



EASA
European Aviation Safety Agency

Background and issues to be addressed

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Purpose of the WS

increase awareness of the proposed amendment to the
rule related to

AIRWORTHINESS REVIEW PROCESS

during the comment period of the NPA 2015-17
(RMT.0521)



- **Background for the rulemaking task (RMT)**
- **Issues to be addressed**
- **Notice of Proposed Amendment (NPA)**



Some abbreviations

- **AR:** Airworthiness Review
- **ARC:** Airworthiness Review Certificate
- **ARS:** Airworthiness Review Staff
- **ARSS:** Airworthiness Review Support Staff
- **NAA:** National Authority
- **CAMO:** Continuing Airworthiness Management Organisation
- **CAT:** Commercial Air Transport, refers to licensed air carriers in accordance with Regulation 1008/2008
- **CAW:** Continuing Airworthiness
- **CofA:** Certificate of Airworthiness



Some definitions

- **Implementing Rules (IR)** are binding in their entirety and used to specify a high and uniform level of safety and uniform conformity and compliance. The IRs are adopted by the European Commission in the form of Regulations.
- **Acceptable Means of Compliance (AMC)** are non-binding. The AMC serves as a means by which the requirements contained in the Basic Regulation, and the IR, can be met. Use of an existing AMC gives the user the benefit of compliance with the IR.
- **Guidance Material (GM)** is non-binding explanatory and interpretation material. It contains information, including examples, to assist the user in the interpretation and application of the Basic Regulation, its IRs, AMCs and the CSs.



- **Background for the rulemaking task (RMT)**
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Background for the RMT (1/12)

- The airworthiness review process, which current requirements entered into force in September 2008, introduced significant changes to former national requirements:
 - a new role for NAA,
 - new privileges for CAMOs,
 - specific requirements for personnel involved in this review, description of the process itself, and
 - an airworthiness review certificate (ARC)



Background for the RMT (2/12)

- The Agency shall assess implementation impact of regulations (article 24(3) of Regulation (EC) No 216/2008)
- Received feedback led the Agency to decide that the airworthiness review process needed to be reviewed



Background for the RMT (3/12) - Survey

- As a consequence EASA launched a survey
- Survey in September 2012
 - 8 questions
 - Adequacy of the some concepts and detail of requirements/guidance provided
 - Should an ARC be issued with open findings?
 - Answers from 52 participants (13 NAAs and 39 industry)



Background for the RMT (4/12) - Survey

➤ Controlled environment

Number of inputs	Comments
19	No issues/comments/I agree.
16	The rule is not clear. More guidance is requested, e.g. on aircraft in storage programmes.
6	Credit is given to CAMOs performing continuing airworthiness (CAW) as subcontractors.
4	Independent certifying staff should be accepted in order to maintain the controlled environment.
4	GA issues are already addressed by the Task Force.
3	'Brand-new aircraft' should be considered as being in a controlled environment.



Background for the RMT (5/12) - Survey

➤ Recommendations

Number of inputs	Comments
25	No issues/comments/I agree.
15	Delete the recommendations, they have no added value for the review by the NAA before issuing the ARC.
9	The rule is not clear/More guidance is requested.
3	GA issues are already addressed by the Task Force.



Background for the RMT (6/12) - Survey

► Performance of a ‘supervised’ AR before authorisation to the ARS

Number of inputs	Comments
31	No issues/comments/I agree.
13	More guidance is requested, especially on a new type of aircraft with an already approved ARS or ARS moving from one CAMO to another.
4	Supervision should always be performed by the NAA.
3	Grant a direct privilege to the already approved ARS.
1	There is additional cost for the initial approval of small organisations.



Background for the RMT (7/12) - Survey

► ‘Independence’ from the AR process and from the maintenance release of the aircraft

Number of inputs	Comments
23	No issues/comments/I agree.
11	The rule is not clear. More guidance is requested on the independence from CRS or certain personnel coming from the Quality Department.
10	Allow personnel certifying maintenance to perform the airworthiness review without limitation or by limiting their ‘independence’ to minor checks.
8	‘Independence’ is not needed or is difficult to comply with in small organisations.



Background for the RMT (8/12) - Survey

➤ 'Inconclusive' airworthiness review

Number of inputs	Comments
34	The rule is not clear. More guidance is requested on the meaning of the term.
15	No issues/comments/I agree.
3	There is no need for this concept.



Background for the RMT (9/12) - Survey

➤ 'Sampling of documents' during the AR

Number of inputs	Comments
32	The rule is not clear. More guidance is requested, basically on the sample (fixed percentage or use of a standard) and the period to be sampled.
18	No issues/comments/I agree.
2	Special treatment is needed for GA.



Background for the RMT (10/12) - Survey

➤ Should an ARC be issued with open findings?

Number of inputs	Comments
42	Yes. Most of the comments are covered with the current requirements, but it seems that the rule is not clear. Almost all of the comments request a categorisation of the findings and a potential 'Level 2' open finding is allowed if controlled.
7	No.
3	No change is requested/No comments.



Background for the RMT (11/12) - Survey

➤ Additional comments

Language of the recommendation?

If an ARC is issued before the expiry date of the former one, which is the valid one during the common period?

Performance of the physical part of the airworthiness review by another ARS if the process is under control.

Issue of an ARC for less than a year under certain circumstances.

Privately owned and operated GA is overregulated.



Background for the RMT (12/12) - Survey

- The feedback obtained showed a lack of clarity in the current requirements/guidance, which may lead to an inadequate AR and an improper assessment of the airworthiness status of the aircraft
- This may have safety consequences in those cases where the current airworthiness status of the aircraft is below the standard and it is not identified



- Background for the rulemaking task (RMT)
- **Issues to be addressed**
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Issues to be addressed (1/5)

ToR RMT.0521

- In order to address the issues raised during the survey, the Agency issued Term of Reference (ToR) for RMT.0521
 - issue 1: 07 May 2013; and
 - issue 2: 4 May 2015



Issues to be addressed (2/5)

ToR RMT.0521

- Aspects to be considered in ToR
- Structure of the requirements
- Need for and definition of controlled environment
- Recommendations
- Performance of a supervised AR before granting an authorisation for the ARS
- Independence from the AR and from the maintenance release of the aircraft
- “Inconclusive” airworthiness review



Issues to be addressed (3/5)

ToR RMT.0521

- Content of AR and sampling of documents during AR
- Open findings when issuing an ARC
- Control of the AR process and prospective effects if more than 1 person is involved
- Validity period of an ARC. Issue of an ARC by the NAA valid for less than one year
- Validity of an ARC and prospective actions to be taken when transferring an aircraft between MS
- CofA issue at the time of transfer between MS
- NAA record-keeping requirements.



Issues to be addressed (4/5)

ToR RMT.0521

- In ToR issue 2 it is included:
 - the issuing of the CofA at the transfer (transferred from the RMT.0278 rulemaking task 'Importing of aircraft from other regulatory systems')
 - clearly that EASA shall ensure coordination with the RMT.0463 and RMT.0547 Task Force for the review of Part-M for General Aviation



Issues to be addressed (5/5)

Working group

► Working group members:

- » AKERMAN, Dan (IAOPA Europe)
- » DERU, Jean-Francois (Air France, IATA)
- » HORTON, Stephen (UK Civil Aviation Authority)
- » LOUSBERG, Alain (Belgian Civil Aviation Authority, BCAA)
- » PICARD, Régis (Airbus)
- » ROBINSON, Ian (European Helicopter Association, EHA)
- » SMITH, Mark (Thomson Airways Ltd, IACA)
- » WEINREICH, Jens (Lufthansa Technik AG, AEA)
- » VAN LIESHOUT, Christian (EASA)

► 6 meetings in 2013 and 2014 and additionally several telecoms



- Background for the rulemaking task (RMT)
- Issues to be addressed
- **Notice of Proposed Amendment (NPA)**



- Notice of Proposed Amendment (NPA) 2015-17 issued 5 Nov 2015

- The Agency has issued this NPA that:
 - provides clearer requirements/guidance on those aspects creating interpretation/standardisation problems;
 - removes those requirements that do not bring any safety benefits;
 - facilitates the transfer of aircraft between MSs; and
 - reinforces the oversight role of the NAAs.



NPA (2/3)

- 3 months of NPA consultation until 05/02/2016
- There will be a Review group to work on the comments received to the NPA (2 meetings expected)
- Publication date of the Opinion: 2017/Q1



NPA (3/3) Content of the NPA

- 1. Procedural information
- 2. Explanatory note
 - 2.4 Overview of the proposed amendments
- 3. Proposed amendments
- 4. Regulatory Impact Assessment (RIA)
 - 4.4 Analysis of impacts

Stakeholders are kindly invited to provide data on economic impacts created by these draft rules, as well as any other quantitative information available that they consider necessary to be brought to the attention of the Agency.

- 5. References
- 6. Appendices



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Questions?

Thank you

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