied as alternative since they ensure safety and they were negotiated with French employees and ensure safety.
7. Since all staff and managers have been sensitized and trained on fatigue risks and fatigue detections, it should be sufficient to ensure the risk of fatigue.
8. Some ICAO recommendations, such as "Aircraft maintenance personnel should be discouraged or prevented from working for other commercial organizations on their rest days and, hence, from exceeding the proposed recommendations on work schedules despite their implementation by their main employer." are impacting protection of private life. FNAM agrees that



response	<p>staff may be sensitized to such issue, but the organization will not be able to verify what have done all their employees during their rest period : for legal and privacy protection reasons but also because it will imply additional administrative tasks for all organization staff.</p> <p>See Section 1.</p>
comment	<p>432 comment by: <i>FNAM</i></p> <p>(c) Proposed mitigations to extend the work hours limit seem not to be adapted to current Part-145 resources. The proposed list of mitigation includes: “(1) additional supervision and independent inspection; (2) limitation of maintenance tasks to non-critical tasks; (3) use of additional rest breaks; (4) permission to nap in accordance with guidelines approved by the organization.” This list is stringent for Part-145 organizations. Considering proposed management system, organizations should be able to evaluate the risk and to ensure all maintenance tasks even with extended working limits on their own without restraining some task. The fatigue effect and feeling are indeed different depending on the person. The manager and the staff will be able to stop the maintenance work when they feel fatigue.</p>
response	<p>See Section 1.</p>
comment	<p>588 comment by: <i>Le Blanc</i></p> <p>AMC1 145.A.47(b) FATIGUE RISK MANAGEMENT (b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824 1. Does the AMO have to specify the revision number of ICAO Doc 9824? 2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean? Suggested resolution: precise that “when applicable” is for third countries where EU legislation does not apply but ICAO docs do.</p>
response	<p>See Section 1.</p>
comment	<p>632 comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p>Safety Policy, Just Culture policy and here policy for the management of fatigue-related risks.</p> <p>Suggested resolution: Items such as just culture, fatigue should all be covered by the safety policy and relevant procedures .</p>
response	<p>See Section 1.</p>



comment	<p>661 comment by: <i>Clockwork Research</i></p> <p>AMC1 145.A.47(b) para b part 1 - it is recommended that the policy should also highlight that Fatigue Risk Management is a shared responsibility between the organisation and individuals</p> <p>AMC1 145.A.47(b) para b part 2 - national and EU legislation is unlikely to fully control the elevated fatigue risk associated with night-time working. It is recommended that this AMC is expanded upon, to outline specific areas that should be outlined in the organisations scheme of hours of work, similar to that in ATS.OR.320 Air traffic controllers' rostering system(s)</p>			
response	<p>See Section 1.</p>			
comment	<p>686 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="392 763 1386 1095"> <tr> <td data-bbox="392 763 552 1095">AMC1 145.A.47(b)</td> <td data-bbox="552 763 651 1095">85/170</td> <td data-bbox="651 763 1386 1095"> <p>FATIGUE RISK MANAGEMENT (b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824</p> <p>1. Does the AMO have to specify the revision number of ICAO Doc 9824?</p> <p>2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean?</p> </td> </tr> </table>	AMC1 145.A.47(b)	85/170	<p>FATIGUE RISK MANAGEMENT (b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824</p> <p>1. Does the AMO have to specify the revision number of ICAO Doc 9824?</p> <p>2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean?</p>
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response	<p>See Section 1.</p>			
comment	<p>774 comment by: <i>ASD</i></p> <table border="1" data-bbox="392 1384 1386 1715"> <tr> <td data-bbox="392 1384 552 1715">AMC1 145.A.47(b)</td> <td data-bbox="552 1384 651 1715">85/170</td> <td data-bbox="651 1384 1386 1715"> <p>FATIGUE RISK MANAGEMENT (b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824</p> <p>1. Does the AMO have to specify the revision number of ICAO Doc 9824?</p> <p>2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean?</p> </td> </tr> </table>	AMC1 145.A.47(b)	85/170	<p>FATIGUE RISK MANAGEMENT (b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824</p> <p>1. Does the AMO have to specify the revision number of ICAO Doc 9824?</p> <p>2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean?</p>
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response	<p>See Section 1.</p>			
comment	<p>828 comment by: <i>SAFRAN AEROSYSTEMS</i></p>			



	<p>FATIGUE RISK MANAGEMENT (b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824</p> <p>1. Does the AMO have to specify the revision number of ICAO Doc 9824? 2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean?</p>												
response	<p>See Section 1.</p>												
comment	<p>839 comment by: Aircraft Engineers International</p> <p>AMC1 145.A.47(b)</p> <p>AEI fully support the text and good intentions of AMC1 145.A.47(b) but are concerned it will be ineffective due to (b)(2) includes “EU legislation on working time”. The EU labour directive “average clause” of 48 hours a week on average - normally averaged over 17 weeks, allows for working time of twelve hours for fourteen days in a row. Our members experience this being a risk to flight safety because of exhausting work schedules of 168 hour (also nights only shift) without a weakly resting period. Therefore AEI suggest changing the text in AMC1 145.A.47(b) para. (c) ensuring the intent of the rule:</p> <p>“The work hour limits defined under (b)(2) including the recommendations on Weekly working hour limits of Appendix H to Chapter 3 of ICAO Doc 9824 should not be exceeded merely for management convenience even when staff is willing to work extended hours. Without prejudice to the national and, when applicable, EU legislation on working time, in exceptional circumstances where the maximum work hours are to be exceeded (such as for urgent operational reasons), the organisation should carry out a risk assessment, and with the agreement of the individual staff member, it should be recorded how the increased fatigue risk will be mitigated. This may include:”</p>												
response	<p>See Section 1.</p>												
comment	<p>884 comment by: Rolls-Royce plc</p> <table border="1" data-bbox="391 1518 1388 2011"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>NPA 2019-05 (C) AMC1 145.A.47 (b) (c)</td> <td>Page 85</td> <td>Asking individual staff members to agree the additional fatigue mitigations is inappropriate as they can either be pressured into it, just trying to</td> <td>The accountability for ensuring proper fatigue risk management principles are followed lies with the AM and</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	NPA 2019-05 (C) AMC1 145.A.47 (b) (c)	Page 85	Asking individual staff members to agree the additional fatigue mitigations is inappropriate as they can either be pressured into it, just trying to	The accountability for ensuring proper fatigue risk management principles are followed lies with the AM and	No	Yes
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		be helpful or greed could take over when overtime payment is the motivator.	his team appointed to ensure maintenance is carried out safely through the processes they have implemented.		
AMC1 145.A.47 (b)(b)(1)	Page 86	This section requires a policy for the management of fatigue-related risks. To be consistent with the approach taken by GM1 145.A.200 to encourage the embedding of safety management into existing procedures, we suggest that separately-imposed policies are not required, but are seen as parts of (or flowing from) the safety policy and its associated procedures.	Revise the text to establish that Items such as just culture and fatigue should all be covered by the safety policy and relevant procedures .	No	Yes

response

See Section 1.

comment

953

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 145.A.47(b)	85/170	FATIGUE RISK MANAGEMENT	to be clarified	X	



		<p>(b)(2) recommends to take into account Appendix H to Chapter 3 of ICAO Doc 9824</p> <p>1. Does the AMO have to specify the revision number of ICAO Doc 9824?</p> <p>2. There are differences between National Laws, EU legislation on working time and ICAO Doc9824 with more or less restrictive items. What does “ When applicable” mean?</p>			
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response **See Section 1.**

comment 954 comment by: *SAFRAN TRANSMISSION SYSTEMS*

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 145.A.47 (b)(b)(1)	86/170	Safety Policy, Just Culture policy and here policy for the management of fatigue-related risks.	Items such as just culture, fatigue should all be covered by the safety policy and relevant procedures .		X

response **See Section 1.**

comment 1056 comment by: *Dassault Falcon Service*



	As there are already national labor laws in place in each individual EASA member state, this AMC should be summarized as “use work schedules with maximum work and minimum rest hour that comply with the national labor law”. Exceptional circumstances are already covered by the national labor law.
response	See Section 1.

GM1AMC145.A.47(b) Production planning

p. 86-87

comment	158	comment by: FAA
	GM1 145.A.47(b) Production planning Para (b)	
	"(b) With regard to fatigue, there are three primary factors that are relevant: (1) the amount of proper sleep"	
	What is the definition of "proper sleep" versus sleep? This seems highly subjective and could benefit from further discussion since it relates to fatigue in general	
	Consider expanding discussion on the qualifying parameters for "proper sleep" in this guidance	
response	See Section 1.	

comment	223	comment by: DGAC France
	Why is it made a link to the definitions here? It is not made in others points. So in coherence with the others points, we suggest to delete the link to the reference in the title.	
	In paragraph (c) we suggest to add the following : "Fatigue is also impacted by complex works and extreme work environment , high workloads (mental and/or physical activity) and by the physical and mental health of the staff concerned.	
response	See Section 1.	

comment	355	comment by: AIRBUS
	1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 86/170, AMC1 145.A.47(b) Production planning	
	2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (b) of this AMC to read: “(b) In order to manage the risks related to the fatigue of personnel, the organisation should: (1) ensure the safety policy and documentation required by point 145.A.200 address as part of its management system, develop, define and maintain a policy for the management of fatigue-related risks, and the related procedures; ” (2) [...]	



response	<p>(3) ensure that existing the internal safety reporting systems scheme required by point 145.A.202 enables the identification of fatigue-related hazards;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The risk related to the fatigue of personnel is one of the risks managed under point 145.A.200. The internal safety reporting scheme is managed under point 145.A.202.</p> <p>See Section 1.</p>
comment	<p>357 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 86/170, AMC1 145.A.47(b) Production planning</p> <p>2. PROPOSED TEXT / COMMENT: The paragraph (b)(2) of this AMC reads: “(b) In order to manage the risk related to the fatigue of personnel, the organisation should: (1) [...] (2) define and use work schedules with maximum work and minimum rest hours that comply with the national and, when applicable, EU legislation on working time and taking into account the recommendations of Appendix H to Chapter 3 of ICAO Doc 9824;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: EASA has no control over the contents of ICAO Manuals and therefore should not refer to them in AMC. The EASA may want to refer to this Manual in a GM. Further, when this Manual is used to show compliance with point 145.A.47, do AMO need to specify the edition number of the ICAO Doc 9824 (when revisions occur after the initial edition) they take into account?</p> <p>See Section 1.</p>
comment	<p>358 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 86/170, GM1 145.A.47(b) Production planning</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this GM to read: “HUMAN PERFORMANCE AND FATIGUE (see definitions in GM1 to Annex II (Part-145)) (a) Human performance can be affected by excessive hours of duty and shift working, particularly with multiple shift periods, additional overtime or night work. Induced fatigue is one of the factors that contributes towards maintenance errors. Limitations of human performance, in the context of planning safety related tasks, refers to the upper and lower limits, and variations, of certain aspects of human performance (Circadian rhythm / 24 hours body cycle) which personnel should be aware of when planning work and shifts.”</p>



	3. RATIONALE / REASON / JUSTIFICATION for the Comment:			
	Text transferred from AMC1 145.A.47(b) paragraph (a).			
response	See Section 1.			
comment	433	comment by: <i>FNAM</i>		
	The reference « see definitions in GM1 to Annex II (Part-145) » is not precise. FNAM suggests specifying the exact name and number of this GM1.			
response	See Section 1.			
comment	434	comment by: <i>FNAM</i>		
	(b) The 3 proposed factors are impacting human performance and fatigue, but they cannot be collected by the Part-145 organizations. Indeed, these factors belong to staff private life and the organizations cannot interfere with its staff private life. Therefore, for such criteria, the staff should remain responsible and not the organization.			
response	See Section 1.			
comment	687	comment by: <i>SAFRAN LS</i>		
	AMC1 145.A.47 (b)(b)(1)	86/170	Safety Policy, Just Culture policy and here policy for the management of fatigue-related risks.	Items such as just culture, fatigue should all be covered by the safety policy and relevant procedures .
response	See Section 1.			
comment	775	comment by: <i>ASD</i>		
	AMC1 145.A.47 (b)(b)(1)	86/170	Safety Policy, Just Culture policy and here policy for the management of fatigue-related risks.	Items such as just culture, fatigue should all be covered by the safety policy and relevant procedures .
response	See Section 1.			
comment	882	comment by: <i>Rolls-Royce plc</i>		

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (C) GM1 145.A.47 (b)(b)	Page 85	"proper sleep" is a meaningless term	Suggest changing to good quality uninterrupted sleep	Yes	No
response	See Section 1.				

GM1 145.A.47(d) Production planning

p. 87

comment	224	comment by: <i>DGAC France</i>
	The note at the end of the GM should be deleted because this sentence is not present in other points of the regulation speaking about contracting and subcontracting activities	
response	See Section 1.	

comment	360	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 87/170, GM1 145.A.47(d) Production planning</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this GM to read: “External working team’ refers to an organisation that does not belong to the Part-145 organisation in whose facility the maintenance is being carrying out, and which is, for example (this list is not exhaustive):</p> <ul style="list-style-type: none"> - contracted by the Part-145 maintenance organisation; or - subcontracted by the Part-145 maintenance organisation; or - contracted by the aircraft owner/CAMO person or organisation responsible for the aircraft continuing airworthiness. <p>The objective of this requirement is to manage the risk involved in the actual execution of maintenance by the various organisations at the same location. Example: the need for one organisation to be informed that they should not put the aircraft in a certain configuration (regarding electrical power, hydraulic power, the flight control configuration, the aeroplane on jacks, etc.) if this is could adversely affect the work performed by another organisation. Note: please refer to GM2 145.A.205 for the difference between contracting and subcontracting maintenance activities in GM2 145.A.205.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p>	



response	Reference to 'aircraft owner/CAMO' is not made consistently. Reference to 'the person or organisation responsible for the management of the aircraft continuing airworthiness' is preferred. See Section 1.
comment	435 comment by: <i>FNAM</i> Since GM cannot propose requirement, FNAM suggests replacing "the objective of this requirement is to manage..." by "the objective of 145.A.47(d) requirements are to manage... »
response	See Section 1.
comment	1001 comment by: <i>Duane Kritzinger</i> See our comments against 145.A.47 para (d) plus do we need the risk language?
response	See Section 1.

AMC1 145.A.48(a) AMC 145.A.80 Limitations on the organisation Performance of maintenance

p. 87

comment	367 comment by: <i>AIRBUS</i> 1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 87/170, AMC1 145.A.48(a) Performance of maintenance 2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "This paragraph is intended to cover the situation where the larger organisation may temporarily not hold have all the necessary facilities, tools, equipment, etc., equipment and tools, components, maintenance data and personnel available for an aircraft type or variant, or component specified in the organisation's scope of work approval . This paragraph means that the competent authority need not amend the approval to delete the aircraft type or variants, or component on the basis that it is a temporary situation and there is a commitment from the organisation to restore the availability of re-acquire tools, equipment etc. the necessary facilities, equipment and tools, components, maintenance data and personnel before maintenance on the type or variant, or component may recommence. This paragraph is also intended to prevent the situation where the organisation accepts amounts of work exceeding the capacity of the system required by the point 145.A.47." 3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to refer to all types of resources that are necessary in accordance with point 145.A.47. The titles of the following points are used as the reference: - 145.A.25 for necessary facilities, - 145.A.30 for necessary personnel, - 145.A.40 for equipment and tools,
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	<ul style="list-style-type: none"> - 145.A.42 for components, and - 145.A.45 for necessary maintenance data <p>These necessary resources are related to the scope of work. But their quantity is related to the work planned in accordance with point 145.A.47. Therefore, this AMC should cover both aspects (types & quantities).</p>
response	See Section 1.
comment	<p>436 comment by: FNAM</p> <p>FNAM fully agrees with proposed disposals. Maintenance organization could be allowed to carry out maintenance tasks based on owner's documentation provided that this documentation is up-to date.</p>
response	See Section 1.

AMC1 145.A.48(c)(2) AMC1 145.A.48(b) Performance of maintenance	p. 88
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comment	<p>840 comment by: Aircraft Engineers International</p> <p>AMC1 145.A.48(c)(2) An Error Capturing method for aircraft structures was previous asked for ref. CRD 2012-04, page 22 Comment 72. EASA answer was: "Critical in the structures is addressed in the classification of repairs as minor/major.». EASA should clarify what procedures are expected, ref. also comments to GM1 to Annex II and AMC1 145.A.10.</p>
response	See Section 1.
comment	<p>1017 comment by: Duane Kritzinger</p> <p>AMC2 145.A.48(c)(2) AMC2: So that? By defintion they are critical to flight safety. Any critical task should be at the heart of the safety management efforts [vs administrative tasks]. What would the assessment determine?</p>
response	See Section 1.

AMC2 145.A.48(c)(2)AMC2 145.A.48(b)Performance of maintenance	p. 88
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comment	<p>378 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 88/170, AMC1 145.A.48(c)(2) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "AMC1 145.A.48(c)(2) AMC1 145.A.48(b) Performance of maintenance The organisation procedure should have a procedure to:</p>
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- (1) identify the error-capturing methods relevant for the detection of a given type of errors, and to specify the facilities, personnel, equipment and tools, and maintenance data necessary for their implementation,
- (2) document the implementation of error-capturing methods in the common work card or worksheet system required by point 145.A.45(e). In the case of independent inspections or re-inspection, the system should ensure that the identification of involved signatories and the necessary details of the independent inspection/re-inspection are recorded before the maintenance certification or the sign-off for the completion of the task is issued,
- (3) specify how critical maintenance tasks are flagged on work cards and worksheets,
- (4) identify the training and the qualifications of staff personnel who applying error-capturing methods, and
- (5) specify how the organisation ensures that its staff personnel is familiar with critical maintenance tasks and error-capturing methods.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Before NPA 2019-05(C), the point 145.A.48 required the establishment of procedures. This is no longer the case. So, the introductory sentence of this AMC is proposed for adaption to this new situation.

There may be different error-capturing methods, and some of them only relevant for a given type of errors (errors related to maintenance involving software may sometimes require a specific tool using an error-capturing method other than a visual inspection). The procedure should identify those available within the organisation and the resources necessary for their deployment. Further, some instructions should be given to planners to document the selected error-capturing method in the word card/worksheet and to indicate that the task is a critical maintenance task.

The details about the impact of independent inspections on the work card/worksheet system originate from the AMC4 145.A.48(c)(2).

response

See Section 1.

comment

380

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 88/170, AMC2 145.A.48(c)(2) Performance of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to temporarily withdraw the paragraph (a) of this AMC and revise it later, i.e. when design data necessary to the continuing airworthiness stakeholders are published.

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

According to this paragraph, AMO should evaluate the consequences (and their severity) of the potential inappropriate accomplishment (use of improper components, incorrect sequence of maintenance steps, etc.) of certain maintenance tasks on flight safety.

It implies inter alia that AMO should compare the possible failure(s), malfunction(s), or defect(s) caused by the inappropriate accomplishment of a maintenance task with the severity of their worst consequences on structural elements or system functions.



This would lead to an assessment of impacts on airworthiness, but not necessarily on flight safety:

Flight safety cannot be fully described and addressed by the activities related to continuing airworthiness. While the term 'flight safety' is recognized and understood by the aviation community as a part of the global safety objective to reach, it shall not be confused with the term 'airworthiness' that only entails a series of activities necessary but not sufficient to reach the 'flight safety' or global 'safety' objective. Although the inappropriate accomplishment of the subject tasks may impact the full safety chain, the selection of the term 'flight safety' in this very specific context should be avoided as it may impose on AMO to investigate on potential consequences (and their severity) beyond the limits of the Regulation (EU) 1321/2014 and their competences.

In addition, the notion of 'flight safety' suggested in this paragraph is misleading and not adapted to the present context as it does not address entirely the matter: for example (airworthiness-related examples), an error occurring during the accomplishment of a maintenance task on the passenger oxygen system or cabin fire protection system may result in consequences as severe as those for the examples given in the subject paragraph.

Therefore, only consequences (and their severity) on airworthiness should be considered.

With regard to the practical aspects, AMO should access or establish data specific to the aircraft design in order to carry out the comparison previously mentioned. Currently, this paragraph purely places the onus on AMO to make best endeavours to essentially guess what constitutes a critical maintenance task. They are placed in a difficult position to ensure an appropriate assessment, i.e. that no omission (or over conservatism) will happen in the selection. The ability of AMO is limited by their understanding of the design features, the failure modes, and of the severity of consequences (sometimes at component level only).

Some AMO may consider that no discrepancy in the accomplishment of the instructions provided by Approved Design Organisations is acceptable. This makes all tasks crucial to maintain the airworthiness of the product. This is also counter-productive due to human performance limitations: it is not possible to maintain the attention of maintenance personnel at the highest level all the time.

Therefore, it is unrealistic to rely only on AMO for the identification of critical maintenance tasks.

Some design data are necessary. It appears that performing design activities is a privilege of the Approved Design Organisations in accordance with the first paragraph of point 21.A.263. Therefore, AMO may identify critical maintenance tasks only if the necessary design data are published.

An independent AMO does not have necessarily the product knowledge at the aircraft level (rating B, C and D) to identify tasks that could directly or indirectly endanger the aircraft airworthiness. Further, aircraft designs are more and more complex making the selection even more sensitive.

Therefore, without the Product knowledge from the relevant Approved Design Organisations (at aircraft level... TC holders, but also STC holders), AMO do not have the competence to identify the critical maintenance tasks. They will have an understanding of the potential for the engineer to get the task wrong (understanding that Approved Design Organisations may not have), but not the severity of the consequences of the error on aircraft airworthiness.

Organizations having accountabilities in aviation are approved in Europe under regulations such as EASA Part-21, Part-M, or Part-145. A segregation of aviation



activities/domains is organized accordingly. The high and uniform level of protection of the European citizen is guaranteed in civil aviation at all times by organizations specialized in one or more aviation domains: organizations performing maintenance on Products/components are not necessarily competent to design such Products/components (and vice versa).

Recent experiences demonstrate the insufficient consideration of requirements from a consistent end to end perspective in the European rulemaking approach. They show that some existing requirements in the continuing airworthiness domain can simply not be complied with. The European Regulation in a broad sense does not adequately define the responsibilities for the establishment, approval, and publication of all the data necessary to the continuing airworthiness stakeholders (including CAMO and AMO) to create accurate lists of critical maintenance tasks:

- Approved Design Organisations: establishment, approval, and publication of the design data necessary to the creation of accurate lists of critical maintenance tasks,
- Continuing Airworthiness Management Organisations: management of the list of critical maintenance tasks for a given aircraft (e.g. with additions to the list, based on CAMO experience, including reports from the aircraft operator and previous experience with different AMO),
- Approved Maintenance Organisations: Additions to the list, based on AMO experience of maintenance operations.

We therefore have concerns that AMO would have to consider all tasks as critical maintenance tasks leading to the undermining of aircraft airworthiness per above, in absence of inputs from the relevant Approved Design Organisations. We do not believe this is the desired outcome of this regulation.

It is recommended to review the situation for the AMC1 M.A.402(h).

response

See Section 1.

comment

383

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 88/170, AMC2 145.A.48(c)(2) Performance of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to temporarily introduce the following paragraph (a) in this AMC, i.e. until the design data necessary to the continuing airworthiness stakeholders are published:

“AMC2 145.A.48(**cb**)(2) ~~AMC2 145.A.48(b)~~ Performance of maintenance
CRITICAL MAINTENANCE TASKS

(a) The procedure should ensure the identification of maintenance tasks for which the implementation of an error-capturing method is found necessary by the organisation. Critical maintenance tasks should be designated on the basis of the organisation’s understanding of the potential for its maintenance personnel to incorrectly perform maintenance tasks (including the assembly or any disturbance of a system or any component on an aircraft, engine or propeller).

Hazards identified in relation to these tasks should be addressed in accordance with the organisation’s safety risk management procedures required by point 145.A.200(a)(3).”



response	<p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: This proposal aims at limiting the responsibility of AMO to their field of competence.</p> <p>It is recommended to review the situation for the AMC1 M.A.402(h).</p> <p>See Section 1.</p>
comment	<p>386 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 88/170, AMC2 145.A.48(c)(2) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the definition of the term ‘critical maintenance task’ (refer to Article 2 of Regulation (EU) No 1321/2014) to read either: “(n) ‘critical maintenance task’ means a maintenance task that may endanger the aircraft airworthiness if an error occurs during its performance or during involves the assembly or any disturbance of a system or any part component on an aircraft, engine or propeller that, if an error occurred during its performance, could directly endanger the flight safety;” or “(n) ‘critical maintenance task’ means a maintenance task that may endanger the aircraft airworthiness if an error occurs during its performance involves the assembly or any disturbance of a system or any part on an aircraft, engine or propeller that, if an error occurred during its performance, could directly endanger the flight safety;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The CRD 2012-04 indicates that the review group considered that the concept of critical maintenance task is related to the performance of maintenance and also to the ‘disturbance’ made to a system when performing this maintenance. The review group concluded that AMO need to consider the possible effects of this disturbance. However, the CRD does not indicate if both conditions need to be considered independently or concurrently to categorise the task as critical. The absence of indication seems to be reflected in the current definition. It makes the definition misleading and not adapted to the intent of the review group: for example, one may understand that the definition does not address an error occurring during the accomplishment of an Airworthiness Directive-related inspection for which there is no disassembly/reassembly or disturbance of the aircraft (although such error may result in consequences equally severe as those for the examples given in the paragraph (a) of this AMC). The term ‘directly’ is removed from the definition as it is confusing (meaning 1: without delay – time related; meaning 2: in a direct manner – without considering combinations of failures). A second definition is proposed as the assembly or any disturbance of a system or any part on an aircraft, engine or propeller is considered maintenance: the assembly or the procedure leading to such disturbance is described in the maintenance data, is not it? It is recommended to read concurrently the paragraph (c) of the AMC4 145.A.48(c)(2).</p> <p>See Section 1.</p>
response	<p>See Section 1.</p>



comment

388

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 88/170, AMC2 145.A.48(c)(2) Performance of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph (b) to read:

“(b) The procedure should describe which data sources are used to identify critical maintenance tasks. Several data sources may be used, such as:

- (1) information from the design approval holder;
- (2) accident reports;
- (3) the investigation and follow-up of incidents;
- (4) occurrence reporting;
- (5) flight data analysis, where this is available from the **operator/CAMO person or organisation responsible for the management of the aircraft continuing airworthiness**;
- (6) the results of audits;
- (7) monitoring schemes for normal operations ~~monitoring schemes~~, where these are available from the **operator/CAMO person or organisation responsible for the management of the aircraft continuing airworthiness**; and
- (8) feedback from training.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

For consistency with a previous comment. Reference to operator or CAMO may be confusing taking into account the point M.A.201 provisions. Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.

It is recommended to review the situation for the GM1 M.A.402(h).

response

See Section 1.

comment

1002

comment by: Duane Kritzinger

This AMC suggest an assessment is made to assess the impact on flight safety. What would be assessed and for what? Any critical system by definition would impact flight safety and those published have a positive link to LoCi and hence should have significant focus in any 145 SMS thereby resulting in an unwavering expectation to apply good practice, report any deviations/errors and increase assurance.

response

See Section 1.

AMC3 145.A.48(c)(2)AMC3 145.A.48(b) Performance of maintenance

p. 89

comment

391

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 89/170, AMC4 145.A.48(c)(2) Performance of maintenance



	<p>2. PROPOSED TEXT / COMMENT: Airbus suggests the introduction of a matrix in a GM associated with this AMC showing the signature possibilities/incompatibilities depending on personnel roles.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The independent inspection is probably the most implemented error-capturing method, although it is only one of the possible methods. The AMC4 145.A.48(c)(2) describes a part of the sequence of signatures (and is completed with the other part):</p> <ol style="list-style-type: none"> 1. Signature for (/attestation of) the satisfactory completion of the task (independent inspection), 2. Signature for assuming the full responsibility for the completion of the task (sign-off), 3. Signature for the maintenance certification. <p>It also describes the qualifications of persons signing for the independent inspection, and in particular the certifying staff, support staff, and the commander who holds a limited certification authorisation.</p> <p>The maintenance community would benefit from a matrix showing the potential incompatibilities between the concept of independent inspection and certain situations (e.g. with the certification privileges: for example, a critical maintenance task carried out in line maintenance with an independent inspection involving a certifying staff holding a category A license).</p>
response	See Section 1.
comment	<p>1004 comment by: Duane Kritzinger</p> <p>AMC3 145.A48 (c)(2): Error capturing is an uncommon term so may need some further examples including supervision</p>
response	See Section 1.

AMC4 145.A.48(c)(2)AMC4 145.A.48(b) Performance of maintenance	p. 89-91
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comment	<p>49 comment by: NHF Technical committee</p> <p>Regarding item (b) NHF would like the Agency to further explain what the wording "type" of inspection really mean. This is very unclear, and opens up for many ways to understand the text.</p>
response	See Section 1.
comment	<p>394 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 89/170, AMC4 145.A.48(c)(2) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this AMC to read: "INDEPENDENT INSPECTION Independent inspection is one possible error-capturing method.</p>



(a) What is an independent inspection?
 An independent inspection is an inspection performed by an 'independent qualified person' of a task carried out by an ~~authorised~~ **person authorised to sign off**, taking into account that:

(1) the **signatories are:**

(i) ~~“authorised person authorised to sign off”~~ **“authorised person authorised to sign off”** is the person who performs the task or supervises the task, ~~and they assume the full responsibility for the completion of the task in accordance with the applicable maintenance data;~~

(ii) **‘independent qualified person’** is the person who performs the independent inspection.

(2) the **involved responsibilities are:**

(i) **‘person authorised to sign off’** is the person who **assume the full responsibility for the completion of the task in accordance with the applicable maintenance data;**

(ii) **‘independent qualified person’** is the person who ~~performs the independent inspection and~~ **performs the independent inspection and** attests to the satisfactory completion of the task, and that no deficiencies have been found. ~~The ‘independent qualified person’ does not issue a certificate of release to service, therefore they are not required to hold certification privileges;~~

(3) the **sequence of signatures is:** the **‘independent qualified person’** attests that the independent inspection has been carried out satisfactorily. Then, the ~~‘authorised person authorised to sign off’ issues the certificate of release to service certifies the maintenance or signs off the completion of the task after the independent inspection has been carried out satisfactorily;~~

~~(4) the work card system used by the organisation should record the identification of both persons and the details of the independent inspection as necessary before the certificate of release to service or the sign-off for the completion of the task is issued.”~~

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The term 'authorised person' is used in different locations with different meanings (e.g. point 145.A.35). The term 'person authorised to sign off' is preferred.

The details about the qualifications of the 'independent qualified person' are moved to the paragraph (b) of this AMC.

The sequence of signatures has created a number of issues at the time of implementation of point 145.A.48. Some clarifications are found necessary.

Point 145.A.50 title is 'Certification of maintenance'. The use of wordings such as 'certification of maintenance', 'maintenance certified', etc. is preferred to the reference to 'release to service'. This echoes the last paragraph of GM1 145.A.50(a).

The details about the work card system are moved to the (re-identified) AMC1 145.A.48(c)(2).

response

See Section 1.

comment

397

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Pages 89-90/170, AMC4 145.A.48(c)(2) Performance of maintenance

2. PROPOSED TEXT / COMMENT:

Should the following paragraph (b) be moved to or at least referenced in an AMC of the point 145.A.30(e)?



	<p>It is proposed to amend the paragraph (b) of this AMC to read: “(b) Qualifications of persons performing independent inspections The organisation should have procedures to demonstrate that the ‘independent qualified person’ has been trained and has gained experience in the specific type of inspection to be performed. The ‘independent qualified person’ does not certify maintenance, therefore they may hold, but are not required to hold, certification privileges. The organisation could consider making use of, for example: [...]”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The details about the qualifications of the ‘independent qualified person’ are moved from the paragraph (a) of this AMC. The matter of qualifications is usually discussed in the points 145.A.30 or 145.A.35.</p>
response	<p>See Section 1.</p>
comment	<p>398 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 90/170, AMC4 145.A.48(c)(2) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete the paragraph (c) if this AMC.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The information contained in this paragraph are so basic (they are probably in all TC/OEM documentation), and therefore do not bring additional value to the AMC.</p>
response	<p>See Section 1.</p>
comment	<p>401 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 90/170, AMC4 145.A.48(c)(2) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (d)(1) if this AMC to read: “(d) What to do in unforeseen cases when only one person is available? REINSPECTION: (1) Reinspection is an error-capturing method that is subject to the same conditions as an independent inspection—is, except that the ‘authorised person authorised to sign off’ who performing the maintenance task is also acting as the ‘independent qualified person’, and performs the inspection.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘authorised person’ is used in different locations with different meanings (e.g. point 145.A.35). The term ‘person authorised to sign off’ is preferred.</p>
response	<p>See Section 1.</p>
comment	<p>403 comment by: AIRBUS</p>



response	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 90-91/170, AMC4 145.A.48(c)(2) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete the paragraph (d)(3) if this AMC.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The details about the work card system are moved to the (re-identified) AMC1 145.A.48(c)(2).</p> <p>See Section 1.</p>
comment	<p>1003 comment by: <i>Duane Kritzinger</i></p> <p>There are circumstances in certain management systems where the level of protection afforded by the organisation has been depleted. Eg ‘authorised mechanic’ performs the work and due to being authorised no supervision is carried out. The independent qualified person then performs their task. This is different from the supervisor being ‘authorised’. Both are permissible yet offer different levels of protection.</p>
response	<p>See Section 1.</p>
comment	<p>1005 comment by: <i>Duane Kritzinger</i></p> <p>AMC4 145.A.48(c)(2)(a): Clarity may be required over the term supervision as it is no defined in Part 145; experience suggests that supervision can be often confused the term independent inspection and this is often in countrye where english is not the native langage. This results in a depleted level of protection below that afforded by independent checks that are accomplished as intended by adherence to the published guidance.</p>
response	<p>See Section 1.</p>
comment	<p>1006 comment by: <i>Duane Kritzinger</i></p> <p>AMC4 145.A.48(c)(2) : Re-inspection is prone to confirmation bias and due to the circumstances often deployed when working alone. This may also raises the issue of tiredness and fatigue further raises the likelihood of error. Also affects AMC1 145.A.48 (c)(3)(b)</p> <p>AMC4 145.A.48(c)(2)(d): Given that HF is an intrinsic element of Part 145 and the inherent safety objectives, due consideration should be given to such in the accomplishment of reinspections due to confirmation bias. There is a very strong argument, due to the fact that reinspection would most likely be utilised in times of depleted manpower, and given the criticality of the sytems involved, that reinspection should be removed as a viable safety risk measure. Held up against the level of protection afforded by properly accomplished independent inspections , reinspections appear vulnerable to human error , are likley to be used in times of higher orgnsational stress [thereby tiredness or fatigue may be an issue] yet are used on safety critical systems.</p>



response	See Section 1.
comment	<p>1033 comment by: Cengiz Turkoglu</p> <p>AMC4 145.A.48(c)(2) Performance of maintenance INDEPENDENT INSPECTION (b) Qualifications of persons performing independent inspections The organisation should have procedures to demonstrate that the 'independent qualified person' has been trained and has gained experience in the specific type of inspection to be performed. The organisation could consider making use of, for example:</p> <p>What is the purpose of introducing the word type in the above paragraph? Does this mean that a non-certifying staff who hold sign-off authorisation can sign-off any critical maintenance task on any system and any aircraft type as long as they have been trained and gained experience on one type of inspection? For example, a non-certifying staff who hold sign-off authorisation has been trained and gained experience in carrying out independent inspection of rudder PCU replacement on B737 type. Does this mean he/she can then carry out an independent inspection of an aileron servo control unit replacement on A320 type?</p> <p>When you give the privilege to become the 'independent qualified person' to different group of people with wide range of background and experience including non-certifying mechanics, then next time we extend the scope of the training and experience required to be performed before they can be qualified, we really need to be careful. If I am misinterpreting the purpose of introducing the word 'type, please accept my apologies but if this is going to be interpreted and enable organisations to use rather unexperienced non-certifying staff to be able to carry out independent inspections of critical maintenance tasks based on they gained experience of carrying out a similar TYPE of inspection on a completely different (generation) aircraft type, I think this is a further erosion of safety margin, which shouldn't be allowed.</p>
response	See Section 1.

AMC1 145.A.48(c)(3) Performance of maintenance

p. 91

comment	<p>417 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 91/170, AMC1 145.A.48(c)(3) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (a) of this AMC to read: "AMC1 145.A.48(cb)(3) Performance of maintenance The procedures should be aimed at: (a) minimising multiple errors and preventing errors-omissions. Therefore, the procedures should specify: (1) that every maintenance task is signed off only after completion; (2) how the grouping of tasks for the purpose of sign-off allows critical steps to be clearly identified; and</p>
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	<p>(3) that work performed by personnel under supervision (i.e. temporary personnel staff, trainees) is checked and signed off by an authorised authorised to sign off;”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The definition of the term ‘error’ covers omissions. Unless there is a definition of the term ‘critical step’, this term should not be used to prevent confusion (refer to the comment on the paragraph (a) of the AMC2 145.A.48(c)(2)). It is recommended to review the situation for the AMC M.A.402(g). The term ‘authorised person’ is used in different locations with different meanings (e.g. point 145.A.35). The term ‘person authorised to sign off’ is preferred.</p>
response	See Section 1.
comment	<p>421 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 91/170, AMC1 145.A.48(c)(3) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: There is a need to restore the balance between the point 145.A.48 paragraph (c)(3) and the point 145.A.48 paragraph (c)(2), as a result of the paragraph (b) of this AMC: for critical maintenance tasks, the scope is defined in the definition provided in the Article 2 of the Regulation (EU) No 1321/2014, while for multiple errors and repetition of errors, the scope is defined in the following AMC text: “The procedures should be aimed at: (a) [...] (b) minimising the possibility of an error being repeated in identical tasks and, therefore, compromising more than one system or function. Thus, the procedures should ensure that no person is required to perform a maintenance task involving removal/installation or assembly/disassembly of several components of the same type fitted to more than one system, a failure of which could have an impact on airworthiness—safety, on the same aircraft or component during a particular maintenance check. However, in unforeseen circumstances when only one person is available, the organisation may make use of reinspection as described in point (d) of AMC4 145.A.48(b) AMC4 145.A.48(c)(2).”</p> <p>Could the risk of multiple errors and/or the risk of error repetition be (only) factors to designate tasks as critical maintenance tasks? (and therefore a reason to move the requirements of point 145.A.48(c)(3) under the point 145.A.48(c)(2) – same for AMC/GM).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The paragraph (b) of this AMC defines the scope (“could have an impact on airworthiness”) of the point 145.A.48 paragraph (c)(3). It creates an unbalanced situation with critical maintenance tasks (point 145.A.48 paragraph (c)(2)) for which the scope (“may endanger the airworthiness”) is defined in the Article 2 of the Regulation (EU) No 1321/2014. Refer to comment on AMC2 145.A.48(c)(2) Performance of maintenance:</p>



	<p>“(n) ‘critical maintenance task’ means a maintenance task that may endanger the aircraft airworthiness if an error occurs during its performance or during involves the assembly or any disturbance of a system or any part component on an aircraft, engine or propeller that, if an error occurred during its performance, could directly endanger the flight safety;”</p> <p>or</p> <p>“(n) ‘critical maintenance task’ means a maintenance task that may endanger the aircraft airworthiness if an error occurs during its performance involves the assembly or any disturbance of a system or any part on an aircraft, engine or propeller that, if an error occurred during its performance, could directly endanger the flight safety;”</p>
response	See Section 1.

GM1 145.A.48(c)(4)GM 145.A.48(d) Performance of maintenance —critical design configuration control limitations (CDCC

p. 92

comment	424	comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 92/170, GM1 145.A.48(c)(4) Performance of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to re-identify this GM into GM1 145.A.48(a).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The need to take CDCC into account is not specific to damage assessment, modification or repair embodiment. It is broader and explain the reason for re-identification.</p>	
response	See Section 1.	

GM1 AMC145.A.50(a) Certification of maintenance

p. 92

comment	437	comment by: FNAM
	<p>In order to fit with current exchanges between Part-145 organizations, owners, CAMO and operators, we suggest adding : “ the performed maintenance work, as agreed in the purchase order or the contract, [...]”.</p>	
response	See Section 1.	
comment	438	comment by: FNAM
	<p>FNAM thanks and agrees with EASA that “in the case of aircraft maintenance, it does not necessarily mean that the aircraft is in airworthy condition. Ensuring that the aircraft is airworthy before each flight always remains the responsibility of the owner/operator/CAMO.”</p>	
response	See Section 1.	



comment

457

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 92/170, GM1 145.A.50(a) Certification of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this GM to read:

“Endangers the ~~flight safety~~ **aircraft continuing airworthiness**’ means any instances:

(i) where ~~safe operation~~ **it could not be assured that the aircraft, including any component for installation thereto, conforms to its approved design, and that its overall condition relative to wear and deterioration is conducive to safe functioning in accordance with the maintenance data,** or

(ii) which could lead to a ~~unsafe condition~~ **referred to in the paragraph 3. of the Regulation (EU) 2015/1018 Annex II.**

~~It typically includes, but is not limited to, significant cracking, deformation, corrosion or failure of primary structure, any evidence of burning, electrical arcing, significant hydraulic fluid or fuel leakage, and any emergency system or total system failure.~~ An airworthiness directive that is overdue for compliance is also considered to be a hazard to ~~flight safety~~ **aircraft continuing airworthiness.**

~~However, the~~ **The** intent is not to require the maintenance organisation to find or become responsible for hidden non-compliances which are not expected to be discovered during the ~~ordered~~ **ordered** maintenance ~~that was ordered.~~

A certificate of release to service issued by a ~~an approved~~ **approved** maintenance organisation certifies that the ~~performed~~ **performed** maintenance work ~~that was ordered~~ **that was ordered** has been completed **or postponed** in accordance with the applicable regulations and the maintenance organisation’s approved procedures. In the case of aircraft maintenance, it does not necessarily mean that the aircraft is in airworthy condition, **and for component maintenance, it does not necessarily mean that the component is serviceable. Determining the airworthiness status of the aircraft and the serviceability of both operational and emergency equipment** ~~Ensuring that the aircraft is airworthy~~ **before each flight takes place** always remains the responsibility of ~~the owner/operator/CAMO~~ **the person or organisation responsible for the continuing airworthiness of the aircraft.”**

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

AMO deliver services supporting the person or organisation responsible for the aircraft continuing airworthiness in fulfilling the regulatory responsibilities specified in the point M.A.201. The first responsibility it to ensure that no flight takes place unless the aircraft is maintained in an airworthy condition.

The term ‘airworthy’ is not defined or explained in the EU Regulation. However, the ICAO Annex 8 provides the following definition:

“Airworthy. The status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition for safe operation.”

One may understand the term ‘in a condition for safe operation’ as referring to ‘air operations conducted under Regulation (EU) No 965/2012’. But the FAA clarifies the meaning of the term with the following explanation:

“This is an initial determination [...] that the overall condition of an aircraft is conducive to safe operations. This refers to the condition of the aircraft relative to wear and deterioration, e.g., skin corrosion, window delamination/crazing, fluid leaks, tire wear, etc.”



	<p>The term 'safe functioning' is preferred to 'safe operation' in order to prevent misunderstanding (not to be confused with 'air operations').</p> <p>The GM is amended to clarify the scope of the maintenance certification and to prevent any drift towards considerations exceeding the scope of Regulation (EU) No 1321/2014: e.g. flight safety cannot be covered completely by this scope.</p> <p>Airbus strongly supports the addition of the explanations about the meaning of a certificate of release to service, but adapted it to point M.A.301 introductory sentence.</p>
response	<p>See Section 1.</p>
comment	<p>458 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 92/170, GM1 145.A.50(a) Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to add the following GM M.A.301: "The tasks listed in M.A.301 aim at ensuring the continuing airworthiness of the aircraft and the serviceability of both operational and emergency equipment. These tasks are the responsibility of the person or organisation responsible for the aircraft continuing airworthiness (as applicable according to M.A.201), except for the execution of maintenance and certification of this maintenance which are the responsibility of the approved maintenance organisation or the person who performed the maintenance. As a consequence, the person or organisation responsible for the aircraft continuing airworthiness is still responsible for planning and ordering the maintenance, as well as for verifying that all the maintenance ordered has been certified (or postponed) and that this has been appropriately recorded. This means that the person or organisation responsible for the aircraft continuing airworthiness is responsible for auditing/checking how the terms of existing contracts with approved maintenance organisations are implemented and for the availability of records showing that all contracted/ordered maintenance has been certified or properly postponed. However, the person or organisation responsible for the aircraft continuing airworthiness is not obliged to audit or check how the approved maintenance organisation is actually performing the maintenance work nor any of the aspects covered by the maintenance organisation approval, although the person or organisation responsible for the aircraft continuing airworthiness is entitled to do so if he/she/it wishes. It must be noted that a certificate of release to service issued by the person who performed the maintenance or an approved maintenance organisation certifies that the maintenance work that was ordered has been completed or postponed in accordance with the applicable regulations and the maintenance organisation's approved procedures. However, it does not necessarily mean that the aircraft is ready for flight or the component is serviceable. Determining the aircraft airworthiness status and the serviceability of both operational and emergency equipment before each flight takes place is the responsibility of the person or organisation responsible for the aircraft continuing airworthiness. This does not preclude that, in the case of commercial air transport, the final communication to the flight crew of the airworthiness status of the aircraft and the serviceability of both operational and emergency equipment is performed</p>



	<p>by a contracted approved maintenance organisation if this is allowed by the procedures established by the person or organisation responsible for the aircraft continuing airworthiness, and always under the responsibility of the person or organisation responsible for the aircraft continuing airworthiness and as described in the maintenance contract.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The second part of the statement mentioned in the AMC1 145.A.50(b) is at the origin and justifies the need for this GM (“the aircraft/aircraft component is considered ready for release to service”). Airbus strongly supports the addition of the explanations about the meaning of a certificate of release to service in the GM1 145.A.50(a). However, the same need exists on the Part-M side. This proposal, based on NPA 2014-27, will contribute to shed light on hazards generated by organisation interfaces (e.g. CAMO-AMO) and to better manage the associated risks.</p>
response	See Section 1.
comment	<p>977 comment by: <i>Lufthansa Technik</i></p> <p>GM1 145.A.50(a): Very, very good clarification! Thank you!</p>
response	See Section 1.
comment	<p>1057 comment by: <i>Dassault Falcon Service</i></p> <p>Both added paragraphs will help the maintenance organisation a lot to reming the CAMO responsibilities. We would recommend to adjust as follows "A certificate of release to service issued by a maintenance organisation certifies that the performed maintenance work ordered has been completed...".</p>
response	See Section 1.
AMC1 145.A.50(b) Certification of maintenance	
p. 92-93	

comment	<p>459 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 92-93/170, AMC1 145.A.50(b) Certification of maintenance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “[...]” 2. It is acceptable to use an alternate abbreviated certificate of release to service consisting of the following statement ‘Part-145 release to service’ instead of the full certification statement specified in paragraph 1. When the alternate abbreviated certificate of release to service is used, the introductory section of the aircraft</p>
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technical log **system required by point M.A.306** should include an example of the full certification statement from paragraph 1.

3. The ~~certificate of release to service~~ **certification of maintenance** should relate to the task specified in the ~~(S)TC holder's or operator's instructions or the~~ aircraft maintenance programme which itself may cross-refer to maintenance data.

4. The **notion of date in the certification of such** maintenance ~~was carried out~~ should include ~~when the maintenance took place relative to any life or overhaul limitation in terms of~~ **in-service life accumulated in the applicable parameters (date/flying hours/cycles/landings etc., as appropriate) to enable the person or organisation responsible for the aircraft continuing airworthiness to:**

(i) **schedule future maintenance as required by the maintenance schedule of the aircraft maintenance programme, and**

(ii) **record when unscheduled maintenance that is required by the aircraft maintenance programme after abnormal or particular conditions or events (e.g. lightning strikes, hard landings) with an impact on the continuing airworthiness of the aircraft at the time of its return to service, was certified.**

[...]"

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The notion of 'technical log' is ambiguous. Reference to point M.A.306 is added.

Reference to '(S)TC holder's or operator's instructions' is misleading: in accordance with the point M.A.301, the aircraft continuing airworthiness and the serviceability of both operational and emergency equipment shall be ensured, amongst others, by the accomplishment of all maintenance in accordance with the aircraft maintenance programme.

The point 4. is amended to provide a meaning to the term 'as appropriate' with respect to life times accumulated in service.

response

See Section 1.

AMC1 145.A.50(e) Certification of maintenance

p. 93

comment

473

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 93/170, AMC1 145.A.50(e) Certification of maintenance

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

"1. Being unable to establish full compliance with **point** ~~sub-paragraph Part-~~ 145.A.50(a) means that the maintenance required by the ~~aircraft operator person~~ **or organisation responsible for the aircraft continuing airworthiness** could not be completed due to either ~~to~~ running out of available aircraft maintenance downtime for the scheduled check, or by virtue of the condition of the aircraft, requiring additional maintenance downtime.

2. The ~~aircraft operator person or organisation responsible for the aircraft continuing airworthiness~~ is responsible for ensuring that all required maintenance has been carried out before flight and therefore 145.A.50(e) requires such ~~operator person or organisation~~ **operator person or organisation** to be informed in the case where full compliance with 145.A.50(a) cannot be achieved within the ~~operator's~~ **operator's** limitations **applicable to the**



person or organisation responsible for the aircraft continuing airworthiness. If ~~the operator~~ this person or organisation agrees to the deferment of full compliance, then the ~~certificate of release to service~~ maintenance may be issued certified subject to details of the deferment, including the ~~operator's~~ authority of the person or organisation responsible for the aircraft continuing airworthiness, being endorsed on the certificate.

Note: Whether or not the ~~aircraft operator~~ person or organisation responsible for the aircraft continuing airworthiness does have the authority to defer maintenance is an issue between the ~~aircraft operator~~ person or organisation responsible for the aircraft continuing airworthiness and the competent authority responsible for the oversight of the continuing airworthiness of individual aircraft ~~of the State of Registry or State of operator, as appropriate~~. In case of doubt concerning such a decision of the ~~operator~~ person or organisation responsible for the aircraft continuing airworthiness, the approved maintenance organisation should inform its competent authority on such doubt, before the certification of maintenance ~~issuing the certificate of release to service~~. This will allow this competent authority to investigate the matter with the competent authority responsible for the oversight of the continuing airworthiness of individual aircraft ~~of the State of Registry or the State of the operator as appropriate~~.

3. The procedure should draw attention to the fact that 145.A.50(a) does not normally permit the ~~issue of a certificate of release to service~~ certification of maintenance in the case of non-compliance and should state what action the mechanic, supervisor and certifying staff should take to bring the matter to the attention of the relevant department or person responsible for technical coordination with the ~~aircraft operator~~ person or organisation responsible for the aircraft continuing airworthiness so that the issue may be discussed and resolved with ~~the aircraft operator~~ this person or organisation. In addition, the appropriate person(s) as specified in 145.A.30(b) should be kept informed in writing of such possible non-compliance situations and this should be included in the procedure.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Reference to ‘an aircraft operator’ does not reflect all the possibilities (e.g. the owner). Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.

Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a)

response

See Section 1.

AMC1 145.A.55 Record-keeping

p. 93

comment

439

comment by: FNAM

FNAM agrees with AMC disposals but wonders why some disposals that are currently described into GM1 145.A.55(a)(1) are moved to AMC. FNAM suggests keeping them into GM.

response

See Section 1.



GM1 145.A.55(a)(1) Record-keeping Maintenance and airworthiness review records

p. 94-95

comment

477

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 94/170, GM1 145.A.55(a)(1) Record-keeping

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this GM to read:

“MAINTENANCE RECORDS

1. Properly executed and retained maintenance records provide:

- (i) ~~owners, operators~~ the person or organisation responsible for the aircraft continuing airworthiness and maintenance personnel with information essential in establishing the airworthiness status of an aircraft and in controlling unscheduled and scheduled maintenance, and trouble-shooting ~~troubleshooting to~~
- (ii) maintenance personnel with information essential in ~~eliminate~~ eliminating the need for re-inspection and rework ~~to establish airworthiness.~~

The prime objective is to have secure and easily retrievable records with comprehensive and legible contents. The aircraft record should contain basic details of all serialised aircraft components and all other significant aircraft components installed **during the maintenance performed**, to ensure traceability to such installed aircraft component documentation and ~~the~~ associated maintenance data as specified in ~~point~~ 145.A.45.

2. Maintenance records should refer to the revision status of the data used.

~~Some gas turbine engines are assembled from modules, and a true total time in service for a total engine is not kept. When owners and operators wish to take advantage of the modular design, then the total time in service and the maintenance records for each module is are to be maintained. The maintenance records as specified are to be kept with the module and should show compliance with any mandatory requirements pertaining to that module.~~

~~3. Reconstruction of lost or destroyed maintenance records can be done by reference to other records which reflect the time in service, research of records maintained by repair facilities, and reference to records maintained by individual mechanics etc. When these things have been done and the record is still incomplete, the owner/operator may make a statement in the new record describing the loss, and establishing the time in service based on the research and the best estimate of time in service. The reconstructed records should be submitted to the competent authority for acceptance.~~

~~Note: Additional maintenance may be required.~~

~~[...]~~”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Reference to ‘owners’ or ‘operators’ does not reflect all the possibilities (e.g. an independent CAMO). Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred. Paragraph 1. is also amended to reflect a change introduced by the Opinion 13/2016.

The contents in paragraph 2. and 3. are relevant rather for the person or organisation responsible for the aircraft continuing airworthiness than for maintenance organisations. Refer to Appendix 1 to Opinion No 13/2016 (AMC M.A.305(b)(1) and AMC M.A.305(e) both about the aircraft continuing-airworthiness record system).



	The sentence added to paragraph 2. is from the AMC1 145.A.55(a)(3). It is recommended to elaborate, and maybe develop an AMC. The Opinion No 13/2016 may be an inspiration for that.
response	See Section 1.

AMC1 145.A.55(a)(3) AMC 145.A.55(c) Record-keeping Maintenance and airworthiness review records

p. 95

comment

480

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 95/170, AMC1 145.A.55(a)(3) Record-keeping

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

“MAINTENANCE RECORDS

‘Associated maintenance data’ is refers to specific a set of information, including the evidence of approval, that is issued to address a situation specific to a limited number of aircraft or components, but not inserted in the generic instructions for continuing airworthiness that are published in accordance with the Annex I (Part-21) to Regulation (EU) No 748/2012 (such as data for repair and or modification embodiment data). This includes the instructions developed in accordance with point 145.A.45(d) does not necessarily require the retention of all Aircraft Maintenance Manuals, Component Maintenance Manuals, IPC etc. issued by the TC holder or STC holder. Maintenance records should refer to the revision status of the data used.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The wording is adjusted to keep as much as possible consistency with point 145.A.45(b).

The last sentence ‘maintenance records should refer to the revision status of the data used’ is not relevant for record-keeping requirements. It is proposed to move it into the GM1 145.A.55(a)(1).

response

See Section 1.

AMC1 145.A.55(d) AMC 145.A.35(j) Certifying staff and support staff Record-keeping

p. 95-96

comment

485

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 96/170, AMC1 145.A.55(d) Record-keeping

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 4. of this AMC to read:

“4. The competent authority is an authorised person when may investigating the records system for initial certification and oversight continued approval or when the



	competent authority has cause to doubt the competence competence competency competence of a particular person.”
response	<p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The notion of ‘authorised person’ is confusing (ref. GM 145.A.48).</p> <p>See Section 1.</p>

AMC 145.A.60(b) Occurrence reporting

p. 96-97

comment	440	comment by: <i>FNAM</i>
	FNAM suggests keeping this AMC which is a good tool to implement Regulation (EU) 376/2014 in terms of occurrence reporting.	
response	See Section 1.	

AMC1 145.A.65(b) Safety and quality policy, Maintenance procedures and quality system

p. 97

comment	3	comment by: <i>Falcon Aviation Services/Andrew Gardner</i>
	<p>para 1. With medium and larger organizations, it is not feasible to raise an internal safety report on every occasion there is a requirement to revise a maintenance procedure document. Some changes may be typographical or just for refinement. Since the vast majority of organizations have electronic documents, the current Change Request system is more appropriate.</p> <p>Para 2. The use of "Where practicable" is subjective and open to interpretation. Suggest "All procedures should be verified and validated by document owner prior to use except where minor typographical changes occurred. Training on procedure changes must be provided to the end user at the earliest opportunity or no later than three months from date of issue.</p>	
response	See Section 1.	

comment	495	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 97/170, AMC1 145.A.65 Maintenance procedures</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “GENERAL 1. Maintenance procedures should be held current kept up to date such that they reflect the best practices within the organisation. It is the responsibility of a All the</p>	



	<p>organisation’s employees to should report any differences via their organisation’s internal safety occurrence reporting scheme mechanisms.</p> <p>2. All procedures, and changes to those procedures, should be verified and validated before use where practicable.</p> <p>3. All technical procedures should be designed and presented in accordance with good human factors principles.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The wording is not adapted to the contents of an AMC. If a responsibility has to be defined, it should be in the requirements.</p>
response	See Section 1.

GM1 145.A.65 Maintenance procedures

p. 97-98

comment	<p>496 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 97-98/170, GM1 145.A.65 Maintenance procedures</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this GM to read: “HUMAN FACTORS PRINCIPLES The following key points should be considered when designing and presenting technical procedures in accordance with good human factors principles: [...] (c) Take account of the level of expertise and experience of the user; where appropriate, provide an abbreviated version of the procedure for use by experienced personnel technicians. [...] (g) The order of the tasks and the steps should reflect best practices, with the procedure clearly stating where the order of tasks and steps should not be changed is critical, and where changes to the order are acceptable is optional. (h) Ensure consistency in the design of procedures and the use of terminology, abbreviations, references, etc. (i) For documents produced in the English language, use ‘simplified English’.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Reference to ‘personnel’ is made to ensure consistency in the use of terminology (ref. point 145.A.30). The point (g) is amended as the notion of criticality is ambiguous.</p>
response	See Section 1.
comment	<p>497 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 98/170, AMC1 145.A.65(2) Maintenance procedures</p> <p>2. PROPOSED TEXT / COMMENT:</p>



It is proposed to amend this AMC to read:
“The coordination of maintenance activities is essential in the case of complex maintenance and operational arrangements (such as when several organisations are contracted, or when several levels of contracting/sub-contracting are included). The person or organisation responsible for the aircraft continuing airworthiness should determine the amount and methods of coordination that will be required.
The approved maintenance organisation should provide its contribution to the assessment of the overall organisational structure, interfaces, workload, procedures, roles, responsibilities and qualifications/competences of key personnel across all contract/sub-contract levels within such arrangements. It applies for example to specialised maintenance services.
 Specialised **maintenance** services include any specialised activity, such as, but not limited to non-destructive testing, that require particular skills and/or qualification. **Point 145.A.30(f)** covers the qualifications of personnel but, in addition, there is a need to establish maintenance procedures that cover the control of any specialised process.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:
 The proposed changes aim at mitigating the potential consequences of hazards generated by such activities and organisation interfaces (e.g. CAMO- AMO, AMO-AMO, AMO-MO) and to better manage the associated risks. They help in ensuring that AMO adequately address complex maintenance and operational arrangements (assessment of the overall organisational structure, interfaces, etc.).

response **See Section 1.**

comment

885

comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
NPA 2019-05 (C) GM1 145.A.65 (c)	Page 98	We should not be encouraging shortcuts in one hand then advocating SMS and HF principles where we know unhealthy norms develop which is detrimental to aviation safety	Remove advocating abbreviated procedures as that will become the norm and promote that its OK to cut corners (unintended consequences)	No	Yes

response **See Section 1.**



GM2 145.A.65(b)(1) Safety and quality policy, Maintenance procedures and quality system

p. 98

comment

133

comment by: *General Aviation Manufacturers Association*

Section GM2 145.A.65(c): The statement: "Take account of the level of expertise and experience of the user; where appropriate, provide an abbreviated version of the procedure for use by experienced technicians" - this is not an acceptable approach, as it may compromise safety. We recommend the rewording or removal of this statement.

response

See Section 1.

AMC1 145.A.70(a) Maintenance organisation exposition (MOE)

p. 99

comment

500

comment by: *AIRBUS***1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:**

Pages 99-103/170, AMC1 145.A.70(a) Maintenance organisation exposition (MOE)

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

“(a) The following information should be included in the maintenance organisation exposition:

(1) a specification of the scope of work that is relevant to the organisation approval certificate required by point 145.A.20;

(2) a statement signed by the accountable manager confirming that the organisation will at all times work in accordance with this Annex (Part-145), Annex I (Part-M) and Annex Vb (Part-ML), as applicable, and with the approved MOE. If the accountable manager is not the chief executive officer of the organisation, then the chief executive officer should countersign the statement.

(3) the organisation’s safety policy and the related safety objectives as specified in the point (2) of AMC1 145.A.200(a);

(4) the title(s) and name(s) of the persons nominated under point 145.A.30(b), (c) and (ca), and their duties and responsibilities, including the matters on which they may deal directly with the competent authority on behalf of the organisation. Procedures shall make clear who deputises for any particular person in the case of lengthy absence of the said person;

(5) an organisation chart showing the chains of accountability and responsibility between all the persons referred to in points 145.A.30(b), (c), (ca), (g), (h), (i) and (k), and related to the point (1) of AMC1 145.A.200(a);

(6) a general description of the resources and of the system that is required by point 145.A.47;

(7) the procedure that defines the scope of changes not requiring prior approval, and that describes how such changes will be managed and notified, as required by points 145.A.15(b) and 145.A.85(c);

(8) the procedure for amending the MOE.

(b) The following information specified in point 145.A.70(a) subparagraphs points (6) and (12) to (16) (17) inclusive, whilst a part of the MOE maintenance organisation



exposition, may be kept as separate documents or on separate electronic data files subject to the management part of said exposition containing a clear cross-reference to such documents or electronic data files:

(1) a list of the certifying staff, support staff and, if applicable, the airworthiness review staff, with their scopes of privileges and authorisations. An organisation may also want to include in this list the persons authorised to sign off maintenance tasks in accordance with point 145.A.48;

(2) the procedures and management system documentation established by the organisation under points 145.A.25 to 145.A.205, and any additional procedure necessary to comply with Annex I (Part-M) or Annex Vb (Part-ML);

(3) a list of all the persons or organisations responsible for the aircraft continuing airworthiness to which the maintenance organisation provides an aircraft maintenance service on a routine/continued basis, for aircraft used:

(a) by licenced air carriers in accordance with Regulation (EC) No 1008/2008, or

(b) for commercial specialised air operations, or CAT other than those by air carriers licenced in accordance with Regulation (EC) No 1008/2008, or commercial ATOs.

The list should include the reference of procedures that may be specific to these contracts, if any.

No entry in this list is expected when the nature and quantity of contracts result in aircraft maintenance services delivered on an exceptional basis to multiple persons or organisations responsible for the aircraft continuing airworthiness (e.g. multiple one-off contracts for repair embodiment after incidents);

(4) a list of all the contracted organisations;

(5) a list of all the subcontracted organisations, where applicable, as specified in point 145.A.75(b);

(6) a list of all the approved locations, including line stations, where applicable, as specified in point 145.A.75(d).

[...]"

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The list of items in the point 145.A.70(a) is taken as the source to establish what is directly included in the MOE and what is included by reference in the MOE.

In the item (5), it is unclear why reference is made to point 145.A.30(h) and not to point 145.A.30(g) and (i). They have been added for consistency.

In the item (6), it is proposed to offer the possibility to add to the list persons authorised to sign off maintenance tasks.

Items (7) and (8) have been taken into account in a more general consideration of resources and in the general description of the system required by point 145.A.47. The MOE should describe resources not only from the standpoint of manpower and facilities (e.g. general description of the subscriptions to the necessary maintenance data).

The item (13) introduces the term 'commercial operator'. Is reference made to aircraft operators engaged in Commercial Air Transport or other operations subject to a certification or declaration requirement? It would appear that the term 'commercial operator' is not defined in the Regulation (EU) No 1321/2014. The term 'commercial operation' is defined in the Regulation (EC) No 216/2008 and referenced in the point 2.(a) of the Article 140 of Regulation (EU) 2018/1139. It means "any [air] operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter



	<p>has no control over the operator". Amendments to the Part 4 of the MOE table of contents should also be considered.</p> <p>The list required by the item (13) is creating a significant administrative burden for aircraft manufacturers' maintenance organisations, which by virtue of their nature, may be contracted by any person or organisation responsible for the continuing airworthiness of an aircraft the manufacturer sold. The nature and quantity of contracts should be taken into account.</p>
response	See Section 1.
comment	<p>501 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 99-103/170, AMC1 145.A.70(a) Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: "[...] The exposition should contain information, as applicable, on how the maintenance organisation complies with the Critical Design Configuration Control Limitations' (CDCCL) instructions. Small maintenance organisations may combine the various items to form a simple exposition that is more relevant to their needs. The operator maintenance organisation may use electronic data processing (EDP) for the publication of the MOE maintenance organisation exposition. The MOE maintenance organisation exposition should be made available to the approving competent authority in a manner form that is acceptable to the competent authority. Attention should be paid to the compatibility of EDP publication systems with the necessary dissemination of the MOE maintenance organisation exposition, both internally and externally. [...]"</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Referring too frequently to CDCCL may excessively (and therefore inappropriately) focus people's attention (only) on these particular airworthiness limitations and associated mandatory instructions. The MOE should be made in form established by the EASA (i.e. ensuring the form is common to all) in order to limit the administrative burden on the persons and organisations concerned as much as possible, particularly with the implementation of the Article 63 of the Regulation (EU) 2018/1139. The manner should be acceptable to the competent authority.</p>
response	See Section 1.

PART 1 MANAGEMENT GENERAL

p. 99-100

comment 225

comment by: DGAC France



	In item 1.12, we suggest to add the following : "Procedure for alternative means of compliance (AltMoC) and the list of the implemented alternative means of compliance "
response	See Section 1.

PART L2 ADDITIONAL LINE MAINTENANCE PROCEDURES

p. 101-102

comment 4 comment by: *Falcon Aviation Services/Andrew Gardner*
3.9 delete "4"

response See Section 1.

comment 226 comment by: *DGAC France*
We suggest to modify the Part 3 title as follows : "Safety Management System Procedures", to better reflect the content of this Part.

response See Section 1.

comment 441 comment by: *FNAM*
PART 3
Into CRT tool, it is not possible to comment PART 3 of the MOE.

response See Section 1.

comment 442 comment by: *FNAM*
PART 3
EASA's proposed disposals introduce the SMS description into the MOE. FNAM suggests that the possibility to have several Manuals should be possible:

- The MOE
- The SMS manual
- The compliance manual

In In that way, changes will be easier to implement and to follow. Moreover, it may be difficult to have only one manual when there is a need / a requirement to pool several SMS together. For instance, it could be the case for CAMO SMS and Part-145 SMS.

response See Section 1.

PART 4 OPERATORS

p. 102

comment 227 comment by: *DGAC France*



	We suggest to modify the title of Part 4 as follows : "PROCEDURES FOR PART 145 PROVIDING MAINTENANCE FOR PART CAMO / OPERATOR " to better describe the intend of this part.
response	See Section 1.

PART 5 SUPPORTING DOCUMENTS

p. 102-103

comment	8 comment by: <i>Falcon Aviation Services/Andrew Gardner</i>
	5.1 Sample of documents. Sample is not defined and by itself, does not add any value. Different organizations interpret in differnt ways with some providing images of key forms and followed by a list. Many organizations provide a full listing of all forms, labels and tags others just a sample of key forms. Suggest remove completely or provide full listing.
response	See Section 1.
comment	228 comment by: <i>DGAC France</i>
	We suggest to modify the Part 6 as follows : "PART 6 PROCEDURES FOR PART 145 ALSO APPROVED AS PART CAMO / OPERATOR 6.1 Operator / CAMO procedures and paperwork 6.2 Operator / CAMO record completion "
response	See Section 1.

GM1 145.A.70(a) Maintenance organisation exposition (MOE)

p. 103-104

comment	193 comment by: <i>FAA</i>
	GM1 145.A.75 b such a subcontracted organisation would work under the management system of the contracting Part-145 organisation. Two items come up here: If its a 145 repair station having another 145 repair station do work for them and EASA requires 145's to have a Management System. How do they work under the primary 145 Management System? Then second question we FAA don't require suppliers or third parties to have a SMS or work under others might be a conflict
response	See Section 1.
comment	443 comment by: <i>FNAM</i>
	FNAM agrees that it may not only be the Compliance Manager who has the responsibilities for monitoring and amending the MOE.



response	See Section 1.
comment	<p>502 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 103-104/170, GM1 145.A.70(a) Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this GM to read: “1. The purpose of the maintenance organisation exposition (MOE) is to: (a) define the scope of work corresponding to the privilege(s) the organisation applies for and/or already obtained; (b) set forth the procedures, means and methods of the organisation to address this scope of work; (c) provide a reference source to the personnel working under the organisation approval certificate in order to perform their duties. 2. Compliance with its contents will assure compliance with the applicable requirements of Part-145, Part-M, and Part-ML. which This is a prerequisite to obtaining and retaining a maintenance organisation approval certificate. [...]</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The proposed amendments aim at ensuring consistency with comments on point 145.A.70(a).</p>
response	See Section 1.
comment	<p>503 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 103-104/170, GM1 145.A.70(a) Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this GM to read: “[...] 3. Points 145.A.70(a)(1) to (a)(11) constitutes The ‘general’ management’ part of the MOE is made with the items (a)(1) to (a)(8) and (b)(1) of the AMC1 145.A.70(a), and therefore could be produced as one document and It should be made available to the person(s) specified under point 145.A.30(b) who should be reasonably familiar with its contents. The point 145.A.70(a)(6) list of certifying staff and B1 and B2 support staff may be produced as a separate document. 4. Point 145.A.70(a)(12) The item (b)(2) of the AMC1 145.A.70(a) constitutes the working procedures of the organisation, and therefore as stated in the requirement, may be produced as any number of separate procedures or manuals. It should be remembered that these These documents should be cross referenced from the management MOE. [...]</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The term ‘reasonably’ is ambiguous.</p>



response	<p>The duplications of information (already provided in the AMC1 145.A.70(a)) are deleted.</p> <p>See Section 1.</p>
comment	<p>504 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 104/170, GM1 145.A.70(a) Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to re-identify this GM into GM1 145.A.70.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The items 6. and 7. relate to the paragraphs (b) and (c) of the point 145.A.70.</p>
response	<p>See Section 1.</p>
comment	<p>505 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 104/170, GM1 145.A.70(a) Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this GM to read: “[...]”</p> <p>8. The MOE should cover four main parts: (a) The general part of the management MOE covering the parts elements specified in point (3) earlier; (b) The maintenance procedures covering all aspects of how aircraft components may be accepted from outside sources, and how aircraft and/or components will be maintained to the required standard; (c) The quality management system procedures, including inter alia the methods of qualifying mechanics, inspection, certifying staff, compliance monitoring and safety management personnel and quality audit personnel; (d) Contracting operator pProcedures and paperwork specific to persons or organisation responsible for the aircraft continuing airworthiness, if any.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The item (b) gives the impression that it applies only to A-rated AMO. The item (c) is putting too much emphasis on methods of qualifying personnel. The procedures for other matters are equally important. The item (d) is amended for consistency with a comment on AMC1 145.A.70(a).</p>
response	<p>See Section 1.</p>

AMC1 145.A.70(a)(1) Maintenance organisation exposition (MOE)	p. 104-105
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comment	134 comment by: General Aviation Manufacturers Association
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	<p>Includes the statement “Part 1 of the MOE should include a statement signed by the accountable manager (and countersigned by the chief executive officer, if different), confirming that the MOE and any associated manuals will be complied with at all times.”</p> <p>The need for the MOE to be “countersigned by the chief executive officer, if different” is inconsistent with the allowance made within AMC1 145.A.30(a), as: “When the accountable manager is not the chief executive officer, the competent authority should be assured that the accountable manager has direct access to the chief executive officer and has the necessary ‘maintenance funding’ allocation.”</p> <p>This requirement could be determined as redundant under the allowances outlined in AMC1 145.A.30(a) - clarification required.</p>
response	See Section 1.
comment	<p>192 comment by: FAA</p> <p>AMC 1 145.A.70 a 1</p> <p>Part 1 of the MOE should include a statement signed by the accountable manager (and countersigned by the chief executive officer, if different),</p> <p>Again we usually state only one person is the Accountable Manager (Executive) has the ultimate Responsibility not two people signing. See comments #3 and #14 above. ICAO references, FAA regulations, and TCCA guidance referred to earlier refers to a single person of ultimate authority over operations.</p>
response	See Section 1.
comment	<p>229 comment by: DGAC France</p> <p>We suggest to add reference to Part 145 and Part ML to the declaration as follows : "It is understood that the approval of the organisation is based on the continuous compliance of the organisation with Part-145, Part-M and Part-ML, as applicable, and with the organisation’s procedures described in this exposition. The competent authority* is entitled to limit, suspend, or revoke the approval if the organisation fails to fulfil the obligations imposed by Part-145, Part-M and Part-ML, as applicable or any conditions according to which the approval was issued.</p>
response	See Section 1.
comment	<p>260 comment by: DGAC France</p> <p>The statement says "These procedures are approved by the undersigned". Nevertheless we do not find any requirement that the procedures shall be approved by the accountable manager. From our understanding, the MOE and procedures shall only be approved by the competent authority. There is no notion of approval for Minor changes to the MOE and procedures.</p>



response	<p>So we suggest to modify the statement as "These procedures must be complied with, as applicable, when...."</p> <p>See Section 1.</p>
comment	<p>444 comment by: <i>FNAM</i></p> <p>FNAM agrees that « if the organization holds one or more additional organization certificates within the scope of Regulation (EU) 1139/2018 containing a requirement for an exposition or manual, it may choose to combine the MOE with that exposition or manual in order to avoid duplication”. This disposal may alleviate administrative burden.</p>
response	<p>See Section 1.</p>
comment	<p>506 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 104-105/170, AMC1 145.A.70(a)(1) Maintenance organisation exposition (MOE)</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to re-identify this AMC into AMC2 145.A.70(a) and to amend it to read: “[...] The accountable manager’s exposition statement as specified in the under point AMC1 145.A.70(a)(1) should embrace the intent of the following paragraph, and in fact, this statement may be used without amendment. Any modification to the statement should not alter the intent. <i>This exposition and any associated referenced manuals define the organisation and procedures upon which the organisation approval certificate issued by the (competent authority*) Part 145 approval is based as required by 145.A.70. These procedures are approved by the undersigned and must should be complied with, as applicable, when contracts or work orders are being progressed under the terms of the Part-145 organisation approval certificate.</i> [...] <i>It is understood that the approval of the organisation is based on the continuous compliance of the organisation with the Regulation (EU) No 1321/2014 Annex II (Part-145), Annex I (Part-M) and Annex Vb (Part-ML) as applicable, and with the organisation’s procedures described in this exposition. The competent authority* is entitled to limit, suspend, or revoke the organisation approval certificate if the organisation fails to fulfil the obligations imposed by Part-145 or any conditions according to which the approval was issued.</i> [...] Whenever the accountable manager changes, it is important to ensure that the new accountable manager signs the paragraph 9 statement at the earliest opportunity. [...] If the organisation holds one or more additional organisation approval certificates within the scope of Regulation (EU) 2018/1139 containing a requirement for an exposition or manual, it may choose to combine the MOE with that exposition or manual in order to avoid duplication. An index that shows where each requirement</p>

response	<p>is addressed should be kept up to date and made available to the competent authority upon request.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Amendments for consistency with previous comments. Note: Reference is made to “paragraph 9 statement”. What is this statement?</p> <p>See Section 1.</p>
comment	<p>1029 comment by: <i>Aeronautical Repair Station Association</i></p> <p>Aeronautical Repair Station Association Comment #8. AMC1 145.A.70(a)(1)-Maintenance organisation exposition (MOE). Pages 104-105.</p> <p>ARSA agrees with the intent of the language allowing organisations holding multiple certificates to combine the MOE with other expositions or manuals to avoid duplication. We urge this language be maintained in the final regulation.</p>
response	<p>See Section 1.</p>
comment	<p>1064 comment by: <i>Aircraft Electronics Association - Europe</i></p> <p>Regarding: PART 3 MANAGEMENT SYSTEM PROCEDURES</p> <p>EASA did very well leveraging the understanding that 145 is a management system and that integrating safety management within the existing structure is the most cost effective and efficient manner to enhance safety. However, with regards to the design and layout of the Maintenance organisation exposition that important philosophy seems to have been forgotten.</p> <p>This should be broken into three logical elements:</p> <ul style="list-style-type: none"> • Organizational Management: As an example, 3.5 Management of changes, is an organizational element that effects every element of the organization. As are elements 3.9 through 3.20 • Safety Management: 3.3 Safety action planning, 3.4 Safety performance monitoring, and 3.6 Safety training and promotion are uniquely Safety Management. • Compliance Management: 3.8 appropriately captures the elements of Compliance management. In essence, Compliance management audits the Organizational and Safety management commitments.



response

See Section 1.

AMC1 145.A.75(b) Privileges of the organisation

p. 106-109

comment

510

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 106/170, AMC1 145.A.75(b) Privileges of the organisation

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 1. of this AMC to read:

“1. Working under the quality management system of an organisation appropriately approved under Part-145 (~~sub-contracting~~ subcontracting) refers to the case of one organisation, ~~not itself appropriately~~ ~~whether or not it is~~ **not itself appropriately** approved ~~to~~ under Part-145, that carries out aircraft line maintenance or minor engine maintenance or maintenance of other aircraft components or a specialised service as a subcontractor for an organisation appropriately approved under Part-145. To be appropriately approved to subcontract, the organisation should have a procedure for the control of such subcontractors as described below. Any approved maintenance organisation that carries out maintenance for another approved maintenance organisation within its own approval scope is not considered to be subcontracting for the purpose of this paragraph.

[...]

Note: An approved maintenance organisation may subcontract only maintenance activities for which it is appropriately approved. For example, only an A-rated AMO appropriately approved for A320-215 base maintenance and formally holding the privilege for aircraft painting (complete aircraft, in opposition to paint touch-ups) may subcontract a part of such an activity for such an aircraft.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

A note is added to provide an example to clarify the conditions allowing subcontracting.

response

See Section 1.

comment

513

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Pages 106-107/170, AMC1 145.A.75(b) Privileges of the organisation

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraph 3.1. and 3.4. of this AMC to read:

“3. FUNDAMENTALS OF ~~SUBCONTRACTING~~ ~~SUB-CONTRACTING~~ UNDER PART-145
3.1. The fundamental reasons for allowing an organisation approved under Part-145 to ~~subcontract~~ **subcontract** certain maintenance tasks are:

(a) To permit the acceptance of specialised maintenance services, such as, but not limited to, plating, heat treatment, plasma spraying, **aircraft painting**, fabrication of specified parts for minor repairs / modifications, etc., **by organisations** without the need for direct approval **of those organisations** by the competent authority ~~in such cases~~.



(b) To permit the acceptance of aircraft maintenance up to but not including a base maintenance check as specified in point 145.A.75(b) by organisations not appropriately approved under Part-145 when it is unrealistic to expect direct approval of those organisations by the competent authority. The competent authority will determine when it is unrealistic, but in general, it is considered unrealistic if only one or two approved maintenance organisations intend to use the subcontracted subcontract organisation.

(c) To permit the acceptance of component maintenance by organisations not appropriately approved under Part-145 when it is unrealistic to expect direct approval of those organisations by the competent authority. The determination of unrealistic is as per sub-paragraph (b).

(d) To permit the acceptance of engine maintenance up to but not including a workshop maintenance check or overhaul of an engine or engine module as specified in point 145.A.75(b) by organisations not appropriately approved under Part-145 when it is unrealistic to expect direct approval of those organisations by the competent authority. The determination of unrealistic is as per sub-paragraph (b).

[...]

3.4. The organisation may find it necessary to include several specialist subcontractors subcontractors to enable it to be approved to completely certify the release to service of a particular maintenance product. Examples could be specialist for welding, electroplating, painting, etc. To authorise the use of such subcontractors, the competent authority will need to be satisfied that the organisation has the necessary expertise and procedures to control such subcontractors sub-contractors.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Aircraft painting is added to the paragraph (a) as the classification of this activity is a recurrent question.

The condition given in the paragraphs (b) and (d) is added to the paragraph (c) in order prevent the situation of all C-rated AMO returning to the competent authority their organisation approval certificate (A-rated AMO could accept component maintenance from any maintenance organisation).

Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a).

response

See Section 1.

comment

514

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Pages 106-107/170, AMC1 145.A.75(b) Privileges of the organisation

2. PROPOSED TEXT / COMMENT:

The paragraphs 3.1.(b), (c), and (d) read directly or by reference:

“[...] To permit the acceptance of [aircraft/engine/component] maintenance [...] by organisations not appropriately approved under Part-145 when it is unrealistic to expect direct approval of those organisations by the competent authority. The competent authority will determine when it is unrealistic, but in general, it is considered unrealistic if only one or two approved maintenance organisations intend to use the subcontracted organisation.”



How does a competent authority determine that it is unrealistic to expect direct approval of organisations when they may provide maintenance services to multiple AMO located in different Member States for example (i.e. beyond the jurisdiction of the competent authority)? Is there an exchange of information on this matter between the Agency and the national competent authorities as prescribed in the Article 72 of the Regulation (EU) 2018/1139?

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The Regulation (EU) 2018/1139 aims to facilitate a level playing field for all actors in the internal aviation market. In order to ensure such a level playing field, the Agency and the national competent authorities should exchange the list of organisations not appropriately approved under Part-145 providing maintenance services to AMO under their respective jurisdiction (on the basis of the lists of subcontractors included in the MOEs they approved).

This information is relevant to the other national competent authorities for the performance of their tasks under this Regulation. It is also relevant to AMOs that intend to evaluate prospective subcontractors (in order to prevent unnecessary expenditure) in accordance with the paragraph 4. of this AMC.

response

See Section 1.

comment

515

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 108/170, AMC1 145.A.75(b) Privileges of the organisation

2. PROPOSED TEXT / COMMENT:

It is proposed to amend the paragraphs 4.2. and 4.3. of this AMC to read:

“4.2. The organisation approved under Part-145 needs to assess to what extent it will use the ~~sub-contractor~~ subcontractor’s ~~resources~~ ~~facilities~~. As a general rule, the organisation should require its own paperwork, ~~approved maintenance~~ data and ~~material/spare parts components~~ to be used, but it could permit the use of ~~facilities, equipment and~~ tools, ~~equipment~~ and personnel from the ~~sub-contractor~~ subcontractor as long as such ~~facilities, equipment and~~ tools, ~~equipment~~ and personnel meet the requirement of Part-145. In the case of ~~sub-contractors~~ subcontractors who provide specialised services, it may for practical reasons be necessary to use their ~~facilities~~, specialised services personnel, ~~approved maintenance~~ data, and ~~equipment and tools-materials~~, subject to acceptance by the organisation approved under Part-145.

4.3. Unless the ~~sub-contracted~~ subcontracted maintenance work can be fully inspected on receipt by the organisation approved under Part-145, it will be necessary for such organisations to supervise the inspection and release from the ~~subcontractor-subcontractor~~. Such ~~control~~ activities should be fully described in the organisation’s procedures. The organisation will need to consider whether to use its own ~~personnel staff~~ or to authorise the ~~sub-contractor~~ subcontractor’s ~~personnel staff~~.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

It is proposed to delete the reference to ‘material’ and ‘spare parts’. References to the following points is made for using the corresponding titles:

- 145.A.25 for facilities,



response	<ul style="list-style-type: none"> - 145.A.30 for personnel, - 145.A.40 for equipment and tools, - 145.A.45 for maintenance data, and - 145.A.42 for components <p>See Section 1.</p>
comment	<p>516 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 108/170, AMC1 145.A.75(b) Privileges of the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraphs 4.4. and 4.6. of this AMC to read: “4.4. The certificate of release to service certification of maintenance may be issued carried out either at the subcontractor’s subcontractor or at the organisation’s facility, as appropriate, by certifying staff issued holding a certification authorisation issued in accordance with points 145.A.30 and 145.A.35 as appropriate, by the organisation approved under Part-145. Such certifying staff would normally come from the organisation approved under Part-145, but may otherwise be a person from the subcontractor sub-contractor who meets the approved maintenance organisation certifying staff standard, which itself is approved by the competent authority via the MOE maintenance organisation exposition. The certificate of release to service and the EASA Form 1 certification of maintenance will always be issued carried out under the maintenance organisation approval reference. [...] 4.6. The Part-145 quality audit compliance monitoring personnel staff will need to audit the subcontract sub-contract control function section and sample audit sub-contractors subcontractors unless this task is already carried out by the quality audit compliance monitoring personnel staff as stated in sub-paragraph 4.1.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete the reference to ‘certificate of release to service’. References to the following points is made for using the corresponding titles:</p> <ul style="list-style-type: none"> - 145.A.30 for personnel, - 145.A.35 for certifying staff and support staff, and - 145.A.50 for certification of maintenance <p>See Section 1.</p>
comment	<p>517 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 108/170, AMC1 145.A.75(b) Privileges of the organisation</p> <p>2. PROPOSED TEXT / COMMENT: The paragraph 4.4. of this AMC indicates that the certifying staff would normally come from the AMO, but may otherwise be a person from the subcontractor who meets the AMO certifying staff standard, which itself is approved by the competent authority via the MOE.</p>



Can the EASA confirm that there is no incompatibility/inconsistency of this AMC with the French law?

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

Under the French law, the company subcontracting activities is not allowed to exercise authority or supervision over the personnel of subcontracted companies. Such personnel must be independent in the carrying out of the subcontracted activities.

If it can be demonstrated that a subordination link exists between the personnel actually carrying out the activities (employed by the subcontracted company) and the company subcontracting the activities (i.e. the AMO), this company may be required to (directly) employ this personnel: given that control, French courts may recognise the contract as a contract of employment of indefinite duration and ask for the conversion.

The point 145.A.30(e) imposes on the AMO to control the competences of personnel. The AMC1 145.A.30(e) asks for control procedures for this purpose for personnel involved in maintenance whether employed or (sub/)contracted.

On one hand, if the organisation complies with the provisions of Part-145, it exposes the AMO to possible civil sanctions. On the other hand, if the organisation complies with the provisions of French law, it exposes the AMO to a possible loss of control with respect to the subcontracted activities, and therefore to a finding by the competent authority.

One may consider acceptable to entrust subcontracted companies to assess the competences of certain kinds of maintenance personnel (the AMO provides the subcontracted company with its standards). However, it is believed that such an assessment for support staff and certifying staff should remain under the direct and exclusive control of the AMO to prevent any loss of control or dilution of responsibilities.

Finally, the Regulator should ensure that the possibility for an AMO to subcontract certain maintenance tasks is not at risk, regardless the Member State where the AMO has its principal place of business.

response

See Section 1.

comment

518

comment by: AIRBUS

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Page 109/170, GM1 145.A.75(b) Maintenance organisation exposition (MOE)

2. PROPOSED TEXT / COMMENT:

It is proposed to deleted this GM.

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

One may ask why the possibility to perform maintenance as a subcontractor should not be offered to organisations appropriately approved to carry out the involved maintenance. A simple answer is because the (sub)contracted party could and should exercise the privileges it holds to certify the maintenance it has performed.

The fundamental reasons for allowing an AMO to subcontract certain maintenance tasks are reminded in the paragraph 3.1. of the AMC1 145.A.75(b). There are mainly



linked to the acceptance of maintenance performed by organisations not appropriately approved:

(a) for specialised maintenance services (e.g. plating, heat treatment, plasma spraying), this may be justified on the basis that requiring such organisations to be approved could turn them off the aviation industry sector (due to the costs and burden associated with obtaining and maintaining an approval versus benefits, in comparison with other industry sectors such as car/truck industry). In the end, this could have detrimental effects on aviation industry, some services becoming unavailable.

(b) for aircraft or engine maintenance (limited scope) [and component maintenance should be added], when it is unrealistic to expect direct approval of those organisations by the competent authority. This may be justified, for example, in the case of a supplier building an aircraft structural section for an aircraft manufacturer. Such a supplier may want to participate in the maintenance activities involving this structural section (with the aim to improve the product) for which the aircraft manufacturer AMO is contracted.

Therefore, there are some justifications to allow an AMO to subcontract certain maintenance tasks to organisations not appropriately approved.

No reasonable justification has been found to allow an AMO to subcontract certain maintenance tasks to another AMO: the person or organisation responsible for the aircraft continuing airworthiness can directly contract this latter AMO (make organisations more responsible and prevent the phenomenon of empty shell organisations).

Offering this possibility is in contradiction with the principle of the Article 4(1)(a) of the Basic Regulation and puts an unnecessary risk on the objective to establish and maintain a high uniform level of civil aviation safety: e.g. when the reason to subcontract maintenance is the absorption of workload peaks (may indicate some issues with point 145.A.47(a), in case of recurrence), the organisation may be pushed to its capacity limits. The possibility to contract should always be preferred to the subcontracting solution.

This understanding is based on the Regulation (EU) 2018/1139, which establishes the ordinary arrangements in its Article 15(2): “an approval shall [...] be required in respect of [...] organisations responsible for the maintenance and continuing airworthiness management of products, parts and non-installed equipment”.

The Article 15(2) and the Article 17(1)(b) provide an exemption clause “for the situations in which such approvals are not to be required”, “taking into account the objectives and principles set out in Articles 1 and 4, and in particular the nature and risk of the activity concerned”. The derogation mode aims to address cases like those introduced earlier in (a) and (b).

When organisations are appropriately approved to carry out maintenance, they can and should (it is just a matter of contract) exercise the privileges they hold to certify the maintenance they have performed.

response

See Section 1.

GM1 145.A.75(b) Privileges of the organisation

p. 109

comment 445

comment by: FNAM



	<p>FNAM agrees that subcontracting activities to an approved Part-145 organization should be performed under the SMS of the contracting Part-145 organization. In order to ensure an efficient implementation of this disposal, FNAM suggests that only the link between the two SMS of the two Part-145 organizations should be sufficient to ensure the safety.</p>
response	<p>See Section 1.</p>
comment	<p>978 comment by: <i>Lufthansa Technik</i></p> <p>Very good!</p>
response	<p>See Section 1.</p>

AMC1 145.A.85 Changes to the organisation

comment	<p>446 comment by: <i>FNAM</i></p> <p>(a) Depending on the amendment, FNAM fears that 30 days will not be sufficient to provide a sound demonstration for the amendment of the certificate. Moreover, FNAM suggests a deadline should also be required to the competent authority since delays of approval answer may engage the safety of Part-145 activities. For example, since the competent authority has received proposals by the organization 30 days before the date of their application, the competent authority should provide an answer within 20 days.</p>
response	<p>See Section 1.</p>
comment	<p>447 comment by: <i>FNAM</i></p> <p>(b) FNAM agrees that deadline may be required to Part-145 organizations in order to ensure acceptable period of study and work for the competent authority. Moreover, FNAM suggests a deadline should also be required to the competent authority since delays of approval answer may engage the safety of Part-145 activities. For example, since the competent authority has received proposals by the organization 20 days before the date of their application, the competent authority should provide an answer within 15 days.</p>
response	<p>See Section 1.</p>
comment	<p>448 comment by: <i>FNAM</i></p> <p>(c) FNAM agrees that in case unforeseen cases, no deadline should be required for Part-145 organizations.</p>
response	<p>See Section 1.</p>
comment	<p>528 comment by: <i>AIRBUS</i></p>



	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 109/170, AMC1 145.A.85 Changes to the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “APPLICATION TIME FRAMES (a) The application for the amendment of an organisation approval certificate should be submitted at least 30 working days before the date of the intended changes. (b) In the case of a planned change of a nominated person, the organisation should inform the competent authority at least 20 working days before the date of the proposed change. (c) Unforeseen changes should be notified at the earliest opportunity, in order to enable the competent authority to determine whether there is continued compliance with the applicable requirements, and to amend, if necessary, the organisation approval certificate and the related terms of approval. None of these time frames allows the organisation to implement any provision of the related changes before the receipt of a formal approval, unless some conditions have been prescribed by the competent authority under 145.B.330(b).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For sake of consistency with comments on the point 145.A.20. A clarification has been found necessary to show in this AMC the link between the application time frames for a change and the prerequisite to the implementation of a change.</p>
response	See Section 1.

comment	<p>1030 comment by: <i>Aeronautical Repair Station Association</i></p> <p>Aeronautical Repair Station Association Comment #9. AMC1 145.A.85-Changes to the organisation. Page 109.</p> <p>Point AMC1 145.A.85(c) recognizes that certain changes to an organisation requiring prior approval may be “unforeseen” and requests notification at “the earliest opportunity”. While ARSA is pleased to see a recognition of this fact in the AMC, as stated in comments 3 and 4 above, ARSA is concerned that the regulations themselves do not acknowledge that certain circumstances may prevent the organisation from seeking prior approval.</p>
response	See Section 1.

AMC2 145.A.85 Changes to the organisation	p. 109-110
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comment	<p>230 comment by: <i>DGAC France</i></p> <p>A risk assessment should not be needed for all changes, even for change requiring prior approval. So we suggest to modify the text as follows : "it should conduct, when needed, a safety risk assessment and provide it to the competent authority upon request".</p>
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response	See Section 1.	
comment	449	comment by: <i>FNAM</i>
	FNAM agrees that the safety risk assessment should be provided to the competent authority upon request.	
response	See Section 1.	
comment	1008	comment by: <i>Duane Kritzinger</i>
	Change may introduce new hazards or threaten the existing level of risk - any change must be evaluated to determine such. The terms safety risks induces a Probability vs Severity assessment!	
response	See Section 1.	

GM1 145.A.85 Changes to the organisation

p. 110

comment	529	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 110/170, GM1 145.A.85 Changes to the organisation</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to delete this GM.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: No added value found in this GM.</p>	
response	See Section 1.	

GM1 145.A.85(a)(1) Changes to the organisation

p. 110

comment	72	comment by: <i>KLM Engineering & Maintenance</i>
	Ref. number (5). KLM E&M is of the opinion that it is not to the Competent Authority to agree or not to agree with the organisations' Safety Policy: the Safety Policy is a unique and inalienable property of the organization.	
response	See Section 1.	
comment	231	comment by: <i>DGAC France</i>
	The item (4) is already included in the 145.A.85 (a)(2), so it should be deleted here.	
	In addition, item (6) should be rewritten as follows : "the facilities location "	
response	See Section 1.	



comment	<p>450 comment by: <i>FNAM</i></p> <p>EASA is listing the changes that may affect the scope of the certificate or the terms of approval.</p> <p>In particular, the safety policy is listed. FNAM wonders how safety policy may affect the scope of the certificate or the terms of approval. A safety policy is independent of the approval and the scope and is included into the management system. Since the management system is oversighted by the competent authority, the safety policy should not have an impact on the scope of the certificate of the terms of approval. As a reminder, terms of approval may be the name of the organization, the accountable manager, the principal place of business, the facilities, etc., which cannot be compared to a policy.</p>
response	<p>See Section 1.</p>
comment	<p>831 comment by: <i>SAFRAN AEROSYSTEMS</i></p> <p>"CHANGES THAT MAY AFFECT THE SCOPE OF THE CERTIFICATE OR THE TERMS OF APPROVAL Typical examples of such changes are listed below: (1) the name of the organisation; (2) the organisation's principal place of business; (3) the organisation's scope of work; (4) the accountable manager referred to in point 145.A.30(a); (5) the safety policy; (6) the facilities."</p> <p>Clarify why the safety policy may have impacts on the certificate or the terms of approval ? Why it should get a prior approval by the competent authority before change ?</p> <p>That would put extra administrative burden on its update which is counterproductive to the intent (to keep it up to date).</p> <p>The authority is not supposed to specifically approve the safety policy of the organisation, therefore this item should not be in this list.</p> <p>see AMC1 145.A.200(a)(2) Management system (6) be periodically reviewed to ensure it remains relevant and appropriate for the organisation.</p> <p>Recommendation is to delete this item (5).</p>
response	<p>See Section 1.</p>
comment	<p>979 comment by: <i>Lufthansa Technik</i></p> <p>GM1 145.A.85(a)(1) (4) "Accountable Manager":</p> <p>Other than in case of nominated persons the Accountable Manager does not have to be approved by the Competent Authority i.a.w. 145.A.30 (a). This change has to be reported, but does not require "prior approval"</p>
response	<p>See Section 1.</p>
comment	<p>980 comment by: <i>Lufthansa Technik</i></p>

	<p>GM1 145.A.85(a)(1) (6) "Facilities": The term "facilities" leaves too much room for interpretation: Does it mean additional fixed locations? Generally facilities are on the same level than qualified staff, tooling, mtc. data. Does every change of these things require prior approval? Either the term "facilities" should be removed from this list or specified, what conditions/types of changes exactly have to be reported in this regard. We would recommend to remove facilities from this list.</p>
response	See Section 1.
comment	<p>985 comment by: DGAC France</p> <p>DGAC suggests to remove the words "safety policy" from the list as it does not affect directly the scope of the certificate or the terms of approval.</p>
response	See Section 1.
comment	<p>1031 comment by: Aeronautical Repair Station Association</p> <p>Aeronautical Repair Station Association Comment #10. GM1 145.A.85(a)(1) – Changes to the organisation. Page 110.</p> <p>This section lists as "changes that may affect the certificate or the terms of approval" many items that were previously included in the underlying regulation (145.A.85). We question the rationale for moving these items from the regulation to the guidance material if most of the requirements will effectively stay the same. Including these requirements in 145.A.85 would provide more certainty and clarify for regulated entities. As noted in comments 3 and 4 above, however, ARSA disagrees with the requirement that these items should require the regulator's prior approval.</p>
response	See Section 1.

GM1 145.A.85(b) Changes to the organisation	p. 110-111
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comment	<p>232 comment by: DGAC France</p> <p>Why do we have this GM: the IR should be self explanatory and NAAs should not find other case of change requesting prior approval in the GM.</p>
response	See Section 1.
comment	<p>252 comment by: KLM Engineering & Maintenance</p> <p>KLM E&M concludes that this non-exhaustive list of items does not match the intent of 145.A.85(a) itself. Furthermore, KLM E&M fail to see the need for this GM: at least for the points (c) thru (g) the Appendix II already stipulates that there be a control procedure in the MOE. Therefore a repetitive prior approval request is unnecessary and out of the question.</p>



response	See Section 1.
comment	<p>981 comment by: <i>Lufthansa Technik</i></p> <p>GM1 145.A.85(b) (j): To our understanding safety performance is assessed by the competent authority and not "reported" by the organisation.</p>
response	See Section 1.

GM1145.A.85(c) Changes to the organisation

p. 111

comment	<p>234 comment by: <i>DGAC France</i></p> <p>In order to clarify the scope of this point, we suggest to modify the title as follows : "CHANGES NOT REQUIRING PRIOR APPROVAL BY THE COMPETENT AUTHORITY"</p>
response	See Section 1.

AMC1 145.A.95 Findings

p. 111-112

comment	<p>589 comment by: <i>Le Blanc</i></p> <p>GM1 145.A.95 This GM enhance the necessity of root cause analysis to address the findings is a good point.</p>
response	See Section 1.

GM1 145.A.95 Findings

p. 112

comment	<p>688 comment by: <i>SAFRAN LS</i></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">GM1 145.A.95</td> <td style="width: 10%;">112/170</td> <td>This GM enhance the necessity of root cause analysis to address the findings is a good point.</td> </tr> </table>	GM1 145.A.95	112/170	This GM enhance the necessity of root cause analysis to address the findings is a good point.
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response	See Section 1.			
comment	<p>777 comment by: <i>ASD</i></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">GM1 145.A.95</td> <td style="width: 10%;">112/170</td> <td>This GM enhance the necessity of root cause analysis to address the findings is a good point.</td> </tr> </table>	GM1 145.A.95	112/170	This GM enhance the necessity of root cause analysis to address the findings is a good point.
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response See Section 1.

AMC1145.A.120 Means of compliance

p. 112

comment 73 comment by: *KLM Engineering & Maintenance*
 It is "over the top" to require a risk assessment for the application for approval of each and every alternative means of compliance. One of the most characteristic features under the Management of Change is that a risk assessment is only performed when the change has been determined to be significant.

response See Section 1.

comment 235 comment by: *DGAC France*
 We suggest to add in paragraph (a) the following : "In order to demonstrate that the implementing rules are met, a risk assessment should **be performed if necessary**, completed and documented"

response See Section 1.

comment 883 comment by: *Cengiz Turkoglu*
 Paragraph (a) may require clarification. I assume this is only applicable to AMOC and not the demonstration of compliance with the entire regulation.

 So my proposed text is as follows

 Demonstration of Compliance
 (a) In order to demonstrate that the Alternative Means of Compliance to the AMC adopted by the Agency will meet the intent of the implementing rules, a risk assessment should be completed and documented. The purpose of the risk assessment is to identify the possibilities of the proposed AMOC not achieving the intent of the regulation even though it is effectively implemented.

response See Section 1.

comment 1009 comment by: *Duane Kritzinger*
 Is this adequate info? There could be lots of gaps in understanding in industry here. The term "risk assessment" can be misunderstood. Is this not the purpose of the Exposition?

response See Section 1.

GM1 145.A.200 Management system

p. 112-115



comment	117	comment by: <i>General Aviation Manufacturers Association</i>
	Section GM1 145.A.200(a): The statement: "...clearly defined lines of responsibility and accountability throughout the organisation, including a direct safety accountability of the accountable manager;" - This statement should be replaced with "clearly defined accountability and lines of responsibility throughout the organisation, including a direct safety accountability of the accountable manager;". This revised statement correctly aligns and is consistent with GM2 145.A.200(a)(1).	
response	See Section 1.	
comment	236	comment by: <i>DGAC France</i>
	In the first paragraph we suggest to modify the text as follows : "Safety management enables an organisation to manage its activities in a more systematic and focused manner by considering the potential risks if any "	
	In the third paragraph, the word "quality" should be avoid in order to not make confusion with one of the current element of the management system, the compliance monitoring system previously called "quality system".	
response	See Section 1.	
comment	536	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 112-115/170, GM1 145.A.200 Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to move the contents of this GM into the Opinion or a Safety Promotion Material.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The two and a half pages of generalities (amongst the 17/18 pages of AMC/GM for point 145.A.200) are not suitable for AMC/GM, particularly with wordings such as "compared with the previous Part-145 quality system 'framework', the new elements that are introduced are". This kind of wording should be avoided because at the next revision of Part-145, this text will need an amendment. Further, placing these contents in a Safety Promotion Material will allow to elaborate on some matters such as the Emergency Response Plan or to remind that the new management system of point 145.A.200 incorporates the existing quality system of point 145.A.65 in an integrated management system. It is suggested to make reference to the just and fair culture as defined in the Regulation (EU) No 376/2014 when discussing a 'fair and just way'.</p>	
response	See Section 1.	
comment	590	comment by: <i>Le Blanc</i>



response	<p>GM1 145.A.200 The statement “This approach is intended to encourage organisations to embed safety management and risk-based decision-making into all their activities, instead of superimposing another system onto their existing management system and governance structure” should be better specified because it sound a little bit odd to talk about risk-based approach for a Part 145</p> <p>See Section 1.</p>			
comment	<p>591 comment by: <i>Le Blanc</i></p> <p>GM1 145.A.200 (p.115) In the third line of the page when referring to ‘fair and just way’, it is suggested to mention the just and fair culture with a cross reference to Regulation (EU) No 376/2014</p> <p>Suggested resolution: For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.</p>			
response	<p>See Section 1.</p>			
comment	<p>610 comment by: <i>Baines Simmons</i></p> <p>GM1 145.A.200 Management System, General on Page 113 states that "This approach is intended to encourage organisations to embed safety management and risk-based decision-making into all their activities, instead of superimposing another system onto their existing management system and governance structure."</p> <p>This is a very clear message which should ensure that efficiencies are maintained when implementing this approach.</p>			
response	<p>See Section 1.</p>			
comment	<p>689 comment by: <i>SAFRAN LS</i></p> <table border="1" data-bbox="391 1451 1390 1709"> <tr> <td data-bbox="391 1451 531 1709">GM1 145.A.200</td> <td data-bbox="531 1451 646 1709">113/170</td> <td data-bbox="646 1451 1390 1709">The statement “<i>This approach is intended to encourage organisations to embed safety management and risk-based decision-making into all their activities, instead of superimposing another system onto their existing management system and governance structure</i>” should be better specified because it sound a little bit odd to talk about risk-based approach for a Part 145</td> </tr> </table>	GM1 145.A.200	113/170	The statement “ <i>This approach is intended to encourage organisations to embed safety management and risk-based decision-making into all their activities, instead of superimposing another system onto their existing management system and governance structure</i> ” should be better specified because it sound a little bit odd to talk about risk-based approach for a Part 145
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response	<p>See Section 1.</p>			
comment	<p>778 comment by: <i>ASD</i></p>			

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response	See Section 1.														
comment	<p>780 comment by: ASD</p> <table border="1"> <tr> <td>GM1 145.A.200</td> <td>115/170</td> <td>In the third line of the page when referring to ‘fair and just way’, it is suggested to mention the just culture with a cross reference to Regulation (EU) No 376/2014</td> <td>For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.</td> </tr> </table>	GM1 145.A.200	115/170	In the third line of the page when referring to ‘fair and just way’, it is suggested to mention the just culture with a cross reference to Regulation (EU) No 376/2014	For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.										
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response	See Section 1.														
comment	<p>829 comment by: SAFRAN AEROSYSTEMS</p> <p>The statement “This approach is intended to encourage organisations to embed safety management and risk-based decision-making into all their activities, instead of superimposing another system onto their existing management system and governance structure” should be better specified because it sound a little bit odd to talk about risk-based approach for a Part 145</p> <p>While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p> <p>Move the AMC to GM.</p>														
response	See Section 1.														
comment	<p>897 comment by: Rolls-Royce plc</p> <table border="1"> <thead> <tr> <th>RR Comment</th> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/</th> <th>Comment is substantive/</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	RR Comment	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/	Comment is substantive/							
RR Comment	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/	Comment is substantive/									



					suggestion*	objection*
	GM1 145.A.200	Page 115	In the third line of the page when referring to 'fair and just way', we suggest using the term 'just culture' and referencing Regulation (EU) No 376/2014	Consistent terminology and cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.	Yes	No
response	See Section 1.					

comment

955

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 145.A.200	113/170	The statement <i>"This approach is intended to encourage organisations to embed safety management and risk-based decision-making into all their activities, instead of superimposing another system onto their existing management system and governance structure"</i> should be better specified because it sound a little bit odd to talk about risk-based		X	



		approach for a Part 145			
response	See Section 1.				
comment	1010	comment by: Duane Kritzinger			
	<p>Safety management is about the reduction and maintaining of safety [safety risk] to an acceptable [ALARP] level. That involves effective intent based compliance, reporting, investigations, safety risk assessments. In a part 145 most is already required by regulation. The term SRM here seems to be contained to reporting of hazards and based on a PvsS, mitigation of the 'risk'. This is at odds with ALARP. Equally it refers to the productivity and organiaastional benefits; must be clear that the objective of SRM is about safety risk reduction to ALARP irrespective of organisational financial health/resources etc and that benefits are just that. It is recognised however that there are benefits beyond just being safe.</p>				
response	See Section 1.				

AMC1 145.A.200(a)(1) Management system

p. 115-116

comment	194	comment by: FAA
	<p>GM1 145.A.200(a) 1</p> <p>(b) Safety review board</p> <p>We have no requirements for companys to have a safety review Board. Although most do. I think this could be an issue in our surveillance expectations. Part 5 (U.S. SMS regulation) defines process based requirements and a further requirement that sufficient competent personnel be allocated to perform these functions. We do not specify how these personnel are organized ot accomplish them.</p>	
response	See Section 1.	
comment	197	comment by: FAA
	<p>AMC 1 145.A.200(a) 3</p> <p>SAFETY MANAGEMENT KEY PROCESSES (a) Hazard identification processes</p> <p>I don't see a System Description seems they begin with the Hazard. This could cause confusion for 145's with both FAA Voluntary program and EASA certification</p>	
response	See Section 1.	



comment	<p data-bbox="379 208 432 237">237</p> <p data-bbox="1059 208 1385 237" style="text-align: right;">comment by: <i>DGAC France</i></p> <p data-bbox="379 264 1391 367">If paragraph (a) covers the “safety manager”, it should also consider “compliance monitoring manager” both attached directly to the accountable manager OR to refer to one “management system manager”.</p> <p data-bbox="379 409 1391 477">In paragraph (d), we suggest to replace "any other relevant person" by "designated person by the safety manager" to be consistent with the others points.</p> <p data-bbox="379 517 1391 620">The "safety review board" is only introduced at the level of this AMC. We have some difficulties to clearly differentiate this safety review board with the existing quality meeting.</p>
response	<p data-bbox="379 645 552 674" style="background-color: #FFD700;">See Section 1.</p>
comment	<p data-bbox="379 741 432 770">537</p> <p data-bbox="1128 741 1385 770" style="text-align: right;">comment by: <i>AIRBUS</i></p> <p data-bbox="379 797 1206 864">1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 115-116/170, AMC1 145.A.200(a)(1) Management system</p> <p data-bbox="379 904 807 934">2. PROPOSED TEXT / COMMENT:</p> <p data-bbox="379 943 887 972">It is proposed to amend this AMC to read:</p> <p data-bbox="379 981 887 1010" style="background-color: #D3D3D3;">“ORGANISATION AND ACCOUNTABILITIES</p> <p data-bbox="379 1019 427 1048">[...].</p> <p data-bbox="379 1057 679 1086">(b) Safety review board</p> <p data-bbox="379 1095 1391 1162">(1) The safety review board should be a high-level committee that considers matters of strategic safety in support of the accountable manager’s safety accountability.</p> <p data-bbox="379 1171 1391 1261">(2) The board should be chaired by the accountable manager and composed of the heads of the functional areas management structure referred to in the AMC1 145.A.30(b).</p> <p data-bbox="379 1270 427 1299">[...]</p> <p data-bbox="379 1308 1391 1397">(c) The safety review board should ensure that appropriate resources identified by the system required in point 145.A.47 are allocated to achieve the established safety objectives.</p> <p data-bbox="379 1406 443 1435">[...].”</p> <p data-bbox="379 1476 1137 1505">3. RATIONALE / REASON / JUSTIFICATION for the Comment:</p> <p data-bbox="379 1514 1391 1581">The term ‘heads of the functional areas’ is not defined and has been found ambiguous. Reference to the AMC1 145.A.30(b) eliminates this ambiguity.</p> <p data-bbox="379 1590 1391 1657">The reference to point 145.A.47 makes explicit the relationship between a measurable activity and the nature & quantity of all necessary resources.</p>
response	<p data-bbox="379 1682 552 1711" style="background-color: #FFD700;">See Section 1.</p>
comment	<p data-bbox="379 1778 432 1807">635</p> <p data-bbox="608 1778 1385 1807" style="text-align: right;">comment by: <i>Jean6francois RANNOU SAFRAN Helicopter Engines</i></p> <p data-bbox="379 1834 1391 1973">While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p>

	Suggested resolution: Move the AMC to GM.		
response	See Section 1.		
comment	690	comment by: SAFRAN LS	
	AMC1 145.A.200 (a)(1) to (a)(5)	115to 127/170	While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.
			Move the AMC to GM.
response	See Section 1.		
comment	691	comment by: SAFRAN LS	
	GM1 145.A.200	115/170	In the third line of the page when referring to 'fair and just way', it is suggested to mention the just and fair culture with a cross reference to Regulation (EU) No 376/2014
			For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.
response	See Section 1.		
comment	779	comment by: ASD	
	AMC1 145.A.200 (a)(1) to (a)(5)	115 to 127/170	While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.
			Move the AMC to GM.
response	See Section 1.		
comment	887	comment by: Rolls-Royce plc	



Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
AMC1 145.A.200 (a)(1) to (a)(5)	Pages 115	While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.	Move the AMC to GM, and prioritise performance-based requirements in AMC.	No	Yes

response

See Section 1.

comment

892

comment by: *Cengiz Turkoglu*

AMC1 145.A.200(a)(1) Management system
(b) Safety review board

.....
.....
.....

(4) The safety review board ~~may~~ **should** also be tasked with:

Certain EU regulations do not require the SRB to focus on compliance issues (typical management review function of the QMS) So it is vital that the traditional QMS/Compliance monitoring system output is reviewed by the top/senior management and integrating this function within the scope of SRB makes perfect sense. It shouldn't be a maybe. It should be an essential part of the SRB agenda.

response

See Section 1.

comment

956

comment by: *SAFRAN TRANSMISSION SYSTEMS*



Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 145.A.200 (a)(1) to (a)(5)	115 to 127/170	While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.	Move the AMC to GM.		X
<p>response See Section 1.</p>					

comment

957

comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
GM1 145.A.200	115/170	In the third line of the page when referring to 'fair and just way', it is suggested to mention the just and fair culture with a cross reference to Regulation (EU) No 376/2014	For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.	X	

response

See Section 1.



comment	1041	comment by: <i>Thales</i>
	<p>While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p> <p>Suggested resolution: move the AMC to GM</p>	
response	See Section 1.	

GM1 145.A.200(a)(1) Management system

p. 116

comment	451	comment by: <i>FNAM</i>
	<p>FNAM thanks for detailing the safety action group into a GM. Due to little resources, the safety action group cannot be implemented into Small and Medium Enterprises. In that way, FNAM suggests introducing a possibility for Small and Medium Enterprises into a dedicated GM (see comments GM1 145.A.10 Scope). For example, persons in charge of the monitoring function and in charge of the SMS could manage the role and responsibilities of the safety action group.</p>	
response	See Section 1.	

GM2 145.A.200(a)(1) Management system

p. 116-117

comment	195	comment by: <i>FAA</i>
	<p>GM1 145.A.200(a) 1</p> <p>Safety Action Group</p> <p>We have no requirements for company s to have a safety action group. Although most do. I think this could be an issue in our surveillance expectations. See comment #27. Part 5 is a process based regulation that specifies certain processes and responsibilities but is not prescriptive regarding organizational units or structures to accomplish the required processes.</p>	
response	See Section 1.	
comment	196	comment by: <i>FAA</i>
	<p>MEANING OF THE TERMS 'ACCOUNTABILITY' AND 'RESPONSIBILITY'In the English language, the notion of accountability is different from the notion of responsibility. Whereas 'accountability' refers to an obligation which cannot be delegated, 'responsibility' refers to an obligation that can be delegated</p> <p>Wow they got this totally backwards we don't delegate Responsibility we can delegate Authority DNA - actually not. Accountability and responsibility are</p>	



	<p>commonly used interchangeably. For example, in Black's Law Dictionary, a common legal reference, the first definition under, "accountable," is, "responsible." I can't find a credible legal reference to what can be delegated or what cannot but a bigger issue would seem to be the idea that the safety manager, who is normally in a supporting role, can substitute for a group of people, whom seem to represent management officials with operational authority. Safety management needs to be done by those who are responsible for the operations where risk exists.</p>
response	See Section 1.
comment	<p>539 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 116/170, GM2 145.A.200(a)(1) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the definitions given in this GM and then, to move them into the GM1 to Annex II: “MEANING OF THE TERMS ‘ACCOUNTABILITY’ AND ‘RESPONSIBILITY’ In the English language, the notion of accountability is different from the notion of responsibility. Whereas ‘accountability’ refers to an obligation which cannot be delegated, ‘responsibility’ refers to an obligation that can be delegated. Accountability is an obligation which cannot be delegated Responsibility is an obligation that can be delegated”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The contents of this GM, once slightly reworded, should be introduced in the GM1 to Annex II as they apply throughout this Regulation.</p>
response	See Section 1.

AMC1 145.A.200(a)(2) Management system	p. 117-118
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comment	<p>452 comment by: FNAM</p> <p>(d) The definition of “safety objectives” may not be clear for all organizations. Therefore, FNAM suggests that a non-exhaustive list of examples could be provided to a GM.</p>
response	See Section 1.
comment	<p>538 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 117/170, AMC1 145.A.200(a)(2) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraph (c) of this AMC to read:</p>



	<p>“(c) Senior management The safety review board, and in particular the heads of the management structure referred to in the AMC1 145.A.30(b), should continually promote the safety policy to all personnel, demonstrate its commitment to it, and the accountable manager should provide necessary human and financial resources for its implementation.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The notion of ‘senior management’ is not defined and has been found ambiguous. Reference to the safety review board, the accountable manager and the heads of management structure referred to in the AMC1 145.A.30(b) eliminates this ambiguity.</p>
response	See Section 1.
comment	<p>986 comment by: DGAC France</p> <p>DGAC suggests to add a guidance material with examples of safety objectives.</p>
response	See Section 1.
comment	<p>1041 ❖ comment by: Thales</p> <p>While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p> <p>Suggested resolution: move the AMC to GM</p>
response	See Section 1.

GM1 145.A.200(a)(2) Management system

p. 118

comment	<p>540 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 118/170, GM1 145.A.200(a)(2) Management system</p> <p>2. PROPOSED TEXT / COMMENT: This GM states: “SAFETY POLICY (a) The safety policy is the means whereby the organisation states its intention to maintain and, where practicable, improve safety levels in all its activities and to minimise its contribution to the risk of an aircraft accident or serious incident as far as is <u>reasonably practicable</u>. It reflects the management’s commitment to safety, and should reflect the organisation’s philosophy of safety management, as well as being the foundation on which the organisation’s management system is built. It serves as a reminder of ‘how we do business here’. The creation of a positive safety culture begins with the issuance of a clear, unequivocal policy. [...]</p>
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(c) For organisations that have their principal place of business in a Member State, Regulation (EU) No 376/2014 defines the ‘just culture’ principles to be applied (refer in particular to Article 16(11) of that Regulation).”

Can the EASA define the meaning of the term ‘reasonably practicable’?

Can the EASA define the ‘just culture’ principles for organisations that have their principal place of business outside a Member State? Can the EASA evaluate at the same time the impacts on satellite facilities (of such organisations) that are located within a Member State?

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The term ‘reasonably practicable’ is ambiguous.

The scope of this Regulation is defined in its Article 1. This Regulation “establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto”. What is reasonably practical should not exceed this scope (the management of interfaces with the other aviation domains being included in this scope).

That’s one of the reasons why this regulation should refrain from using the term ‘safety’ without a systematic consideration for the implications for organizations.

Safety cannot be fully described and addressed by the activities related to continuing airworthiness. While the term ‘safety’ is recognized and understood by the aviation community as a part of the global objective to reach, it shall not be confused with the term ‘airworthiness’ that only entails a series of activities necessary but not sufficient to reach the global ‘safety’ objective. Although the inappropriate accomplishment of maintenance activities may impact the full safety chain, the selection of the term ‘safety’ in a specific context should be avoided as it may impose on AMO to investigate on potential consequences (and their severity) beyond the limits of the Regulation (EU) 1321/2014 and their competences.

With respect to the implementation of just culture principles, the GM should not be limited to the case of organisations that have their principal place of business in a Member State. The EASA should also indicate the expectations for organisations that have their principal place of business outside a Member State, with due consideration for their facilities located within a Member State.

response

See Section 1.

AMC1 145.A.200(a)(3) Management system

p. 118-120

comment

9

comment by: *Falcon Aviation Services/Andrew Gardner*

Safety audits should be performed by trained and independent safety auditors in a similar method as the compliance auditors.

response

See Section 1.

comment

10

comment by: *Falcon Aviation Services/Andrew Gardner*

Definition of audit attributes independence. Therefore Safety Audits must be independent as are compliance audits.



response	See Section 1.
comment	<p>238 comment by: DGAC France</p> <p>We suggest to modify the title of item (e) by : “Safety assurance/ The management of change”</p> <p>The same with title of item (f) : “Safety assurance / Continuous improvement of the SMS”</p>
response	See Section 1.
comment	<p>542 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 118/170, AMC1 145.A.200(a)(3) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “SAFETY MANAGEMENT KEY PROCESSES (a) Hazard identification processes (1) [...]. (2) The organisation should in particular focus on: (i) hazards that may be generated from limitations in human performance; and (ii) hazards that may stem from the organisational set-up or the existence of complex operational and maintenance arrangements (such as when multiple organisations are contracted, or when multiple levels of contracting/subcontracting are included); and (iii) hazards that may be generated from technical or industrial limitations. [...]</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is unclear why the hazards related to technical or industrial aspects are not considered. It is believed that the organisation should not focus only on hazards related to human performance and organisational issues. For example: constraints linked to the industrial environment due to other activities in the area (such as commercial/military operations on the airport where the AMO is located).</p>
response	See Section 1.
comment	<p>543 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 119/170, AMC1 145.A.200(a)(3) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “(c) Internal investigation (1) In line with its just culture policy, the organisation should define how to investigate incidents such as errors or near misses, in order to understand not only</p>



	<p>what happened, but also how it happened, to prevent or reduce the probability and/or consequence of future recurrences (refer to AMC1 145.A.202).</p> <p>(2) The scope of internal investigations should extend beyond the scope of the occurrences required to be reported to the competent authority in accordance with point 145.A.60.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: It is proposed to delete reference to ‘near misses’ for consistency with comments on point 145.A.202.</p>
response	See Section 1.
comment	<p>545 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 119-120/170, AMC1 145.A.200(a)(3) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “[...]” (e) Management of change The organisation should manage the safety risks related to a change. The management of change should be a documented process to identify external and internal changes that may have an adverse effect on the safety performance of the organisation, including adverse effects on the continuing airworthiness of aircraft. It should make use of the organisation’s existing hazard identification, risk assessment and mitigation processes. [...].”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The scope of this Regulation is defined in its Article 1. This Regulation “establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto”. Considering ‘an adverse effect on safety’ may significantly exceeds this scope (the management of interfaces with the other aviation domains being included in this scope). That’s one of the reasons why this regulation should refrain from using the term ‘safety’ without a systematic consideration for the implications for organizations. Safety cannot be fully described and addressed by the activities related to continuing airworthiness. While the term ‘safety’ is recognized and understood by the aviation community as a part of the global objective to reach, it shall not be confused with the term ‘airworthiness’ that only entails a series of activities necessary but not sufficient to reach the global ‘safety’ objective. Although an inappropriate change may impact the full safety chain, the selection of the term ‘safety’ in a specific context should be avoided as it may impose on AMO to investigate on potential consequences (and their severity) beyond the limits of the Regulation (EU) 1321/2014 and their competences.</p>
response	See Section 1.
comment	<p>547 comment by: AIRBUS</p>



	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 119-120/170, AMC1 145.A.200(a)(3) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “[...] (g) Immediate safety action and coordination with the operator’s Emergency Response Plan (ERP) (1) Procedures should be implemented that enable the organisation to act promptly when it identifies safety concerns with the potential to have an immediate effect on flight safety the aircraft continuing airworthiness, including clear instructions on who to contact (i.e. the person or organisation responsible for the aircraft continuing airworthiness) at the owner/operator/CAMO, and how to contact them in identified person(s), including outside of normal business hours. These provisions are without prejudice to the occurrence reporting required by point 145.A.60. (2) If applicable, procedures should be implemented to enable the organisation to react promptly if the ERP is triggered by the operator and it requires the support of the Part-145 organisation.” It is recommended to develop GM to explain what is expected from the organisation in terms of reaction in the frame of an operator’s ERP.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The scope of this Regulation is defined in its Article 1. This Regulation “establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto”. Flight safety cannot be covered completely by this scope. Referring to ‘owner/operator/CAMO’ makes unclear who should be contacted. It is not clear what kind of procedure should be implemented in the frame of an operator’s ERP. GM could explain how to document the chapter 3.7 of Part 3 in the MOE.</p>
response	See Section 1.
comment	<p>592 comment by: <i>Le Blanc</i></p> <p>AMC1 145.A.200(a)(3)(g) The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator’s Emergency Response Plan (ERP). It is not clear what kind of ‘procedures’ should be implemented in the frame of the coordination with the operator’s ERP.</p> <p>Suggested resolution: This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation.</p>
response	See Section 1.
comment	<p>692 comment by: <i>SAFRAN LS</i></p>



response	<table border="1"> <tr> <td data-bbox="391 203 539 398">GM1 145.A.200</td> <td data-bbox="539 203 651 398">115/170</td> <td data-bbox="651 203 1077 398">In the third line of the page when referring to 'fair and just way', it is suggested to mention the just and fair culture with a cross reference to Regulation (EU) No 376/2014</td> <td data-bbox="1077 203 1401 398">For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.</td> </tr> </table> <p data-bbox="391 472 560 510">See Section 1.</p>	GM1 145.A.200	115/170	In the third line of the page when referring to 'fair and just way', it is suggested to mention the just and fair culture with a cross reference to Regulation (EU) No 376/2014	For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.
GM1 145.A.200	115/170	In the third line of the page when referring to 'fair and just way', it is suggested to mention the just and fair culture with a cross reference to Regulation (EU) No 376/2014	For consistency cross referring to Regulation (EU) No 376/2014 would be valuable in this paragraph.		
comment	<p data-bbox="391 622 438 656">781</p> <p data-bbox="1168 622 1401 656">comment by: ASD</p> <table border="1"> <tr> <td data-bbox="391 678 630 1227">AMC1 145.A.200(a)(3)(g)</td> <td data-bbox="630 678 742 1227">120/170</td> <td data-bbox="742 678 1077 1227">The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator's Emergency Response Plan (ERP). It is not clear what kind of 'procedures' should be implemented in the frame of the coordination with the operator's ERP.</td> <td data-bbox="1077 678 1401 1227">This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation.</td> </tr> </table> <p data-bbox="391 1301 560 1339">See Section 1.</p>	AMC1 145.A.200(a)(3)(g)	120/170	The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator's Emergency Response Plan (ERP). It is not clear what kind of 'procedures' should be implemented in the frame of the coordination with the operator's ERP.	This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation.
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response	<p data-bbox="391 1451 438 1485">906</p> <p data-bbox="1029 1451 1401 1485">comment by: Cengiz Turkoglu</p> <p data-bbox="391 1507 917 1541">AMC1 145.A.200(a)(3) Management system</p> <p data-bbox="391 1563 454 1574">.....</p> <p data-bbox="391 1585 774 1619">(b) Risk management processes</p> <p data-bbox="391 1619 1401 1720">(1) A formal safety risk management process should be developed and maintained by taking into consideration of relevant human factors and human performance limitations to ensure that there is:</p> <p data-bbox="391 1765 1284 1798">Please don't let the SM to take the limelight off the HF. They are symbiotic.</p> <p data-bbox="391 1816 560 1854">See Section 1.</p>				
comment	<p data-bbox="391 1910 438 1944">987</p> <p data-bbox="1061 1910 1401 1944">comment by: DGAC France</p>				



	<p>It could be stated in this AMC that the decision to perform a risk assessment for different reasons including the changes management (AMC1 145.A.10, AMC1 145.A.25(a), AMC1 145.A.30(c);(ca), AMC1 145.A.30(j)(5), AMC1 145.A.45(d), AMC1 145.A.47(b), AMC1 145.A.75(b), AMC1 145.A.120, AMC2 145.A.85, AMC1 145.A.200(a)(1), AMC1 145.A.200(a)(3), GM1 145.A.200(a)(3), GM2 145.A.200(a)(3), AMC2 145.A.200(a)(6)) should be under the responsibility of the organization. For certain non-significant cases, there is no any justification to perform a risk assessment.</p>
response	See Section 1.
comment	<p>1011 comment by: Duane Kritzinger</p> <p>AMC1 145.A.200(a)(3) : The term hazard and the words used further on in this AMC promote the analysis of likelihood and severity. Such an approach is often not always needed nor objective. Eg. A safety investigation will reveal casual factors. Those CF's were indeed at one point threats and needed managing by the organisation. Such threats are omni present and hence a LvsS discussion adds no value instead the organisation needs to determine why the threats compromised safety risk controls. Equally Organisational failures that result due to human performance and organisational issues should be seen as outcomes [to be investigated] They may also generate threats in the interim; again the aim is to manage them not risk assess them.</p>
response	See Section 1.
comment	<p>1019 comment by: Duane Kritzinger</p> <p>AMC1 145.A.200(a)(3) Management system: Does this represent continuous improvement? More akin to doing more things – not necessarily improving.</p>
response	See Section 1.
comment	<p>1041 ❖ comment by: Thales</p> <p>While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p> <p>Suggested resolution: move the AMC to GM</p>
response	See Section 1.

GM1 145.A.200(a)(3) Management system	p. 120-121
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comment	548 comment by: AIRBUS
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 120-121/170, GM1 145.A.200(a)(3) Management system</p>



	<p>2. PROPOSED TEXT / COMMENT: Airbus fully supports the intent of this GM.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The management of interfaces between organisations is crucial.</p>
response	See Section 1.

comment	707	comment by: SAFRAN LS				
	<table border="1"> <tr> <td>AMC1 145.A.200(a)(3)(g)</td> <td>120/170</td> <td> <p>The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator’s Emergency Response Plan (ERP). It is not clear what kind of ‘procedures’ should be implemented in the frame of the coordination with the operator’s ERP.</p> </td> <td> <p>This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation.</p> </td> </tr> </table>	AMC1 145.A.200(a)(3)(g)	120/170	<p>The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator’s Emergency Response Plan (ERP). It is not clear what kind of ‘procedures’ should be implemented in the frame of the coordination with the operator’s ERP.</p>	<p>This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation.</p>	
AMC1 145.A.200(a)(3)(g)	120/170	<p>The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator’s Emergency Response Plan (ERP). It is not clear what kind of ‘procedures’ should be implemented in the frame of the coordination with the operator’s ERP.</p>	<p>This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation.</p>			
response	See Section 1.					

comment	898	comment by: Rolls-Royce plc												
	<table border="1"> <thead> <tr> <th>Section, table, figure</th> <th>Page</th> <th>Comment Summary</th> <th>Suggested resolution</th> <th>Comment is an observation/suggestion*</th> <th>Comment is substantive/objection**</th> </tr> </thead> <tbody> <tr> <td>AMC1 145.A.200(a)(3)(g)</td> <td>Page 120</td> <td>The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action</td> <td>This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not</td> <td>No</td> <td>Yes</td> </tr> </tbody> </table>	Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**	AMC1 145.A.200(a)(3)(g)	Page 120	The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action	This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not	No	Yes	
Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**									
AMC1 145.A.200(a)(3)(g)	Page 120	The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action	This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not	No	Yes									



		and coordination with the operator’s Emergency Response Plan (ERP). It is not clear what kind of ‘procedures’ should be implemented in the frame of the coordination with the operator’s ERP.	required by ICAO Annex 19 for a maintenance organisation.		
response	See Section 1.				

comment 958 comment by: SAFRAN TRANSMISSION SYSTEMS

Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
AMC1 145.A.200(a)(3)(g)	120/170	The bullets (1) and (2) could be further developed into a dedicated GM to explain what is expected in terms of immediate safety action and coordination with the operator’s Emergency Response	This Guidance Material could explain how to document in the MOE the chapter 3.7 of Part 3 especially as establishing an ERP is not required by ICAO Annex 19 for a maintenance organisation .		X



		Plan (ERP). It is not clear what kind of 'procedures' should be implemented in the frame of the coordination with the operator's ERP.			
response	See Section 1.				
comment	1018	comment by: <i>Duane Kritzinger</i>			
	GM 145.A.200 (a)(3): If we apply ALARP, a new hazard either needs controlling to ALARP or if a threat [see ICAO] then such threatens the condition of ALARP [i.e may raise risk above acceptable]. Whilst both need addressing they require different strategies and do not always require the probability and consequences to be analysed.				
response	See Section 1.				

GM2 145.A.200(a)(3) Management system

p. 121-123

comment	198	comment by: <i>FAA</i>			
	GM2 A 145.200 (a) 3				
	(d) The introduction of a change is the trigger				
	This is a more detailed list for 4 Triggers for SRM. I feel this is more limiting than the FAA approach as it more limited by detailing items. These are, however, examples, noted as such in the Acceptable Means of Compliance (AMC) section.				
response	See Section 1.				
comment	239	comment by: <i>DGAC France</i>			
	To be consistent with the above mentioned remarks, we suggest to change the title as follows : "Safety Assurance / The management of change"				
	We consider that items (6) to (9) of paragraph (d) are too complex to be taken into account and should be deleted from this GM.				



response	See Section 1.
comment	<p>453 comment by: <i>FNAM</i></p> <p>(d) Proposed requirements suggest a list of changes which will imply to perform hazard identification and risk management process. Some proposals don't seem to be adapted for such significant consequences. In particular, it is the case for the following items.</p> <p>(3) The addition of same or similar type of aircraft to the maintenance scope. Since the staff and the organization are already used to the type of aircraft or a similar type of aircraft, this change will not have a significant impact on the organization and its staff. FNAM suggests removing item (3) from the list.</p> <p>(5) FNAM agrees that new regulations may have a significant change but amended regulations may have minor impacts depending on the amendments. Therefore, FNAM suggests attenuating the impact of a regulation amendment by adding: "amended regulation, if appropriate"</p> <p>(10) FNAM understands the need of the hazard identification and risk management process in case of shift changes, but not for small schedule changes. Therefore, FNAM suggests clarifying the notion of new schedule(s). (See comments of AMC 145.A.47 and 145.A.30(d).</p> <p>(11) The addition of regular subcontractors may have an impact for the organizations. Therefore, FNAM suggests modifying with "the addition of new regular subcontractors".</p>
response	See Section 1.
comment	<p>549 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 121-123/170, GM2 145.A.200(a)(3) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to keep the paragraphs (a) and (b) in this GM and to move the remainder into a Safety Promotion Material.</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Airbus fully supports the intent of this GM. However, the contents are of a very general nature, not specific enough to maintenance organisations.</p>
response	See Section 1.
comment	<p>1012 comment by: <i>Duane Kritzinger</i></p> <p>GM2 145.A.200(a)(3): Item 3 highlights aviation safety concerns; yet isn't that what ICAO SMS is focussed on? In which case this AMC drifts into other areas; whilst all relevant due their potential impact on safety, they themselves are not safety issues necessarily. Again the AMC is too noisy - impact of change on safety risk would be sufficient</p>



response	See Section 1.
comment	1058 comment by: Dassault Falcon Service GM2 145.A.200(a)(3)(d): We would suggest removing point 3 as addition of the same or a similar type is not considered as a risk. The risk exists for different types. Points 6 et 7 related to the market risk should not affect the aircraft safety.
response	See Section 1.

AMC1 145.A.200(a)(4) Management system

p. 123

comment	240 comment by: DGAC France To be consistent with the content of the AMC, we suggest to modify the title as follows : "Safety Promotion / Safety Communication"
response	See Section 1.
comment	551 comment by: AIRBUS 1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 123/170, AMC1 145.A.200(a)(4) Management system 2. PROPOSED TEXT / COMMENT: With respect to the paragraph (a)(2) of this AMC, can the EASA explain the meaning of 'safety-critical information'. 3. RATIONALE / REASON / JUSTIFICATION for the Comment: There is no criteria to establish the meaning of 'safety-critical'.
response	See Section 1.
comment	1041 ❖ comment by: Thales While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose. Suggested resolution: move the AMC to GM
response	See Section 1.

GM1 145.A.200(a)(4) Management system

p. 123-124

comment	241 comment by: DGAC France
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	To be consistent with the content of the GM, we suggest to modify the title as follows : "Safety Promotion / training and education"
response	See Section 1.

GM1 145.A.200(a)(5) Management system

p. 124

comment	242 comment by: <i>DGAC France</i>
	To be consistent with the above mentioned remarks and the content of this GM, we suggest to modify the title as follows : "Safety policy and objectives / SMS documentation".
	In paragraph (a), we suggest to modify the text as follows : "system processes in a separate manual (e.g. a Safety Management Manual and compliance monitoring manual or Management System Manual), or in its MOE
response	See Section 1.

AMC1 145.A.200(a)(6) Management system

p. 124

comment	788 comment by: <i>Lee Carslake</i>
	Suggest addition of a point (c) which specifies that a primary role of the compliance monitoring system is to monitor and assess the AMO's safety system and the performance thereof.
	This could go further to specify that were the compliance and safety functions are combined, an annual independent assessment of the performance is performed by an independent assessor not employed by that organisation.
response	See Section 1.

comment	1041 ❖ comment by: <i>Thales</i>
	While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.
	Suggested resolution: move the AMC to GM
response	See Section 1.

AMC2 145.A.200(a)(6)AMC 145.A.65(c)(1) Management system

p. 124-127

comment	253 comment by: <i>KLM Engineering & Maintenance</i>
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	<p>AMC 2 145.A.200(a) (6) item 4: EASA requires organisations, under their management system, to deploy a risk based approach to its operations, putting its energy where it is most needed . And that includes Compliance Monitoring. As such it is peculiar that EASA still requires the organisation to ensure that the audit plan verifies Part 145 compliance every year. Frequency of auditing for the organisation itself as well as for the subcontracted activities will be determined on the outcome of a risk assessment.</p>
response	<p>See Section 1.</p>
comment	<p>552 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 125/170, AMC2 145.A.200(a)(6) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “[...]</p> <p>2.3. The independent audit is should be an objective process include inspections in the form of routine sample checks of all aspects of the organisation’s ability to carry out all maintenance to the required standards required by this Regulation. and It should includes some product sampling, as this is the end result of the maintenance process. [...].</p> <p>3a. The organisation should establish an yearly audit plan to show when and how often the activities as required by this Regulation will be audited. The organisation should implement an audit planning cycle ensuring a verification of each particular procedure at intervals not exceeding 12 months.</p> <p>4. Except as specified in sub-paragraphs points 7 and 9, the independent audit plan should ensure that all aspects of Part-145 compliance are verified every year during the applicable audit planning cycle checked every 12 months, including all the subcontracted activities, and the auditing may be carried out as a complete single exercise or subdivided over the 12 month annual period the applicable audit planning cycle in accordance with a scheduled plan. The independent audit should does not require each procedure to be verified checked against each product line when it can be shown that the particular procedure is common to more than one product line and the procedure has been verified at least once during the applicable audit planning cycle checked every year 12 months without resultant findings. Where findings have been identified, the particular procedure should be verified rechecked against other product lines until the findings have been closed rectified, after which the independent audit procedure may revert back to the agreed audit planning cycle a 1 year interval 12 monthly for the particular procedure.</p> <p>5. Except as specified otherwise in subparagraphs 7, the independent audit should sample check one product on each product line at least once during the applicable audit planning cycle every year 12 months as a demonstration of the effectiveness of compliance with the maintenance procedures compliance. [...].</p> <p>For the purpose of the independent audit, a product line includes any product under an Appendix II approval class rating as specified in the terms of organisation approval certificate schedule issued to the particular organisation. It therefore follows, for example, that a maintenance organisation approved under Part-145 with a capability to maintain aircraft, repair engines, brakes and autopilots</p>



	<p>would need to carry out four complete product audits sample checks each year during the applicable audit planning cycle, except as specified otherwise in subparagraphs points 5, 7 or 9. [...]</p> <p>11. [...] Organisations with a maximum of 10 maintenance staff personnel actively engaged in carrying out maintenance may subcontract the independent audit element of the quality system compliance monitoring function to another organisation or contract a qualified and competent person approved by, with the agreement of the competent authority.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: Using the term ‘every year’ may lead to an item of compliance checked at an interval of approximately 24 months: item checked on 01-Jan of year N and checked again on 31-Dec of year N+1. It is recommended to refer to a ‘yearly audit plan’ (i.e. established for each calendar year: 2019, 2020, etc...), an ‘audit planning cycle’, and to define a basic interval for the verification of each particular procedure not exceeding 12 months. Some amendments are made for consistency with the title of point 145.A.30 and a comment on the title of point 145.A.20.</p>
response	See Section 1.

comment	<p>1041 ❖ comment by: <i>Thales</i></p> <p>While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p> <p>Suggested resolution: move the AMC to GM</p>
response	See Section 1.

AMC2 145.A.200(a)(6)AMC 145.A.65(c)(1) Management system	p. 124
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comment	<p>1041 ❖ comment by: <i>Thales</i></p> <p>While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.</p> <p>Suggested resolution: move the AMC to GM</p>
response	See Section 1.

AMC3 145.A.200(a)(6) Management system	p. 127
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comment	<p>553 comment by: <i>AIRBUS</i></p>
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1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:

Pages 127-128/170, AMC4 145.A.200(a)(6) Management system

2. PROPOSED TEXT / COMMENT:

It is proposed to amend this AMC to read:

“[...]”

3. The independent ~~quality audit reports referred to~~ ~~referenced in~~ ~~AMC 145.A.65(c)(1)~~ ~~AMC2 145.A.200(a)(6)~~ ~~sub-paragraph 10~~ should be sent to the relevant department(s) for ~~corrective~~ ~~rectification~~ ~~action~~, giving target ~~rectification~~ ~~closure~~ dates. ~~Rectification~~ These target dates should be discussed with the relevant such department(s) before the ~~quality department or nominated quality auditor compliance monitoring function~~ confirms ~~such~~ the dates in the report. [...].

4. [...] Unless the review of the results from compliance monitoring is the responsibility of the safety review board (ref. AMC1 145.A.200(a)(1) point (b)(4)), the accountable manager should hold regular meetings with ~~staff~~ ~~personnel~~ to check the progress of any corrective actions. These meetings may be delegated to the compliance monitoring manager on a day-to-day basis, provided that the accountable manager:

(1) meets the ~~senior staff~~ ~~heads of management structure referred to in the AMC1 145.A.30(b)~~ involved at least twice per year to review the overall performance of the compliance monitoring function; and

(2) receives at least a half-yearly summary report on non-compliance findings.

~~5. All records pertaining to the independent quality audit and the quality feedback system should be retained for the period specified in point 145.A.55(c) at least 2 years after the date of closure clearance of the finding to which they refer or for such periods as to support changes to the audit planning cycle in accordance with AMC2 145.A.200(a)(6) AMC 145.A.65(c)(1) sub-paragraph 9 audit time periods, whichever is the longer.”~~

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

The term ‘closure’ is preferred to the term ‘rectification’ (also used for defect rectification) and consistent with the terminology used in the point 145.B.310 and the AMC2 145.B.310(c).

The term ‘personnel’ is preferred to ‘staff’ for consistency with the title of the point 145.A.30.

The notion of ‘senior staff’ is not defined and has been found ambiguous. Reference to the ‘heads of management structure referred to in the AMC1 145.A.30(b)’ eliminates this ambiguity.

The paragraph 5. is moved into a new AMC1 145.A.55(c).

response

See Section 1.

comment

1041 ❖

comment by: *Thales*

While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.

Suggested resolution: move the AMC to GM



response

See Section 1.

AMC4 145.A.200(a)(6)AMC 145.A.65(c)(2) Safety and quality policy, maintenance procedures and quality system Management system

p. 127-128

comment

254

comment by: *KLM Engineering & Maintenance*

Review : "at least twice per year " and "half-yearly summary report on non-compliance findings ". Again this is very prescriptive. KLM E&M would very much encourage EASA to accept the consequences of the new context in which the regulations are embedded, i.e. the institution of a risk based management system in operations. The frequency of review by management of the compliance monitoring function will be determined on the basis of a risk assessment.

response

See Section 1.

comment

261

comment by: *DGAC France*

As already mentioned herebelow, we have some difficulties to clearly differentiate this safety review board with the existing quality meeting.

response

See Section 1.

comment

1041 ❖

comment by: *Thales*

While the introduction of SMS into the rules is supported, the approach of specifying the details of an acceptable SMS system in AMC leaves little room for interpretation, innovation and integration within organisations. Due to the 145.A.120 this makes SMS implementation prescriptive and is not fit for purpose.

Suggested resolution: move the AMC to GM

response

See Section 1.

GM1 145.A.200(a)(6) Management system

p. 128

comment

74

comment by: *KLM Engineering & Maintenance*

Since the independent monitoring of the compliance monitoring function always provides much food for debate, we believe the only proper solution is that the Competent Authority's annual oversight and audit of the organization (including compliance monitoring function) meets this need and that this should be promulgated as the only correct solution by EASA.

response

See Section 1.

GM2 145.A.200(a)(6)GM 145.A.65(c)(1) Safety and quality policy, maintenance procedures and quality system Management system

p. 128-132



comment	454	comment by: <i>FNAM</i>
	(d) FNAM thanks for the examples helping to understand the notion of “functional area”. Nevertheless, we suggest adding a precise definition of the notion of “functional area”. Indeed, without such a clarification of this notion, the proposed disposal is hardly understandable for maintenance organizations.	
response	See Section 1.	

comment	554	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Pages 129-130/170, GM1 145.A.200(a)(6) Management system</p> <p>2. PROPOSED TEXT / COMMENT: It is recommended to reword the paragraphs (d) to (g) of this GM to use a terminology common with the one used in the AMC1 145.A.30(b).</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: The terms ‘functional area of the organisation’ and ‘operational area of the organisation’ are not defined and may create confusion.</p>	
response	See Section 1.	

AMC1 145.A.202 Internal safety reporting scheme	p. 132-133
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comment	558	comment by: <i>AIRBUS</i>
	<p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 132, AMC1 145.A.202 Internal safety reporting scheme</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this AMC to read: “(a) Each internal safety reporting scheme should be confidential and enable and encourage free and frank reporting of any potentially safety-related occurrence, including incidents such as errors or near misses, safety issues and identified hazards. This will be facilitated by the establishment of a just culture. (b) The internal safety reporting scheme should contain the following elements: (1) clearly identified aims and objectives with demonstrable corporate commitment; (2) a just culture policy as part of the safety policy referred to in AMC1 145.A.200(a)(2), and related just culture implementation procedures as part of the documentation referred to in the paragraph (b)(2) of the AMC1 145.A.70(a); (3) a process to: (i) identify those reports which require investigation; and (ii) when so identified, investigate all the causal and contributing factors, including any technical, organisational, managerial, or human factors issues, and any other”</p>	



~~contributing factors related to the occurrence, incident, error or near miss that was identified;~~
~~(iii) if adapted to the size and complexity of the organisation, analyse the collective data showing the trends and frequencies of the contributing factors;~~
~~(4) appropriate corrective actions based on the findings of investigations;~~
~~(5) initial and recurrent training for staff involved in internal investigations;~~
~~(6) where relevant, the organisation should cooperate with the owner, operator or CAMO on occurrence investigations by exchanging relevant information to improve aviation safety.~~
(b) The internal safety reporting scheme should:
(1) ensure the confidentiality of the reporter;
(2) be closed loop, to ensure that actions are taken internally to address any safety issues and hazards; and
(3) feed into the recurrent training as defined in AMC5 145.A.30(e) whilst maintaining appropriate confidentiality.
(c) Feedback should be given to staff personnel both on an individual and a more general basis to ensure their continued support of the safety reporting scheme."

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

It is proposed to delete the paragraphs (b)(3) to (b)(6) because they duplicate the explanations given in the AMC1 145.A.200(a)(3) and GM1 145.A.200(a)(3).
 It is proposed to also delete the (second) paragraph (b)(1) and (2) because they duplicate the explanations given in the paragraph (a) of this AMC and in the AMC1 145.A.200(a)(3), and to move the paragraph (b)(3) in the AMC5 145.A.30(e).

response **See Section 1.**

comment 611 comment by: *Baines Simmons*
 AMC1 145.A.202(a) states that all internal safety reports should be confidential. It is our understanding that confidentiality is optional, not required.

response **See Section 1.**

GM1 145.A.202 Internal safety reporting scheme

p. 133

comment 559 comment by: *AIRBUS*

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:
 Page 133, GM1 145.A.202 Internal safety reporting scheme

2. PROPOSED TEXT / COMMENT:
 It is proposed to amend this GM to read:
 "GENERAL
 (a) The overall purpose of the internal safety reporting scheme is to **collect use the reported information and feed the processes referred to in AMC1 145.A.200(a)(3) with the reported information** to improve the level of the safety performance of the organisation, and not to attribute blame.
 (b) The objectives of the scheme are to:



(1) enable an assessment to be made of the safety implications of each relevant incident (errors, ~~near miss~~), safety issue and hazard reported, including previous similar issues, so that any necessary action can be initiated; and

(2) ~~ensure that~~ **enable the sharing of** knowledge of relevant incidents, safety issues and hazards ~~is shared~~ so that other persons and organisations may learn from them.

(c) The scheme is an essential part of the overall monitoring function and should be complementary to the normal day-to-day procedures and ‘control’ systems; it is not intended to duplicate or supersede any of them. The scheme is a tool to **identify collect information on** those instances in which routine procedures have failed or may fail.

(d) All ~~safety~~ reports that are judged to be **reportable relevant** by the person submitting ~~the such a~~ report should be retained, as the significance of **such these** reports may only become obvious at a later date.

(e) Typical occurrences to be reported are those in which **aviation safety continuing airworthiness** was, or could have been endangered, or which could have led to an **unsafe** condition **referred to in the paragraph 3. of the Regulation (EU) 2015/1018 Annex II**. If, in the view of the reporter, an occurrence did not endanger **aviation safety continuing airworthiness** but, if it was repeated in different but likely circumstances, would create an **unsafe** situation that could lead to an accident or serious incident, then a report should be made. What is judged to be reportable on one class of product, part, or appliance may not be the same for another, and the absence or presence of a single factor, organisational, human, or technical, can transform an occurrence into an accident or serious incident.

(f) The collection, and **subsequent** analysis, of timely, appropriate and accurate data will allow the organisation to react to the information that it receives, and to take the necessary action.”

3. RATIONALE / REASON / JUSTIFICATION for the Comment:

It is proposed to adapt this GM as a result of comments on point 145.A.202 (limited to the collection of data, i.e. not including their analysis and the definition of mitigation measures).

The scope of this Regulation is defined in its Article 1. This Regulation “establishes common technical requirements and administrative procedures to ensure [...] the continuing airworthiness of aircraft, including any component for installation thereto”. Considering occurrences in which ‘aviation safety was, or could have been endangered’ may significantly exceeds this scope (the management of interfaces with the other aviation domains being included in this scope).

That’s one of the reasons why this regulation should refrain from using the term ‘safety’ without a systematic consideration for the implications for organizations.

Safety cannot be fully described and addressed by the activities related to continuing airworthiness. While the term ‘safety’ is recognized and understood by the aviation community as a part of the global objective to reach, it shall not be confused with the term ‘airworthiness’ that only entails a series of activities necessary but not sufficient to reach the global ‘safety’ objective. Although an inappropriate change may impact the full safety chain, the selection of the term ‘safety’ in a specific context should be avoided as it may impose on AMO to investigate on potential consequences (and their severity) beyond the limits of the Regulation (EU) 1321/2014 and their competences.

response

See Section 1.



GM1 145.A.205 Contracting and subcontracting

p. 133-134

comment 75 comment by: *KLM Engineering & Maintenance*
 Ad (b): it is the responsibility of the contracted maintenance organisation to ensure its scope of work is still up-to-date and that its approval is still valid. It certainly is not the task of the compliance monitoring function of the contracting Part 145 organisation to check this.

response **See Section 1.**

comment 243 comment by: *DGAC France*
 We suggest to modify the text as follows : "that all subcontracted activities are subject to hazard identification and risk management **and all others element of the SMS (communication, training,...)**, as required by point 145.A.200(a)(3)"

response **See Section 1.**

comment 561 comment by: *AIRBUS*

1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO:
 Pages 133-134/170, GM1 145.A.205 Contracting and subcontracting

2. PROPOSED TEXT / COMMENT:
 It is proposed to amend the paragraph (a) of this GM to read:
 "RESPONSIBILITY WHEN CONTRACTING OR SUBCONTRACTING MAINTENANCE
 (a) ~~Regardless of the approval status of the subcontracted organisations, a~~ Part-145 organisation is responsible for ensuring that all subcontracted activities are subject to hazard identification and risk management, as required by point 145.A.200(a)(3), and to compliance monitoring, as required by point 145.A.200(a)(6)."

3. RATIONALE / REASON / JUSTIFICATION for the Comment:
 To ensure consistency with GM1 145.A.75(b).

response **See Section 1.**

comment 900 comment by: *Rolls-Royce plc*

Section, table, figure	Page	Comment Summary	Suggested resolution	Comment is an observation/suggestion*	Comment is substantive/objection**
GM1 145.A.205(a)(2)	Page 134	While it is important to emphasise the difference between requiring a contracted	A revised means to emphasise the	No	Yes



	<p>organisation to work under the control of the maintenance organisation, or to release work to the maintenance organisation under its own approval, we suggest that using the contracting/subcontracting differentiator is likely to place these regulations and supporting material in conflict with normally-accepted legal interpretations, which generally follow the placing of a contract, and then work provided under that contract to be further sub-contracted, irrespective of the nature of the release. Additionally, the terms 'contractor' and 'sub-contractor' are often use interchangeably, along with 'supplier', 'vendor', partner' and others. We suggest that this guidance is not used, and an alternate means to differentiate between the release responsibilities is found.</p>	<p>distinction between the parties responsible for release is needed.</p>		
<p>response</p>	<p>See Section 1.</p>			

GM2 145.A.205 Contracting and subcontracting

comment

199

comment by: FAA

GM2 A.145.205(a)



response	<p>since the third party will be working under the management system of the Part-145 organisation</p> <p>Again same comments the third party may already have its own management system or in the USA FAA does not require them to have an SMS</p> <p>See Section 1.</p>
comment	<p>455 comment by: <i>FNAM</i></p> <p>Audits and collection of any safety issues of contracting and subcontracting organizations should be to ensure the compliance of subcontracting/contracting organizations with their internal requirements (quality system, management system, procedures, etc.). For some subcontracting/contracting organizations, Part-145 organizations are not technically expert in subcontracting/contracting organizations specificities. Therefore, Part-145 organizations may not be in position to judge and to oversight subcontracting/contracting organizations' specific tasks and their associated risks. Checking that subcontracting/contracting organizations have their particular qualification and diploma but also their specific approvals and authorizations should be sufficient to ensure the subcontracting/contracting organizations' competencies and the risk management.</p>
response	<p>See Section 1.</p>
comment	<p>563 comment by: <i>AIRBUS</i></p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 134/170, GM2 145.A.205 Contracting and subcontracting</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend the paragraphs (a) and (b) of this GM to read: "DIFFERENCE BETWEEN 'CONTRACTING MAINTENANCE' AND 'SUBCONTRACTING MAINTENANCE' (a) 'Subcontracting maintenance' means subcontracting to a third party under the maintenance organisation management system. This is the case when a third party carries out certain maintenance tasks on behalf of the Part-145 organisation, and the responsibility remains within the Part-145 organisation (this Part-145 organisation must have the tasks within its scope of approval). Whether the third party is approved or not is not relevant for the designation of subcontracting, since the third party will be working under the management system of the Part 145 organisation and the maintenance will be released under the approval of this organisation. See also GM1 145.A.75(b). (b) 'Contracting maintenance' means contracting to another maintenance organisation which will release certify the maintenance under its own approval. This is the case when a Part-145 organisation, contracted to carry out maintenance by an person or organisation responsible for the aircraft continuing airworthiness owner/operator/CAMO, further contracts certain maintenance tasks to another approved Part-145 organisation, and transfers the responsibility for the certification of such maintenance release of such tasks to the second Part-145 organisation.</p>



	<p>Contracting should only be foreseen when it is allowed by the person or organisation responsible for the aircraft continuing airworthiness that requests the maintenance.”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: To ensure consistency with GM1 145.A.75(b). Point 145.A.50 title is ‘Certification of maintenance’. The use of wordings such as ‘certification of maintenance’, ‘maintenance certified’, etc. is preferred to the reference to ‘release to service’. This echoes the last paragraph of GM1 145.A.50(a). The person or organisation responsible for making decisions with regard to the aircraft continuing airworthiness is not necessarily the owner or the aircraft operator. Reference to ‘the person or organisation responsible for the management of the aircraft continuing airworthiness’ is preferred.</p>
response	See Section 1.

GM1 145.B.120 Means of compliance

p. 136

comment	<p>566 comment by: AIRBUS</p> <p>1. PAGE / PARAGRAPH / SECTION THE COMMENT IS RELATED TO: Page 136/170, GM1 145.B.120 Means of compliance</p> <p>2. PROPOSED TEXT / COMMENT: It is proposed to amend this GM to read: “ALTERNATIVE MEANS OF COMPLIANCE Alternative means of compliance may be used to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts. Alternative means of compliance that are used by a competent authority, or by a person or organisations under its oversight, may be used by other competent authorities, persons, or organisations only if they are processed again in accordance with points 145.B.120 (d) and (e).”</p> <p>3. RATIONALE / REASON / JUSTIFICATION for the Comment: For consistency with comments on point 145.B.120.</p>
response	See Section 1.

GM1 145.B.200(a)(2) Management system

p. 138-141

comment	<p>593 comment by: Le Blanc</p> <p>GM1 145.B.200(a)(2) Provide recognition to organizations certified under EN 9110 standard (Quality Management Systems — Requirements for Aviation Maintenance Organizations) as Product Safety requirements are embedded.</p> <p>Suggested resolution: Bullet (B) should be completed to read ‘possible certification to industry standards (e.g. EN9110)’</p>
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response	See Section 1.		
comment	693 comment by: SAFRAN LS		
	GM1 145.B.200(a)(2)	139/170	Provide recognition to organizations certified under EN9100 or EN 9110 standard (Quality Management Systems — Requirements for Aviation Maintenance Organizations) as Product Safety requirements are embedded. Bullet (C) should be completed to read ‘possible certification to industry standards (e.g. EN9110)’
response	See Section 1.		
comment	708 comment by: SAFRAN LS		
	GM1 145.B.200(a)(2)	139/170	Provide recognition to organizations certified under EN 9110 standard (Quality Management Systems — Requirements for Aviation Maintenance Organizations) as Product Safety requirements are embedded. Bullet (C) or (b2) should be completed to read ‘possible certification to industry standards (e.g. EN9110)’
response	See Section 1.		
comment	782 comment by: ASD		
	GM1 145.B.200(a)(2)	139/170	Provide recognition to organizations certified under EN 9110 standard (Quality Management Systems — Requirements for Aviation Maintenance Organizations) as Product Safety requirements are embedded. Bullet (b) (2) or (C) should be completed to read ‘possible certification to industry standards (e.g. EN9110)’
response	See Section 1.		



comment	959 comment by: SAFRAN TRANSMISSION SYSTEMS					
	Section Table Figure	Page	Comment summary	suggested resolution	Comment is an observation (suggestion)	Comment is substantive (objection)
	GM1 145.B.200(a)(2)	139/170	Provide recognition to organizations certified under EN 9110 standard (Quality Management Systems — Requirements for Aviation Maintenance Organizations) as Product Safety requirements are embedded.	Bullet (C) should be completed to read 'possible certification to industry standards (e.g. EN9110)'	X	
response	See Section 1.					

AMC2 145.B.200(a)(3) Management system

p. 141-142

comment	200 comment by: FAA
	AMC 2 145.B.200(a)3
	Qualification of inspectors: items 4 and 5
	Again we do not have Time or degree requirement spelled out like this for Inspectors
response	See Section 1.

comment	244 comment by: DGAC France
	In paragraph (a)(2)(iv), we suggest to modify the text as follows : "safety management systems based on the EU management system requirements (including compliance monitoring), and ICAO Annex 19 and the compliance monitoring system ;"
response	See Section 1.



AMC1 145.B.300(a);(b);(c) Oversight principles

p. 148

comment

142

comment by: DGAC France

DGAC France suggests to add the following in paragraph 2:

*“As part of its continuing oversight activities, the competent authority should verify that the required enablers remain present **and operational**, and assess the effectiveness of the organisation’s management system and processes.”*

In fact, according to the published EASA Management System Assessment Tool, during the oversight, present and suitable is not enough to demonstrate compliance as all processes should be present, suitable and operational.

response

See Section 1.

comment

982

comment by: Lufthansa Technik

AMC1 145.B.300(a);(b);(c):

A note should be added, that the objective here is to have the functions of a management system addressed, not that the listed elements are in place. It should be no "check-box assessment" of the management system, but an assessment of the objective: Is the organisation really considering its safety risk and did it implement proper mitigating actions?

response

See Section 1.

AMC1 145.B.305(b) Oversight programme

p. 149

comment

138

comment by: DGAC France

That AMC is confusing as there is a mix between “risk”, “performance” and “complexity”. We suggest making clear that the risk is to be evaluated through the combination of performance (probability according to ICAO) and complexity (severity according to ICAO). Then performance factors such as result of past oversight have to be combined with complexity factors such as number of approved locations, number and type of subcontractors, etc. in order to define a risk level:

response

See Section 1.

AMC2 145.B.305(b) Oversight programme

p. 149-150

comment

143

comment by: DGAC France

Regarding auditing of subcontracted organisations, we propose to add that credit given according to point (d) of AMC2 145.B.305(c) are permitted.

response

See Section 1.



AMC1 145.B.305(c) Oversight programme

p. 150

comment

135

comment by: DGAC France

Point (a) states that “when determining the oversight planning cycle and defining the oversight programme, the competent authority should assess **the risks related to the activity of each organisation**, and adapt the oversight to the level of risk identified and to the effectiveness of the organisation’s management system, in particular its ability to effectively manage safety risks”.

It should be make clear that there is a difference between Safety Management at the Part-145 level (SMS) and the risk assessment performed by the NAA to define its oversight programme of the organisation (Risk and Performance Based Oversight). the risks are not only limited to the activity of each organisation and so we propose to modify the text as follows : “the competent authority should assess the risks related to ~~the activity of each organisation~~, and adapt the oversight to the level of risk identified”

response

See Section 1.

AMC1 145.B.305(d) Oversight programme

p. 151-152

comment

262

comment by: DGAC France

In paragraph (a), the inspection should be more detailed to clarify the objective and the intend of it.

The paragraph (c) is applicable to apply for an oversight up to 36 months and the paragraph (d), for up to 48 months. Nevertheless, the point 145.B.300(d) requirements seems to be the contrary : the paragraph (c) of the AMC1 should be applicable for an oversight up to 48 months and the (d), for up to 36 months. So we suggest to invert paragraphs (c) and (d) of this AMC.

response

See Section 1.

AMC1 145.B.310(e)(2) Initial certification procedure

p. 154

comment

245

comment by: DGAC France

This AMC should be consistent and similar with the GM1 CAMO.B.310(e)(1); CAMO.B330 [AMC M.B.703].

response

See Section 1.

AMC1 145.B.330 Changes — organisatio

p. 154-155

comment

456

comment by: FNAME



	<p>In order to be in line with FNAM's proposals into AMC1 145.A.85, FNAM suggests that deadlines should also be required to the competent authority since delays of approval answer may engage the safety of Part-145 activities. For example:</p> <ul style="list-style-type: none"> • For the amendment of an organization certificate : since the competent authority has received proposals by the organization 30 days before the date of their application, the competent authority should provide an answer within 20 days ; and • For planned change of a nominated person : since the competent authority has received proposals by the organization 20 days before the date of their application, the competent authority should provide an answer within 15 days.
response	See Section 1.

Appendix II to AMC2 145.B.310(c) AMC 145.B.20(5) EASA Form 6	p. 158-166
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comment	<p>246 comment by: DGAC France</p> <p>To be consistent with the above mentioned remark, the item 1.12 should be completed with : "and the list of alternative means of compliance (AltMOC)"</p>
response	See Section 1.
comment	<p>247 comment by: DGAC France</p> <p>To be consistent with the above mentioned remarks, the titles of Part 4 and 6 should be modified as follows :</p> <ul style="list-style-type: none"> - Part 4 PROCEDURES FOR PART 145 PROVIDING MAINTENANCE FOR PART CAMO / OPERATOR - Part 6 PROCEDURES FOR PART 145 ALSO APPROVED AS PART CAMO / OPERATOR
response	See Section 1.

