EASA NEWS 12

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EDITORIAL

# A milestone for EASA

The year that is about to start marks a significant milestone for EASA – its 10th year delivering aviation safety excellence throughout Europe. It started with the idea to create an agency tasked to lead aviation safety in Europe. Created on 15 July 2002 by a Regulation of the European Council and Parliament, the Agency became operational in 2003 with just one staff member. Now, some 10 years later, EASA has over 650 aviation experts and administrators and has taken the leading role for aviation safety in areas ranging from airworthiness to air traffic management.

This anniversary is taking place during a critical period for the entire aviation industry with a continuing economic crisis. Yet, the expectations placed on the Agency are higher than ever. The industry continues to advance rapidly, and the technologies being developed and certified in the next years will be the cornerstones of the aviation system for decades to come. The opportunity to get things right and enable a seamless integration of land, air and space systems cannot be missed. The Agency is now focussed on being ready and further optimising its oversight system to ensure it efficiently meets the needs of all its stakeholders.

Going forward to the next decade, EASA must not only maintain a high level of safety, but also reinforce its role as an enabler for economic growth in Europe.

**Patrick Goudou, EASA Executive Director**

# EASA's worldwide representations


EASA has appointed three External Representatives, first in Washington D.C. (Julian Hall) and in Beijing (Sylvette Chollet), and then in Montreal (Jean-Louis Ammeloot). EASA's Representatives are part of EU Delegations in their respective regions. The administrative relations between EASA and the delegations are formalised in Memoranda of Cooperation between EASA and the European Commission/the European External Action Service.

Each Representative has his or her own specificities although the nature of the job is generally similar: to be EASA's "Ambassador" in the region. The activities of the Representatives can be grouped in four main categories:

- Gathering regional knowledge
- Communicating with stakeholders
- Participating in technical working groups and

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# Fallout from Volcanic Clouds

giving presentations on behalf of the EASA Directorates
- Supporting EASA relations with the Region's Authorities/ICAO and Industry

Gathering knowledge means helping EASA staff better understand the specificities of the Region covered by the Representative and providing Management with accurate and timely information. Like Ambassadors, our Representatives are usually quick to know what is happening in their Region.

*"EASA's Representatives are part of EU Delegations"*

This provides significant added value to various EASA, and sometimes European Commission, decision-making processes. But the Representatives do not only collect information, they also proactively communicate with our counterparts in the region. They participate in working groups and regularly present the EU/EASA system, which can be complex and difficult to understand. Of course, they do this all the more efficiently as they know the culture and mind-sets of their local audience.

Last but not least, they contribute to improving the overall relations with their region's authorities. Typically, they assist EASA staff travelling to their region and may also assist European industry in relations with local authorities in their region.

## Interview with Jean-Louis Ammeloot, External Representative in Montreal

**What is your professional background?**
Before joining EASA in 2006, I worked with Bureau Veritas for 20 years in the maintenance oversight domain. This gave me the opportunity to work not only in France but also in Morocco, Algeria, Luxembourg, Turkey and South Africa.
In EASA, I have been a Standardisation Team Leader in Continuous Airworthiness for four years. After that, I was selected for the newly created EASA Representative position in Montreal where I arrived in 2011 following some administrative delays.

**How has your experience been as EASA Representative in Montreal?**
After the European experience in Cologne, I am faced with the global experience of ICAO. In ICAO, the most difficult was to be accepted as the Representative of an Institution which is neither an ICAO Member State nor always formally recognised as an International Organisation (which means worldwide for ICAO). Learning from the experience of the European Commission, which has had a Representative in Montreal since 2005, has been very useful.

**What are your main responsibilities?**
My activity in Montreal is mainly driven by the Air Navigation Commission (ANC) sessions. During these sessions, I get the Working Papers of the Agenda and discuss these matters with Air Navigation Commissioners and with EASA specialists. After attending the sessions, I provide EASA with the outcome. European colleagues are also seeking information on ICAO projects which may impact EASA rulemaking activities. I play the role of a catalyst on EASA-Cologne/ICAO Secretariat daily relations.

As EASA representative in Montreal, I am also the local point of contact for Transport Canada, which is based in Ottawa. I also facilitate contacts with local aviation industry such as Bombardier. I also support the EU delegation in its EU representation function towards ICAO.

Jean-Louis Ammeloot, EASA External Representative in Montreal

# Part 23 – A global initiative for General Aviation certification


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In August 2011, the FAA launched a new Advisory Rulemaking Committee (ARC), titled "Part 23 reorganisation". This ARC, chaired by the FAA and GAMA, is tasked to propose a reorganisation of US Airworthiness rule Part 23. The initiative for this ARC stems from a FAA Part 23 Small Airplane certification process study resulting in the publication of a report ambitiously titled, "Recommendation for General Aviation for the next 20 years".

The ARC for the reorganised Part-23 was tasked to develop proposals for airworthiness rules following two recommendations from the report:

- Reorganise Part 23 based on aeroplane performance and complexity versus the existing weight and propulsion divisions.
- Certification requirements for part 23 aeroplanes should be written on a broad, general and progressive level.

### The scope of the ARC

Although the EASA regulatory system is different from the US system, the difficulty with keeping CS 23 up-to-date and dealing with innovations is recognised. EASA has participated as an observer in the US ARC together with other authorities from Canada, Brazil and China.

The initial idea in the ARC was to start with the development of simplified requirements for "simple" aeroplanes. This scope was quickly broadened to the full range of Part 23 ranging from single piston engine to jet powered commuter aeroplanes with up to 19 passengers.

This showed that defining a simple aeroplane was extremely difficult and would very much restrict the application requirements for simple aeroplanes. The initial idea for requirements for "simple" aeroplanes was close to the existing EASA Certification Specifications for Very Light Aeroplanes (CS-VLA). Experience has shown that CS-VLA has limited application and often runs into the boundaries of the CS-VLA that require additional special conditions.

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### Splitting Part 23

The ARC is not just a US oriented issue but will become an important EASA rulemaking project. The concept developed is a split of the existing Part 23 into the following parts:

1. An amended Part 23 that contains safety objective rules ("Rules" is used because Part 23 are US rules but these are comparable with the CS-23 Book 1 requirements).
2. Airworthiness Design Standards (ADS)

The Part 23 objective rules are drafted at such a level that they are less impacted by technological changes and provide the safety targets even in the future. The rulemaking process would therefore not hamper technological innovations. The ARC applied guidelines for the drafting of the new rules so that new rules can act on a standalone basis (a Type Certificate is issued when compliance is shown), drive a safety objective, use consistent terminology and definitions, only contain technical requirements when specifically needed, and do not prescribe a specific design solution or testing method to show compliance.

### Airworthiness Design Standards

The second part of the ARC proposal is the development of ADSs that are developed and maintained by standards bodies. This resembles the current CS-ETSO and CS-LSA where reference is made to technical detailed industry standards at a specific revision level. The development and maintenance process of such standards would not require the lengthy rulemaking process.

These ADS will cover various technical solutions and methods to show compliance to the safety objectives. Different means of showing compliance appropriate for specific types of operation or levels of safety would become available through the ADS for the certification process. This would provide a set of standards tied to one rule allowing a tailored certification basis for the wide range of CS 23 aeroplanes. For EASA, this could mean that the technical differences between CS 23 and CS-VLA/CS-LSA could be transposed into the ADS while common safety objectives are in only one rule.

The big difference in this new concept is that these ADS would not be the property of the authority but in a public domain and a common responsibility. One related concern is how the regulators would keep control of the ADS.

To overcome this, EASA may play active role in the development and maintenance of these ADS. Influencing the drafting and prioritisation of changes to ADS that have a safety impact would then become a priority. An encouraging sign for this cooperation between EASA and a standards body is a change to ASTM standard F2245 referred to in CS-LSA. EASA requested a change to this standard based on a safety recommendation, which was accepted by the ASTM Committee. Another alternative to cooperation and acceptance of an ADS would be the use of a differences table or even not accepting a proposed ADS revision.

This takes us to the missing link in the previous paragraphs that connects the rule and ADS. Both EASA and the FAA anticipate the publication of a listing of accepted ADS that are considered appropriate for meeting the safety objectives of the rule. Regular updates of this list will provide the active and timely update of new technical solutions covered in the ADS. For EASA this could an Annex to CS 23.

**EASA outline of the reorganised CS 23 including CS-VLA and CS-LSA**

**CS-23 (objective rules covering also CS-VLA, CS-LSA)**

**Book 1**

Cert. Spec. (Objective requirements)

**Annex I**

List of accepted ADS & Table of differences

**Multiple Airworthiness Design Standards**

ADS containing standards appropriate for:

- **Type of design**
- **Type of operation**
- **Means of compliance**

### Looking ahead

Both the FAA and EASA are involved in the ARC developments and have expressed their support to the principle. It is anticipated that actual rulemaking for Part 23 by the FAA and similar changes to CS 23 by EASA will soon be proposed. EASA's Rulemaking Programme already shows an initial plan (RMT.0498) starting early next year and finishing 2016. At the same time, ASTM is preparing a new technical committee (F44 General Aviation Aircraft) with the objective of developing a set of ADS. The content and link between the rules and ADS will be reviewed in order to achieve the objectives and maintaining the current level of safety.

# Accreditation – a prerequisite for EASA subcontractors

**On 7 September 2012, EASA's Approvals and Standardisation Director, Trevor Woods, signed the first accreditation of a Qualified Entity (QE). This Qualified Entity is SENASA, the well-known Spanish organisation for Services and Studies for Air Navigation and Aeronautical Safety. The accreditation followed a thorough auditing process by an Agency wide project team involving specialists from various Agency departments.**

In the past the Agency used to accredit only National Aviation Authorities (NAA) based on guidelines that were established through a decision by the Management Board. With the revision of the Management Board Decision it became possible to allocate tasks also to so called Qualified Entities. The great significance of the accreditation process becomes obvious by the fact that the Agency allocated in 2011 certification tasks with a volume of approximately €20 million to accredited NAAs. To date EASA Framework Service Contracts (FSC) have been signed with 19 NAAs and 10 QEs covering both existing and new remits. While all 19 NAAs are accredited, only one accreditation process has been accomplished for a QE, and all others are still in progress.

In the early days an accreditation for an allocation of tasks could simply be granted to an organisation of choice. Nowadays the selection of Agency's contractors for outsourcing is done through a public procurement process. Although this process entails more effort, it aims at granting broader and equal market access and ensuring that the most suitable bidders be selected.

Following the call for tenders a large number of NAAs and QEs had expressed their interest. In a first phase they were evaluated to establish if they fulfilled the general selection criteria and for what technical work they would qualify. Shortlisted NAAs and QEs were then invited to submit their technical and financial bids. The bids were evaluated and the subsequent tender awarded to NAAs and QEs to various scopes.

In order to ensure continuity in the execution of tasks, a provisional accreditation was granted to 10 NAAs within the new remits of the Agency in addition to already existing NAA accreditations. Following the signature of new Framework Service Contracts, EASA is now carrying out initial accreditation audits of QEs, the follow up on the provisional accreditation of the NAAs, and of course the oversight on all accredited entities.

Accreditation audits may appear very similar to standardisation inspections, but there are significant differences. Through standardisation inspections, the Agency verifies that Member States' competent authorities are correctly implementing common European regulations. The Accreditation process focusses on those areas where the Agency has become the competent authority, but where the resources of the Agency are insufficient, and therefore the tasks need to be allocated to an NAA or QE that does have the additional capacity and qualification to perform such tasks.

The EASA Accreditation Team

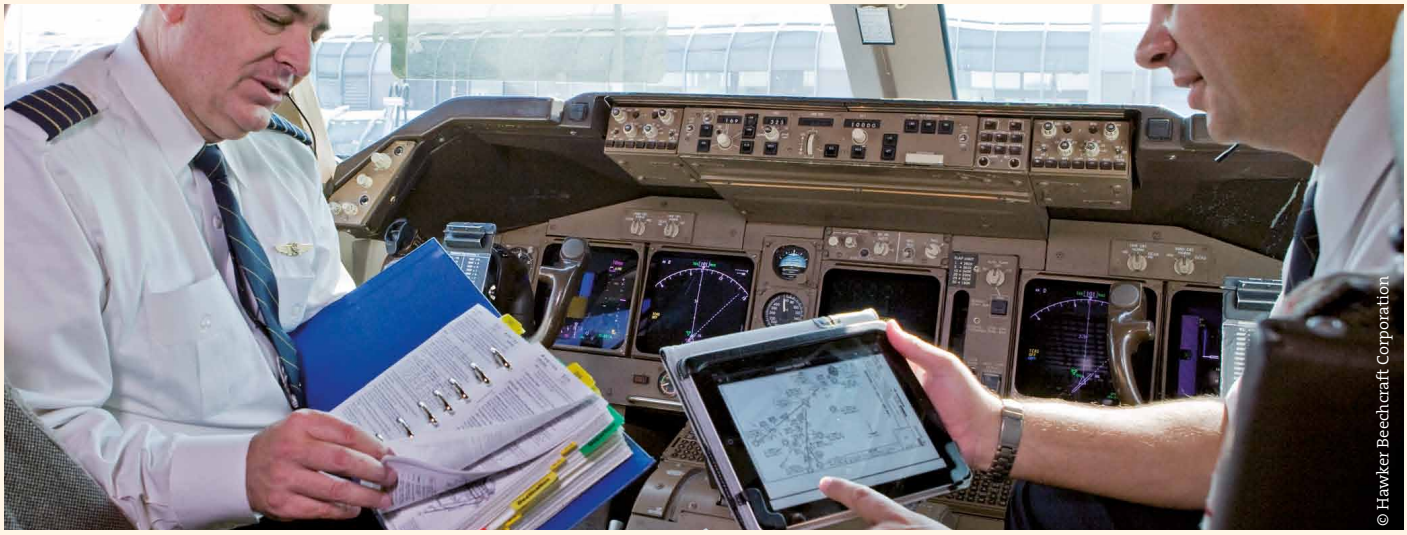
Accreditation audits therefore focus to a very large extent on different parts of European legislation as compared to the Standardisation process. The auditing process additionally ensures that EASA's certification procedures and working methods are implemented and adhered to when working on EASA certification projects. This is particularly important as EASA remains fully responsible for the certification tasks performed and issues the certificates.

Accreditation audits are currently performed at regular intervals. Firstly, in case of NAAs, EASA intends to analyse to what extent the Accreditation process overlaps with the Standardisation process, particularly on the general parts, e.g. the assessment of the organisational structure and the quality management systems of an NAA, and to what extent information collected during the future continuous monitoring process in Standardisation can be used in the accreditation context as well.

Secondly, it is intended to render the surveillance activity of the Accreditation process more effective by implementing a risk based prioritisation process. The surveillance could be facilitated through feedback from operational units that issue the certificates or approvals and which cooperate with the accredited organisation on a daily basis. Their experiences may help identify potential weaknesses or deficiencies in the practical work of an accredited organisation which could then be addressed by an audit. In summary such an approach could make the surveillance process more effective and at the same time less burdensome for organisations that continuously show good performance levels.

The accreditation process is managed by a small team of three: Section Manager Jürgen Müller, supported by Accreditation Officer Hugo Manuel Rodrigues Lima da Silva and Accreditation Assistant Anna Funder. Together they develop the annual Accreditation audit programme, negotiate and coordinate the team composition, and implementation of the programme throughout the year. A substantial part of their work revolves around the organisation and chairing of the Accreditation Committee.

# EASA Rulemaking Update




Pilot using a tablet computer

## Rules for Electronic Flight Bags

**Most of us are quite familiar with personal computers but also with the more recent terms such as smartphone, iPhone, iPad, tablets, and GPS navigators.**

During the last decades the progress of such equipment in terms of reduced weight and complexity, reduced cost, powerful resources and proliferation of a myriad of applications, has obviously induced some private pilots to bring one of those gadgets in the aircraft cockpit. The idea has soon been followed by a number of commercial operators, since these electronic resources, covered by the term Electronic Flight Bag (EFB), whether installed in the cockpit or just strapped on the pilot's knee, may allow reducing the weight and volume of paper carried on board, may support the crew to perform calculations or even present the aircraft position on a moving map to increase situational awareness.

Like any new technology, while an EFB provides clear benefits to operators and pilots, it may nevertheless pose new safety risks to aviation. First, commercial electronic hardware is not certified for aviation use and its reliability is not defined. This means that a given functionality may be lost any moment. But secondly this hardware may pose risks to the aircraft. Third, although the hardware may be portable, this does not exclude some connection to installed aircraft systems which of course have to be considered during the airworthiness certification processes. Furthermore, even if all the risks related to the hardware have been mitigated, the use of EFB during flight may still pose operational hazards.

In other words, while EFB is definitely beneficial, the safety risks connected to its use cannot be underestimated and need to be assessed by the competent authorities or at least by the operator, within the limits of the privileges enjoyed by the latter.

Therefore, after about a decade of concrete experience, the USA Federal Aviation Administration (FAA) in September 2002 issued the Advisory Circular 120-76 offering comprehensive guidance for the airworthiness and operational aspects. The document was almost immediately overtaken by the events, and therefore a new edition 'A' was released in March 2003. In October 2004, the European Joint Aviation Authorities (JAA) issued the Temporary Guidance Leaflet (TGL) 36.

This TGL has so far constituted the principal guidance to European aviation authorities when receiving applications to use EFB by commercial air operators.

The functions and tasks of JAA were transferred to EASA. After its initial period of activity, in 2007 the Agency established a drafting group to be advised on the transposition of TGL 36. While the group was working, technology and applications continued to evolve. Quite some time passed before Notice of Proposed Amendment (NPA) 2012-02 was published in March 2012.

As directed by the legislator the text of said NPA was aligned with the latest technological developments and harmonised as much as possible with envisaged new edition 'B' of FAA AC 120-76.

However, the FAA also announced the intention of publishing a Change 1 to their Advisory Circular (ed. B) and later a subsequent new edition C. Meanwhile also ICAO has started working on the matter in a subgroup of the OPS Panel. As a result, the NPA triggered a considerable number of comments, mainly split among those fearing any change to practices established on the basis of TGL 36 and those finding the Agency's proposals not yet really aligned with the present and foreseen state of the art.

Of course any rule issued by the Agency will not invalidate existing approvals issued on the basis of TGL 36, but it has to be opened towards future evolution. The Agency has established a Review Group (RG) to be advised on the replies to be given to the comments received on the NPA and, even more important, on the resulting text of the proposed AMC 20-25. The first meeting of the RG already took place last August. Therein consensus was reached on the following points:

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# EASA Rulemaking Update

- Safety remains the prime objective of the Agency and of all commercial aviation stakeholders, which means that the impact of any possible hazard has to be assessed, and where necessary mitigated, either during the design and production phases or during operations.
- The proposed AMC 20-25 contains airworthiness criteria for any aircraft, however, for the operational aspects it applies only to Commercial Air Transport (CAT) operators.
- The proposed operational rules do not apply to aerial work/specialised operations (commercial or not) or to any sort of non-commercial activity (recreational or business).
- The hardware 'classes' (three in TGL 36) which had caused confusion in recent years will disap pear, in order to classify the EFB host platforms in only two variants: 'portable' or 'installed'.
- The 'portable' will be allowed some connectivity with aircraft systems;
- The software applications will be classified according to the severity of their possible failure conditions.
- Where the safety effects would be estimated negligible, the certified operator, in order to improve the cost-efficiency of the regulatory processes (ref. Art. 2.2.(c) of Basic Regulation) would have the 'privilege' of directly approving them.

The Agency was very pleased by the constructive spirit in the Review Group and currently foresees a mid-2013 publication of the Comment Response Document (CRD).

# Update on the Regulation on Air Operations – Publication of Regulation (EU) No 965/2012 on Air Operations

28 October 2012 marked the entry into force of the new European rules for Air Operations. The new Regulation was adopted by the European Commission on 5 October 2012 and published on 25 October 2012 in the Official Journal of the European Union as Commission Regulation (EU) No 965/2012. The associated Acceptable Means of Compliance (AMC) and Guidance Material (GM) are published as Decisions on the EASA website.

This Regulation and its associated Decisions constitute the first OPS package, containing Annexes I – V:

- **Annex I – Definitions,**
- **Annex II – Part-ARO,**
- **Annex III – Part-ORO,**
- **Annex IV – Part-CAT, and**
- **Annex V – Part-SPA.**

The new Regulation creates harmonised requirements at the European level for commercial air transport operations of airplanes and helicopters, ensuring also continuity with the previous rules: for aeroplanes operators, the new rules recognise the privileges of the existing certificate holders, whereas for helicopters, the new Regulation builds on JAR-OPS 3, replacing the different national rules and facilitating the cross-border operations in the future. The Member States may also delay the applicability of the new rules for maximum two years.

The second OPS package (on non-commercial operations) is being translated and prepared for scrutiny by the European Parliament and Council. The remaining two packages (aerial work and commercial air transport with sailplanes and balloons) are still under review at the EASA Committee. The adoption processes for the 2nd – 4th OPS packages will not be concluded before the end of 2012.


**Supporting stakeholders during the transition period – Aircrew and Air Operations**

The Agency is supporting stakeholders during the transition periods into the new rules in various ways:

**The Flight Standard website:**

- The Air Operations Regulation has a dedicated page on the Flight Standard website with information on the implementation. Moreover, in order to assist the stakeholders to adjust to the new rules, the Agency has compiled and published on this page a detailed list of differences between the new Regulation and EU-OPS/JAR OPS 3, the so called "cross-reference table", in a form of an Excel file allowing sorting, filtering and searching functions.
- Also for the Aircrew Regulation, the Flight Standards website has a page on the implementation of this new rule, including information on when it applies in the various Member States.
- The website contains also update information on the new and forthcoming Regulations on Aircrew, Air Operations and Third Country Operators and also a growing collection of Frequently Asked Questions.

**Workshops:**

- For both the Aircrew and Air Operations Regulations, the Agency is also offering regional workshops: associated presentations are available on the Flight Standards website under the "News & Events" section.

**Courses:**

- Courses on the Aircrew and Air Operations Regulations are under preparation – further information is available on the EASA Learning Gateway.

Visit the updated Flight Standards mini website to find out more!
www.easa.europa.eu/flightstandards/

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## EASA Annual Safety Conference

On 10 and 11 October 2012, EASA hosted its 4th annual safety conference, which this year focussed on Performance Based Oversight. More than 300 aviation specialists gathered in Cologne, Germany to consider the future of oversight by regulatory authorities, when Safety Management Systems (SMS) will be fully implemented by organisations in all aviation domains including Airworthiness, Operations, Licensing, Aerodromes, and Air Navigation Services. Conference proceedings can be downloaded from: **www.easa.europa.eu/conferences/pbo/**


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## Guidance Material on SAFA Ramp Inspections

In July this year, EASA has adopted the Version 2.0 of the Guidance Material (GM) on SAFA ramp inspections, which responds to the need of giving clear guidance and instructions to the inspectors of the National Aviation Authorities performing SAFA ramp checks. This new version of the GM replaces the original one, which was adopted in July 2009, and takes into account the latest amendments to the applicable international safety standards (namely the Chicago convention, its Annexes and ICAO regional standards), feedback received through SAFA standardisation visits, as well as the experience gained on the field after several years of successful implementation of the EU SAFA Programme in the Participating States. The new SAFA GM is published on the EASA website.

## Cockpit Automation Survey

The EASA Internal Group on Personal Training (IGPT), a transversal group of experts coming from of the Agency's operational Directorates, published a survey on Cockpit Automation from 30 April to 27 July. The survey aimed at consolidating the Automation Policy developed by the IGPT following the EASA International Conference on Pilot Training of November 2009 and the International Conference Staying in Control Loss of Control Prevention and Recovery of October 2011. This Policy addresses flight deck automation of complex aircraft and focuses on control automation. The results of this survey have been analysed and will feed, among other sources, the development of an Agency action plan on the prevention of Loss of Control (LoC) accidents. The two action paths envisaged are to enhance the automation management and basic piloting skills through improved training (in simulator and/or on real aircraft) and to better formalise the transfer of the airworthiness assumptions made on pilot competences needed to safely fly the aircraft to the training and operations, in particular through the Operational Suitability Data (OSD) mechanism.

Results of this survey will be consolidated with initiatives such as LOCART, ICATEE and SUPRA and the Workshop on LoC organised by EASA Rulemaking from 28 February to 1 March 2013. Meanwhile, the Agency is preparing to publish a Safety Information Bulletin (SIB) on Stall and Stick Pusher Training based on recommended practices developed by major airplane manufacturers and the industry. Furthermore, the EASA MPL Advisory Board has been invited to review the results of this survey to examine how the MPL framework could possibly evolve in order to improve automation management and manual piloting skills training.