



INTERNATIONAL NEWS AND REGULATORY UPDATES

FR O M R I C P E R I
VICE PRESIDENT OF GOVERNMENT & INDUSTRY AFFAIRS FOR AEA

The Aircraft Electronics Association's international membership continues to grow. Currently, the AEA represents avionics businesses in more than 35 countries throughout the world. To better serve the needs of the AEA's international membership, the "International News and Regulatory Updates" section of Avionics News offers a greater focus on international regulatory activity, international industry news, and an international "Frequently Asked Questions" column to help promote standardization. If you have comments about this section, send e-mails to avionicsnews@aea.net.

Moving Toward a Single European Sky

The first meeting of Europe's new Air Navigation Services Board (ANSB) took place in February, marking a major step forward in Eurocontrol's efforts to modernize and realign itself to respond fully to the objectives of the "Single European Sky."

The ANSB was created to ensure all of the major groups involved in

provides functions and services. In particular, it will address business plans, business cases, financial commitments, strategic input, and monitoring of agency projects and activities.

Leveraging advancements in communications, navigation and surveillance technology and equipment, Eurocontrol introduced its newest air traffic control system. The new Maastricht Control Centre was unveiled in March.

The Netherlands minister for transport, public works and water management permanently shut down the old system, which dates back to the early 1970s. Air traffic control over Belgium, the Netherlands, Luxembourg and north/west Germany now is managed exclusively via the new flight data processing system.

Managed by Eurocontrol, on behalf of these four European states, the Maastricht Control Centre provides control for the upper airspace

(above 24,500 feet, approximately 7,500 meters) of Belgium, the Netherlands, Luxembourg and north/west Germany. The lower airspace is managed by the national providers, Belgocontrol, Luchtverkeersleiding Nederland (LVNL) and Deutsche Flugsicherung (DFS).

The new flight data processing system, which recently was awarded a prize at the ATC Global Exhibition in Amsterdam, is at the cutting-edge of technology. It makes possible the safe, efficient and environmentally friendly management of air traffic.

State-of-the-art technological functions allow for more efficient, dynamic and accurate air traffic management, reducing delays and costs. Aircraft trajectories are calculated automatically in real-time using radar data, information entered by the controllers and flight-plan data. The controllers have at their disposal the most comprehensive and accurate information on the air traffic situation,

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air traffic management are integrated into Eurocontrol's decision-making structures and can play their roles in shaping the agency's work in support of the Single European Sky.

The new body will focus on areas where the Eurocontrol agency

which allows them to anticipate and organize traffic safely and efficiently. Moreover, the configuration of air traffic control sectors can be adapted easily to better respond to changing air traffic flows, to atmospheric conditions and to the zones reserved for military exercises.

Thanks to its advanced technology and cutting-edge tools, the new system provides more efficient support to the controllers as they carry out their main task: ensuring the safety of air navigation.

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At the same time, we are seeing the maturity of EASA's involvement in the next generation of communications, navigation and surveillance technology and equipment. The latest NPA 2009-004, "Airworthiness Approval and Operational Criteria for Onboard Equipment Related to Area Navigation for Global Navigation Satellite Systems," is a major step toward addressing this fundamental change in CNS technology and finding cost-effective means of installing these technologies.

In spite of the current financial crisis, experts predict air traffic in Europe will double by 2030, increasing from the current level of 10 million flights per year to 20.4 million flights per year in 2030.

The AEA is conducting a thorough review of NPA 2009-004 at its upcoming AEA Europe Meeting from May 18-19, in Cologne, Germany.

For more information about the AEA Europe Meeting, visit www.aea.net/Regional/Europe.

UNITED STATES News & Regulatory Updates

FAA Revises Production Approval, Certificate Management Procedures

FAA Order 8120.2, "Production Approval and Certificate Management Procedures," was prepared to provide guidance for Aircraft Certification Service personnel in the accomplishment of certain agency responsibilities. These include the evaluation, approval and certificate management of the production activities of manufacturers and their suppliers producing products or parts in accordance with Title 14 of the Code of Federal Regulations.

The guidance in this order relates to the following four types of production approvals issued by the FAA:

- Production certificate
- Approved production inspection systems
- Parts manufacturer approval
- Technical standard order authorization

The FAA's revision of this order, FAA Order 8120.2F:

- Adopts risk-based resource targeting (RBRT) as a CM tool, replacing the risk management model.
- Revises Figures 3-1 and 3-2 to align with RBRT.
- Removes AIR Form 8120-9, "Risk Management Facility Assessment Sheet."
- Revises Appendix C to include the organizational and technical indicators used in an RBRT facility assessment. In addition, information specific to each indicator is provided as guidance to assist the principal inspector in completing the assessment.
- Clarifies where the management plans with the current International

Cooperative Supplier Surveillance Program participants are located.

- Changes the term "District Office" to "Manufacturing Inspection District Office."
- Eliminates the requirement for the MIDO/Certificate Management Office to send an electronic copy of certain parts manufacturer approval documents to the Aircraft Certification Office.
- Incorporates the deviation, dated Dec. 3, 2007, which authorizes the MIDO/CMO to perform initial service difficulty investigations. In addition, several report submission requirements associated with service difficulty investigations now are optional.
- Updates references to suspected unapproved part requirements.
- Clarifies the information required on PMA assist letters.
- Clarifies information pertaining to ownership and name changes of PMA holders and technical standard order authorization holders.

FAA Updates Airman Knowledge Testing Program

The FAA has updated Order 808-6, "Airman Knowledge Testing Program," with Version E. The revision incorporates updated information, procedural and policy changes, and new guidance.

FAA Order 8080.6 provides guidance for Federal Aviation Administration personnel and personnel associated with organizations participating in or seeking to participate in the Airman Knowledge Testing (AKT) Program. This program encompasses AKT required by Title 14 of the Code of Federal Regulations, Parts 61, 63 and 65.

For additional guidance applicable to AKT, refer to FAA Order 8900.1, "Flight Standards Information Management System."

Continued on following page

FREQUENTLY ASKED QUESTIONS

United States

Working Away from the Home Station

The following information is from FAA Order 8110.4 and 14 CFR, Part 21.

QUESTION:

Can my repair station regularly perform work away from its home station that is not restricted only to special circumstances?

ANSWER:

Yes. The FAA's AC 145.9 specifically addresses this business practice. This advisory circular states this ability "will provide flexibility and mobility to meet industry needs and not be restricted 'only' to special circumstances."

14 CFR 145.203 permits a certificated repair station to temporarily transport material, equipment and personnel needed to perform maintenance, preventive maintenance, alterations or certain specialized services on an article for which it is rated to a place other than the repair station's fixed location if:

- a) the work is necessary due to a special circumstance as determined by the FAA; or
- b) it is necessary to perform such work on a recurring basis,

and the repair station's manual includes the procedures for accomplishing maintenance, preventive maintenance, alterations or specialized services at a place other than the repair station's fixed location.

AC 145-9, Paragraph 4-5(c), states, "Section 145.203(b) permits work away from a repair station's fixed location when it is necessary to perform such work on a recurring basis."

The advisory circular further clarifies the intent of the rule by noting, "Repair stations may have their own unique circumstances that require the performance of maintenance functions away from their fixed base."

A manual procedure for work performed is required if the repair station performs work at another location on a recurring basis. The repair station manual must include procedures for accomplishing maintenance, preventive maintenance, alterations or specialized services at a place other than the repair station's fixed location.

Before you can work away from your home station on a recurring basis, your repair station manual needs a procedure for working away from home station. In addition, your operations specification should be annotated to allow work away from your home station.

For avionics, this provision allows for one avionics shop to support a number of airports and provide avionics services though a number of basic maintenance facilities within a geographic area.

CANADA

News & Regulatory Updates

Acceptance of Repair Design Approvals between the FAA and TCCA Revised

The implementation procedures for airworthiness for design approval, production activities, export airworthiness approval, post design approval activities and technical assistance between authorities under the agreement between the government of the United States and the government of Canada for promotion of aviation safety were revised at Revision 1, dated June 5, 2008.

Subsequently, TCCA and the FAA have revised their guidance materials for the issuance of repair design approvals and acceptance of repair design data approved by either TCCA or the FAA, including their respective delegates and designees for any Canadian-registered or U.S.-registered aircraft or other aeronautical products installed on those aircraft.

The TCCA issued staff instruction SI 513-002 at Issue 03. The staff instruction includes guidance on:

- U.S. acceptance of Canadian repair design data.
- Canadian acceptance of U.S. repair design data.
- Repair design data for aeronautical products type-certified by either Canada or the U.S.
- Minor repair design data.
- Repairs intended for incorporation on engines and propellers.
- Repairs to aeronautical

products that do not have a type certificate or a TSO approval.

The FAA published Order 8110.53, "Reciprocal Acceptance of Repair Design Data Between FAA and TCCA," which corresponds to the TCCA SI 513-002, Issue 03.

To read TCCA SI 513-002, Issue 03, visit www.tc.gc.ca/CivilAviation/IMSdoc/IMSDocuments/500/513-002.htm#e1-0.

EUROPE News & Regulatory Updates

First Quarter of 2009 is Productive for EASA

The European Aviation Safety Agency has been busy in the first quarter of 2009. The following is the latest information from EASA:

- For those of you trying to support the operators to stay compliant to the latest OPS regulations, the information provided during a EASA conference might be of interest to you.

In March, EASA organized a two-day conference to explain in detail its notice of proposed amendment for air operations. The conference, "From JARs to IRs: Air Operations," took place in Cologne, Germany. How to understand and read the new proposed regulation, which contains the part previously called Subpart K and L for equipment and instruments and now is arranged differently in the new proposed set of regulations, was explained in detail during the conference.

- Beginning June 1, EASA will index all fees and charges indicated in Part I, II and III of the annex to

the regulation EC 593/2007 with a rate of 3.7 percent. This basically addresses all maintenance and certification initial approval and renewal/extension fees.

- EASA has begun a new quarterly publication, *EASA News*, to provide an overview of some of the hot topics in the industry. The first issue, which is available electronically on its website, focuses on EASA's new regulatory tasks. A few topics discussed in this issue are safety assessment of foreign aircraft inspections; aviation safety statistics; the new EASA rule structure; and the recent re-structure of the EASA organization.

- EASA's management board adopted and released a multi-annual rulemaking program, which is available on the EASA website. It describes the planned rulemaking activities for 2009 to 2012, and it is structured as per the four main areas: environmental protection, flight standards, product safety and ATM/airport safety.

- Most EASA forms recently were updated and are available on the EASA website for download. Make sure to always use the latest version of these forms.

- EASA introduced a new voluntary e-examination typically taken by participants at the end of industry or NAA training courses, which covers the topics defined and outlined in the agency course syllabi. Currently, e-examinations are available for Part 21, Part M, 145, 147 and 66 training courses.

The examination is voluntarily and subject to a charge. The training organizations providing such examinations are listed on the website under the topic of e-examination.

- EASA issued NPA 2009-03, proposing ETSO C119c, which would include the new MOPS for Version 7.1

of TCAS/ACAS II. The related FAA TSO should be issued in this soon. Both documents will be harmonized.

For more information, visit EASA's website at www.easa.eu.

FREQUENTLY ASKED QUESTIONS

International: Europe

Acceptable Means of Compliance

The following information is from an EASA FAQ

QUESTION:

Is EASA the only body entitled to issue acceptable means of compliance (AMC)?

ANSWER:

If AMC is to be understood as a generic term to designate acceptable means of compliance with the applicable certification requirement, the answer is clearly negative.

Any person involved in the implementation of the law is entitled to develop its own means of compliance, and competent authorities may issue acceptable means of compliance to indicate how they recommend compliance with the law be demonstrated.

There is no obligation for the National Aviation Authorities to use only the AMCs issued by EASA. However, if a National Aviation Authority decides to issue its own national AMCs, such AMCs only commit itself; it is the role of the EASA standardization inspection system to monitor that the NAA manages this process in a correct manner.

Continued on following page

INTERNATIONAL NEWS

Continued from page 21

The answer is positive if AMC is to be understood as the acceptable means of compliance issued by EASA as required by its basic regulation and its implementing rules providing for presumption of compliance with the related specification or requirement when correctly implemented. The competent authorities must accept these EASA AMCs if the applicant decides to use them and implements them correctly.

QUESTION:

Can National Aviation Authorities accept other means of compliance proposed by their undertakings?

ANSWER:

National Aviation Authorities must accept other means of compliance when they are the competent authority themselves, provided such means of compliance ensure full compliance with the applicable certification requirement. It is the role of the EASA standardization inspection system to monitor that the NAAs manage this process in a correct manner.

QUESTION:

If a National Aviation Authority intends to accept AMCs other than those adopted by EASA, is there any obligation on the NAA to submit these alternative means of compliance to EASA for approval?

ANSWER:

There is no such obligation today. It is, however, the role of the EASA standardization inspection system to check that these national AMCs actually provide for compli-

ance with the applicable certification requirements.

It is also up to the industry (in particular, trade associations) to verify that this does not constitute reverse discrimination. In all cases, the last instance is up to the local judge.

Ideally, national AMCs should be published so as to be available to all in the same circumstances. This would allow regulated persons in other countries to propose them as alternative means of compliance to their own competent authority.

More ideally, after agreeing with their content, EASA should publish them through a rulemaking process and issue them as EASA AMCs. However, this requires a great deal of work and should be considered only for subject where uniformity is of utmost importance.

QUESTION:

If one NAA issues its own acceptable means of compliance, are other NAAs required to accept them?

ANSWER:

The answer is negative. NAAs are only bound to accepting EASA AMCs.

SOUTH PACIFIC News & Regulatory Updates

Australia Makes Emergency Locator Transmitter Changes

Since Feb. 1, 2009, all emergency locator transmitters operating solely on frequencies 121.5 MHz and 243 MHz are obsolete.

The Civil Aviation Regulations 1988 require the carriage of an emergency

locator transmitter on most flights in Australian airspace. ELTs are distress beacons activated following an accident, either automatically by embedded electronics or manually by a pilot or other person.

An active beacon is detected by orbiting satellites, which transmit a signal to search-and-rescue coordinators. The ELT also emits a transmission on a frequency that can be detected and homed in on by over-flying aircraft.

As an internationally utilized service provider, Cospas-Sarsat currently is used in Australia to provide satellite-based ELT monitoring services. Beginning Jan. 31, 2009, the Cospas-Sarsat system ceased processing the 121.5/243 MHz signals from distress beacons. The system now only detects 406 MHz beacons.

Cospas-Sarsat made the decision to cease satellite processing at 121.5 MHz in response to guidance from the International Civil Aviation Organization and the International Maritime Organization. These United Nations organizations mandate safety requirements for aircraft and maritime vessels, and they have recognized the limitations of the 121.5 MHz beacons and the superior capabilities of the 406 MHz alerting system.

With the 406 MHz frequency, the position of the distress can be relayed to rescue services more quickly, more reliably and with greater accuracy if coupled with GPS position data. While the 406 MHz transmission is essential for satellite monitoring, a 121.5 MHz component of the transmission is still necessary to assist with the final homing of an activated beacon.

The updated rules in the Civil Aviation Regulation 1988, CAR 252A, require all aircraft that previously required the carriage of an ELT before the Feb. 1 "switchover" date to now carry an ELT operating on frequencies 406 MHz and 121.5 MHz.

Provisions for the use of 406/121.5 MHz portable emergency personal indicating radio beacons and personal locator beacons also remain in the new CAR 252A.

With a new requirements, the 406/121.5 MHz ELT must be registered with the Australian Maritime Safety Authority. This is crucial for the proper operation of the ELT, and it is a free service.

For more information about the registration process, visit the AMSA website at <http://beacons.amsa.gov.au/index.asp>. □