

## EUROPEAN UPDATE



### NPA 2009-02: ALSO IMPORTANT FOR BUSINESS AVIATION

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#### From JARs to IRs

The European Aviation Safety Agency has recently published, as part of its consulting process with aviation stakeholders, a Notice of Proposed Amendment (NPA) to develop an Opinion on the Implementing Rules for Air Operations of the European Community Operators and a Decision on the related Acceptable Means of Compliance (AMC) and Guidance Material (GM).

This is a first chance to have a look at how aviation regulation is developing in our countries and at the requirements European Air Operators will have to fulfil as soon as the EASA Implementing Rules become effective. As it is always the case with changes, there are some challenges, but also some opportunities that will arise.

Unlike EU-OPS, the new EASA (Implementing) Rules will address not only commercial air transportation by airplanes, but also helicopter operations, aerial work, non commercial operations with complex motor powered aircraft, non-commercial operations with other than complex motor powered aircraft, flight time limitations, training and medical fitness of cabin crew.

#### Chances in Changing?

Notably, the main and fundamental difference between the proposed structure and the Joint Aviation Requirements is the separation of the technical requirements from the requirements applicable to the organization and management system of organizations.

This is clearly an attempt by the Regulators to reduce the administrative burden on organizations that perform more than one activity. The history of European regulation is such that the separate development over time of the various Joint Aviation Requirements created different requirements for organizations in each field of activity, such as training, operation and maintenance. This forced organizations that carry out more than one activity to have different management structures for each of those activities, with the undesirable consequence of a multiplication of the resources needed.

We all know that while the Joint Aviation Requirements have no legal weight by themselves, Implementing Rules are by all means European Community law and therefore need to comply with a specific set of requirements on how they are drafted and presented. One of the major legal reasons why the Joint Aviation Requirements structure cannot be kept is related to the multiplication of similar or even identical requirements included in various Joint Aviation Requirements because of the way they are structured (i.e., JAR Ops 1 vs. JAR Ops 3).

#### Optimizing Technical Documentations for the Benefit of Safety

Disappointingly, the proposed structure of the Operations Manual (OM) remains the same. It would be beneficial to the stakeholders if the regulation would not rigidly limit the format based on paper hardcopy document requirements. Electronic documentation formats based on ATA standards and S1000D “International specification for technical publications utilizing a common source database” are already an internationally

recognized standard for the generation of aircraft maintenance documentation. With small adaptations, the same standards could be applied to the establishment of Operations Manuals.

As a result, substantially lower cost would be achieved for the generation of the documentation by using synergies, by full integration with airplane and component manufacturer’s data production methods, and through more efficient (faster) document production processes. Other relevant documentations (e.g., CAME, MEL) can be electronically linked. As the information is produced in a standard electronic format (e.g., xml, sgml), it lends itself for seamless and immediate integration into Electronic Flight Bag/e-book reader and other paperless (flight deck) documentation systems.

#### Total System Approach

In the NPA, some important changes to the Quality Systems are presented. The term Quality is actually disappearing, opening the way to the concept of Compliance monitoring, a term much closer to what a limited scope Quality System, such as one required by EU-OPS, actually is.

One of the main benefits we all could gain by the introduction of the new requirements is that they are applicable to all fields of aviation, in accordance with the total system approach for aviation safety.

The various aviation system components – products, operators, crews, aerodromes, Air Traffic Management, Air Navigation Systems – are part of a single system and uniformity should be achieved through common implementing rules.

The Total System Approach could greatly reduce the risk of safety gaps or overlaps, conflicting requirements and confused responsibilities.

