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Title	Part-M General Aviation Task Force (Phase I)
NPA Number	NPA 2012-17

UK CAA (European.Affairs@caa.co.uk) has placed **22** unique comments on this NPA:

Cmt	Segment description	Page	Comment	Attachment
144	(General Comments)	0	<p>Page No: General</p> <p>Comment: The proposed changes although aimed at simplifying the regulatory framework are overly complicated. Consideration should be given to developing a separate Annex to (EC) 2042/2003 that only applies to smaller GA aircraft. This would substantially simplify the contents of the requirements and thus aid understanding and compliance. It is widely recognised that one of the major complaints regarding Part M is how difficult it is to understand, mainly as a result of the use of multiple derogations and exceptions to account for smaller simpler aircraft types. The proposed changes have not improved clarity and have increased the level of complication. It is likely that this will lead to further compliance issues for aircraft owners and operators who typically have minimal understanding of the applicable regulations.</p> <p>For the purposes of the work being done by the Part-M General Aviation Task Force, consideration should be given to provide the targeted GA community with a simple, easy to read set of regulations, separate from those for complex aircraft or for those used for Commercial Air Transport.</p>	
145	A. Explanatory Note - IV. Content of the draft Opinion/Decision - b) Changes proposed for Phase I - Proposal 4	14 - 17	<p>Page No: 17</p> <p>Paragraph No: 44, top of page 17</p> <p>Comment: The text refers to the owner taking full responsibility for any deviations from the recommendations issued by the design approval holder that the owner decides to introduce in the maintenance programme, however this implies that they will include them, although different to the design holders data.</p> <p>It should be clear that when an aircraft owner decides to deviate from the recommendations issued by the design approval holder, that decision 'should be recorded in the maintenance programme.'</p> <p>Justification: Clarity.</p>	
146	A.	17	<p>Page No: 18</p>	

	Explanatory Note - IV. Content of the draft Opinion/Decision - b) Changes proposed for Phase I - Proposal 5	- 21	<p>Paragraph No: 50</p> <p>Comment: This paragraph proposes that an ELA1 aircraft that is not maintained using the MIP (i.e. following the TC holders recommendations), cannot have an ARC issued by a Part M Subpart F or Part 145 organisation performing the maintenance. It has not been adequately explained why this alleviation does not include aircraft where the owner has contracted the maintenance organisation to process approval of the AMP as specified in M.A.201(e).</p> <p>Justification: As the Subpart F or Part 145 organisation is processing approval of the AMP and carrying out the annual inspection, it would appear to be entirely logical that they could carry out the Airworthiness Review and issue the ARC. As the organisation would have greater experience of the programme than a MIP generated by an aircraft owner.</p> <p>Proposed Text: Amend paragraph M.A.901(l) to read:</p> <p>"(l) For ELA1 aircraft not involved in commercial operations, the Part-145 or M.A. Subpart F maintenance organisation performing the annual inspection contained in either, the Appendix IX 'Minimum Inspection Programme' , or a Maintenance Programme that the organisation has developed or approved, may, if appropriately approved, perform the airworthiness review and issue the corresponding airworthiness review certificate, subject to the following conditions:"</p>	
147	A. Explanatory Note - IV. Content of the draft Opinion/Decision - b) Changes proposed for Phase I - Proposal 5	17 - 21	<p>Page No: 18</p> <p>Paragraph No: 51</p> <p>Comment: For consistency the Subpart F or Part 145 organisation issuing the ARC should also include carrying out an initial Airworthiness Review under supervision as part of gaining the approval. It is a requirement for a Subpart G organisation or Licensed Engineer (on ELA1 aircraft).</p> <p>Justification: Consistency in regulation. CAMOs or LAE's carrying out ARCs on ELA1 aircraft may feel at a disadvantage.</p> <p>Proposed Text: Add new paragraph to M.A.901(l)1:</p> <p>"(f) The formal acceptance of the nominated airworthiness review staff by the competent authority should only be granted after the satisfactory performance of an airworthiness review under the supervision of the competent authority."</p>	
148	B. Draft	32	<p>Page No: 33</p>	

Opinion(s)
and Decision
(s) - II. Draft
Opinion -
Regulation
(EC)
2042/2003 -
Annex I
(Part-M) -
M.A.302

-
34

Paragraph No: M.A.302(h)

Comment:

The new paragraph M.A.302(h) describes in subparagraph 3 what the content of a maintenance programme should include. Some of the items described have caused much debate regarding their meaning within the UK GA community. The opportunity for the Agency to provide a definition and clarify the situation exists and thus reduces confusion. The CAA suggests that additional AMC material be added to the proposed point AMC M.A.302(h).

Justification:

To improve clarity and reduce confusion.

Proposed Text:

Add the following new text to AMC M.A.302(h) at subparagraph 3:

"Life Limited Components and flight safety critical components:

Life limited parts are those parts that have a specific life limit specified by the design approval holder, for example, the Type Certificate Data Sheets (TCDS), the Approved Airworthiness Limitations Section of the aircraft maintenance manual and Airworthiness Directives. Life limited parts must not remain in service beyond their specified life limit. The life limit may be specified by total time in service, total cycles in service or on a calendar time basis.

Mandatory Requirements (Airworthiness Directives (ADs), Airworthiness Limitations (ALs)):

For a task to be mandatory the State of Design, the State of Registry or the Agency will have issued an Airworthiness Directive (AD). Only those ADs that contain repetitive requirements need to be included in the Maintenance Programme. Any item referred to in the Airworthiness Limitations (AL's) section of the Type Certificate Data Sheet, typically Chapter 4 or 5 of the Service/Maintenance Manual must be included in the maintenance programme.

Service Bulletins (SBs), Service Letters (SLs)

Accomplishment of Service Bulletins and other service data are not mandatory; however all such data produced by a design approval holder is intended to maintain the reliability and serviceability of their products. These instructions should be formally assessed, evaluated and applied when considered appropriate. The assessment should include determining which tasks are of a continuing airworthiness nature over those which simply offer a product improvement. Where the information is not applicable, or when the task has been satisfied by another means, an entry should be made in the aircraft records. When it has been decided not to comply with the

			instructions, an entry in the aircraft records should be made stating the rationale for this decision. In the event that the instructions are to be satisfied by a means other than those defined by their originator, the alternative means of compliance must be appropriately approved."	
149	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - M.A.302	32 - 34	<p>Page No: 34</p> <p>Paragraph No: M.A.302(h)3</p> <p>Comment: When an owner has decided to use the Minimum Inspection Programme, the wording of the requirement should be such that the review of maintenance data from the design Approval Holder is required and is not optional.</p> <p>Justification: Experience in the UK has shown that this is an area of considerable debate and confusion. A clear, concise set of instructions should be given to ensure the maintenance programme is correctly developed.</p> <p>Proposed Text: Amend paragraph M.A.302(h)3 to read:</p> <p>"3. The aircraft maintenance programme shall identifies identify any additional maintenance tasks to be performed because of the specific aircraft type, aircraft configuration and type and specificity of operation. Consideration shall be taken, as As a minimum, for the following shall be reviewed and included where applicable."</p>	
150	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - M.A.707	38 - 39	<p>Page No: 39</p> <p>Paragraph No: M.A.707(f)</p> <p>Comment: M.A.707(f) is not the correct point to provide a privilege for the Subpart G organisation to issue the airworthiness review certificate. For consistency this should be contained within point M.A.901 (M.A.901(e) provides for this).</p> <p>Justification: To provide consistency and ensure the correct level of expertise.</p> <p>Proposed Text: Amend paragraph M.A.707(f) to read:</p> <p>"(f) By derogation from paragraphs (a), (b), (c), (d) and (e), for ELA1 aircraft not involved in commercial operations, the M.A. Subpart G organisation may, if appropriately approved, perform the airworthiness review and issue the corresponding airworthiness review certificate, subject to the following conditions:"</p>	
151	B. Draft Opinion(s) and Decision	39 - 42	<p>Page No: 41</p> <p>Paragraph No: M.A.901(l)1(c)</p>	

	(s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - M.A.901		<p>Comment: This paragraph requires staff from the Part M subpart F or Part 145 organisation to be independent from the continuing airworthiness management process. As maintenance organisations by definition do not have the legal right to undertake contracted continuing airworthiness management this subparagraph can be deleted, as the organisation cannot be made responsible for performing this process.</p> <p>Justification: Correctness.</p> <p>Proposed Text: Delete M.A.901(l)1 subparagraph (c).</p>
152	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - M.A.901	39 - 42	<p>Page No: 41</p> <p>Paragraph No: M.A.901(l)2</p> <p>Comment: It has not been adequately explained why the proposed regulation prevents maintenance organisations who have developed a maintenance programme, based on manufacturers recommendations for an ELA1 aircraft owner, in accordance with M.A.201(e) (ii), from issuing an ARC.</p> <p>Justification: As the Subpart F or Part 145 organisation is processing approval of the AMP and carrying out the annual inspection, it would seem entirely logical that they can carry out the Airworthiness Review and issue the ARC as they have greater experience of the programme than a MIP that has been generated by the owner.</p> <p>Proposed Text: Amend paragraph M.A.901(l)2 to read:</p> <p>"2. The airworthiness review is performed at the same time as the annual inspection contained in the Appendix IX Minimum Inspection Maintenance Programme' and by the same person who releases such annual inspection, being possible to use the 90 days anticipation provision contained in M.A.710(d)."</p>
153	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - M.A.901	39 - 42	<p>Page No: 42</p> <p>Paragraph No: M.A.901(l)5</p> <p>Comment: Paragraph M.A.901(l)5 states that an Airworthiness Review Certificate (ARC) is issued after an airworthiness review has been carried out and that the individual is satisfied that the stated conditions have been met. Whatever the outcome of this paragraph, M.A.901(k) does not allow an ARC to be issued if there is evidence that the aircraft is not airworthy. Therefore should discrepancies be found that are linked to the maintenance programme, the ARC should not be issued until they have been rectified.</p>

			<p>Justification: The maintenance programme is reviewed in accordance with point M.A.710(h) in conjunction with the Airworthiness Review, further clarity should be added to point M.A.710(i) with regard to the status of the airworthiness review and ARC.</p> <p>Proposed Text: Keep paragraph M.A.710(h) as written and amend paragraph M.A.710(i) as shown below:</p> <p>"(h) For ELA1 aircraft not involved in commercial operations for which the owner has issued a declaration for the maintenance programme in accordance with M.A.302 (h), the aircraft maintenance programme shall be reviewed in conjunction with the airworthiness review. This review shall be accomplished by the person who performed the airworthiness review."</p> <p>"(i) Should the outcome of the airworthiness review be inconclusive or should the review under point M.A.710(h) show discrepancies on the aircraft linked to deficiencies in the content of the maintenance programme, the competent authority shall be informed as soon as practicable but in any case within 72 hours of the organisation identifying the condition to which the review relates. The ARC cannot be issued until all findings have been resolved."</p>	
154	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - Appendix I	43 - 46	<p>Page No: 45</p> <p>Paragraph No: EASA Form 15c</p> <p>Comment: The proposed new EASA Form 15c contains the statement:</p> <p>"Hereby certifies that it has performed an airworthiness review in accordance with point M.A.901(l) of Annex I to Commission Regulation (EC) No 2042/2003 on the following aircraft:"</p> <p>The airworthiness review is detailed in M.A.710, the reference M.A.901(l) provides all the requirements for issuing an ARC for ELA1 aircraft which includes an airworthiness review.</p> <p>Justification: Corrects the detail of the referenced text.</p> <p>Proposed Text: Amend text to read:</p> <p>"Hereby certifies that it has performed an airworthiness review the requirements as stated in accordance with point M.A.901(l) of Annex I to Commission Regulation (EC) No 2042/2003 on the following aircraft:"</p>	
155	B. Draft Opinion(s)	43 -	<p>Page No: 45</p>	

	and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - Appendix I	46	<p>Paragraph No: EASA Form 15c</p> <p>Comment: The ARC refers to 'Section A' in relation to Subpart F but not in relation to Part 145 which should also be included.</p> <p>Justification: For consistency with EASA Form 15b which refers to 'Section A' in relation to Subpart G.</p> <p>Proposed Text: Amend reference to read:</p> <p>"Section A, Annex II (Part 145) to Commission Regulation (EC) 2042/2003"</p>
156	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC) 2042/2003 - Annex I (Part-M) - new Appendix IX	54 - 68	<p>Page No: 54</p> <p>Paragraph No: Appendix IX: Minimum Inspection Programmes</p> <p>Comment: The Appendix text does not make any reference that further additional tasks may need to be added for the specific aircraft type, configuration, and operation as detailed in point M.A.302(h)3.</p> <p>Justification: To ensure consistency and a complete maintenance programme.</p> <p>Proposed Text: Amend to include the text in bold below:</p> <p>"Appendix IX: Minimum Inspection Programmes This Appendix contains the 'Minimum Inspection Programme' referred to in point M.A.302(h). It is applicable to ELA1 aircraft not involved in commercial operations and is divided into the following categories:</p> <ul style="list-style-type: none"> <input type="checkbox"/> ELA1 Aeroplanes; <input type="checkbox"/> ELA1 Sailplanes and ELA1 powered sailplanes; <input type="checkbox"/> ELA1 Balloons. <p>Any additional maintenance tasks to be performed because of the specific aircraft type, aircraft configuration and type and specificity of operation as described in point M.A.302(h)3 should be added.</p> <p>In the absence of a 'Minimum Inspection Programme' for ELA1 airships, the Design Approval Holder maintenance data shall be used as the basis for their maintenance programme."</p>
157	B. Draft Opinion(s) and Decision (s) - II. Draft Opinion - Regulation (EC)	54 - 68	<p>Page No: 55 - 65</p> <p>Paragraph No: Appendix IX</p> <p>Comment: Minimum Inspection Programmes for ELA1 aircraft and</p>

	2042/2003 - Annex I (Part-M) - new Appendix IX		<p>ELA1 sailplanes and powered sailplanes are described.</p> <p>There are significant differences between the two programmes, with that for the sailplanes containing more tasks (2 more pages).</p> <p>The aeroplane MIP does not address a number of maintenance items which are covered in the Sailplane and Balloon versions but are equally, if not more, applicable to aeroplanes. Examples include: Undercarriage lubrication, batteries electrolyte and when necessary, capacity checks, spark plug replacement, magneto inspection, Avionics operational checks/ function checks (e.g. Transponders), pitot/static instrument calibration checks.</p> <p>For each system/component/area heading the task should, generally, have similar content, e.g. "General – all tasks" for aeroplanes: "clean aircraft and open access points". For sailplanes: "aircraft must be clean, inspect for...".</p> <p>The content of the Minimum Inspection Programme for aircraft should be reviewed against that for the sailplanes with the objective to have a consistent approach to both and for the content for aircraft to be more reflective of the build and general equipment/systems fit, particularly for Avionics and electrical items,. Consideration should also be given to including tasks relevant to aircraft constructed using composite materials.</p> <p>Justification: These are basic tasks and could be related to safety, it is appropriate to include them. As these are examples only it would be appropriate to review the entire task list.</p>	
158	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - AMC M.A.201 (e)	77	<p>Page No: 77</p> <p>Paragraph No: AMC M.A.201(e)</p> <p>Comment: This paragraph has deleted the requirement for a contracted Subpart G organisation but refers to the use of the 'Indirect approval procedure' in M.A.302(c). However M.A. 302(c) refers only to Subpart G organisations.</p> <p>Justification: It is unclear where the link is between the use of the 'Indirect approval procedure' and Part M Subpart F/ Part 145 organisations.</p>	
159	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - AMC M.A.201 (e)	77	<p>Page No: 77</p> <p>Paragraph No: AMC M.A.201(e)</p> <p>Comment: The new paragraph makes reference to '....the owner is fully responsibility....'</p> <p>Justification: This is incorrect English.</p>	

			Proposed Text: `....the owner is fully responsible....`
160	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - new AMC M.A.302(e)	78 - 85	<p>Page No: 78</p> <p>Paragraph No: AMC M.A.302(e)</p> <p>Comment: The new example of an Aircraft Maintenance Programme (for aircraft other than `complex motor-powered aircraft`) includes an entry for pilot-owner maintenance. For Pilot-owner maintenance a CRS can only be issued by the Pilot on aircraft below 2730kg. Pilot owner maintenance can only be applied on privately operated non-complex motor-powered aircraft of 2730 kg MTOM and below, sailplane, powered sailplane or balloon.</p> <p>Justification: The entry for Pilot-owner maintenance should clearly state that it is applicable to aircraft below 2730 kg to provide clarity and avoid misuse.</p> <p>Proposed Text: Amend `Pilot-Owner Maintenance` box to read:</p> <p>“(Pilot owner maintenance can only be applied on privately operated non-complex motor-powered aircraft of 2730 kg MTOM and below, sailplane, powered sailplane or balloon)” Are there any maintenance actions performed by the Pilot-owner (ref. Part-M, M.A.803)? Enter in Table 1: <input type="checkbox"/> The list of tasks <input type="checkbox"/> The name of the pilot-owner(s) or the alternative procedure described in AMC M.A.803 point 3.”</p>
161	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - new AMC M.A.302(e)	78 - 85	<p>Page No: 78</p> <p>Paragraph No: AMC M.A.302(e)</p> <p>Comment: The example of an Aircraft Maintenance Programme is for use for aircraft other than `complex motor-powered aircraft`.</p> <p>M.A.302(e) is not applicable to ELA1 aircraft not involved in commercial operations as M.A.302(h) derogates from this point. Therefore it is incorrect to reference in the example maintenance programme the details for this new relaxed requirement for this classification of aircraft.</p> <p>Justification: Current reference does not include all aircraft that are detailed in the example programme.</p> <p>Proposed Text: Amend referenced point as highlighted below:</p> <p>AMC M.A.302(e) and M.A.302(h) Aircraft Maintenance programme.</p>

162	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - new AMC M.A.302(e)	78 - 85	<p>Page No: 80</p> <p>Paragraph No: AMC M.A.302(e) Aircraft maintenance programme: "Basic information for the maintenance programme"</p> <p>Comment: When an owner has decided to use the Minimum Inspection Programme the wording of the requirement should be such that the review of maintenance data from the design Approval Holder is required and is not optional.</p> <p>Justification: Experience in the UK has shown that this is an area of considerable debate and confusion. A clear, concise set of instructions should be given to ensure the maintenance programme is correctly developed.</p> <p>Proposed Text: Amend the 4th paragraph as highlighted below:</p> <p>"In the case of ELA1 aircraft not involved in commercial operations, if the option selected is to follow the 'Minimum Inspection Programme', the owner should shall review the maintenance data from the Design Approval Holder to identify if there are specific inspections to be performed at intervals different to 100 hours and/or annual interval."</p>	
163	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - new AMC M.A.707(f)	88 - 89	<p>Page No: 89</p> <p>Paragraph No: AMC M.A.707(f), bullet point 1</p> <p>Comment: This paragraph refers to 'Maintenance Post holder' of the CAMO, however there is no such position in the regulation. This should refer to 'Continuing Airworthiness Post Holder'.</p> <p>Justification: Correctness.</p> <p>Proposed Text: Amend to read:</p> <p>"The Accountable Manager or the Maintenance Postholder Maintenance Postholder Continuing Airworthiness post holder of the CAMO."</p>	
164	B. Draft Opinion(s) and Decision (s) - IV. Draft Decision - Annex I (AMC to Part-M) - Appendix VIII to AMC M.A.616	105 - 107	<p>Page No: 106</p> <p>Paragraph No: Paragraph 5, bullet point 4</p> <p>Comment: This refers to ELA1 aircraft, however it should refer to ELA2 as detailed in M.A.201(e).</p> <p>Justification: Correctness.</p> <p>Proposed Text:</p>	

			Amend to read: "Have maintenance programmes for ELA1 ELA2 aircraft not involved in commercial operations been properly developed and approved?"
165	B. Draft Opinion(s) and Decision (s) - V. Draft Decision Annex II (AMC to Part-145) - new AMC 145.A.36	111	<p>Page No: 111</p> <p>Paragraph No: AMC 145.A.36</p> <p>Comment: This refers to 'Airworthiness Review person'. However Part M refers to 'Airworthiness Review Staff'.</p> <p>Justification: Consistency of language in the regulations.</p> <p>Proposed Text: Amend to read: "The following minimum information as applicable should be kept on record in respect of each Airworthiness Review person Staff"</p>