



EUROPEAN AVIATION SAFETY AGENCY
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Conference RMT MDM.055

Cologne, 13 December 2012

SMS for Part-M and Part-145

NPA 2012-25

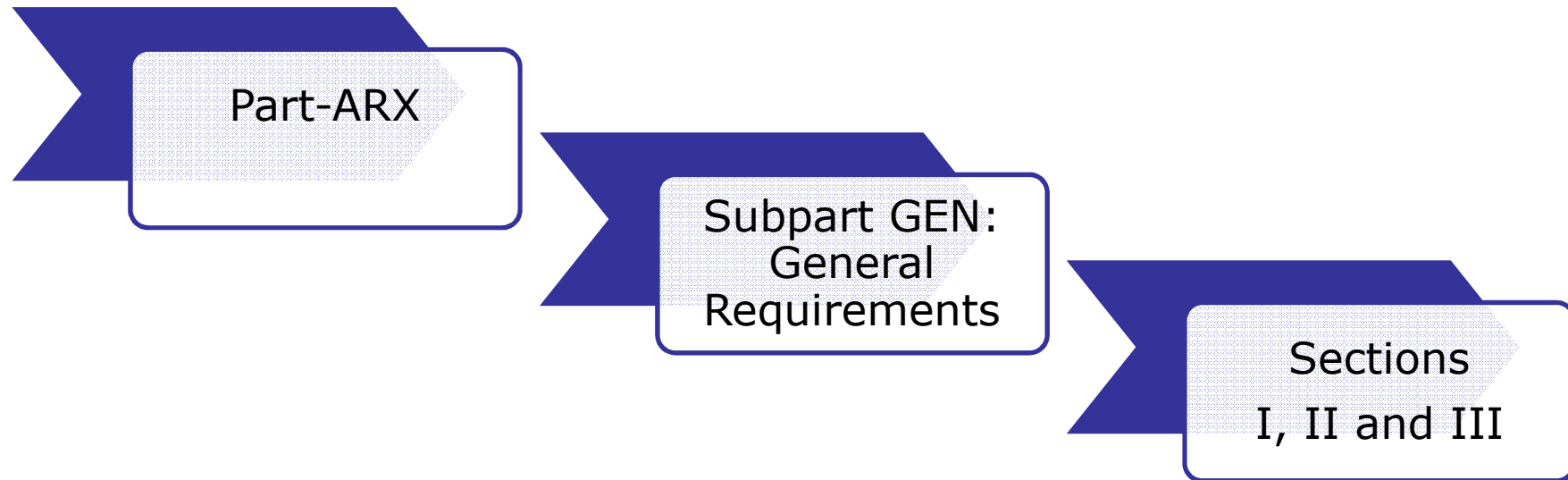
New 'Authority Requirements' in Part-M and
Part-145

Rulemaking Directorate
Product Safety Department – Continuing Airworthiness

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Authority Requirements (ARs)



Section I : General
Section II: Management System
Section III: Oversight, certification and enforcement

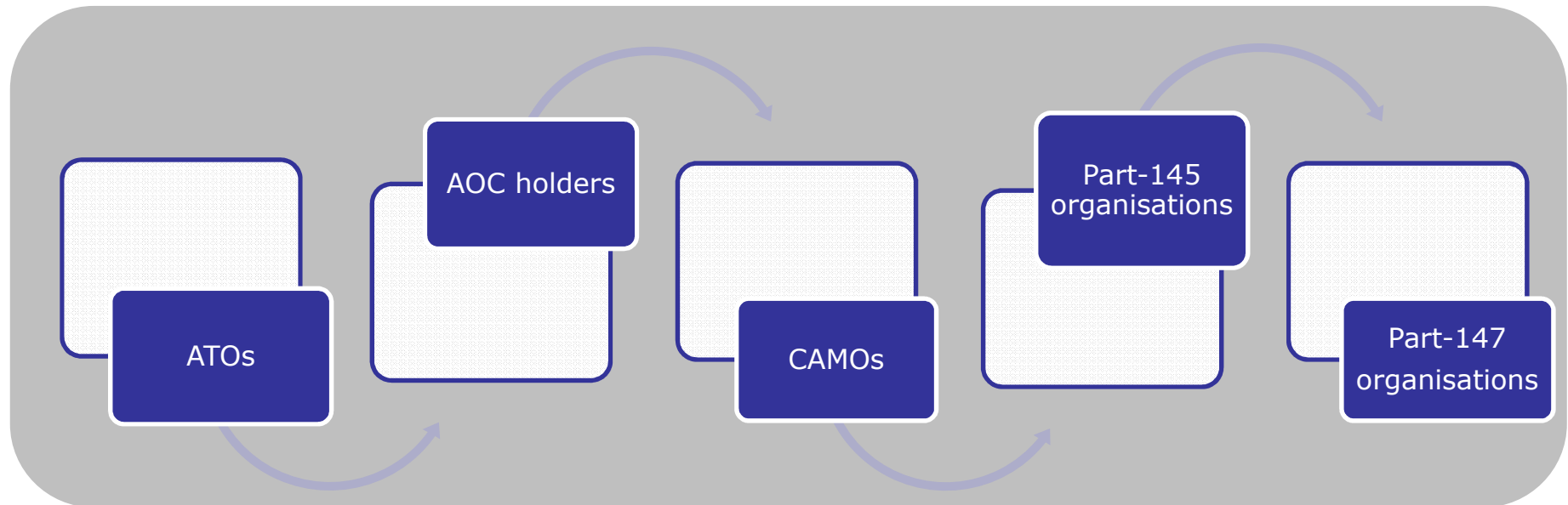


Outline

Part-M Subpart G	Part-145	Subject	Corresponding ARX rule ref.
M.B.103	145.B.11	Oversight documentation	ARX.GEN.115
M.B.104	145.B.12	Means of compliance	ARX.GEN.120
M.B.105	145.B.13	Information to the Agency	ARX.GEN.125
M.B.106	145.B.14	Immediate reaction to a safety problem	ARX.GEN.135
M.B.110	145.B.20	Management system	ARX.GEN.200
M.B.111	145.B.21	Allocation of tasks to qualified entities	ARX.GEN.205
M.B.112	145.B.22	Changes to the management system	ARX.GEN.210
M.B.114	145.B.55	Record keeping	ARX.GEN.220
M.B.130	145.B.30	Oversight principles	ARX.GEN.300
M.B.704	145.B.33	Oversight programme	ARX.GEN.305
M.B.702	145.B.32	Initial certification procedure	ARX.GEN.310
M.B.705	145.B.50	Findings and corrective actions	ARX.GEN.350
M.B.706	145.B.35	Changes	ARX.GEN.330



Consistency in oversight



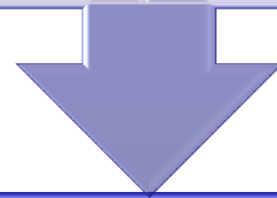


Oversight capabilities

New requirements on 'Oversight Capabilities'
(new Cover Regulation Article 7):

Member States to ensure they establish
and maintain the required oversight
capabilities.

Member States to ensure that oversight
personnel is duly authorised and
empowered to perform oversight tasks.



New rule in Section B related to this:
'Oversight documentation'

"All legislative acts, standards, rules, technical publications and related documents required by the competent authority to perform its tasks and to discharge its responsibilities shall be made available to relevant personnel"

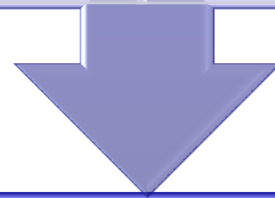


Means of compliance

New requirements on the processing of alternative means of compliance

CAs to establish a system to evaluate all altMOCs used by itself or by organisations under its oversight

For altMOCs approved for an organisation relevant information to be provided to other MS and to the Agency



The Agency will use this information to support Standardisation and Rulemaking

Has the process been complied with? Is the altMOC of general interest? Does it indicate the Agency AMC is obsolete?

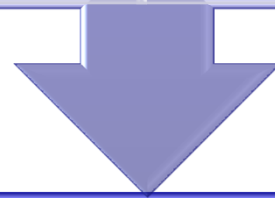


Information to the Agency & Immediate reaction to a safety problem

New requirements on sharing safety significant information and taking immediate action to address a safety problem

Supports implementation of a safety information system at EU level.

Ensures the Agency is informed of all safety significant issues.



Safety significant information to be provided to the Agency

An AMC will be proposed (for the CRD/Opinion) to further define what type of information should be considered as 'safety significant'.



Management system

Competent authorities shall establish and maintain a management system including as a minimum:

- documented policies and procedures;
- sufficient and adequately qualified personnel, including the obligation to plan the availability of personnel;
- nomination of management personnel for the different areas of activity;
- adequate facilities and accommodation;
- a function to monitor compliance of the management system, including:
 - an internal audit process and
 - a safety risk management process;
- the nomination of a person, or group of persons responsible for the compliance monitoring function;
- the need to ensure that certification and oversight tasks performed on behalf of the competent authority conform to the applicable requirements;
- a system to identify changes that affect the management system, and to take action to ensure it remains effective; and
- a system of record keeping to ensure traceability of activities performed.



Management system

New AMCs and GM focussing on:

- What needs to be documented and how it should be documented.
- What need to be made available to the Agency and how to make it available to the Agency
- How to determine 'sufficient personnel'
- Qualification and training, initial and recurrent training
- Competence assessment



Management system

New AMC on 'Competence assessment':

- The competent authority should periodically assess the competence of its inspectors.
- The current version of 'Authority Inspectors Qualification Criteria' defined by the Common Training Initiative Group should be used. The results of such assessment, as well as any actions taken following such assessment, should be recorded.



Changes to the management system

The CA shall have a system in place to identify changes that may affect its capabilities to perform its tasks and discharge its responsibilities.

Take action as appropriate to ensure the management system remains effective.

Update the management system in case of changes to the BR and its implementing rules.



The CA shall notify the Agency of :

Changes affecting the CAs capability to perform its tasks and discharge its responsibilities.

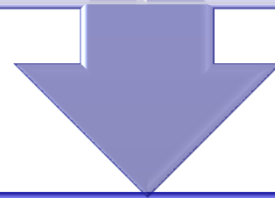


Qualified entities

New requirements on the allocation of tasks to qualified entities

CAs to put a system in place to initially and continuously assess that QEs comply with Annex V of the BR

CAs to establish a documented agreement with the QE, to clearly define all conditions.



The CA needs to ensure that all tasks performed on its behalf are subject to internal audit and safety risk management.

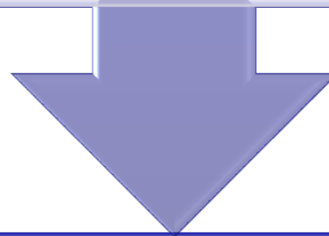
GM clarifies that tasks that may be allocated may relate to initial certification and oversight, with the exclusion of the issuance of the certificate.



Oversight principles: 'Cooperative oversight'

Oversight through audits and inspections, including unannounced inspections, taking into account the results of past oversight activities, and the safety priorities (SSP/EASP).

Where facilities are located in more than one State, the CA responsible for the certificate may agree to have oversight tasks performed by the CA of the Member State where facilities are located (or by the Agency for facilities not located in a Member State).



For oversight performed at facilities located in another State:

The CA responsible for the certificate shall inform the CA of such State (or the Agency for facilities not located in a Member State) before performing any on-site audit or inspection.



Initial certification procedure Changes to the certificate

The text of the existing provisions has been aligned with ARX.GEN.310 and ARX.GEN.330 without altering the intent of what is currently applicable.
e.g.: 'Indirect approval' now referred to as 'Changes not requiring prior approval'

Related AMCs have been amended accordingly.

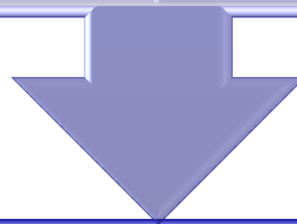


Oversight programme

Rule and AMCs/GM aligned with ARX.GEN.305: The oversight programme shall be developed taking into account the specific nature of the organisation, the complexity of its activities, results of past certification/oversight activities, and shall be based on the assessment of associated risks.
It shall include within each oversight planning cycle:

audits and inspections, including unannounced inspections

meetings convened between the accountable manager and the competent authority to ensure both remain informed of significant issues



An oversight planning cycle not exceeding 24 months shall be applied.
The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation has decreased.

Possible extension to 36/48 months under certain conditions related to compliance record, control over changes, timely implementation of corrective actions and safety management maturity.

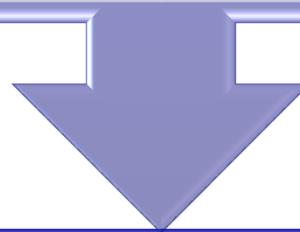


Oversight programme & planning

New AMC: The oversight planning cycle and related oversight programme for each organisation should be reviewed annually to ensure they remain adequate with regards to any changes in the nature, complexity or safety performance of the organisation.

Confirm or adapt the oversight programme
(detailed schedule and scope of each
audit/inspection)

Confirm or adapt the oversight planning cycle
(timelines)



Whenever the oversight planning cycle exceeds 24 months:

Perform at least one 'oversight programme validation inspection' of the organisation within each 12-month segment of the applicable oversight planning cycle.



Oversight programme & planning

New AMC: The oversight planning cycle and related oversight programme for each organisation should be reviewed annually to ensure they remain adequate with regards to any changes in the nature, complexity or safety performance of the organisation.

Confirm the oversight programme, review cycle, frequency, timing, scope and schedule of each audit/inspection

COMMENTS WELCOME



Whenever the oversight planning cycle exceeds 24 months:

Perform minimum one 'oversight programme validation inspection' of the organisation within each 12-month segment of the applicable oversight planning cycle.

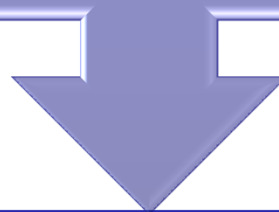


'Performance based oversight'

New AMCs added to complement the provisions on extending the planning cycle beyond 24 months:

The CA should determine the format and contents of the regular reports to be made by the organisation on its safety performance.

The CA should have implemented a methodology to evaluate the safety performance of the organisation.



New GM 'evaluation of safety performance'

The 'Safety Management System Evaluation Tool' developed by the Safety Management International Collaboration Group may be used.
<http://www.skybrary.aero/bookshelf/books/1774.pdf>.

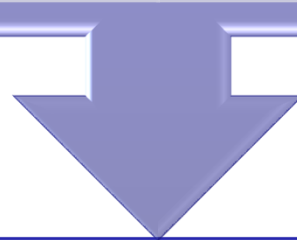


Industry standards

New AMCs added for possible consideration of certification in accordance with Industry Standards when determining the oversight programme

The CA may adapt its oversight programme, in order to avoid duplication of specific audit items.

Demonstrated compliance with industry standards should not be considered in isolation from other elements.



Conditions for crediting of audits performed as part of certification in accordance with industry standards :

- certification auditing schemes provide for independent and systematic verification;
- existence of an accreditation scheme;
- certification audits are relevant to the applicable 2042 requirements;
- audit results are accessible to the competent authority;
- audit planning intervals of certification audits are compatible with the oversight planning cycle.



'Performance based oversight'

New AMCs added :

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COMMENTS WELCOME



New GM 'evaluation of safety performance'

The 'Safety Management System Evaluation Tool' developed by the Safety Management International Collaboration Group may be used.

<http://www.skybrary.aero/bookshelf/books/1774.pdf>.



Findings & corrective actions

Rule text and all related AMCs/GM aligned with ARX.GEN.350:

Definitions of level 1 and level 2 findings now in Section B (fully aligned with aircrew (Regulation 290/2012) and operations (Regulation 965/2012)).

Initial corrective action period = 3 months – may be extended subject to a satisfactory corrective action plan



'Cooperative oversight'

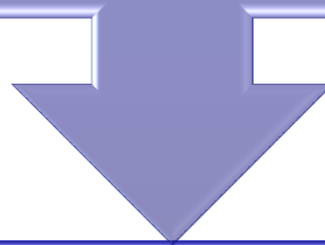
When the CA of a Member State identifies any non-compliance by an organisation certified by the competent authority of another Member State (or the Agency) it shall inform that competent authority and provide an indication of the level of finding.



Suspension, limitation and revocation

Existing rules amended to address the case of States with a precarious security situation posing a high level of threat to oversight personnel :

The CA shall suspend an approval in case the competent authority's inspectors are unable over a period of 24 months to discharge their oversight responsibilities through on-site audit(s) due to the security situation in the State where the maintenance facilities are located.



AMC provides criteria

Such criteria have been agreed with the European Commission Security Directorate.

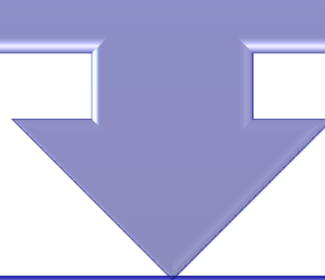


Record keeping

Existing rules and AMC have been aligned with ARX.GEN.220, except for the minimum retention period that is maintained (4 years).

New elements:

The CA shall maintain a list of all organisation certificates it issued.



The record-keeping system also needs to address :

- altMOC process
- use of flexibility provisions as defined in BR Art. 14
- management system related records (AMC provides details)
- allocation of tasks



Key points

Sections B of Part-M and Part-145 have been aligned with Subpart GEN of ARX to 'streamline' the generally applicable authority requirements.

This implements those COra recommendations related to 'Consistency of Organisation Approvals' and supports SSP/EASP implementation

Most relevant changes in the areas of :

Competent authorities' management system
Processing of alternative means of compliance
Information to be provided to the Agency
Oversight (planning cycle and programme)



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Thank you for your attention!

Questions?



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