



# Comment Form

**Comment nr.....**  
*(for EASA use only)*

## **A-NPA 14-2006** (end of comment date: 16 October 2006)

[send to: NPA@easa.europa.eu](mailto:NPA@easa.europa.eu)

**1a. COMMENT TO :**

- I. General, II. Consultation, III. Comment Response Document
- IV. Background
- V.A. Concept: The state of play
- V.B. Concept: Principles used in the development of the concept
- V.C. Concept: Description of the concept
- V.D. Concept: Discussion
- Appendix 1 / Attachments
- General Comment(s)

**1b. AFFECTED PARAGRAPH:**

Paragraph 36 (General), Question 1

**2. COMMENT:**

SAMA emphasizes that the present rules applicable to light aircraft, notably in respect to airworthiness and continuing airworthiness, are too heavy in respect to the achievable level of safety. It is our experience that proportional, easily understood and practical regulations are more closely followed than complex and non-adapted rules in a given sector. Simplified, proportional rules may well lead to an increased level of safety. We believe that the considerations outlined and the options proposed in this A-NPA are adequate in this sense.

We hesitate to justify – as might be concluded from some of the considerations (e.g. para. 22) – more practical regulations by a need to increase the activity of a sector. The prime reasons for regulations shall be and remain safety and mutual recognition.

**3. JUSTIFICATION:**

**4. PERSON/ORGANISATION PROVIDING THE COMMENT:**

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**Dated:** October 5, 2006



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1b. **AFFECTED PARAGRAPH:**

Paragraph 36 (General), Question 1

2. **COMMENT:**

One aspect which also influences this process of creating a proportional, balanced set of standards or rules is the role of authorities.

The common perception of aviation authorities' role is that they are responsible for the safety in aviation. On the other hand, in case of an accident or heavy incident, the liability for a product will always be traced back to its designer, manufacturer or maintenance shop. A certificate for a product or a licence for an activity does not take away that liability or responsibility.

A certificate or a licence does confirm that a product or an activity conforms to an agreed standard, whereas that standard is usually based on industry experience, feasibility.

In other words, the main role of the authority (or of any other assessment body) is standardisation, more explicitly expressed by ensuring mutual recognition and tradeability. This is not the same as the common, and sometimes authorities own perception. Ensuring safety is and must be the prime concern of the industry, of each actor. This responsibility can not be transferred to any third body.

We believe that this aspect should clearly be put as an argument when weighing options in respect to their potential effect on safety, sustainability and recognition of general aviation. Situational awareness is also a key element in developing proportional and practical regulations.

3. **JUSTIFICATION:**

We notice a development in our country that politicians try more and more to define standards and/or procedures to impose their own interpretation of aviation safety. It follows that the authority is subject to – at least subjective – pressure to enforce standards beyond the agreed, standardised rules. A stated definition of the role of the authority could ease such pressures and/or unrealistic expectations, even beyond the subject of this NPA.

It is accepted that politics define the safety goals necessary for any system in order to make it acceptable to society. But then, the most efficient way to that goal is to have the actors of the system doing it.

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1b. **AFFECTED PARAGRAPH:**

Paragraph 38, Question 2

2. **COMMENT:**

SAMA is convinced that the involvement of state authorities should be reduced to the strict necessity. Beside costs, state authorities tend to cause delays due to lack of resources. In general, authorities are not able to respond quickly to changing market situations. Assessment bodies are current and successful in many industry sectors already. There are only few assessment bodies already active in Swiss aviation - mainly motivated by tradition -, but it becomes increasingly obvious that the authority is no more able to keep the pace and maintain all necessary qualifications in house. The potential to increase the



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scope of activity of existing assessment bodies or to build up new ones is certainly available in respect to the aircraft subject to the present A-NPA.

The basic formation of aircraft technicians/engineers is thorough and there is a tradition of one man assessments insofar as the former national regulations relied more on worker's knowledge and responsibility than on procedures. The introduction and implementation of procedure oriented regulations has not changed the safety record of light aircraft. SAMA would therefore welcome the introduction of individual approvals like DER or DAR according to FAR-183.

### 3. **JUSTIFICATION:**

Today, OEMs have to deal with considerable amounts of requests for non technical objections concerning very simple installations. These requirements considerably increase costs without any benefice for safety.

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### 1b. **AFFECTED PARAGRAPH:**

Paragraph 39, Question 3

### 2. **COMMENT:**

SAMA would prefer Option 3, possibly 2 depending on final definitions. In particular, it would be necessary to guarantee mutual recognition, free movement and trade of the lightest category in order to make Option 3 useful. The mutual recognition should certainly work within EASA territory, but hopefully also beyond that territory.

We recognise that it is probably reasonable to go for Option 1 as a first step. This would be a less radical change in procedures and responsibilities, but a faster implementation of the much needed adaptation of the rules for non complex aircraft.

### 3. **JUSTIFICATION:**

Product liability, in other words the responsibility for safe characteristics of an aircraft, remains with the people designing, producing and maintaining it, even after it is certificated. Industry and/or non state organisations have already shown that they are able to coordinate, define and implement standards, within or outside aviation.

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### 1b. **AFFECTED PARAGRAPH:**

Paragraph 42, Question 4

### 2. **COMMENT:**

The principle of continuing airworthiness regulation should be the same as for initial airworthiness. The aim should be simplicity (proportional, easily understandable for best compliance) and the least involvement possible of (state) authorities. The latter should not have a go/no go role in normal circumstances, but be able to intervene in case of critical developments (e.g. ADs).



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In regard to subparagraphs of question 4:

- a) SAMA is in favour of assessment bodies for the oversight of continuing airworthiness. We have good records with contracted, experienced technicians for periodic airworthiness reviews.
- b) The appropriate role of NAAs (involvement) is given in the introductory paragraph above.
- c) We believe that it is essential - human factors - that continuing airworthiness requirements are adapted to size/type of aircraft. The principle could be close to present practice: the design owner states the minimum maintenance requirements for a type, the aircraft owner is responsible for a maintenance program adapted to the particular aircraft and equipment, an assessment body validates the maintenance program and a bi-annual review confirms that the aircraft is airworthy in accordance with these rules.
- d) It should not be too demanding to define standards for modification / repair embodiment in non complex aircraft without further approval. Besides basic capabilities of an aircraft technician - practical training and knowledge of structures and materials -, reference to existing handbooks would probably be sufficient for the purpose.
- e) Simplified (industry) standards for continuing airworthiness would most probably resemble earlier regulations, or recent national standards for ultra-lights. If any, the focus of such standards should be on definition of responsibilities and required qualifications. Their primary purpose would be mutual recognition. If the existing task groups are not seen as the most appropriate bodies for such standards, we believe that a group of representative European MROs and manufacturers should be charged with that task, assisted by EASA to ascertain recognition.

3. **JUSTIFICATION:**

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1b. **AFFECTED PARAGRAPH:**

Paragraph 46, Question 7

2. **PROPOSED TEXT/ COMMENT:**

SAMA thinks that simplified standards should be defined to be applicable also to those aircraft now listed in Annex II, as far as their number and typical type of operation justifies standards for mutual recognition, e.g. free movement within EASA territory. Of particular help would be if the standards could also be applicable to the so called orphan aircraft.

3. **JUSTIFICATION:**

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