The View from Washington

BY RIC PERI
VICE PRESIDENT, AEA GOVERNMENT & INDUSTRY AFFAIRS

"Boston Globe Publishes Anti-GA Story"

"Vigilance Helped Foil Attempted Security Breach By a National Media Organization at General Aviation Facility."

"Big Holes in Aviation Security"

"Private Aviation Security Criticized"

With headlines like these, one would think that general aviation is the most ill organized sector of the transportation industry. With every fledgling reporter looking for the next breaking story or the ability to say "See, we told you…." when something does happen, they are committed to digging and poking and lying and performing criminal acts, if necessary, in their quest to find the breaches in aviation security that could allow a person to commit a criminal act with an aircraft.

In my view, the greatest threat to general aviation security is the media themselves, and, one of the best defense tools (and motivators) we have is to take a hard look at ourselves! We all believe the criminals won't come here. We're too far from a big city; everyone knows everyone; we've been here for 50 years; never happened before…there are a thousand reasons. And none of them valid! Crime, and particularly aviation crime, can, and will, happen anywhere and at anytime.

If you want to know where your breaches in security lie, read your local paper. The local, and sometimes national or even international, news reporter will find them and, instead of telling you about them and being part of the solution, they will report it to the criminals (in the Sunday paper headlines), telling the world what they found.

Aviation security isn't a new concept; contrary to the brain trust in Washington. General aviation businesses, airports and owners have had security programs and procedures in place as far back as anyone can remember. Although they may have been relatively informal, they certainly existed.

Most successful businesses lock the doors when they leave work. They know who their employees are and question or challenge a stranger (it may be a customer!) They protect the customer's property.

Crime prevention and the principles of crime prevention are the same regardless of the intentions of the criminal. It is not a good thing to have a customer's aircraft stolen. It really doesn't matter what the intentions are of the person stealing the aircraft, whether it is drug-running, joy-riding or a terrorist act, it's just not good business to have to report to the customer that his airplane is missing.

For almost 20 years, the Aviation Crime Prevention Institute Inc. (ACPI) has been serving the aviation industry with recommendations and guidance on preventing aircraft and component theft. They have good, solid, but basic recommendations on their web site at: www.acpi.org/security.html that can help FBOs and aviation businesses deter crime.

The International Civil Aviation Organization (ICAO) has taken on the issue of aircraft security in the international arena. As acts of unlawful interference continue to pose a serious threat to the safety and security of international civil aviation, ICAO continues to pursue policies and programs designed to prevent such acts. The ICAO Council adopts Standards and Recommended Practices (SARPs) for the safeguarding of international civil aviation contained in Annex 17 to the Chicago Convention. The ICAO Security Manual contains guidance material on the interpretation and implementation of the SARPs of Annex 17. In the wake of terrorist attacks on September 11, an ICAO Aviation Security Plan of Action for strengthening aviation security worldwide was developed. Their information can be found on their website at: www.ICAO.org

The U.S. Transportation Security Administration (TSA) has worked closely with the 17 GA associations that make up the General Aviation Coalition (including AEA) to ensure security mandates are based on threat analysis and risk management, balanced with common sense. They recognize that one-size security does not fit all, and that different solutions are required for different environments and different classes of operators. TSA, in conjunction with general aviation industry, has published a document titled: Security Guidelines for General Aviation Airports.

VIEW FROM WASHINGTON

In the guidelines, TSA focuses on seven functional areas including: personnel, aircraft, facilities, surveillance, communications and specialty operations. I'm only going to highlight a couple of areas here. I encourage every business owner to download TSA's guidelines and review your crime prevention programs. The TSA guide can be downloaded from: www.tsa.gov/interweb/assetlibrary/security_guidelines_for_general_aviation_airports_may_2004_a-001.pdf

With regards to personnel, TSA notes that activities such as cash for flights or probing or inappropriate questions should be viewed as suspicious and reported to the authorities. In addition, operators should develop methods by which individuals visiting the airport/business can be escorted into and out of aircraft movement and parking areas. Before releasing an aircraft the business should identify the pilot, ensure that the identity of all occupants are verified and are onboard the aircraft at the invitation of the owner/operator, and that all baggage and cargo is known to the occupants.

The main goal of enhancing airport security is to prevent the intentional misuse of an aircraft for criminal purposes. Proper securing of aircraft is the most basic method of enhancing security. Avionics shops should employ multiple methods of securing the customer's aircraft to make it as difficult as possible for an unauthorized person to gain access to it. The TSA recommends that door locks be consistently used; that you store aircraft in a hanger whenever possible; use an auxiliary lock such as a prop-lock, and never store the aircraft keys with the aircraft.

TSA (and AEA) recommend that you provide training to all employees for recognizing suspicious activity and to address the appropriate response. TSA recommends that training topics should include items such as: aircraft with unusual modifications; persons loitering for extended periods in the vicinity of parked aircraft; pilots who appear to be under the control of another person; and events or circumstances that do not fit the pattern of lawful, normal activities of the airport. It was the vigilance of an employee that helped foil an attempted security breach by a national media organization at a General Aviation (GA) facility in St. Louis recently.

Reporting suspected activity is an element of GAsecurity that we all can participate in and to assist the industry in this, the TSA has developed and implemented a general aviation (GA) hotline in partnership with the National Response Center. A GA Hotline, 1-866-GA-SECURE (1-866-427-3287) was launched on December 2, 2002, and is fully operational. The GA Hotline serves as a centralized reporting system for general aviation pilots, airport operators, and maintenance technicians wishing to report suspicious activity at their airfield.

The hotline was developed in coordination with the Aircraft Owners and Pilots Association (AOPA) to complement the AOPA Airport Watch Program. This program will enlist the support of some 550,000 general aviation pilots to watch for and report suspicious activities that might have security implications. AOPA has distributed Airport Watch materials to 5,400 public-use general aviation airports pilot groups and individual pilots. To build on the success of these local efforts the program includes special materials, including a video to train pilots to be alert for sinister people or activities on the airport. Information on AOPA's Airport Watch program can be found at: www.aopa.org/asn/watchindex.shtml

The Aviation Crime Prevention Institute (ACPI), offers the following guidelines on their website to help FBOs, businesses, owners and flight crews avoid becoming a victim of an aviation crime.

1. Make sure arriving crews check in with operations personnel. Require a list of authorized persons and/or crew members who might make requests for service by phone or in person. Upon check-in, ask for an identifying number or code known only to those authorized persons. These can be the captain's social security number, date of birth or his wife's maiden name. If a call comes and the caller cannot give the right answer, secure the plane and call the police.

2. As the FBO of choice, if an employee is given custody of the aircraft keys, make sure only the shift manager has access to them. Keys should only be returned to the aircraft captain. Ask the crew if the log books are in the aircraft. If so, offer to take custody along with the keys while the plane is on site. Remember, the logs can be more valuable than the aircraft itself.

3. Request a phone number to call to check for authorization for a request for service. Ask for a call back number when crew members call in and ask for the aircraft to be readied for departure. Call back and confirm. Only the authorized crew should be allowed access to the aircraft.

4. Require accommodation information for transient crews. They will be staying somewhere. Inform the crew you will confirm any departure requests using the prearranged code.

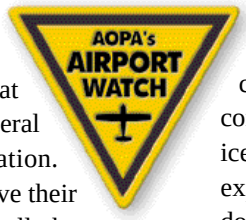
5. Request the name and number of a primary contact to confirm authorized departure instructions. The key contact can be the captain, owner, company flight department, etc. If it is a corporate aircraft, the corporate flight department should have flight plan information.

6. Brief all FBO personnel in these

procedures. Line personnel should know how the thieves operate. A security briefing is your first line of defense. Line personnel should be observant of transient aircraft. Is the registration number altered or doesn't look just right? Windows covered? Mud and dirt in and on landing gear and underside of aircraft? It may be stolen or smuggling. If in doubt, call the authorities and call ACPI at 800-969-5473 to check to see if the plane is stolen.

7. Any payment for services by cash is suspect and a prime reason to check with authorized persons representing the aircraft. ALWAYS call in for Credit Card Authorizations for payment of services. Always be sure requests to "bill the company" are confirmed with the corporate flight department or owner before releasing the aircraft for departure. This should be done in advance of the trip by the flight department. Credit should be checked in advance and any deviation from the check would be risky.

8. Contact your local law enforcement agency, preferably the one with jurisdiction at your airport. Get to know the Chief. Set up a familiarization program and have officers visit your facility for a "hands on" demonstration of how airplanes work, what avionics are and general airport familiarization. Encourage them to drive their marked cruisers and tell them why ... you want the world to know your facility is a friend of the department. Give them demo rides in your rental fleet. You'll be surprised how well the patrols will function after they know you. If your facility has had theft problems in the past, the dramatic increase in police activity may discourage the thieves from hanging around.



9. Receiving a suspicious phone call regarding the aircraft requires taking immediate measures to secure the plane. Then contact the police/airport security for assistance. This might be the opportunity for the police to apprehend the thieves.

10. Contact your insurance broker to check your insurance coverage and limitations regarding aircraft left in your care, custody or control for safe keeping, storage, service or repairs. Know your liability and exposure and plan for the worst. If you do become a victim, you'll be better prepared to deal with the situation.

11. Check with your attorney and discuss your legal position relating to your insurance coverage and possible liability regarding theft from your facility.

General aviation security and crime prevention isn't the "other guys" responsibility, it is all of ours, so be a participant!

Regulatory Update

United States

Policy for Flammability of Electrical Wire Used in Part 23 Aircraft

The Federal Aviation Administration issued policy statement PS-ACE100-2004-10023 clarifying the applicability of AC 43.13-1B, Change 1 for flammability of electrical wire used in Part 23 aircraft. The policy states that electrical wire listed in section 7 of AC 43.13-1B, Change 1 complies with Sec. 23.853 and 23.1359 and is acceptable for use in Part 23 aircraft without further testing.

PS-ACE100-2004-10023 was issued by the Manager, Small Airplane Directorate on July 9, 2004.

A paper copy of PS-ACE100-2004-10023 may be obtained on the Internet at www.airweb.faa.gov/policy

Safety Standards for Flight Guidance Systems on Part 25 aircraft.

The FAA proposes to amend the airworthiness standards for transport category airplanes concerning flight guidance systems. The proposed standards address the performance, safety, failure protection, alerting, and basic annunciation of these systems. This proposed rule is necessary to address flight guidance system vulnerabilities and to consolidate and standardize regulations for functions within those systems. This proposed rule would also update the current regulations regarding the latest technology and functionality. Adopting this proposal would eliminate significant regulatory differences between the airworthiness standards of the U.S. and the Joint Aviation Authorities of Europe.

Comments must be received before October 12, 2004.

You may read background documents and/or comments received on line at: http://dms.dot.gov.

For further information contact Gregg Bartley, FAA, Airplane and Flight Crew Interface Branch (ANM-111), Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98055-4056; Telephone (425) 227-2889; Fax 425-227-1320; e-mail gregg.bartley@faa.gov.

Proposed Revisions to Advisory Circular 25.1329-1A, Automatic Pilot Systems Approval

The Federal Aviation Administration invites public comment on proposed revisions to Advisory Circular, AC 25.1329-1A, "Automatic Pilot Systems Approval.''

The revised advisory circular provides guidance for demonstrating compliance with a proposed amendment to 14 CFR 25.1329, published concurrently with this proposed AC. This notice provides interested persons an opportunity to comment on the revised advisory material concurrently with the proposed amendment.

Comments must be received before October 12, 2004.

Comments should be sent to the Federal Aviation Administration, Transport Airplane Directorate, Attn: Gregg Bartley, Airplane & Flightcrew Interface Branch, ANM-111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

You may also fax your comments to (425) 227-1149, or you may send your comments electronically to: gregg.bartley@faa.gov.

Proposed Advisory Circular (AC) 120-SUR, Aircraft Surveillance Systems and Applications

The FAAannounces the availability of and requests comments on a proposed Advisory Circular (AC) 120-SUR, Aircraft Surveillance Systems and Applications. This proposed AC provides designers, manufacturers, installers and airplane operators, general information and acceptable method of compliance for the certification, airworthiness, and the operational approval of surveillance systems and associated applications.

Comments were requested before September 11, 2004, however interested persons are encouraged to review the proposed AC and submit any comments they may have to the FAA.

Announcement of FAA Advisory Circular (AC) 120-27D, Aircraft Weight and Balance Control

The FAA announces the availability of and requests comments on AC 120-27D, which provides guidance on the requirements for maintaining an aircraft weight and balance control program.

This AC provides operators with guidance on how to develop and receive approval for a weight and balance control program for aircraft operated under Title 14 of the Code of Federal Regulations (14 CFR) part 91, subpart K of part 91, and parts 121, 125, and 135.

This AC presents recommendations for an acceptable means, but not the only means, to develop and receive approval for a weight and balance control program, and includes guidance for using average and estimated weights in accordance with part 121, section 121.153(b) and other applicable parts of subpart K of part 91 and parts 121, 125, and 135.

Comments were due on September 17, 2004, however, send all maintenance-related comments on AC 120-27D to Mr. Darcy D. Reed, Aircraft Maintenance Division, Air Carrier Maintenance Branch (AFS-330), Federal Aviation Administration, 800 Independence Ave., SW., Washington, D.C. 20591; telephone (202) 267-9948; fax (202) 267-5115; e-mail Darcy.D.Reed@faa.gov.

Parts Manufacturer Approval Procedures Revision

The Agency announced the availability of and requests public comments on the proposed revision of Federal Aviation Administration (FAA) Order 8110.42, Parts Manufacturer Approval Procedures. This document establishes procedures for the evaluation and approval of replacement and modification parts for use on type-certificated products. The proposed revision retains the airworthiness standards in Title 14 of the Code of Federal Regulations (14 CFR) part 21 21.303.

You can get an electronic copy via the Internet at www.faa.gov/certification/aircraft/DraftDoc/Comments.htm or by contacting John Milewski, Aerospace Engineer, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Certification Procedures Branch, AIR-110, Room 815, 800 Independence Avenue, SW., Washington, D.C. 20591. Telephone (202) 267-3411, Fax (202) 267-5340, or e-mail at: john.milewski@faa.gov. Comments were due by September 24, 2004.

Proposed Revision to FAA Order 8110.4C, Type Certification

The FAAannounced the availability of and requests public comments on the proposed revision "C'' of the Federal Aviation Administration Order 8110.4. This proposed revision prescribes the procedures for evaluating and approving aircraft type design data and changes to previously approved type design data. In it, we prescribe the responsibilities and procedures we must follow to certify civil aircraft, aircraft engines, and propellers, as required by specific parts of Title 14 of the Code of Federal Regulations (14 CFR).

You can get an electronic copy via the Internet at www.faa.gov/certification/aircraft/DraftDoc/Comments.htm or by contacting Madeleine Miguell, Aerospace Engineer, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Certification Procedures Branch, AIR-110, Room 815, 800 Independence Avenue, SW.,

Frequently Asked Questions

QUESTION:

What happens where there is a conflict between the plain language of the regulations and guidance found on the FAA website?

In the June issue, you published a FAQ that said that we don't have to comply with the inspection record retention provisions of Part 145 when we perform work for a Part 121 or 135 operator with a CAMP, but this seems at odds with the requirements of the regulations.

The logical consequence of this guidance would be that repair stations that do substantially all of their maintenance for 135s and 121s would have no recordkeeping requirement and could satisfy all requirements by providing records to their customers in accordance with customer recordkeeping requirements. This is not the way the system works!

ANSWER:

The short answer is that when there is a conflict between the plain language of a regulation, and guidance published solely on the FAA's website, you should make sure that you comply with the plain language of the regulations.

In the June 2004 issue of *Avionics News*, we published a FAQ that repeated guidance published on the FAA's website. Since that time, our legal counsel has pointed out that even though it was published on the FAA's website, compliance with this FAA "guidance" could cause legal jeopardy to our members, because it is inconsistent with regulatory obligations.

In general, the fact that a repair station provides documentation to its customers, even its air carrier customers, does not release the repair station from its responsibilities to comply with the recordkeeping requirements of Part 145. Thus, the statement that record retention is the sole responsibility of the air carrier, and not the repair station, is at odds with the plain language of the regulations. Section 145.205 of the regulations requires work for Part 121 and Part 135 operator with CAMPs to follow the air carrier's written program; but there is nothing in section 145.205 that exempts a repair station from the remainder of Part 145. The requirements are in addition to—not as a substitute for—Part 145.

When the regulation requiring compliance with the air carrier customer's procedures was originally promulgated in 1966, the FAAmade it clear that completing air carrier records was in addition to the repair station's recordkeeping requirements. The preamble to the rule even encouraged repair stations to keep a copy of the documentation provided to the air carrier customer, in order to meet the repair station's own recordkeeping requirements. Repair Stations Performing Work on Air Carrier and Commercial Operators' Aircraft, 31 Fed. Reg. 10612 (Aug. 2, 1966).

The fact that there is 'policy guidance' published on the FAA's website will not protect an unwary repair station from a regulatory violation if the repair station follows the guidance and fails to comply with the Part 145 regulations. Such guidance is unofficial and non-binding, and the FAAhas posted warnings on its website that express this fact.

In addition to the fact that failure to keep records is a regulatory violation in its own right, the failure to keep records can also represent additional violations, like a failure to follow the repair station's manuals under section 145.209(i).

AEA is rescinding its June FAQ on the grounds that we do not feel that the FAA guidance displayed on the FAA's website is sound.

Note: AEAoffers these Frequently Asked Questions (FAQs) in order to foster greater understanding of the Federal Aviation Regulations and the rules that govern our industry. AEA strives to make them as accurate as possible at the time they are written, but rules change so you should verify any information you receive from an AEA FAQ before you rely on it. AEADISCLAIMS ANY WARRANTY FOR THE ACCURACY OF THE INFORMATION PROVIDED. This information is NOTmeant to serve as legal advice – if you have particular legal questions, then these should be directed to an attorney.

REGULATORY UPDATE

Washington, D.C. 20591. Telephone (202) 267-3777, Fax (202) 267-5340, or e-mail at: maddie.miguel@faa.gov.

Comments were due on September 20, 2004.

Europe

JAA:

NPA–OPS 24 has been adopted by the JAA Committee in July. The Following changes will be released as an OPS-1 Amendment:

JAR-OPS 1.665 EGPWS/TAWS

Paragraph (d)(2) applicable to turbine powered aircrafts with an MTOM in excess of 5,700 kg, but not more than 15,000 kg or maximum approved passenger seating configuration of more than nine, but not more than 30, will be rewritten to read:

1 January 2007 for aeroplanes first issued with a certificate of Airworthiness before 1 January 2003 instead of 1 October 2001 for aeroplanes which are not already equipped with a ground proximity warning system.

This means in essence that all aircraft that had a GPWS installed on the 1 October 2001, do need to retrofit a TAWS system by 1 January 2007. This amendment will introduce the present ICAO Annex 6 standard.

JAR-OPS 1.865 IFR equipment

The rewritten Paragraph (c)(1)(i) will allow aircraft to operate without ADF provided that the use of ADF is not required in any phase of the planned flight. As the amended ACJ OPS 1.865 to this paragraph further describes, a removal of existing equipment may only be done where ADF is not essential for navigation and provided that alternative equipment giving equivalent or enhanced navigation capability is carried, such as an additional VOR receiver or a GNSS receiver approved for IFR operation.

ACJ OPS 1.870 MNPS – additional equipment (ex. IEM OPS)

The amendment removes all references to the obsolete Omega Navigation System and introduces the GNSS as an approved alternative Long Range Navigation System. The GNSS must be installed and approved in accordance with relevant requirements for MNPS airspace. Such requirements would be TSO C-129 and FAANotice 8110.60 or equivalent European requirements.

Leaflet 36 - Approval of Electronic Flight Bags (EFB)

The released guidance material is designed to cover airworthiness and operational criteria for the approval of EFBs. It identifies hardware classes of EFB systems (Class 1, 2 and 3) and software classes (Type A and B) and their specific application where they may be used.

The instructions given in the TGL also refer to explicit mounting, testing, AFM Supplement, training and operational recommendations and requirements. The contents are similar to FAAAC 120-76A.

EUROCONTROL:

8.33 kHz vertical expansion above FL 195 in EUR Region

The following milestones have been developed for the purpose of a written stakeholder consultation. The result of the consultation will be presented to the ATM-CNS Consultancy Group (ACG) meeting to be held on the 13-14 October 2004 in which a final decision should be made:

- 22 June 2006: Go/delay decision on date for mandatory carriage above FL195 in ICAO EUR Region;
- 26 October 2006: mandatory carriage applied above FL195 in the ICAO EUR Region;
- 30 April 2007: planned 25 to 8.33 kHz conversions completed; i.e. coordinated in the ICAO COM 2 table.

Eurocontrol estimates that an above FL 195 implementation could satisfy 50 additonal demands for VHF assignments.

Link 2000+

If the Eurocontrol proposed rule will be implemented, the mandate would require that 15 Area Control Centres and all new aircraft (with an MTOW of more than 20T and less than 200T) should be equipped for Link 2000+ Baseline Aeronautical telecommunications network (ATN) compliant (such as VDL Mode 2) data link services with effect from 1 January 2009. Retrofitted aircraft will be required to be compliant by 2012.

The mandate would apply to flights in the airspace above FL285 in the Link 2000+ area.

EASA:

Following the second industry meeting held on July 6, which AEA has been attending, EASA sent us the preliminary answers on the AEA submitted questions which were compiled in September 2003 during the comment period for Part 145. We felt the comment response received at the time still needed some clarification.

Following is EASA's present position to these questions posed by AEA.

Section 145.A.25 Facility requirements

AEAComment:

Paragraph (c)(2): The provisions of paragraph (2) are acceptable for components however, overly restrictive for aircraft. The limitation of paragraph (2) such that dust must be minimized and that any visible dust on an aircraft is an indicator of surface contamination is overly restrictive. General aviation hangars do not stop dust from accumulating on aircraft and as such every GAhangar throughout Europe is in violation of this requirement. In addition, the amount of surface contamination that creates a safety hazard is significantly different for a component than an aircraft.

Recommended Change: Add the word "excessive" before the word "dust and other airborne contaminants" in the first sentence. Delete the words "aircraft/component" before the words "surface contamination is evident."

EASAAnswer:

145.A.25 (c)(2): We would like to first note that Part 145 is not the standard approval for every GA. Secondly the material comes from existing JAR 145 material that has never been questioned before. Finally, dust is a problem in the maintenance environment.

AEA Comment:

Paragraph (c)(3): Paragraph (3) implies fixed lighting only. The requirements for lighting must include both fixed and portable lighting. If the AMO elects to utilize portable lighting a description of the various lighting

systems should be included in the exposition.

Recommended Changes: Add a second paragraph which reads: If portable lighting is utilized for inspections and/or maintenance tasks, a description of the portable lighting should be included in the exposition.

EASAAnswer:

145.A.25 (c)(3): The type of lighting is not addressed in the text. It can be overhead, portable or ideally a mix of both.

AEA Comment:

Paragraph (c)(6): The Association concurs that maintenance and inspections tasks should be carried out without undue distractions. However, general aviation businesses have no control over the weather and, therefore, must develop procedures for working in ALL environments. The limitation on working in "unacceptable" environments is overly restrictive for general aviation and through the use of personal equipment the effects of the environment can be safely managed. The AMO should establish procedures for working in extreme environmental conditions. Recommended Changes: Delete the second paragraph beginning with "Therefore, where the working environment…" Add the following: "Management procedures for performing line maintenance when the environment deteriorates to unacceptable conditions to include the use of personal equipment, portable shelters, etc, must be included in the exposition."

EASAAnswer:

145.A.25 (c)(6): The difficulty is managing the weather in the line environment. It is a basic issue of human factors. If the people working cannot be protected from the environment, then work should be suspended.

145.A.45 Maintenance Data

AEA Comment:

Paragraph (f): Paragraph (f) is not applicable to general aviation aircraft maintenance. General aviation aircraft and components are typically maintenance in conformance with published maintenance instructions from the Original Equipment Manufacturer (OEM). The requirement to transcribe every maintenance instruction for the entire fleet of general aviation aircraft is an insurmountable challenge that will be extremely costly and will provide no improvement in aviation safety. General aviation aircraft and their components should be able to utilize the OEM maintenance instructions in lieu of work cards.

Recommended Change: Add at the end of paragraph (f) the following sentence: for aeroplanes with a maximum takeoff mass below 5,700 kg and helicopters with a maximum takeoff mass below 3,175 kg the organization may utilize the current maintenance instructions provided by the type-certificate holder or component manufacturer.

EASAAnswer:

145.A.45(f): This paragraph says that the date must be readily available. It does not address work cards. Paragraph (e) addresses this issue. It offers the possibility of having work card or worksheets referring to data. This can take the form of two lists. This can be achieved by a small AMO.

145.A.55 Maintenance records

AEA Comment:

Paragraph (b): Paragraph (b) requires an organization to provide the aircraft operator any specific approved modification data. This requirement does not take into account data which may contain proprietary data which should not be transferred to the aircraft operator. Not all modification data is necessary for the continued airworthiness of modified aircraft. The operator should receive a copy of all "relevant" modification data.

Recommended Change: Replace the work "specific" with the word "relevant" so that the sentence reads: "The organization shall provide a copy of each certificate of release to service to the aircraft operator, together with a copy of any relevant approved repair/modification data used for repairs/modification carried out."

EASAAnswer:

145.A.55: The owner/operator is responsible for the airworthiness of an aircraft. This data belongs to him/her.

The maintenance organisation is not responsible for the approval of such data.

Answers to all submitted comments should soon be available on the EASA website.

Canada

Transport Canada issues Policy Statements on Avionics Modifications.

Transport Canada Civil Aviation (TCCA) has published several policy statements and documents as a result of issues raised by AEA Canada at the Avionics Modification Workshops in June 2000 and November 2003.

The issues raised at the 2000 workshop, concerning compliance with AWM 525.1333(c) for installations of additional equipment to systems for required equipment; the need for pitot-static isolation valves for installation of an ADC on aircraft with two pitot sources; and the requirements for connecting a standby attitude indicator to a battery bus, have been addressed on TCCA's Avionics Engineering website at: www.tc.gc.ca/CivilAviation/certification/engineering/avionics/Workshop00/menu.htm

At the 2003 workshop, TCCA presented their position on design guidelines and human factors considerations for installation of IFR GPS receivers in Part 23 aircraft. TCCA has now published Policy Letter (PL) #523-008 on this subject. The PLprovides guidance on acceptable locations for the CDI and GPS receiver when no remote annunciators are to be used; and defines the minimum acceptable remote annunciators and their acceptable location to ensure an efficient and concise instrument scan. The PL also addresses the definition of a "Center Radio Stack" in relation to positioning of remote annunciators. TCCA's position has been rationalized with existing regulations and guidance material, in particular FAA AC 20-138A. PL 523-008 may be viewed at: www.tc.gc.ca/CivilAviation/certification/guidance/523-008.htm

TCCAhas prepared a Policy Letter, PL 571-001, to define the installation eligibility of substitute or replacement bearings in aeronautical components. This PL has been prepared as a result of enforcement action taken by TCCA against some instrument overhaul shops, and subsequent considerable pressure from AEA Canada to clarify TC's position on this subject. The PL essentially harmonizes TCCA's policy with that of the FAA, as identified in HBAW 98-19A. To be acceptable, a replacement bearing must have TSO-C149 approval, and there must be a statement from the bearing manufacturer that the replacement bearing is the same part as that supplied to the instrument manufacturer. If the instrument manufacturer alters the part number from that supplied from the bearing manufacturer, then only that re-identified bearing may be used. The PL separates bearing replacements into two classes: Major Repairs (for critical applications), and Minor Repairs (for non-critical applications). Critical applications are defined as ones where failure of the bearing would result in immediate catastrophic effect on the aircraft. Instrument bearings would not fall into this category and hence will be classified as a minor repair, with substitution documented in the applicable technical record. AMOs who intend to install substitute bearings should describe their procedures for control of these substitutions in the Maintenance Policy Manual. At the time of writing this regulatory update, PL 571-001 had not been published. AMOs should check for issue of the PL on TCCA"s website at: www.tc.gc.ca/CivilAviation/certification/guidance

Australia

Maintenance Package of Regulations

The SCC Maintenance and Maintenance Personnel Sub-committee has been actively reviewing and making recommendation to CASA about the suite of proposed maintenance regulations. CASA's CEO has considered the various options available and has agreed with the advice that the proposed structural changes to the regulations since the last SCC Maintenance and Maintenance Personnel Sub-committee meeting in September 2003 warrant a further formal public consultation.

To this end a new NPRM is being assembled for publication in the near future. The basic principles have not changed but this NPRM will address the differences in the regulations as a result of several inputs over the recent months. The input of the SCC Sub-committees will be required during this consultation, including viewing the NPRM before it is published and participating in several Sub-committee meetings.

The approximate plan for approaching this NPRM process and the finalization of the regulations could be as follows:

Until 30 August—Assemble final drafting instructions for the Office of Legal Drafting (OLD)

15 September—receive NPRM drafts from OLD for incorporation into NPRM

24 September—circulate draft NPRM to the SCC and SCC Sub-committees

4 October—Publish NPRM

5 - 8 October—Meeting with SCC Sub-committee to discuss regulations

30 November - 3 December—Meeting with SCC Sub-committee to discuss regulations and comments received

6 December—Close of formal consultation period

17 - 21 January—Meeting with SCC Sub-committee to discuss regulations, disposition of comments and any remaining issues

February—Further SCC Sub-committee meeting if required

14 - 25 February—Instruct OLD and settle the regulations

25 February—Forward regulations for clearance and CEO acceptance

Post March 2005—Making of the regulations ❑

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