

Our ref: QL0713
26th October 2007.

Mr. Claude Probst,
Rulemaking Director,
European Aviation Safety Agency,
Postfach 10 12 53,
D-50452 Koeln,
Germany.

Ref: Comments from Panasonic Avionics Corporation (UK.145.00297) concerning NPA 07/2007 ("NPA").

Dear Mr. Probst,

Panasonic Avionics Corporation ("Panasonic") repairs and maintains, including line maintenance of, in-flight entertainment equipment on board aircraft.

Panasonic wrote to you by letter ("Letter") dated 11th September 2007 (ref. QL0706) requesting clarification of the rationale for the draft decisions in NPA07/2007. Your response was received on the 19th October and after due consideration Panasonic wishes to make the following comments:

You state that the intention of these limited changes to 66.A.20.(a)1 is to clarify the intent of the current rule. We strongly disagree that this is merely a clarification of the existing position. It is not a clarification because there is no rule, anywhere in Part 145 or Part 66 denying the ability of engineers of any category (including category A) to raise and certify maintenance deferrals. One cannot clarify a rule that does not exist. The proposal thus represents a new rule and is therefore a fundamental change to existing rules and practice. Panasonic (and other Part 145 approval holders) have permitted Category 'A' licence holders to raise and certify deferrals within the strict limits of their authorisation. There is no basis in Part 145 or Part 66 for denying this. Most significantly, this certification privilege was written into our procedures and approved by our competent authority (UK-CAA).

The proposed change is, therefore, a new rule removing a certification privilege. Thus, the absence of an impact assessment is a fundamental flaw. We believe that an impact assessment would have shown that this change would have a serious adverse impact on maintenance providers and their customers and also that it is unnecessary and would give rise to no compensating benefits. Please see our further observations below.

1 Part 66: 66.A.20 (a) 1 (Working Group 66.006)

Regarding the prohibition of a category A licence holder to certify for the deferment of maintenance actions, Panasonic maintains that such a change would have no impact on the continued airworthiness of an aircraft. An understanding and consideration of airworthiness practice and procedures in relation to deferment actions would show this proposed change to be unnecessarily restrictive, having no safety or airworthiness justification but having a significant adverse effect on Panasonic and similar organisations and their airline customers.

Deferments made by category A licence holders within the limits of the tasks endorsed on their authorisation (which they have been trained to perform) and permitted within the rules of the approved maintenance data are a safe and proper way in which to maintain and operate aircraft.

This specific prohibition will have significant impact on Panasonic's ability to perform its business and provide our customers with a full level of service under our limited Part 145 approval.

2 Part 66: 66.A.20 (a) 3 ii (Working Group 66.006)

This paragraph does not define the restriction as applying only to the Cat 'A' part of the Cat 'B2' Licence.

It appears that the authorisation certificate has to define the Cat 'B2' tasks as well, and limit these to work done-ONLY by those Cat "B2" authorised persons.

Part 145.A.30(g) Paragraph 9 requires an organisation carrying out aircraft line maintenance to have appropriately type-rated Cat 'B1/B2' licence holders, but these licence holders do not need to be on site at times of scheduled minor maintenance.

This does not correspond with the above Part 66.A.20 changes, which do not permit the deferral of defects by;

- a. The Cat A licence holder, if 66.A.20(a) 1, or,
- b. If 66.A.20 (a) 3 ii applies, a B2 licence holder.

Under the new provisions of **Part 66: 66.A.20 (a) 1 and Part 66: 66.A.20 (a) 3 ii**, neither an appropriately type rated Cat 'B2' licence holder or a task-trained Cat A licence holder may defer defects, thus the aircraft may not fly with deferrals, creating an impossible operational situation for our organisation and the aircraft operator. The implications of such a situation arising would have far reaching consequences for Panasonic and our customers, and could encourage bad practice by some.

3 Part 145: AMC 145.A.30(g)2 Personnel Requirements (Working Group 66.006)

The wording of item 'n', in the list of typical tasks permitted by 66.A.20 (a) (1) or the 66.A.20(a) (3)(ii) personnel for the purpose of issuing an aircraft certificate of release to service is too restrictive. Panasonic maintains that all In Flight Entertainment (IFE) components are considered to be Line Replaceable. Fault diagnosis is simple and usually only requires general visual inspection. All IFE systems have BITE capability allowing maintenance technicians to quickly identify failed components when visual inspection is insufficient to identify the cause of failure. IFE components can be replaced quickly with a minimum of disturbance normally requiring only the removal of quick release panels. As long as serviceability can be established with simple functional tests or BITE, all IFE line replaceable components should be within the certification capability of appropriately task trained and authorised personnel.

The inclusion of the statement 'such as screens and passenger control units' unnecessarily limits the tasks that a Cat A task trained and authorised person may carry out. Such a statement of limitations must be removed.

Concerning other proposed rule changes:

4 Part 66: new paragraph 66.A.42 Aircraft Groups (Working Group 66.009)

Please define a 'large aircraft' and 'non-large aircraft'.

5 AMC 66.A.20 (a) Privileges (Working Group 66.006)

The definition of 'simple test' now includes a limitation to 'no more than 10 steps'. An imposition of an arbitrary number of stages does not make a test any more simple or complex. Such a generalised requirement is a meaningless concept and will lead to confusion, misinterpretation and conflict in application across different maintenance organisations.

In conclusion, there is an unfortunate lack of drafting clarity and consistency in the NPA. Key terms are not defined and the proposed amendments in relation to the issues referred to above are not properly considered in relation to their practical application and real impact or otherwise on safety.

In summary, taking the above into account it would suggest that no specific consideration was given in the regulatory impact assessment when these changes were drafted; a suggestion supported by the lack of any impact statement in this regard. If these changes are adopted they will have a significant adverse effect on our business, the service we can offer to our customers and our staff, with no positive benefit.

Panasonic are committed to making a positive contribution to aviation safety and the continued airworthiness of our customers' aircraft. We therefore request that the EASA Rulemaking Directorate revise the NPA to correct the anomalies raised in this response.

Failure by EASA to take account of these considerations would certainly result in serious damage to our business and that of similar organisations. It is so important to us that we would be willing to meet with your staff to explain our position and the considerable airworthiness practice issues that are involved.

Yours sincerely,



Robert Dick
Accountable Manager
Panasonic Avionics Corporation