Comment Response Document:

AMC and GM to UK Reg (EU) 748/2012 Part 21 SMS Consultation

CAP 3263

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Background

The consultation

This consultation is for amendments proposed to support the transposition of the ICAO Annex 19 Standards and Recommended Practices (SARPs) in the production and design domains and facilitate the implementation of the Safety Management Systems (SMS) requirements introduced in UK Regulation (EU) No 748/2012. The UK CAA is proposing to amend the AMC and GM to Part-21 (Annex I).

The consultation presented the proposed changes to the associated Acceptable Means of Compliance (AMC) and Guidance Material (GM), the changes can be viewed in ORS 9 No 40. There are some changes in response to this consultation that are still under consideration.

These amendments cover the following topics:

- The introduction of safety management principles that implement International Civil Aviation Organisation (ICAO) Annex 19; a management system for Part-21 organisations and a management system for the CAA in relation to the oversight of Part 21 organisations;
- An organisational culture for effective safety management and effective occurrence reporting;
- Production management and design management systems;
- Production organisation exposition (POE) / design organisation handbook (DOH);
- Findings, corrective action, and observations;
- Alternative means of compliance (AltMoC);
- Record-keeping and reporting systems.

Consultation Period

This consultation was open from the 7th of March 2024 to the 15th of April 2024.

What happens next

The CAA wants to thank all stakeholders for their contributions to this consultation. The CAA has reviewed the consultation responses, the answers of which are included within this document.

Consultation Response

1. General

Comment 1. No - 21.A.245 requires the Head of the Design Organisation to be "an Accountable Manager", however, neither the AMC nor the GM to 21.A.245 provide any clarification what the requirements for this would be.

For example, does that mean that the HoDO requires full financial and resource related control, or will this responsibility remain with the actual Part 21J DOA Accountable Manager, which typically in most organisations is a different person.

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. AMC2 21.A.245(a) defines that the Chief Executive should provide the necessary resources for the proper functioning of the Design Organisation. AMC1 21.A.245(a) defines the role of the HDO (as an accountable manager).*

Comment 2. There is no AMC/GM published within the proposal to meet 21.A.7 Instructions for continued airworthiness, that is applicable from 1 July 24. Consider this lack of AMC/GM to be a significant shortfall in DOAs meeting their obligations from July 24 and am not seeing future related proposals within the CAA Safety policy.

Just to say that the AMC/GM guidance material for the introduction of SMS requirements is welcomed.

> ***CAA Response:*** *Thank you for your comments welcoming the AMC and GM. We have reviewed your comment regarding 21.A.7 and can advise that the CAA are introducing AMC and GM for 21.A.7. This was previously consulted on from January to February 2023 which is why it was not included within this consultation. The related AMC and GM have been published under CAA ORS9 Decision No. 48.*
> *Please see the link to the consultation: https://consultations.caa.co.uk/airworthiness-policy-team/amc-gm-reg-748-2012-annex-1-part-21/*

Comment 3. AMC1 21.A.139(c)(4)(ii) Production management system and AMC1 21.A.239(c)(4)(ii) Design management system

Definitions: Guidance would be useful with respect to what can be considered a small, non-complex organisation.

In compiling the Airbase Safety Management System, I have considered that the organisation:

- Is not responsible for flight or ground operations of aircraft,

- Is not responsible for flight or cabin crew duty rostering or training,
- Does not operate an Maintenance Hangar environment
- Does not exceed the lower threshold of organisation size with respect to fees due to the authority
- Only has staff working on aircraft cabins under the supervision of the maintenance organisation or operator.
- Does not design, produce, or maintain complex parts for aircraft or rotorcraft.

These considerations would 'suggest' classification of the organisation as a small and non-complex organisation, but I have been unable to verify this against any written definitions or explicit guidance on organisation classification.

CAA Response: *At present, it is considered that any prescriptive description of a small / non-complex organisation within Part 21, for the purpose of the SMS, would not adequately reflect the variety of possible scenarios. There is guidance covering this topic publicly available by the Safety Management International Collaboration Group (SMICG) titled 'SMS for Small Organisations Templates' and the CAA published 'Safety Management Systems: Guidance for small, non-complex organisations (CAP 1059)'. The CAA POE user guide will provide examples of SMS scalability which may be considered for organisations.*

2. GM1 Annex I Definitions

Comment 1.

Description of Auditing: no mention of value or purpose. It diminishes the impact of audits and auditing. (Ex. continually improve the business, catalysts for change)

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The definitions are purely factual and intended only to assist in interpreting the AMC and GM.*

Description of Auditing and Assessments could be simplified. (One is assurance, the other is business maturity) - Correction: is it only non-compliances we correct?

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The definitions are purely factual and intended only to assist in interpreting the AMC and GM.*

See also, the response to Rolls Royce comment on 'Error'.

Definition of Human Factors: missing the opportunity to remind people we are human all of the time, not just working on Aerospace products.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The regulation, and therefore the AMC and GM to which the definition relates, focuses solely on the viewpoint of aerospace organisations.*

Please note that the definitions are there as a statement to allow the correct interpretation of the regulation.

Just Culture: Why refer this one directly to the article, yet provide definitions of Human Factors and Human Performance? (Consistency!)

CAA Response: *Reviewed and amended. The Article 2 definition of 'Just Culture' has been added alongside the reference. Human Factors and Human Performance are not defined within Article 2 of UK Reg 376/2014, and we consider that a full definition of each term is appropriate for the purposes of GM1.*

Near Miss: Should be 'An event in which an occurrence requiring a mandatory report (to 376/2014) was narrowly avoided.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

Risk Assessment: is it only operational and engineering contexts considered? Doesn't tie into ALARP or other key risk principles.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The definition in GM1 is relevant only in the context of the regulation and intended to assist in interpreting the related AMC and GM, not as a guide to the process of risk management in general.*

Safety Culture: needs clarifying this is product safety. In addition, the use of the term 'norms', somewhere contradicts the Dirty Dozen premise of questioning cultural norms.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. We do not consider the use of the term 'norms' in this context to be contradictory. It is used in its standard dictionary meaning as something that is usual or typical, and with no expressly positive or negative connotation. Normalised behaviour can be either positive (such as normalising the raising of occurrences) or negative. The negative norms, such as those referred to in the Dirty Dozen, are those which should be questioned under the safety culture.*

Safety Risk: This is the risk itself, the safety risk score is the probability and likelihood.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. Please note that 'probability' and 'likelihood' are used interchangeably. See point 2.5.3 Table 1 Safety risk probability table and point 2.5.5 Table 3 Safety Risk tolerability in the ICAO Doc 9859. In both points ICAO categorises likelihood as 'frequent, occasional, remote, improbable and extremely improbable.' The definition of 'safety risk' is drawn from the ICAO Document 9859 Safety Manual Fourth Edition and Annex 19 Safety Management.*

Comment 2. Non-complex organisation is referenced, but not defined. Propose: Include criteria and process for classification of an organisation.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. Any prescriptive description of a small / non-complex organisation within Part 21 for the purpose of the SMS would not adequately reflect the variety of possible scenarios.*

There is guidance covering this topic publicly available by the Safety Management International Collaboration Group (SMICG) titled 'SMS for Small Organisations Templates' and the CAA published 'Safety Management Systems: Guidance for small, non-complex organisations (CAP 1059)'.

Comment 3. Editorial point: The definitions do not have to be preceded in each case by the phrase "It is..", or "It refers to.."

Delete the initial 'It is" or 'It refers to.."' in all the sections of the table.

CAA Response: *Reviewed, agreed and amended throughout the GM to remove 'it is' or 'it refers to'.*

'Audit' - This definition refers to audit as a process, but should not contain the qualifying preceding terms 'systematic, independent and documented', as these are either normally used alongside the term 'audit' or are not necessary for an activity to still be regarded as auditing. The activity is fully defined by the phrase 'for obtaining evidence and objectively evaluating it to determine the extent to which the requirements are complied with'.

Delete 'systematic, independent and documented'. Editorial: use the phrase 'with which requirements are complied'. The deletion of 'the' removes the necessity to spell out in the definition to which requirements the definition refers.

CAA Response: *We have reviewed the provision and concluded that the definition as originally drafted achieves the policy intent and is consistent with the way this term is used in the AMC and GM.*

'Correction', 'Corrective Action' - The definitions of 'correction ' and 'corrective action' do not appear to differentiate between the two. We further suggest that a 'correction' does not have to be complete elimination of the issue found, and therefore should include mitigation, as with the definition of 'corrective action'.

We propose the removal of the definition of 'correction' to avoid confusion, or clarifying the definition to show that 'correction' is the act of introducing corrective action.

CAA Response: *Reviewed, agreed and amended. The intent of the two definitions is to differentiate between the correction of a single non-compliance (immediate action) and the process to prevent the recurrence (long term action). The definition has been amended as per below to provide greater clarity.*

Correction	The elimination of a detected non-compliance
Corrective action	The action to eliminate or mitigate the detected non-compliance(s) root cause(s) to prevent the recurrence of existing detected non-compliance, or of any other undesirable condition or situation. Proper determination of the root cause(s) is crucial for defining effective corrective action to prevent reoccurrence.

'Error' - This definition does not appear to be correct. An error is normally understood to be inadvertent. Secondly, an error is something that is not correct – not something that 'may lead to a deviation.'

Suggest rewording for clarity. Aa an example: “1. An act, assertion or belief that unintentionally deviates from what is correct, right or true” [Source: thefreedictionary.com]

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. We consider that the GM1 definition as originally drafted is broad enough to capture lack of intent and incorrectness. We consider that the key characteristic of an ‘error’, in the context of the AMC and GM to which the defined term applies, is that it could result in deviation from procedures or regulations. We also recognise, however, that an error will not inevitably result in such deviation. We are satisfied that the original definition captures the intended meaning in this context.*

‘Inspection’ - The first part of the definition appears to partially repeat itself (a conformity evaluation to verify compliance..) and we suggest that the notion of an inspection is not defined by whether it is “independent and documented” (see the distinction given in the second part of the definition regarding whether a production inspection should be independent or not..). Documenting activity is required by other parts of the regulation, and therefore should not feature in a definition. The mention of conformity may also lead the reader to believe that the definition is related to products only, given the context of the second paragraph. We presume, for example, that records can be inspected?

Suggest rewording for clarity by deleting the redundant phrases. “In the context of compliance monitoring and oversight, [it refers to] an evaluation by observation and judgement, which is accompanied, as appropriate, by measurements, testing or gauging, in order to verify compliance with the applicable requirements”.

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. Where the use of ‘a conformity evaluation…to verify compliance’ may be seen as a repetition, the first part of the sentence defines the ‘what’ and the second half defines the ‘how’ and ‘why’. Whilst not all inspections need to be independent, in the context of compliance monitoring and oversight, documentation is key to ensuring compliance is evidenced. Further, the notion of independence is integral to compliance monitoring.*

‘Oversight Programme’ - Clarification point: Recognising that any plan or programme may be draft and subject to change, why does the definition state that the time frame for performing the programme steps is always ‘tentative’?

Suggest the word ‘tentative’ is deleted.

> ***CAA Response:*** *Reviewed, agreed and amended.*

Oversight programme	The detailed oversight schedule that defines the number of audits and other activities, including the scope and duration of each activity, as well as the details of product audits and locations, as appropriate, to be performed by the CAA, and to the time frame for performing each activity.

'Safety Culture' - Recognising that this definition is being used in the initial airworthiness regulations, which are related to the creation of safe products, and the design and production organisations responsible for it, this definition includes safety of the workforce, which should be the concern of the HSE, rather than aviation regulation. This wider definition also appears to be inconsistent with the explanation given in GM1 21.A.139 (c).

Separately, if the second sentence is attempting to define a positive safety culture, it should reflect on the features of such a culture, rather than how to achieve it (i.e., by promotion). The requirement for promotion is covered in other parts of the AMC/GM (e.g. AMC1 21.A.139 (c) (1).)

Suggest rewording for clarity, to avoid the overlap with HSE issues, and to explain the features of a positive safety culture, rather than how to achieve it, and therefore to avoid confusion when the term is then used in the AMC/GM.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

The definition for safety culture is used within the AMC and GM of other regulations such as GM1 to Annex II (Part-145) Definitions of UK Regulation (EU) 1321/2014. There are overlaps between a 'safety culture' and the matters regulated by HSE. Safety of the workforce is one such overlap, and we consider that it is an appropriate concern of aviation safety regulation and therefore relevant to the definition.

The definition does not aim to describe how to achieve or promote the benefits of a safety culture, only to illustrate what a positive safety culture comprises and is added to the GM to allow a conversation to begin around the organisation's safety culture. A safety culture should be developed throughout the organisation, which involves all the personnel as active contributors to the safety of the final product, part, or appliance.

3. GM2 Annex I Abbreviations

Comment 1. Consider that the abbreviations should be capitalised as is the normal practice, currently the table has a large number of abbreviations where the first word letter is capitalised and then the rest is lower case.

CAA Response: *Reviewed, agreed and amended.*

Comment 2. OP is a commonly used abbreviation for 'Operation' - Do we need 'Other Party' to be abbreviated? Do we need all these abbreviations? Noted 3 or less instances in change listed below: (Note, full regulation not checked as these are defined as 'new' abbreviations in grey and this is including the abbreviation itself!) APU - 3 CS-FCD - 3 CS-GEN-MMEL - 3 CS-SIMD - 3 POATL - 3 CS-MMEL - 2 ESF - 2 FOD - 2 TCDS - 2 CofA - 1 CRI - 1 CS-CDD - 1 EDTO - 1 ELOS - 1

CAA Response: *Reviewed, agreed and amended.*

4. AMC1 21.A.3A(a) Failures, malfunctions and defects

Comment 1. Two 'bullets' are out of line to the first two.

CAA Response: *Reviewed, agreed and amended.*

Comment 2. The title no longer reflects the content of the AMC, it encompasses more than just failures, malfunctions and defects.

CAA Response: *Reviewed and agreed however due to the current restriction on amending provisions in assimilated legislation that are subject to criminal sanctions, the title of the rule in 21.A.3A was not amended. We consider that it is preferable for the title of the AMC to reflect the title of the rule, but we have added a sub-title to provide further clarity.*

Comment 3. 1) The first paragraph has an explanation of the term ‘event’ as ‘any failure, malfunction, defect, error, near miss, hazard identification, incident, accident, or other occurrence that is subject to a reporting system.” We suggest that the inclusion of ‘hazard identification’ is not logical, as an ‘event’ is something that has occurred (see definition of ‘occurrences’) whereas a hazard is a condition that might present a risk to aviation safety. Moreover, we suggest that including it is inconsistent with the end of the sentence referring to ‘other occurrences’, as a hazard identification is not an occurrence either. See also the definition of collection systems in GM1 21.A.3A (a) which refers to collecting ‘failures, malfunctions and defects or other occurrences... when they occur’.

2) The point of the fourth paragraph is not clear. By referring to ‘parts whose failure could lead to an unsafe condition’, it implies that the paragraph is aimed at production organisations, but such organisations are not in a position to determine the effects of part failures. Alternately, if the paragraph is aimed at design organisations, then any reports received should be evaluated for their implications on product safety, in order to determine reportability, per the third paragraph, and the link to part failure is not clear.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

1) Whilst outside of the reporting system hazard identification would not normally be considered an event, in the context of using the reporting system, hazard identification is reportable and therefore comes under the term 'event' as used within this AMC.

2) The provision 21.A.3A requires the DO to establish and maintain a reporting system.

The main aim of this paragraph is to ensure that the DO thoroughly investigates the reports it receives through this system where the impact of a failure arising from the design or from the instructions for continued airworthiness would be serious.

5. GM1 21.A.3A Failures, malfunctions and defects

Comment 1. This imported EASA GM text should be clearer on two aspects. When the EU reporting regulation was created, it introduced, for a variety of individuals, a personal requirement to report certain events to the regulator.

The events that required such reports (i.e. mandatory reports) were identified in supporting regulation 2015/2018. There was an additional requirement included to report issues that did not meet the list of events identified for mandatory reports, but were considered by the reporter to be a threat to safety (of aircraft operation). Although these were also required to be reported, the EU and UK regulations refer to them as 'voluntary reports', which creates confusion, as they're not actually voluntary. The existing reporting requirements in Part 21.A.3A already cover both cases as part of mandatory reporting.

The second paragraph of this GM attempts to explain this, but does not make it clear, as it suggests that only the mandatory content of both regulations is the same. We suggest this is clarified, to avoid the incorrect interpretation that EU 376/2014 and 2015/2018 require more to be reported than Part 21 already requires. This will also ensure consistency with GM1 21.A.3A.(b) which also covers the relationship.

It should be recognised that true 'voluntary' reports are normally considered by organisations to be items where the organisation has some choice in whether to report, and are made for cases that do not meet the Part 21 criteria, but are considered worthy of reporting to the CAA.

Separately, as regulation 376/2014 places a duty on individuals, it is important to be certain that their duty is discharged if the individual reports via their organisation's internal reporting system. While this is partly explained in respect of using a single report in fourth paragraph, this appears to relate to organisations. For individuals, the CAA website makes it much clearer, stating "If you are required to submit occurrence reports in accordance with Occurrence Reporting legislation due to your profession (e.g. pilot, aircraft maintenance engineer, ATCO etc) submitting an internal report fulfils your obligation to do so". We support this clarity, and propose this text is included in this GM, to ensure consistency.

We propose two clarification edits:

Suggestion No 1: “For Part 21 design organisations (DOs) and production organisations (POs), the reportability criteria (i.e. a potential unsafe condition) are the same as the ones laid down for both mandatory and voluntary reporting by Regulation (EU) No 376/2014.”

Additional text between paragraphs four and five:

Suggestion No 2: “For individuals required to submit occurrence reports in accordance with EU376/2014 and EU 2015/2018 due to their profession, submitting an internal report fulfils their obligation to do so”

Source: www.caa.co.uk/our-work/make-a-report-or-complaint/report-something/safety-reporting-guidance-for-aviation-employees/

(Under ‘internal safety report’)

CAA response: *Reviewed, agreed and to be considered for amendment.*

For suggestion 1. Mandatory and voluntary reporting are laid down in UK Regulation (EU) No 376/2014. By referring to that legislation it should be understood that mandatory and voluntary reporting is included. However, this is being considered for amendment to provide clarity.

For suggestion 2. UK Regulation (EU) 748/2012 is aimed at the organisation employing the individuals / professionals listed in Articles 4 and 5 of UK Regulation (EU) 376/2014, and not at the individuals themselves. Therefore, it covers reporting requirements placed on these organisations as a whole, and we consider that it is appropriate to do the same in this GM.

Comment 2. How will the regulators be supporting this? Customers do not always inform production organisations of higher-level unit failures of which those products supplied may contribute.

CAA Response: *This GM relates to the obligations on the DO / PO in point 21.A.3A(a) to ensure that the system for collecting, investigating and analysing failure reports exists and that it is known to customers. Point 21.A.3A(a) does not impose obligations on those customers, and neither the Regulation nor this GM is intended to enforce customer reports.*

6. GM2 21.A.3A(a) Failures, malfunctions and defects

Comment 1. Note on (d) - request to retain though no periodicity defined.

What is your proposed solution or amended text?: Specific a retention period.

CAA Response: *Reviewed, agreed and amended as per below.*

d) All safety-related reports should be retained for an appropriate period as defined by the organisation, as the significance of such reports may only become obvious later.

7. GM1 21.A.3A(a) and (c) Failures, malfunctions and defects

Comment 1.

(1) Regarding the scenario of voluntary reporting, the phrasing "should mandatorily report" is confusing. If it is a regulatory requirement to report as suggested with the reference to 145.A.60, the use of “should mandatorily report” seems to be redundant.

(2) We recommend either removing the word "mandatorily" from the sentence or changing "should mandatorily report" to "must report."

CAA Response: *Reviewed, agreed and amended as per below.*

A production staff member in a production organisation is reporting to their production organisation a perceived design issue that is not covered by UK Regulation (EU) 2015/1018. The production organisation should make an assessment of the voluntary report and if it assesses that the reported event ‘may involve an actual or potential aviation safety risk’, then it would fall under the mandatory reporting classification reportable to the TC holder, the CAA, etc., as per point 21.A.3A a) ‘Failures, malfunctions and defects’. If the production organisation cannot determine whether a safety risk exists (due to lack of competence, lack of data, etc.), it should voluntarily report the event to the TC holder / Design Approval Holder using the processes identified in the DO/PO arrangement established to meet points 21.A.4 and 21.A.133 b) and c) for further assessment.

8. AMC1 21.A.3A(c) Failures, malfunctions and defects

Comment 1. (a) (1) - how will POAs update the CAA on a DO's position when the reported issue may not be flowed back down? There are no elements here compelling this action. Gen - We discuss just-culture, though where is the industry register from all companies sharing all this data, including near-misses etc., openly and freely? (It can be done anonymously!)

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. To obtain a PO approval, point 21.A.133 requires a PO to have an arrangement with the relevant DO that ensures satisfactory coordination between production and design. We expect that this arrangement should be sufficient to ensure that a PO will have the information it needs to be able to update the CAA as envisaged by paragraph (a)(1).*

9. AMC1 21.A.5 Recording

Comment 1. Item d)(1) expects that production records (i.e. those developed under points 21.A.163) should be retained throughout the operational life of the product or part. It is not clear how a production organisation will find out when a product or part it has produced is withdrawn from service. Some GM explaining how to interpret this requirement practically is needed, noting that, as most aviation parts are not serialised, the ability to trace back to production records with any certainty diminishes over time.

This provision also appears to contradict the archiving period for conformity data of not less than three years in GM1 21.A.5(a) and (b).

Suggest that reference to production records is removed from the scope of this AMC, and a reference to GM1 21.A.5(a) and (b) introduced. If the provision is retained in some form, GM is needed to explain the practical interpretation of the production record retention AMC in the absence of information on the life of the product or part in service.

CAA Response: *Reviewed, the inconsistency between AMC and GM is noted and to be considered for amendment. Paragraph (d)(1) clarifies that where a Production Organisation exercises privileges defined under points 21.A.163 and 21.A.263, such as issuing a CAA Form 1, documents and supporting information produced as a result of that exercise should be retained for the operational life of the product or part.*

With regards to GM1 21.A.5(a) and (b), the production records which are to be kept for not less than 3 years are intended to specifically support the conformity of a product, part, or appliance, such as reports summarising inspection data, calibration records, internal audits, supplier audits, etc. and not the fundamental production records (such as shop packs confirming operations have been completed by suitably qualified and experienced personnel, material certificates, and inspection and test reports) necessary to show conformity with design data.

Additionally, there is an editorial error in the AMC, the wording 'are retained throughout the operational life of the product or part' is meant to be on a separate line to point (2) and it applies to both points (1) and (2) therefore applies to a broader range of data than the GM does.

To determine "operational life of the product or part", liaison with the responsible design approval holder is encouraged. Where requests have been previously made to the CAA for disposal of production records, a period of two years after the last product or modification to include a part is no longer in service have generally been accepted.

10. GM1 21.A.5 Record-Keeping

Comment 1. The list of design data in the first paragraph does not appear to be relevant to production organisations. Given the context, we suggest that the item 'inspection records for the product tested' refers to products tested as part of the certification programme, rather than production parts being tested as part of production inspection. We suggest that this list should be Should this list be preceded with "For design organisations:" or "For product designs and changes:" in the same way as paragraphs two and three are given context?

Suggestion: Introduce a qualifier in the first paragraph as needed.

CAA Response: *Reviewed, agreed and amended as per below.*

[…]
For organisations that hold or have applied for a type certificate (TC), restricted type certificate (RTC), supplemental type certificate (STC), a United Kingdom technical standard order (UKTSO) authorisation, a change to the TC approval, a repair design approval, a permit to fly, a production organisation approval (POA), or a letter of agreement under Part 21, the relevant design information/data includes at least the following, as applicable:
- design data such as type design data, as defined in point 21.A.31, and changes to that data, UKTSO design data, and repair design data;
- drawings and test reports, including inspection records for the product tested;

For Design Organisations (DOs), the relevant records include at least:
- the certification programme, including related certification basis data (certification review items (CRIs), special conditions (SCs), equivalent safety findings (ESFs)); and
- compliance demonstration data.

For repair designs, the record-keeping requirement of point 21.A.5 applies to the data described in AMC 21.A.433(a)d.

For production organisations (POs), the relevant records include at least:
— conformity justification data; and
— conformity attestation data (e.g. CAA Form 1 or CAA Form 52).
[…]

11. GM1 21.A.5(a) and (b) Record-keeping

Comment 1. What is the issue that you have identified?: Description of the main objectives of record keeping.

What is your proposed solution or amended text?: Is the main reason not subjective to the record type? In the regulation words: Justification Data is in line with the proposed definition of continuing airworthiness. Attestation Data is not, as this is for traceability, assurance and investigation.

> ***CAA Response****: We have reviewed the provision and concluded that no change is needed to achieve the policy intent as it describes record keeping in general and not the type of records held and for what purpose. 21.A.5 outlines that a Design Organisation must establish a record-keeping system; for Production Organisations it outlines that they must record details of the production process to demonstrate conformity. All the above must be made available to the CAA. GM1 21.A.5(a) and (b) provides guidance to the records and requires that this data be retrievable.*

12. AMC1 21.A.5 (d) and (e) Record-keeping

Comment 1. Am questioning the requirement to record the date of birth under AMC1 21.A.5 (d) & (e) Record-keeping (a) (b). Don't strictly consider it to be necessary, it's not really minimum information required to justify an individual's competence, it is old school in the type of data required and also could argue that recoding this data is discouraged under the Equality Act from an age discrimination perspective.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The requirement for date of birth enables the identification of two individuals with the same name and confirms minimum age requirements are met for certification signatures on legal documents. This further supports incident and investigation processes.*

Comment 2. Items (d) and (e) appear to say the same thing with regard to production staff. Should item (d) be related only to design organisations?

Suggest removal of reference to production organisation in item (d).

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. Point (d) relates to records of staff competence and qualifications whereas point (e) relates specifically to personnel authorisation records.*

13. AMC1 21.A.5(a) and 21.A.433(b) Repair design and record-keeping

Comment 1. Item e) appears to have been mis-translated. Current UK text (in AMC 21.A.433 (b) and 21.A.477) reads " 5. Repairs to engine or APU critical parts would normally only be accepted with the involvement of the TC holder". The proposal has "Repairs to engines" and a misplaced hyphen "APU-critical" which suggest a much wider application of this restriction. If this is not the intent, then we suggest the current UK text is retained.

CAA Response: *Reviewed, agreed and to be considered for amendment.*

14. GM1 21.A.8 Access and investigations

Comment 1. The EU Implementing Rules gave 'Access and Investigations' the number 21.A.9 whereas SI No.588 gave it the number 21.A.8. This has the potential to cause confusion, especially for those with both EASA and CAA approvals.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

The numbering complies with UK legislative drafting conventions that call for rule numbers to be sequential (and which are applied in relation to assimilated law following EU Exit).

15. AMC1 21.A.124A(b) and 21.A.134A(b) Means of compliance

Comment 1. We strongly recommend that the rationale for the use of AltMoCs is revisited by the CAA as soon as possible, and the system is withdrawn, or substantially reduced in scope if there is justification to retain it. The system was created by the EU to standardise the Member States' competent authorities to EASA's AMC, recognising that the AMC could not be binding on the Member States, so that the traditional presumption of compliance could not be relied on by the organisations overseen by the CAs, and that EASA AMC could be deviated from by CAs as they saw fit. This has resulted in the introduction of a bureaucratic AltMoC system, requiring formal application for potentially trivial matters, potentially seeking risk assessment or rationale of an equivalent level of safety, for cases where the AMC is offered 'as-is' without an explanation for the risks it is addressing, plus the need to publish the existence of AltMoCs by CAs and their submittal to EASA for 'review'. The system appears to be designed to make deviation from the EASA AMC as difficult as possible, while accepting that it is the right of a CA to do so. The impression that industry has (and this was raised with EASA when it was first proposed for Part 21 and Part 145) is that it has the effect of making AMC effectively mandatory. Most AMC is written to show a means of compliance, and is not necessarily created to cover every organisation's particular circumstances. In many cases it is simply a way to provide a means of compliance to assist organisations and their surveyors in arranging their thoughts in a logical way, and surveyors have always been charged with assessing the system presented to establish whether it is fit for purpose within the expectations of the regulation. The CAA is now in a position where this system is not required, as it is not acting for a Member State, with a relationship with EASA, and does not need a formal means for deviating from its own published AMC. With no other regulator involved, if the CAA publishes AMC, then the CAA is declaring the AMC to be acceptable, so this can be relied on by the approved organisation. An organisation's means to comply is presented to the CAA surveyor, and described by the exposition, so that acceptance of the exposition by the CAA indicates agreement that compliance has been demonstrated, whether there is AMC/GM or not. We have to ask what the point of publishing the existence of AltMoCs will be if the CAA is expected to continue with this practice. We accept that In some cases, there may be some merit in providing a formal rationale for the basis of an acceptance of a means of compliance offered by an organisation, beyond the acceptance of the exposition and the ongoing surveillance programme, but this should be reserved for difficult judgements, and possibly to ensure consistent interpretation from one CAA surveyor to another - this should be at the request of the organisation, to preserve the decision, or possibly for the rare case when the CAA wishes to publish means of compliance outside the current publication of its AMC/GM, where there is clear benefit for the UK aviation system.

Given that there is already a 'hook' in the current regulation, we suggest that this AMC/GM makes it clear that the use of a formal AltMoC should be for exceptional cases only, and the normal practice is for the investigation by the CAA to agree compliance has been demonstrated.

This comment was raised on GM1 21.A.124A and 21.A.134A Means of compliance, GM2 21.A.124A and 21.A.134A Means of compliance.

CAA Response: *These comments have been reviewed in depth and as a result of the review, we have decided not to amend the AMC at this time. The CAA is undertaking work to review the status of AltMoCs across all domains post EU Exit.*

The intent of the AltMoC provision is to provide flexibility to organisations where compliance with the legislation by following the AMC cannot be achieved and therefore the presumption of compliance provided by the AMC is lost.

AltMoC is used predominantly as a short-term measure. This may be for, but is not limited to, the following cases:

- *Where an industry wide issue with a particular AMC has been raised, the CAA may issue a generic AltMoC to bridge the short-term deficiency.*
- *When the CAA needs to respond quickly to enable organisations to continue to operate. For example, to respond to a global situation where temporary amendments to AMC and GM would not be appropriate and timely action is needed.*
- *Should the circumstances leading to the AltMoC change – for example change of nominated person whose qualifications or experience did not meet AMC and was accepted under AltMoC – the AltMoC would not then automatically apply to their replacement.*

16. GM1 21.A.124A and 21.A.134A Means of compliance

Comment 1. See input on AMC1 21.A.124A(b) and 21.A.134A(b) Means of compliance.

CAA Response: *Please see our response in relation to AMC1 21.A.124A(b) and 21.A.134A(b).*

17. GM2 21.A.124A and 21.A.134A Means of compliance

Comment 1. See input on AMC1 21.A.124A(b) and 21.A.134A(b) Means of compliance.

CAA Response: *Please see our response in relation to AMC1 21.A.124A(b) and 21.A.134A(b).*

18. AMC1 21.A.124A and 21.A.134A Means of compliance

Comment 1. See input on AMC1 21.A.124A(b) and 21.A.134A(b) Means of compliance

> ***CAA Response:*** *Please see our response in relation to AMC1 21.A.124A(b) and 21.A.134A(b).*

19. AMC1 21.A.125B(a)(3), 21.A.158(a)(3) and 21.A.258(a)(3) Findings and observations

Comment 1.

(1) Regarding the sentence "Depending on the issues identified, the organisation may need to take immediate corrective action," this language may suggest that even for immediate corrective action, a corrective action plan must be submitted for acceptance, which may delay implementation of corrective action for an unsafe condition.

(2) We suggest rewording this section: “For issues identified as unsafe conditions, the organization may need to take immediate corrective action per point 21.A.3B. For all other issues identified, the corrective action plan should: - be submitted to the CAA in a timely manner for acceptance before the corrective action is implemented[...]

> ***CAA Response:*** *Reviewed, agreed and amended. The following wording has been added to clarify that the actions will always require a corrective action plan as they will need to respond to the CAA finding, whether or not the action to correct the finding was taken immediately and prior to the submission of the plan.*

Depending on the issues identified, the organisation may need to take immediate corrective action.

The corrective action plan, in response to CAA findings, should:

20. GM1 21.A.139, 21.A.239, 21.B.120, 21.B.140, 21.B.220, and 21.B.240 The use of information and communication technologies (ICT) for performing remote audits.

Comment 1. "An agreement between the auditing entity and the auditee should be established" - will this require a written agreement, or an audit invite containing the required elements will be sufficient?

"a documented statement of the auditee that they shall ensure full cooperation and provision of the actual and valid data as requested, including ensuring any supplier or subcontractor cooperation, if needed" - when it's needed? while it's essential to ensure cooperation, the requirement of a documented statement might be overkill. It shall be sufficient to include this disclaimer in the audit invite and/or Supplier Manual as the cooperation and provision of the actual and valid data is a general principle and applies to on-site audits as well.

Mandating such detailed controls and documentation could potentially create unnecessary bureaucracy and administrative burdens for auditing entities and auditees and it might deter organisations from embracing remote audits.

CAA Response: *Please note that the above wording was not included in this consultation and was consulted on previously at the beginning of 2023. This consultation proposed only the change of the title. On review of the wording, it does specify 'should' and 'if needed', therefore it is not mandated.*

Regarding the comment on the agreement: the text goes on to provide a list of items that the agreement should include. Based on this list e.g. "establishing an audit plan which will identify how remote ICT will be used and the extent of their use for the audit purposes" it seems likely therefore that this agreement will be a written document.

Regarding the latter comment about the statement of the auditee: the comment has been noted. Supplier or subcontractor cooperation might not always be relevant or needed. It is agreed that the cooperation and provision of the actual and valid data is a general principle and applies to on-site audits as well.

21. AMC1 21.A.139(c) Production management system

Comment 1. The AMC states: 'Demonstration of compliance with the international industry standard SM-0001 'Implementing a Safety Management System in Design, Manufacturing and Maintenance Organisations', Issue B, 31 March 2022, is a means to support demonstration of compliance with the safety management element of the production management system.' Although this is contained in AMC, the term 'to support demonstration' appears to limit the applicability of the standard, which has been designed as a complete means of compliance in its own right for safety management in design and/or production organisations. EASA have recognised the standard as a means of compliance to the safety management elements of design and production management systems. Recognising that there are no significant differences between the UK and EU regulations, and that the standard follows the ICAO framework and is not based on any specific national system, we strongly suggest that the UK text should follow the route for the EASA text, in which SM-0001 is identified as an acceptable means of compliance. This makes its status clear, and will benefit international recognition of organisations' SMS, as appropriate. Specifically, the recognition of an industry standard as an acceptable means of compliance is also highly beneficial for organisations with a corporate SMS, with approvals in different States.

Reword to: 'Demonstration of compliance with the international industry standard SM-0001 'Implementing a Safety Management System in Design, Manufacturing and Maintenance Organisations', Issue B, 31 March 2022, is a means to demonstrate compliance with the safety management element of the production management system.'

We recommend the same approach for design organisations (see later comment)

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. As the CAA has no control over SM-0001, the CAA is content to allow its use to assist in demonstrating compliance but has decided not to adopt it as an alternate AMC. It therefore remains an obligation of the organisation to ensure that, whilst complying with SM-0001, they also remain compliant with the UK Part 21 SMS requirements.*

22. AMC1 21.A.139(a) Production management system

Comment 1. This AMC is too prescriptive regarding the internal organisation of the production management system. The choice of organisation structure should be consistent with the guidance in GM1 21.A.139(c) in which the safety management element should be integrated into the organisation to ensure that it is not 'superimposing another system onto their existing management system and governance structure.' The organisation should be expected to provide a governance system for its safety management system, and personnel responsible for the safety management system itself, but it should be for the organisation to choose the roles and structures that are most appropriate for integration into its existing structures. This should also take into account the limited visibility of safety implications of the production organisation – as the primary role of the production organisation is to deliver conforming product, its safety management system can only realistically be seen in terms of organisational weaknesses introducing the risk of not producing a conforming product. This point is already recognised by AMC1 21.A.139(c)(3) and (4) item (a) (2). In many organisations, this will be managed under the quality assurance activity. We recommend that instead of specifically expecting a 'safety board', and a 'safety manager', the production organisation should be expected to provide a management mechanism for governance of safety, and to assign responsibilities for the introduction and maintenance of the safety management system. The existing material in this AMC should therefore be reworded slightly, to place the expectations on the organisation, rather than on a safety board per se, leaving the organisation to determine what structure is best suited to meet the expectations. In many cases, this will be a safety board, as envisaged by the proposed AMC, but it should not be presumed. Item (d) appears to recognise the need for flexibility, which is welcome, but unfortunately then leaves the only option to transfer the duties to a 'safety manager', which we assume is attempting only to address small organisations with limited resources. The structure chosen will always need to be subject to agreement from the CAA to demonstrate compliance, as for any regulation, so the caveat in point (d) may be superfluous, but we also question the appropriateness of expecting 'risk assessment and/or mitigation measures' when the risks being managed by the management structure in this AMC have not been defined, so any assessment of this type needs to reverse engineer the reasons for the structure in the AMC. It seems more appropriate to require the structure offered by the production organisation to demonstrate that it gives the necessary assurance of compliance, using items (b) 1-4 and (c.) as expectations.

Propose that item (a) is reworded to expect the management system to ‘encompass safety by assigning responsibility for the introduction, maintenance and governance of the safety management system in the organisational structure.’

The assumption of the safety manager role should be transferred to GM, with AMC laying out the expected activities/benefits of such a role, so that any distribution of safety management system responsibilities can be tested against those activities/benefits.

Item b) may then be reworded to be ‘Governance’ and items 1-4 reworded to have to be demonstrated by the organisation, rather than a feature of a presumed ‘safety board’. Item (c) then requires that the governance structure should ensure that appropriate resources....etc. Item d) may then cover the possibility of the governance and safety management responsibilities being combined.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The SMS AMC and GM are consistent with the guidance outlined in the ICAO Safety Management Manual Doc 9859. ICAO recommends the appointment of a competent person to fulfil the role of safety manager (Doc 9859 9.3.6.1); the establishment of appropriate safety committees, with the highest-level committee (or safety review board) comprising senior managers (Doc 9859 9.3.6.7-8); and the assembly of a ‘safety action group’ to support decision-making (Doc 9859 6.5.7.9). ICAO is clear that different models may be used to achieve the same aims. This AMC is also not intended to be prescriptive as to specific job title or role within the organisation, as long as the individual or committee in question fulfils the functions and achieves the results set out in the AMC.*

23. GM1 21.A.139(c)(2) Production management system

Comment 1. It is not clear why this reference to a ‘safety action group’ is included (recognising that it is in GM). Any governance system will make provisions for investigations or detailed work to be assigned as actions are needed, and the possibility of a hierarchy of working groups or sub-groups is not exclusive to safety management activity. We suggest that it is not necessary, and could be deleted without affecting compliance to the requirements. If retained at all, it should link to the governance structure proposed in the previous comment, to recognise that the structure may include sub-groups, either ad-hoc or standing, as necessary, so that the term ‘safety action group’ may be shown as a title sometimes awarded to such a group.

Propose that this item is deleted, or reworded to link to the proposal for a governance structure, so that this guidance mentions that the structure may need to provision sub-groups or working parties, and that in some instances these may be called ‘safety action groups’.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. See response to AMC1 21.A.139(a) Production Management System.*

24. AMC1 21.A.139(c)(3) and (4) Production management system

Comment 1. Item b) (3) states' For each individual organisation approval certificate held, the risks for each approval should be clearly identified and understood by the Safety Manager'.

This is unclear in several aspects. Firstly, given that this AMC is related to a production organisation approval, is this section referring to the possibility of holding multiple production approvals? The requirements in points 21.A.139 (c) (3) and (4) don't cover this scenario.

Secondly, the requirement for a single individual to 'clearly identify and understand' all possible risks places an unrealistic expectation on one person, even to discharge this duty at a superficial level, and seems to discount even the level of flexibility already built into some of the later material, let alone the proposals in our comments. Given that the role identified as 'safety manager' (whether discharged by an individual or more than one) is just to implement the SMS, this expanded expectation is unrealistic, and cuts across the wider distribution of safety responsibilities required of the production organisation management structure.

Please clarify what is actually expected here. Even if the scenario of multiple organisation approvals is clarified, we propose that item (b) (3) is deleted, as it appears to be impractical.

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. This AMC envisages that to enable an organisation to comply with the requirements in 21.A.139(c)(3) and (4), the Safety Manager should coordinate the safety management element that allows the risks to be clearly identified against each approval. This AMC is not intended to suggest that the Safety Manager must identify the specific risks themselves but rather that the role should be to facilitate their identification (see AMC1 21.A.145(c)(2) and (4) point (j)). Regarding the reference to 'each approval', this could be any approvals within the wider organisation for which the Safety Manager is the nominated post holder, such as a Production Organisation which also holds a Part 145 approval for component maintenance. The SMS framework is based on understanding the safety risks within that system, therefore the safety manager's role in implementing and maintaining the SMS includes having an understanding of the risks to the organisation.*

Comment 2. Subsection (e)(1) does not indicate what the organization needs to do regarding the processes to be consistent with prior sections (a), (b), etc. Furthermore, subsection (e)(1) indicates that performance monitoring and measurement should be processes but does not indicate that the organization needs to develop or define those processes per paragraph (e)(2).

We recommend rewording subsection (e)(1) to read "The organisation should define the processes through which the safety performance of the organisation is verified against the safety policy and the safety objectives."

CAA Response: Reviewed and agreed. Amended as per below:

e) 1) The organisation should define the processes through which the safety performance of the organisation is verified against the safety policy and the safety objectives.

25. AMC1 21.A.139(c)(5)(ii) Production management system

Comment 1. Editorial point: Item (b) states “The appropriate nominated post holders, as detailed in the production organisation exposition, should hold or direct regular meetings with staff, during which information, action, and procedures are discussed, may be used to communicate safety matters.” As this doesn’t make grammatical sense, it seems that some words have been omitted.

Suggested edit: “The appropriate nominated post holders, as detailed in the production organisation exposition, should hold or direct regular meetings with staff, during which information, action, and procedures are discussed, and these may be used to communicate safety matters.”

CAA Response: *Reviewed, agreed and amended as per below.*

The appropriate nominated post holders, as detailed in the production organisation exposition, should hold or direct regular meetings with staff, during which information, action, and procedures are discussed, and these may be used to communicate safety matters.

26. GM1 21.A.143 Exposition

Comment 1. Regarding subsection (b), "initial issued" should instead read "initial issue."

We recommend rewriting the first sentence of subsection (b) to read: "Point 21.A.143(b) requires that the initial issue of the POE is approved by the CAA."

CAA Response: *Reviewed, agreed and amended to read ‘initial issue’.*

27. AMC1 21.A.143(a)(1) Exposition

Comment 1. 1) Item (c) states: “The POE should include a statement, signed by the accountable manager (and countersigned by the Chief Executive, if different), which confirms that the POE and any associated manuals are complied with at all times.” This appears to place an additional requirement beyond that of point 21.A.143 (a) (1) which only requires a statement signed by the accountable manager.

There is no mention of counter-signature by the Chief Executive, who is not mentioned at all in the production organisation parts of the Regulation, except in GM 21.A.145 (c)(1) as a possible accountable manager, or the nominating manager for the accountable manager. Additionally, while the AMC mentions the reissue of the statement when the accountable manager changes, there is no provision included for the change of the Chief Executive.

1) Suggest this requirement for Chief Executive counter-signature is deleted.

2) Item (g) states: “The organisation may document its safety policy, safety objectives, and all the safety management system key processes (as required by point 21.A.139(c)) in a separate manual (e.g. a safety management manual or management system manual) or in its POE. Organisations that hold multiple organisation approvals, which are issued under Regulation (EU) 2018/1139 and the regulation made under it that are adopted on the basis thereof, may prefer to have a separate manual to avoid duplication.”.

To be consistent with the provisions of Annex 19 Appendix 2, item 1.5, the possibility of more than one document/manual holding the information should be included, rather than the choice of either the POE or one separate manual. It should be noted that the possibility of the documented information being made available via an intranet-based management system, rather than a traditional document would also be recognised by a more flexible expectation.

2) Suggest editing item (g) to: “....and all the safety management system key processes (as required by point 21.A.139(c)) in a separate manual or manuals (e.g. a safety management manual or management system manual) or in its POE.”

CAA Response: *Reviewed, one amendment made.*

The amendment made is regarding the Chief Executive. To provide greater clarification that there would need to be a re-issue of the statement on change of Chief Executive, we have made the following changes. This change has also been included within Subpart J AMC1 21.A.243(a) for consistency.

[…]

The statement should be reissued at the earliest opportunity when the accountable manager or chief executive changes.

[…]

Where an organisation chooses to have a separate chief executive and accountable manager, the counter-signature of the chief executive has been retained within the AMC because it demonstrates that the accountable manager has the support and commitment of the chief executive to ensure that the accountable manager is able to discharge their regulatory responsibilities and duties required under the approval, as required in 21.A.145(c)(1).

Point (g) of this AMC makes clear that an organisation will be deemed to comply with the requirements of 21.A.143(a)(11) if it has a safety manual that is separate from its POE and the safety manual is appropriately cross-referenced in the POE. This ensures that there is a simple, clear and auditable safety manual, which is consistent with the intent of the safety management system.

28. AMC2 21.A.145(a) Approval Requirements

Comment 1. As paragraph (f) ends with “The procedure should specify:”, the items listed in (g)(1) through (g)(5) should be part of paragraph (f) and renumbered to (f)(1) through (f)(5) instead of being in a new paragraph (g).

We recommend changing paragraph numbering (g)(1) through (g)(5) to (f)(1) through (f)(5), and renumbering subsequent paragraphs accordingly.

> ***CAA Response:*** *Reviewed, agreed and amended: numbering of paragraph (f) has been amended as suggested; consequential amendments have been made to paragraphs (h) and (i) (now paragraphs (g) and (h)).*

29. AMC1 21.A.145(c)(2) and (4) Approval Requirements

Comment 1. The flexibility of assignment of duties in relation to safety management and independent monitoring is welcome, as it is consistent with the intent to ensure that the assignment of duties is integrated with the organisation structure, (see GM1 21.A.139 (c) “Organisations may determine the best means to structure their management systems to suit their business and organisational needs”) and consistent with the need to define other personnel as part of the management structure of the production organisation.

Although, the acceptability of dividing these tasks between different managers, to suit the management structure of the organisation, is recognised by this AMC, there is then the instruction in item (c) and (d) to designate one individual as a ‘unique focal’. This term is not defined, indeed it is not clear from context whether the ‘focal’ is for the accountable manager, the CAA, the staff or others. The possibility of assigning the necessary safety management and quality management duties between nominated managers should be recognised as sufficient, provided that the assignment is clear, and does not present gaps, overlaps or conflict of interest. Additionally, the text should recognise the possibility of production organisations being part of a larger organisation and making use of corporate safety or quality functions for some or all of the duties. We propose edits to allow for these possible organisational needs.

The possibility to divide responsibilities up, however, is not consistent with items (i) and (j) which then prescribe duties for the ‘quality manager’ and the ‘safety manager’ respectively. We suggest that these sets of tasks should be for the organisation to carry out, by assigning appropriate duties, rather than for one individual or function.

Proposed edits: Replace the two references to requiring a ‘unique focal’ with a need to ensure, if duties are divided between persons, that appropriate co-ordination is maintained between those assigned such duties, determined by the accountable manager, so that item (f) is also fulfilled. We propose a GM is introduced suggesting that one route is to assign a focal point, if needed by the accountable manager.

Separately: “If a production organisation is part of a larger organisation, then safety management and/or independent monitoring activities may be carried out by the relevant functions of the larger organisation.” Suggest for consistency with the previous sections, that the title (i) Quality manager’ is replaced with ‘ (i) Quality Management’ and identifies the activities within as the responsibility of the organisation (“the organisation should ensure that...”, rather than a particular manager or function. Similarly, we suggest replacing (j) ‘Safety Manager’ with (j) Safety Management, and changing the third paragraph of this section to ‘The organisation should ensure that personnel are assigned as appropriate to: ...”

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

See 21.A.145(c)(4) which outlines that the Quality Manager must have direct access to the Accountable Manager. This is the person who is the ‘unique focal point’. See also 21.A.145(c)(2) for the safety manager.

The ‘unique focal point’ is the individual who reports directly to the Accountable Manager for the responsibilities of the ‘Safety Manager’ or ‘Quality Manager’, where these functions are carried out by a number of individuals. See AMC1 21.A.145(c)(2) and (4) points (c), (d), (i) and (j): more than one person can be designated to manage independent monitoring or safety management, and a safety manager may be assisted by additional safety personnel in performing their management tasks, but the Accountable Manager should identify a single quality manager and a single safety manager as the unique focal point for each role. This replicates similar provisions in ICAO Doc 9859 SMS Manual 9.3.6.4.

Point (c) is intended to clarify that where you have multiple quality management personnel, to ensure the direct route to the accountable manager, one quality manger must be appointed to ensure this line of communication is in place.

30. AMC2 21.A.145(c)(2) and (4) Approval Requirements

Comment 1. Recognising the points made already regarding the extent to which the quality management and safety management activities should be able to be assigned to suit the organisation, item (c) should relate to ‘quality management personnel’ rather than the ‘quality manager’.

This is already accounted for in item (d) for safety management personnel, but we question whether knowledge of ICAO standards should be included here. The inclusion of ‘knowledge of ICAO standards’ is not appropriate, (and, fortunately, is not required of other managers responsible for assuring compliance) given that this is identifying a level of understanding for a task set for approval under UK requirements. The organisation does not work to ICAO standards directly, and attempting to work to them may conflict with the actual national requirements.

We propose: Item (c) ‘Quality management personnel should...” In (d) (1) deletion of “International Civil Aviation Organisation (ICAO) standards and…”

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

Regarding point (c), please see the response to comment 29 on AMC1 21.A.145(c)(2) and (4). As noted above, we consider that it is appropriate to nominate a single quality manager to ensure a direct line of communication to the accountable manager.

For point (d), the AMC does not envisage an in-depth knowledge of ICAO standards, but we consider that the safety manager should be aware of the Annexes and related documents and where guidance can be obtained for their organisation, such as Annex 19 and Doc 9859.

31. AMC1 21.A.145(d)(2) Approval Requirements

Comment 1. As privileges are awarded to the organisation, rather than individuals, we suggest that the term ‘authorisations’ is used instead when referring to individuals, and for consistency with the title of this section.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. For those with an Aircraft Maintenance Licence, under Part 66, privileges are awarded on engineering licences. Where Certifying Staff within Part 21 may not hold a Part 66 licence, they are exercising the privileges of the organisation through their authorisations. For example, engineers within a Part 21 organisation may hold privileges as a Lead Flight Test Engineer within the granted company approval. Another example would be the signing of a certificate of release to service (CAA Form 53) in respect of that maintenance to maintain a new aircraft that it has produced.*

32. GM1 21.A.147 Changes to the approved production organization

Comment 1. We suggest that the list of changes for which CAA approval is needed requires consistent qualifying language, so that relatively trivial changes are not automatically elevated to significant changes, to remain consistent with point 21.A.147 which establishes changes ‘significant to the showing of conformity or to the airworthiness... characteristics of the product..” e.g. ‘significant changes to the organisations structure” rather than just “changes to..”

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. We consider that all changes to organisational structure are significant. The choice of language in this GM is intentional as every point highlights either specific changes, as in the first and third points, or wider changes that we consider to be important to the organisation staying in compliance with the Regulation as further expanded on in paragraph 2 of the GM.*

33. AMC1 21.A.239(a) Design management system

Comment 1. Should this title be called AMC1 21.A.239(c)(2) instead?

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

Comment 2. This AMC is too prescriptive regarding the internal organisation of the production management system. The choice of organisation structure should be consistent with the guidance in GM1 21.A.239(c) in which the safety management element should be integrated into the organisation to ensure that it is not 'superimposing another system onto their existing management system and governance structure.'. The organisation should be expected to provide a governance system for its safety management system, and personnel responsible for the safety management system itself, but it should be for the organisation to choose the roles and structures that are most appropriate for integration into its existing structures. This should also take into account the limited visibility of safety implications of the production organisation – as the primary role of the production organisation is to deliver conforming product, its safety management system can only realistically be seen in terms of organisational weaknesses introducing the risk of not producing conforming product. This point is already recognised by AMC1 21.A.139(c)(3) and (4)item (a) (2). In many organisations, this will be managed under the quality assurance activity.

We recommend that instead of specifically expecting a 'safety board', and a 'safety manager', the design organisation should be expected to provide a management mechanism for governance of safety, and to assign responsibilities for the introduction and maintenance of the safety management system. The existing material in this AMC should therefore be reworded slightly, to place the expectations on the organisation, rather than on a safety board per se, leaving the organisation to determine what structure is best suited to meet the expectations. In many cases, this will be a safety board, as envisaged by the proposed AMC, but it should not be presumed. Item (d) appears to recognise the need for flexibility, which is welcome, but unfortunately then leaves the only option to transfer the duties to a 'safety manager', which we assume is attempting only to address small organisations with limited resources. The structure chosen will always need to be subject to agreement from the CAA to demonstrate compliance, as for any regulation, so the caveat in point (d) may be superfluous, but we also question the appropriateness of expecting 'risk assessment and/or mitigation measures' when the risks being managed by the management structure in this AMC have not been defined, so any assessment of this type needs to reverse engineer the reasons for the structure in the AMC. It seems more appropriate to require the structure offered by the production organisation to demonstrate that it gives the necessary assurance of compliance, using items (b) 1-4 and (c.) as expectations.

Propose that item (a) is reworded to expect the management system to 'encompass safety by assigning responsibility for the introduction , maintenance and governance of the safety management system in the organisational structure.' The assumption of the safety

manager role should be transferred to GM, with AMC laying out the expected activities/benefits of such a role, so that any distribution of safety management system responsibilities can be tested against those activities/benefits.

Item b) may then be reworded to be ‘Governance’ and items 1-4 reworded to have to be demonstrated by the organisation, rather than a feature of a presumed ‘safety board’. Item (c) then requires that the governance structure should ensure that appropriate resources....etc. Item d) may then cover the possibility of the governance and safety management responsibilities being combined.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The references included in the response refer to Production Organisations, we are responding on the understanding that it was intended to refer to AMC1 21.A.239(a). Nevertheless, please see the response to AMC1 21.A.139(a) Production management system as this response still applies.*

34. AMC1 21.A.239(c) Design management system

Comment 1. The details in the current SMS' GM, and AMC regulations for Part 21J are excessively complex. It would be more beneficial to return to the foundational principles, where Part 21J was a succinct yet effective regulation. Consider making it more streamlined and allowing greater flexibility for the industry to adapt to its needs. Lastly, it would be extremely helpful if you could clearly indicate any text that is 'copied from EU/EASA.' Even better, highlighting any changes from the EASA text would greatly assist international companies. Consider making it more streamlined and allowing greater flexibility for the industry to adapt to its needs.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The SMS AMC and GM intend to provide sufficient information to ensure organisations can meet the requirements of the rule whilst ensuring UK compliance with ICAO Annex 19 Safety Management’s framework elements (see Appendix 2 of Annex 19 Second Edition Jul 2016).*

Regarding where the CAA AMC and GM differ from EASA’s, it is appreciated that this comparison would be beneficial to organisations with approvals in multiple NAA’s, particularly EASA. However, as the CAA is responsible for Regulation and AMC / GM for organisations within the UK and who hold a UK approval, we do not have the resource to provide a comparison of UK regulation and policies to that of other NAA’s.

Comment 2. Shouldn't the AMC articulate the key aspects of the DO SMS requirements rather than pointing to a generic SMS Standard.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. This AMC directs Design Organisations to the international industry standard SM-0001 that can be used to assist them in demonstrating compliance with the safety management requirements set out in 21.A.239(c).*

The remainder of the regulation 21.A.239, when read together with the related AMC and GM, articulates and explains the Design Organisation SMS requirements in detail.

Comment 3. The AMC states: 'Demonstration of compliance with the international industry standard SM-0001 'Implementing a Safety Management System in Design, Manufacturing and Maintenance Organisations', Issue B, 31 March 2022, is a means to support demonstration of compliance with the safety management element of the design management system.'

Although this is contained in AMC, the term 'to support demonstration' appears to limit the applicability of the standard, which has been designed as a complete means of compliance in its own right for safety management in design and/or production organisations. EASA have recognised the standard as a means of compliance to the safety management elements of design and production management systems. Recognising that there are no significant differences between the UK and EU regulations, and that the standard follows the ICAO framework and is not based on any specific national system, we strongly suggest that the UK text should follow the route for the EASA text, in which SM-0001 is identified as an acceptable means of compliance. This makes its status clear, and will benefit international recognition of organisations' SMS, as appropriate. Specifically, the recognition of an industry standard as an acceptable means of compliance is also highly beneficial for organisations with a corporate SMS, with approvals in different States.

Reword to: 'Demonstration of compliance with the international industry standard SM-0001 'Implementing a Safety Management System in Design, Manufacturing and Maintenance Organisations', Issue B, 31 March 2022, is a means to demonstrate compliance with the safety management element of the design management system.'

CAA Response: *Please see our response to AMC1 21.A.139(c)*

35. AMC1 21.A.239(c)(1) Design management system

Comment 1. Para (a) (3) indicates that the safety policy should be endorsed by the Head of Design. It needs to be recognised that for some organisations particularly larger organisations with multiple approvals that the HDO may not be the best placed individual to sign/approve the safety policy across an organisation. Do agree that the HDO needs to confirm the safety policy and this could be easily achieved through the DOA Handbook as an alternative to approving directly the safety policy.

What is your proposed solution or amended text?: Amend (a) (3) to be endorsed by the head of the design organisation (HDO) through approval of the safety policy or endorsement in the DOA handbook.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. As the HDO is the Accountable Manager within the Design Organisation, it is their responsibility to ensure the safety policy meets the requirements of the organisation and regulator.*

Whilst the safety policy itself will be developed by safety management, it should be endorsed by the Accountable Manager to demonstrate that they are aware of the policy and agree to it.

36. GM1 21.A.239(c)(2) Design management system

Comment 1. It is not clear why this reference to a 'safety action group' is included (recognising that it is in GM). Any governance system will make provisions for investigations or detailed work to be assigned as actions are needed, and the possibility of a hierarchy of working groups or sub-groups is not exclusive to safety management activity. We suggest that it is not necessary, and could be deleted without affecting compliance to the requirements. If retained at all, it should link to the governance structure proposed in the previous comment, to recognise that the structure may include sub-groups, either ad-hoc or standing, as necessary, so that the term 'safety action group' may be shown as a title sometimes awarded to such a group.

Propose that this item is deleted, or reworded to link to the proposal for a governance structure, so that this guidance mentions that the structure may need to provision sub-groups or working parties, and that in some instances these may be called 'safety action groups'.

CAA Response: *Please see our response to AMC1 21.A.139(a) and GM1 21.A.139(c)(2).*

37. AMC1 21.A.239(c)(3) and (4) Design management system

Comment 1. Subsection (e)(1) does not indicate what the organization needs to do regarding the process to be consistent with prior sections (a), (b), etc. Furthermore, subsection (e)(1) indicates that performance monitoring and measurement should be processes but does not indicate that the organization needs to develop or define those processes per paragraph (e)(2).

FAA comment: The FAA recommends rewording subsection (e)(1) to read "The organisation should define the processes through which the safety performance of the organisation is verified against the safety policy and the safety objectives."

CAA Response: *Reviewed, agreed and amended as suggested.*

Comment 2. Item b) (3) states' For each individual organisation approval certificate held, the risks for each approval should be clearly identified and understood by the Safety Manager'.

This is unclear in several aspects. Firstly, given that this AMC is related to a design organisation approval, is this section referring to the possibility of holding multiple production approvals? The requirements in points 21.A.139 (c) (3) and (4) don't cover this scenario.

Secondly, the requirement for a single individual to ‘clearly identify and understand’ all possible risks places an unrealistic expectation on one person, even to discharge this duty at a superficial level, and seems to discount even the level of flexibility already built into some of the later material, let alone the proposals in our comments.

Given that the role identified as ‘safety manager’ (whether discharged by an individual or more than one) is just to implement the SMS, this expanded expectation is unrealistic, and cuts across the wider distribution of safety responsibilities required of the production organisation management structure.

Please clarify what is actually expected here. Even if the scenario of multiple organisation approvals is clarified, we propose that item (b) (3) is deleted, as it appears to be impractical.

CAA Response: *Please see our response to AMC1 21.A.139(C)(3) and (4).*

38. AMC1 21.A.239(c)(5) Design management system

Comment 1. Editorial point: Item (b) states “The appropriate nominated post holders, as detailed in the handbook, should hold or direct regular meetings with staff, during which information, action, and procedures are discussed, may be used to communicate safety matters.” As this doesn’t make grammatical sense, it seems that some words have been omitted.

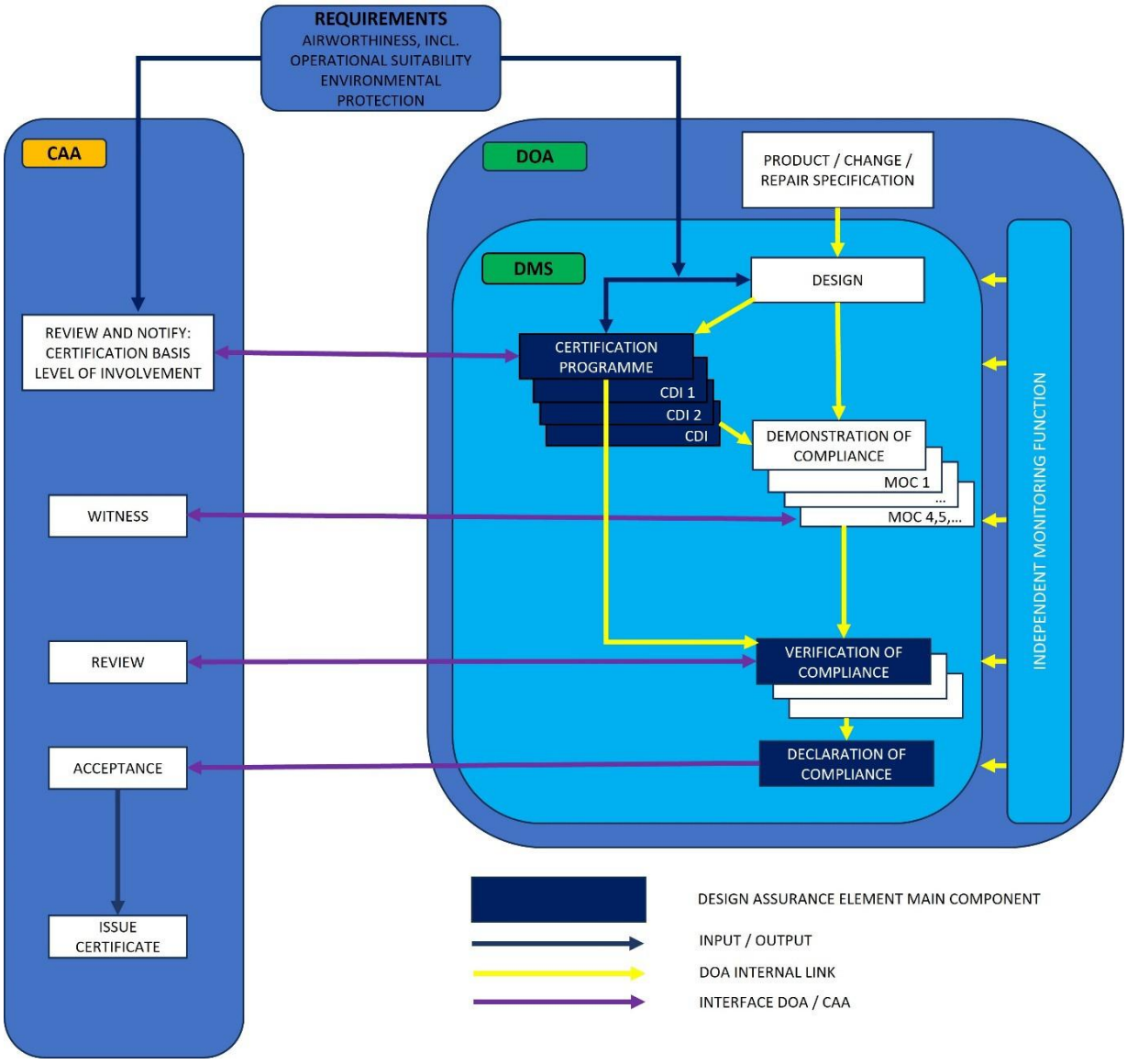
Suggested edit: “The appropriate nominated post holders, as detailed in the handbook, should hold or direct regular meetings with staff, during which information, action, and procedures are discussed, and these may be used to communicate safety matters.”

CAA Response: *Reviewed, agreed and amended.*

39. AMC1 21.A.239(d) Design management system

Comment 1. Editorial - The Figure 1 - Relationships Concept in Design and Certification has a reference for the purple arrows as 'Interface DOA/EASA'. believe that this should be 'Interface DOA/CAA' as it does not make any sense to refer to EASA.

CAA Response: *Reviewed, agreed and amended as per below.*



40. GM1 21.A.239(d)(3) Design management system

Comment 1. Editorial point: We suggest that the term ‘partner and/or subcontractor’ should be used, as the two are not always linked.

CAA Response: *Reviewed, agreed and amended as per below.*

[…]

(a) The satisfactory integration of the partner and / or subcontractor and applicant’s design assurance element of the design management system is demonstrated for the activities that are covered under the applicant’s terms of approval.

[…]

41. AMC1 21.A.243(a) Data

Comment 1. This relates to the actual 21.A.243 Data regulation as of 1 July 2024 currently published by the CAA.

[…]

(a) As part of the design management system, the design organisation must create and give to the CAA a handbook that describes, directly or by cross-reference:

I. the organisation and its relevant policies, processes and procedures;

II. the type of design work;

III. the categories of products, parts and appliances for which the design organisation holds a design organisation approval, as identified in the terms of approval issued under point 21.A.251 and, where relevant, the interfaces with and the control of its partners or subcontractors;

IV. a policy for risk and safety management and associated methodologies;

V. procedures to identify the instruments and equipment to be carried;

VI. a list of documents that need to be produced for flight test.

[…]

Previously (v) and (vi) were part of a flight test operations manual. Is this an error or CAA intent. Noting that updated EASA 21.A.243 still sees this as information as part of a flight test operations manual.

> ***CAA Response:*** *Since the consultation, the correction to the provision 21.A.243 has now been included in the Aviation Safety (Amendment) Regulations 2024 No.1290 which corrected errors in the Aviation Safety (Amendment) Regulations 2023 No. 588.*

Comment 2. Safety elements (b)(17)-(b)(20) seem to be required in a Design Handbook, but paragraph (c) then states that these elements can be documented in a separate manual, with no clear connection between the two. It may be better to have paragraph (c) preceding the statements in (b)(17) to (b)(20).

For clarity, we recommend revising the text as follows: It may be better to have paragraph (c) preceding the statements in (b)(17) to (b)(20).

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. Paragraph (c) adds to point (b) by making it expressly clear that the safety information referenced in point (b) may be provided either in the handbook or in a separate manual. 21.A.243(a) provides the connection between the two by stating that the handbook must 'describe [the required information], directly or by cross-reference [to a separate manual]'.*

Comment 3. “The organisation may document its safety policy, safety objectives, and all the safety management system key processes (as required by point 21.A.239(c)) in a separate manual (e.g. a safety management manual or management system manual) or in its handbook. Organisations that hold multiple organisation approvals, which are issued under Regulation (EU) 2018/1139 and the regulation made under it that are adopted on the basis thereof, may prefer to have a separate manual to avoid duplication.”.

To be consistent with the provisions of Annex 19 Appendix 2, item 1.5, the possibility of more than one document/manual holding the information should be included, rather than the choice of either the handbook or one separate manual. It should be noted that the possibility of the documented information being made available via an intranet-based management system, rather than a traditional document would also be recognised by a more flexible expectation.

To be consistent with the provisions of Annex 19 Appendix 2, item 1.5, the possibility of more than one document/manual holding the information should be included, rather than the choice of either the handbook or one separate manual.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent.*

An organisation will be deemed to comply with the requirements of 21.A.243(a) if it has a safety manual that is separate from its POE and the safety manual is appropriately cross-referenced in the POE. This ensures that there is a simple, clear and auditable safety manual, which is consistent with the intent of the safety management system.

42. GM1 21.A.243(d) Data

Comment 1. In item 2, in order to account for assignment of safety management tasks to more than one individuals, the reference to ‘safety manager’ should be replaced with ‘person or persons assigned safety management roles’.

Reference to ‘safety manager’ should be replaced with ‘person or persons assigned safety management roles’.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. We agree that the tasks required of a safety manager can be achieved by a number of individuals. See AMC1 21.A.245(b) point (g): the safety manager can be assisted by additional safety personnel in performing the safety management tasks, but the HDO should identify a single safety manager as the unique focal point. This replicates the same provision in ICAO Doc 9859 SMS Manual point 9.3.6.4.*

43. AMC2 21.A.243(d) Data

Comment 1. The following: 'The nominated managers should be identified and their credentials furnished to the CAA on CAA Form 4-DOA.' has been replaced by: 'For each nominated manager, the organisation should provide to the CAA evidence of competency, in a form and manner established by the CAA.' It is now not clear how nominated managers' competency should be submitted to the CAA. Form 4 has been removed but the method to replace it has not been stated.

What is your proposed solution or amended text?: The new method should be articulated in the AMC/GM or it should be amended to enable the method to be agreed (as opposed to established) between the DOAH and CAA.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The reference to 'a form and manner established by the CAA' means in practice that forms will be made available on the CAA website. This is already the practice for several CAA forms and is due to the introduction of smart forms, which often combine multiple 'forms'.*

Since publication further information has been provided on the CAA webpage, please refer to: Part 21 Subpart J Safety Management System (SMS) Implementation - Implementation of an SMS for existing Part 21 Subpart J approval holders.

44. GM1 21.A.243(d) Data

Comment 1. Why are the Head of Airworthiness and the Head of Independent Monitoring referred to as Chiefs in this GM when they are referred to as Heads in 21.A.245 Resources, AMC1 21.A.245(b) Resources, AMC1 21.A.245(d) Resources and GM1 21.A.247 Changes in design management system?

CAA Response: *Reviewed, agreed and amended.*

45. AMC1 21.A.245(a) Resources

Comment 1. 21.A.245 requires the head of the design organisation to be "an accountable manager", however, neither the AMC nor the GM to 21.A.245 provide any clarification what the requirements for this would be. For example, does that mean that the HoDO requires full financial and resource control, or will this remain with the actual Part 21J DOA Accountable Manager, which typically is a different person.

What is your proposed solution or amended text? Provide detailed guidance material on the above referenced item.

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. 21.A.245(a) states "The design organisation must appoint a head of the design organisation, who is an accountable manager, to ensure that the organisation's design activities are performed to the required standards ".*

Where an organisation in its leadership structure appoints a Chief Executive, the Chief Executive should provide the necessary resources for the proper functioning of the design organisation, as per AMC2 21.A.245(a).

This means that, as the head of the design organisation has the direct or functional responsibility for all the departments of the organisation which are responsible for the design of the product, where a chief executive is appointed, the chief executive must provide the HDO with sufficient resources to achieve the requirement of 21.A.245(a). The statement outlined in GM1 21.A.265(b) which states that "the handbook should be signed by the Chief Executive and the Head of the design organisation and declared as a binding instruction for all personnel charged with the development and type investigation of products".

46. AMC1 21.A.245(b) Resources

Comment 1. Item (b) To be consistent with the potential for assigning safety management responsibilities to a person or group of persons, more than one person we suggest that the sentence 'As such, the head of independent monitoring should not be at the same time, one of the other persons that are referred to in point 21.A.245(b)(1) or (b)(3), except for the safety manager' should refer to 'the person or persons assigned safety management duties'.

The requirement to nominate a 'focal point' for safety management is not understood, and appears to contradict the principle of integrating the necessary activities appropriately within the existing organisation structure. The flexibility of assignment of duties in relation to safety management is welcome, as it is consistent with the intent to ensure that the assignment of duties is integrated with the organisation structure, (see GM1 21.A.239 (c) "Organisations may determine the best means to structure their management systems to suit their business and organisational needs") and consistent with the need to define other personnel as part of the management structure of the design organisation. Although the acceptability of dividing these tasks between different managers, to suit the management structure of the organisation, is recognised by this AMC, there is then the instruction in item (g) to designate one individual as a 'unique focal'. This term is not defined, indeed it is not clear from context whether the 'focal' is for the HDO, the CAA, the staff or others. The possibility to divide responsibilities up, however, is not consistent with items (g) which then prescribe duties for the 'safety manager'. It is not practical to expect a single individual to carry all the listed responsibilities, which are likely to cut across safety responsibilities assigned to other managers. We suggest that these sets of tasks should be for the organisation to carry out, by assigning appropriate duties, rather than for one individual or function. The possibility of assigning the necessary safety management duties between nominated managers should be recognised as sufficient, provided that the assignment is clear, and does not present gaps, overlaps or conflict of interest.

Additionally, the text should recognise the possibility of design organisations being part of a larger organisation and making use of corporate safety functions for some or all of the duties, similar to the use of the quality assurance function already established in AMC1 21.A.239(e) item (b). We propose edits to allow for these possible organisational needs.

Edit item (d) as suggested. ‘As such, the head of independent monitoring should not be at the same time, one of the other persons that are referred to in point 21.A.245(b)(1) or (b)(3), except for the person or persons assigned safety management duties’.

Re-title item (g) as ‘Safety management’. First paragraph: “If more than one person is designated to establish, implement and maintain effective safety management processes as defined in point 21.A.239(c)(2), that appropriate co-ordination is maintained between those assigned such duties”

We propose a GM is introduced suggesting that one route is to assign a focal point, if needed by the head of the design organisation.

The second paragraph should then say ‘Depending on the size of the organisation and the nature and complexity of its activities, additional safety personnel may be required to perform all the safety management tasks defined in AMC1 21.A.239(c)(2) Design management system”.

Third paragraph: If personnel assigned safety management responsibilities are the nominated post holder(s) for more than one....”

Suggest for the fourth paragraph: “‘To The organisation should ensure that personnel are assigned as appropriate to:” Separately: “If a design organisation is part of a larger organisation, then safety management activities may be carried out by the safety management function of the larger organisation.”

> ***CAA Response:*** *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The ‘unique focal point’ is the individual who reports to the Accountable Manager for the responsibilities of the ‘Safety Manager’ or ‘Quality Manager’, where these functions are carried out by a number of individuals. See AMC1 21.A.245(b) point (g): the safety manager can be assisted by additional safety personnel in performing the safety management tasks, but the accountable manager should identify a single safety manager as the unique focal point. This replicates the same provision in ICAO Doc 9859 SMS Manual 9.3.6.4.*

47. AMC1 21.A.245(d) Resources

Comment 1. In Item (e) (1) for the competency of safety management personnel, we question whether knowledge of ICAO standards should be included here. The inclusion of ‘knowledge of ICAO standards’ is not appropriate, (and, fortunately, is not required of other managers responsible for assuring compliance) given that this is identifying a level of understanding for a task set for approval under UK requirements.

The organisation does not work to ICAO standards directly, and attempting to work to them may conflict with the actual national requirements.

Delete “International Civil Aviation Organization (ICAO) standards and”

CAA Response: *We have reviewed the provision and concluded that no change is needed to achieve the policy intent. The AMC does not require an in-depth knowledge of ICAO standards, but the safety manager should be aware of the Annexes and documents and where guidance can be drawn for their organisation, such as Annex 19 and Doc 9859.*

Resources

Links

1. **ORS9 - CAA Decision No.40:** CAA decision to adopt AMC & GM for UK Regulation (EU) 748/2012 (UK Initial Airworthiness) Regulation pursuant to Article 76 UK Reg (EU) 2018/1139
   Available at:https://www.caa.co.uk/our-work/publications/documents/content/ors9-caa-decision-no-40/
2. AMC & GM to UK Reg (EU) 748/2012 Part 21 SMS consultation.
   Available at: AMC & GM to UK Reg (EU) 748/2012 Part 21 SMS consultation - Civil Aviation Authority - Citizen Space