

EASA Proposed CM-21.A-K-001 Issue 01 – Installation of parts and appliances without an EASA Form 1 in European Light Aircraft - Comment Response Document

Comment				Comment summary	Suggested resolution	Comment is an observation or is a suggestion*	Comment is substantive or is an objection**	EASA comment disposition	EASA response
NR	Author	Section, table, figure	Page						
1	Belgian Civil Aviation Authority (BCAA)	3.3 – point 4	7/8	Proposal of a <u>standard statement</u> for the acceptance by the owner of the part or appliance. This will aid in recognizing these type of parts/appliance and it avoids confusion whether the owner has verified compliance or accepted responsibility	Add text in bold in Paragraph 3.3, point 4. <u>Identified for installation in the specific aircraft.</u> In order to record that the owner of the aircraft has decided to accept the part or appliance that came without an EASA Form 1 this needs to be recorded. Preferably this information should be visible in the form of marking of the part itself but in any case the maintenance records need to show that these parts or appliances have been accepted by the owner of the aircraft by the standard statement "I, XXXX, as owner of this A/C, have verified for the part, identified as YYYY, all 4 conditions according to 21.A.307(c) and accept the responsibility for compliance", followed by the signature of the owner.	Yes	Yes	Partially Accepted	It is agreed that it would be useful to have a recommendation for a standard statement, however a CM is not binding and guidance only. An example for recording the acceptance of parts without an EASA Form 1 is however added in the CM.
2	Austro Control GmbH	3.3	6	Exclude ELA 2 A/C	Only for ELA 1 A/C as ELA 2 A/C are mainly in an Part M(F) or Part 145 organisation maintained. There should be no inflation of the requirement for the acceptance of components and it is in full contradiction of rulemaking task 145.017	S	S	Not Accepted	The limits are set in Regulation 748/2012.
3	British Gliding Association (BGA)	3, 3.3	6	The method where the owner accepts responsibility for the parts is unclear.	All parts used on the aircraft, released, standard and non-released should be listed on a parts used worksheet and a qualifying statement issued for non-released parts. The maintenance work order should state that non-released parts may be used and the owner accepts responsibility by acceptance of the aircraft together with the parts list contained in the maintenance record.	Yes	No	Partially Accepted	See response to comment 1 above.
4	British Gliding Association (BGA)	3, 3.3. 1	6	The statement "not life-limited is not clear, what is life limited?"	Define life limited parts such as structural pins and fittings subject to an ultimate fatigue life. Engine accessories and release hooks that have overhaul lives.	Yes	No	Accepted	The CM will be amended to explain that life limited refers to parts which are listed in the Airworthiness Limitations Section of the AMM (or in some cases AFM).
5	British Gliding Association (BGA)	3, 3.3	6	".., nor part of the flight controls" is inappropriate for some installations where commercial parts and hardware is used in the assembly of sailplanes.	Except were specified in the IPC or as part of the original design where specific aircraft specification parts shall be used, allow commercially obtained parts or equivalent non-released parts to be used.	Yes	Yes	Partially Accepted	Where the Design Holder has specified that commercially available parts can be used, and the part does not have an aircraft manufacturer's unique part number the part can be used without a form 1 as long as it is not part of the flight controls as defined by the Design Holder.
6	British Gliding Association (BGA)	3, 3.3. 2	7	Establishing that a part is manufactured in conformity to the applicable design. Identifying parts by part number and manufacturer could cause difficulties as part numbers can change and various manufacturers make the same parts.	Allow part numbers to be superseded by equivalent parts of the same design and do not specify manufacturer.	Yes	No	Not Accepted	This would have to be a minor modification or an STC (possible multi model mod and/or candidate for Standard Changes).
7	British Gliding Association (BGA)	3, 3.3. 2	7	Manufacturing parts to the applicable design	This is very helpful especially for simple parts used in sailplanes where the manufacturer no longer fully supports the type. The flying control limitation is not helpful as many small brackets etc. are part of simple flying controls.	Yes	No	Partially Accepted	See 5 above.

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8	British Gliding Association (BGA)	3, 3.3. 4	7	Marking the part is not a sensible proposition. As it could render the part unserviceable or would be completely inappropriate in many cases	The use of non-released parts should be recorded in the maintenances records	Yes	Yes	Partially Accepted	Marking in this CM doesn't mean that a part with marking needs to be re-marked because the part is owner accepted. For parts that are manufactured (e.g. simple parts as mentioned in comment 7) they need to be marked in accordance with Subpart Q of part 21.
9	British Gliding Association (BGA)			Prior to this memorandum being published the BGA has written a guidance leaflet for its inspectors on the use of parts AMP 2-15 to take advantage of 21A.307(c).	The draft AMP leaflet is currently with the UK-CAA for comment. Copy forwarded for information.	Yes	No	Noted	
10	ECOGAS			<p>Position</p> <p>This measure as a clarification to existing AMC and GM concerning the application of Form1's is highly supported. Clarification is overdue. We appreciate the use of CM as fast means to promulgate. However this measure needs to be expanded in order to get General Aviations small and medium enterprises (SME's) out of recession. Sustained and swift efforts are required to ensure progress to be felt ECONOMICALLY by our members and the GA community.</p> <p>Background</p> <p>Overall the third segment (light aviation industry in Europe) continues to suffer over regulation and uncertainty which has reversed the growth of the sector, killing jobs and skewing the market in favour of our extra European competitors. The situation is severe in the certification sector primarily in initial airworthiness, but also in continuing airworthiness where repair and enhancement are equally constrained. ECOGAS is still missing swift progress and substantive rule following NPA2008-07. We expressed our concern in unison with all stakeholders of the battered third segment in aviation, the General Aviation community . (Attachment CRD submission 2008-07).</p> <p>A proposal to broaden the range of items that might be installed on ELA aircraft was first submitted in NPA2008-7a in 2010. Stakeholder remarks have been labelled as 'too ambitious' and/or out of scope. EASA's main argument (always) is : the basic regulation does not allow broader changes: a clear sign that the basic regulation is (eventually)tailor made for the airline environment but neither for General nor Business aviation. SME's are not only suffering but driven out of business.</p> <p>What ECOGAS wants:</p> <p>The measure is welcomed and should be published asap. But the limitation in scope raises concern. To address those concerns it must be extended in soon following second step to these issues:</p> <ul style="list-style-type: none"> - URGENT :Full authorisation of the use of FAA AC43.13 as approved data for 				Noted	

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				<p>minor and major repairs</p> <ul style="list-style-type: none"> - Removal of the requirement of Agency approval for minor modifications - Part M/F & 145 to approve the airworthiness of used parts for ELA2 aircraft - revised procedures for limited Design Approval (AP-DOA) function, including the DOA Handbook and the Certification Programme Template <p>If proportionate measures are promoted here the design freedom will reach a state by which economical repairs and update of aircraft are possible AGAIN at sustainable costs. The European third segment General Aviation sector becomes competitive again and will create jobs.</p> <p>Time is critical, if the killing of even more SME's shall be avoided.</p> <p>Attached: comment ref CRT 2008-07</p>  <p>2008-007_CRT_reaction_ela_mef_crt_npe</p>					
11	UK CAA	3.3 paragraph 1	6	<p>This memorandum will be read and interpreted by owners of ELA aircraft and maintenance organisations who may not be familiar with Part 21. Therefore, it is suggested the introductory text should emphasise applicability to 'New Parts' or 'Newly Manufactured Parts'</p>	<p>This Certification Memorandum is applicable to determining eligibility for installation and maintenance of new parts and appliances that fall within the scope and criteria defined by 21.A.307(c) (1).</p>	suggestion	substantive	Accepted	Title of the CM is amended accordingly
12	UK CAA	3.3 guidance note 2	7	<p>The text in the Note that Part 21 now refers to 'applicable' design data instead of 'approved' as a result of the change to Part 21 introducing the new concept of Standard Changes and Standard Repairs is incorrect.</p> <p>Applicable design data has been clearly defined in Part 21 from the outset (GM 21.A.131) and distinguishes between design data that is "approved" and "not yet approved" to allow EASA Form 1 release in the correct manner (i.e. NEW or PROTOTYPE). This difference in definition should be avoided either by providing a wholly harmonised definition across all areas of Part 21 or providing a new status, such as "acceptable", within this memorandum.</p> <p>To introduce an alternative definition of applicable design data solely for ELA parts will cause confusion for those parts that are supported by an EASA Form 1, which should not be the intent of alleviation for ELA.</p> <p>The source of the data that identifies the part number and manufacturer of the part is not usually the applicable design data, but the product support documentation (such as the IPC/CMM/Maintenance documentation) provided for the ELA and as noted in the main text of 3.3.</p>	<p>Suggest that Para 2. deletes the explanation of applicable design data and is simplified to just read as follows. The statement that this acceptance cannot make or accept design changes is seen as important and is moved to the closing sentence :</p> <p><i>"There are basically two ways to establish that a part without an EASA Form 1 but intended for ELA use conforms with applicable design data:-</i></p> <p><i>First, by obtaining a part directly from the original source/OEM (which may be a non-aviation vendor) as identified by part number and/or vendor code in the product support documentation (such as the Illustrated Parts Catalogue (IPC), Component Maintenance Manual (CMM) or in a Service Bulletin (SB).)</i></p> <p><i>Secondly, in the case of simple parts such as brackets, doublers etc. where all of the data necessary for manufacture and subsequent inspection to determine the quality of the parts is available in the product support documentation or other data provided by the ELA design approval holder, then such parts may be produced or fabricated in conformity with the "xxxx" (applicable/approved/accepted?) design data.</i></p> <p><i>Note: It is important to realise that the acceptance of parts and appliances without an</i></p>	Suggestion	substantive	Partially Accepted	<p>Suggest that Para 2. deletes the explanation of applicable design data and is simplified to just read as follows. The statement that this acceptance cannot make or accept design changes is seen as important and is moved to the closing sentence :</p> <p><i>"There are basically two ways to establish that a part without an EASA Form 1 but intended for ELA use conforms with applicable design data:-</i></p> <p><i>First, by obtaining a part directly from the original source/OEM (which may be a non-aviation vendor) as identified by part number and/or vendor code in the product support documentation (such as the Illustrated Parts Catalogue (IPC), Component Maintenance Manual (CMM) or in a Service Bulletin (SB).)</i></p> <p><i>Secondly, in the case of simple parts such as brackets, doublers etc. where all of the data necessary for manufacture and subsequent inspection to determine the quality of the parts is available in the product support documentation or other data provided by the design approval holder, then such parts may be produced or fabricated in conformity with the "xxxx" (applicable/approved/accepted?) design data.</i></p> <p><i>Note: It is important to realise that the acceptance of parts and appliances without an EASA Form 1 is by no means a way or making or accepting changes to the design.</i></p> <p><i>Where the owner is unable to obtain the approved data for the part, then the owner should consult the design approval holder or an organisation approved in accordance with EASA Airworthiness regulations as identified in Para 3.3 (1) of this</i></p>

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					<i>EASA Form 1 is by no means a way or making or accepting changes to the design. Where the owner is unable to obtain parts as specified within the product support document or where evidence is available that the manufactured part is not in conformity (such as a request to change materials, dimensions or treatments) then reference should be made to the design approval holder or an organisation approved in accordance with EASA Airworthiness regulations as identified in Para 3.3 (1) of this Certification Memorandum.</i>				Certification Memorandum. Paragraph on Design Changes added.
13	UK CAA	3.3 Guidance Note 2	7	It is understood that Standard Designs and Standard Repairs will be published by EASA within Certification Specifications (CS) material available from the EASA Website. It would therefore be expected that this would follow a formal Agency approval process, and that as data approved by the Agency directly it would be considered as "approved" design data?	Clarification of the authors'/Agency intention in this area is requested. If the recommendation to delete this note and replace Para 2 with the proposed text above is adopted then no further change is required.	suggestion	substantive	Accepted	Paragraph on Design Changes added.
14	UK CAA	3.3 Guidance Note 3	7	The need for the part to be appropriately marked is not in question. However the reference to Subpart Q of Part 21 may not be appropriate as this subpart is used in conjunction with Subparts F & G production requirements and it is understood that only parts produced in accordance with the full rigours of Part 21 can be identified in this way? Furthermore, if Subpart Q is to be used, the Agency should clarify if parts are to be fully marked as 'EPA' parts as per 21A.804 as it is not sure if this is the intent.	The memorandum should explicitly define the part marking requirements for parts produced as per this memorandum to provide a differentiation to parts produced in accordance with approved design data.	suggestion	substantive	Not Accepted	Part marking is defined in the applicable design data (e.g. TC holder's drawings or drawings approved under a minor modification). Acceptance of the part for installation by the owner needs to be recorded in the maintenance log. 21.A.804 is not only applicable to parts manufactured by subparts F & G. EPA marking is only applicable to parts which are not manufactured in accordance with aircraft manufacturer's data.
15	UK CAA	3.3 Guidance Note 4	7	As Stated, the use of the words 'maintenance records' infers that recording in a work pack the statement that 'the parts or appliance have been accepted by the owner of the aircraft' is acceptable. Such records reference M.A.614(c), 145.A.55(c) and M.A.305(h)1 need only be retained for 3 years. Traceability and records of such parts should be for the life of the aircraft to prevent them being incorrectly issued with a form 1, through removal as serviceable or maintenance carried out under a C-rating.	The referenced records should be recorded in the relevant logbooks and retained as part of the aircrafts continuing airworthiness records, until the part is removed or at least 12 months after the aircraft has been permanently removed from service. The memorandum should explicitly state this so it is clear that a permanent record travels with the aeroplane as it changes ownership and subsequent owners are then fully aware of the build configuration of their aeroplane in this respect.	Suggestion	substantive	Not Accepted	We don't see the need to treat these parts differently in this respect.
16	UK CAA	3.4	7	Whilst the memorandum makes reference to the segregation of such parts within a Part 145 organisation, it does not appear a similar requirement has been referenced in M.A.605. e.g. Also storage of these parts and appliances needs to be segregated from other items (Refer to 145.A.42(a)(6)). 145.A.42(e) has been introduced to emphasize the responsibilities of the owner for these parts and appliances.	Understanding that this comment may not be fully within the context of this memorandum, EASA rulemaking should actively consider that to prevent the possibility of such parts being inappropriately stored with parts which have been released with a Form 1, Part M subpart F point M.A. 605(c) or the corresponding AMC should also be revised to reflect the same requirements of 145.A.42(a)6.	observation	substantive	Noted	This comment will be forwarded to the relevant working groups.
17	Technical Officer Airworthiness and Maintenance European Gliding Union	General		This measure, which we believe was mentioned during the Certification Workshop of 29 October 2012, is most welcome as a clarification to existing AMC and GM concerning the application of Form1's. This clarification was urgently needed, and we appreciate the use of this rapid mechanism to assist its promulgation.	Please invoke this amendment as soon as reasonably possible	No	No	Noted	

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18	Technical Officer Airworthiness and Maintenance European Gliding Union	3.3		EGU has liaised with the UK British Gliding Association on the details of this topic. The board of EGU fully supports all the detailed comments put forward by the BGA during this comment round including document BGA AMP 2-15 which we understand they have provided to EASA CM.	For detailed implementation proposals see the corresponding BGA comments	Yes	Yes	Noted	
19	Technical Officer Airworthiness and Maintenance European Gliding Union	General		<p>While this measure is fully welcomed the limitation in scope is noted. Further aspects which remain to be addressed are (see EAS response to GASS paper):</p> <ul style="list-style-type: none"> · Removal of the requirement of Agency approval of minor modifications (EAS GASS 3.4) <p>Publication of additional AMC enabling:</p> <ul style="list-style-type: none"> · the use of FAA AC43.13 as approved data for minor and major repairs (EAS GASS 3-5) · licensed engineer to approve the airworthiness of used parts(EAS GASS 3-6) · the use of FAA procedures for owner produced parts(EAS GASS 3-9) · pilot responsibility for defects(EAS GASS 3-11) 	<p>This measure can only be fully effective if additional measures proposed here are adopted in full</p> <p>EGU seeks Certification department assurances that these measure some of which have been table some years ago, are fully promulgated.</p>	No	No	Noted	
20	Technical Officer Airworthiness and Maintenance European Gliding Union			<p>I also enclose, for information, a brief to the President of Europe Air Sports as it is our custom also to coordinated comments with them.</p> <p>EGU COMMENTS ON CERTIFICATION MEMORANDUM CM-21.A-K-001 Issue 1</p> <p>Installation of Parts and Appliances without Form 1 in ELA</p> <p>Position</p> <p>This measure, which we believe was mentioned during the Certification Workshop of 29 October 2012, (Ref 1) is most welcome as a clarification to existing AMC and GM concerning the application of Form1's. This clarification was urgently needed, and we appreciate the use of this rapid mechanism to assist its promulgation. Even so, this measure forms a small part of those sought by the air-sport community in Ref 2 & 3. To make material progress continued sustained pressure is required to ensure that further rule-making developments are urgently pursued.</p> <p>Background</p> <p>Overall the light aviation industry in Europe continues to suffer over regulation and uncertainty which is prejudicing the growth of the sector and skewing the market in favour of our global competitors. The situation of particularly severe in the certification sector primarily in initial airworthiness, but also in continuing airworthiness where repair and enhancement are equally constrained. The air sport community continues to await the</p>				Noted	

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				<p>emergence of substantive rule changes in the light of NPA2008-07a, as most recently expresses by industry in Ref 3.</p> <p>A proposal to broaden the range of items that might be installed on ELA aircraft was first proposed in NPA2008-7a in 2010. We note the remark that 'the proposals made in the NPA may have been 'too ambitious'. No explanation was provided for this view. The air sport community supported this original broader position.</p> <p>This measure is fully welcomed but the limitation in scope is noted. Further aspects which remain to be address are (Ref 3 items):</p> <ul style="list-style-type: none"> · Removal of the requirement of Agency approval of minor modifications (3.4) · Publication of AMC authorising: · the use of FAA AC43.13 as approved data for minor and major repairs (3-5) · licensed engineer to approve the airworthiness of used parts(3-6) · the use of FAA procedures for owner produced parts(3-9) · pilot responsibility for defects(3-11) <p>Other measures proposed by certification directorate, such as: revised procedures for limited Design Approval (AP-DOA) function, including the DOA Handbook, and the Certification Programme Template are equally eagerly awaited. Only if proportionate measures are promulgated in these areas will design freedom reach as state where owners are able to economically repair and update their aircraft and the European industry sector become fully competitive again.</p> <p>Refs:</p> <ol style="list-style-type: none"> 1. EASA Certification Seminar 29-30 October 2012 2. Case for more open regulation of cockpit and minor installations in sport (non CAT) aircraft. EAS paper November 2011. <p>Response to European General Aviation Safety Strategy - November 2012</p>					
21	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>			<p>General comment: The measure proposed by the Agency is highly supported by our organisations.</p> <p>We particularly welcome the risk-based approach to reduce as presented in this proposal.</p>	We suggest an implementation without delay to remove as quickly as possible the actual burden General Aviation, particularly the sports and recreational segment, is suffering from.	Suggestion	Substantive	Noted	

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22	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>			Further measures would be highly welcome, e.g. revised procedures for limited Design Approval, and Certification Programme templates.	European industry will be more competitive after implementation of the measures proposed.	Suggestion	Substantive	Noted	The cert program template is available, we are currently looking into the best way to publish it, in the meantime if anyone wants a copy please email generalaviation@easa.europa.eu
23	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>	Cover	1/8	The Agency states that Certification Memoranda are not intended to introduce new certification requirements or to modify existing certification requirements and do not constitute any legal obligation, and that they must not be misconstrued as formally adopted AMC or as GM. We think this statement will not lead to the level of acceptance of the CM proposed, as it is clearly stated that it is not legally binding.	We propose a different wording: " Although not legally binding we suggest to the stakeholders to follow the provisions of this CM."	Suggestion	Substantive	Not Accepted	This material will be transferred into AMC & GM as soon as we can.
24	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>	1.3	4/8	We take note that "ELA" is to be used as acronym only without own definition.		Observation		Accepted	Clarification to be provided.
25	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>	1.4 1.5	4/8 5/8	Question: Just to be 100 % sure: Are these provisions valid for CS-LSA as well? The introductory sentence "The following definitions are used in this Certification Memorandum" is in our view a bit misleading: These definitions stem from Regulation (EU) No 748/2012, they are used in many other contexts, not only in this Certification Memorandum.	We suggest clarifying this in the Agency's text, as CS-VLR are integrated in the ELA 2 definition Proposal: European Light Aircraft (ELA) is any aircraft within the scope of Commission Regulation (EU) No 748/2012, art. 2 (i) for ELA1 aircraft, art. 2 (j) for ELA2 aircraft	Suggestion	Substantive	Not Accepted	We think the definitions are clear. These are the definitions from the regulation, it is easier to use them if they are included in this text. Aeroplanes that meet CS-LSA are aeroplanes within the scope of ELA1.
26	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>	2	5/8	The last sentence in the 3 rd paragraph of "Background" states the need for intermediate guidance material.	We propose a formula indicating that all work done under these provisions be mutually accepted without any exception and any opt-out possibilities.	Suggestion	Substantive	Not Accepted	This CM has been published to help provide some clarification about the rules. GM/AMC will follow as soon as the work program permits as explained in the background information. These steps should help standardisation of the application of the relevant part 21 rules.
27	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>	3.1	6/8	EASA Policy: Unfortunately nothing is mentioned as regards the on-going work on "Part-M for General Aviation" and the results of the activities of "Part-M for General Aviation Task Force".	We propose to the Agency to add appropriately that due consideration is given the outcome of these activities to demonstrate the value added to this CM by the involvement of the stakeholders to which future provisions are addressed.	Suggestion	Substantive	Accepted	We agree that the CM has been improved by the changes made as a result of this consultation.
28	<i>René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland</i>	3.2	6/8	Who this Certification Memorandum Affects: Question: Just to be 100 % sure: Are these provisions valid for CS-LSA as well?	We suggest clarifying this in the Agency's text, as CS-VLR are integrated in the ELA 2 definition.	Suggestion	Substantive	Not Accepted	See comment 25 above.

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29	René Meier, for Europe Air Sports, European Powered Flying Union, Aero-Club of Switzerland			General comment: Europe Air Sports members repeatedly stated in their comments sent to us that AMC should be published authorising the use of FAA AC43.13 as approved for minor and major modifications. Even the Agency considers this task to be outside of the remit of this CM it should be looked at for the sake of European general aviation operations.	We suggest to the Agency to consider these comments. For all aircraft of the ELA 1 and ELA2 aircraft not engaged in CAT this is a reasonable time and money-saving way to improve the operations conditions for our members which have been suffering for many years now from disproportioned conditions adding costs only, not adding to safety.	Suggestion	Substantive	Noted	Outside the scope of this cert memo. Will be partially addressed by Standard Changes and Repairs.
30	DGAC France	§ 3.3 „A pragmatic approach ... established after production“	6/8	Editorial: these two §§ are misplaced in the document since there are means of compliance to 21A307(c)(2) “manufactured in conformity to applicable design”.	Move the text to the corresponding section of the memorandum §3.3-2 on page 7/8. See also comments # 4 and 5.			Not Accepted	We think the text works fine as it is.
31	DGAC France	§ 3.3-1	6/8	The memorandum does not clarify the interpretation of “life-limited”: Is it limited to Airworthiness Limitations? Is it limited to life limits (replacement time) or does it also cover TBO (time between overhaul)? Is the reference the instructions defined by the Part 21 design approval holder or the individual Maintenance Programme of the aircraft concerned?	Clarify the interpretation of “life-limited”. Considering that: - Maintenance Programme items which are not Airworthiness Limitations may vary from one owner/aircraft to the other and from one Authority to the other - Owners may choose to remove life limits / TBOs from their Maintenance Programme just to make the part eligible to 21A307(c) - Many parts with a life limit or a TBO are no longer supported by approved production organisations we recommend to limit the meaning of “life-limited” to life limits and TBOs which are Airworthiness Limitations.			Accepted	See comment 4 above.
32	DGAC France	§ 3.3-1	6/8	The memorandum does not clarify the interpretation of “primary structure” and only recognises that this interpretation is delicate...	Provide generic guidance + typical “contentious” examples (ex: landing gear parts) (as was done for example for limited pilot-owner maintenance in the AMCs to appendix VIII to Part M)			Not Accepted	We have referred owners to the Design Approval Holder or to their maintenance organisation, who should be familiar with the AMC to part M.
33	DGAC France	§ 3.3-2	7/8	<u>Case of parts identified by their P/N:</u> In order to accept that a part has been “manufactured in conformity to applicable design”, the owner needs to: - identify the applicable design (design aspects) - accept conformity to this design (manufacturing aspects) Regarding the design aspects: We concur that, when a part number and manufacturer are confirmed by the design holder as the part from applicable design (through IPC, SB, direct communication to the owner ...), the owner can consider that the design is acceptable although he may have <i>no information</i> on what this acceptable design actually is. Regarding the manufacturing aspects:	Clarify what is requested from the owner in terms of validation of the manufacturing process.			Not Accepted	It is for the owner to decide.

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				<p>Since:</p> <ul style="list-style-type: none"> - the owner may have no information on the approved design (see above) and therefore no possibility of inspection - the part has been produced outside an approved environment <p>how is the owner supposed to discharge its responsibility regarding conformity of the part?</p> <p>The memorandum seems to imply that the owner can merely rely on a marking and/or a certificate of conformity issued by the original manufacturer.</p> <p>We see no clear reason to give a specific credit to the original manufacturer if the part is manufactured outside an approved environment. We think that the owner shall accept the quality of the fabrication process under its responsibility.</p>					
34	DGAC France	§ 3.3-2	7/8	<p><u>Case of parts manufactured at the request of the owner:</u></p> <p>The memorandum seems to limit this possibility to simple parts for which the owner is able to evaluate the quality of the part after production.</p> <p>We consider this approach to be too restrictive. The owner should be allowed to accept, under its responsibility, the quality of the manufacturing process of the person/organisation to which he decides to "subcontract" the manufacturing (example: it could be an approved production organisation working outside of its scope of approval but on similar technology).</p> <p>The memorandum does not clarify what data should be obtained and recorded by the owner:</p> <ul style="list-style-type: none"> - copy of the design/manufacturing data - manufacturing records (traceability of material/components, manufacturing/control steps, certificate of conformity, ...) 	<p>Remove the limitation to simple part 100% controllable after production.</p> <p>Clarify the data (related to design and manufacture) that the owner should obtain and record.</p>			Accepted	The text will be amended to clarify the intention, see comment 12 above.
35	DGAC France	§ 3.3-3	7/8	<p>Subpart Q requires that the marking shall include identification of the manufacturer.</p> <p>In the case of 21.A.307(c) parts, who should be considered as the manufacturer:</p> <ul style="list-style-type: none"> - the owner? - the original manufacturer in the case of parts accepted with a P/N? 	<p>Clarify the content of the marking.</p>			Not Accepted	<p>This is a CM and we don't feel we can get into this level of detail about production.</p> <p>As stated in Subpart Q, the manufacturer should be identified. So, both examples provided could be applicable.</p>

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Comment				Comment summary	Suggested resolution	Comment is an observation or is a suggestion*	Comment is substantive or is an objection**	EASA comment disposition	EASA response
NR	Author	Section, table, figure	Page						
36	DGAC France	§ 3.3-4	7/8	<p>The memorandum indicates that acceptance of a part by the owner should be recorded.</p> <p>We consider that it should in addition request a status of all 21.A.307(c) accepted parts.</p> <p>In particular this status would be useful for the performance of airworthiness reviews and for the transfer of aircraft.</p> <p>The memorandum does not cover the issue of acceptance by a new owner in case of transfer of used aircraft.</p>	<p>Include a requirement/recommendation to create/maintain a status of all 21.A.307(c) accepted parts.</p> <p>Clarify the case of transfer of the aircraft, to indicate that the new owner should take responsibility for all previously accepted parts.</p>			Not Accepted	See comment 15 above.
37	DGAC France	§ 3.4	7/8	<p>In the case where the A-rated organisation or the independent certifying staff/pilot owner does not have the competence to perform the required maintenance on the component, the possibility to have it performed by a specialised organisation (example C-rated organisation) should be allowed.</p> <p>In that case, if the release is to be signed by the A-rated organisation or independent certifying staff/pilot owner:</p> <ul style="list-style-type: none"> - the specialised organisation shall be identified as an approved subcontractor of the A-rated organisation, which is generally not possible for Part M/F organisations and unduly burdensome for a Part 145 organisation, or - in accordance with MA801(e) the work should be performed under the "direct and continuous control" of the independent certifying staff, which is unduly burdensome <p>It would be far easier to allow a C-rated organisation to sign an EASA Form 1. In that case, in order to ensure that the part remains limited to the specific aircraft, the EASA Form 1 could indicate in box 12 that the part is accepted under 21A307(c) and is limited to the specific aircraft.</p> <p>In addition the case of an EASA Form 1 issued by an A-rated organisation after removal of the serviceable part (which is allowed by Part M/F and Part 145 procedures) is not covered by the memorandum.</p>	<p>Allow maintenance by a C-rated organisation with specific mention on the EASA Form 1.</p> <p>Clarify the case of removal of a serviceable part (see also comment # 9).</p>			Partially Accepted	<p>The changes made to Part-M take the owner accepted parts out of the component maintenance regime.</p> <p>The alternative provided in this comment will however be considered in the rulemaking task RMT.0018 and RMT.0571.</p>
38	DGAC France	§ 3.4	7/8	<p>The memorandum does not cover the case of transfer of used 21A307(c) parts to another aircraft. We consider that such a transfer should be allowed, subject to acceptance of the part by the new owner (see comment # 7 for the case of acceptance by a new owner in case of transfer of the aircraft).</p> <p>See also comment # 8 for the question of removal of serviceable parts.</p>	<p>Allow the possibility to transfer a used 21A307(c) part to another aircraft subject to acceptance of the part by the new owner.</p>			Not Accepted	Outside the scope of the CM, which is currently limited to new parts only.

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39	DGAC France			For information, we issued the following Information Bulletin to deal with acceptance of 21.A.307(c) parts pending EASA memorandum.  BI2013_01.pdf  F-44-13-0.doc				Noted	