



European Aviation Safety Agency

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Mr Marshall S. Filler
Managing Director & General Counsel
Aeronautical Repair Station Association
121 North Henry Street
Alexandria, VA 22314-2903
US

Sent via email to Mrs Koenig Scattergood

Subject: EASA Instructions for Continued Airworthiness
Reference: Your letter sent via email March 5, 2008

Dear Mr Filler,

According to EC Regulation 1702/2003, Art. 21.A.61 of Annex 1 (Part 21) a holder of an EASA type certificate shall make the instructions for continuing airworthiness available on request to any person required to comply with the terms of those instructions.

A person required to comply with the terms of the instructions for continuing airworthiness e.g. is an EASA approved maintenance organisation, cf. EC Regulation 2042/2003, Art. 145.A.45 of Annex 2 (Part 145).

EASA has studied your requests raised in the above-mentioned letter with regard to these regulations. Our understanding of the rules is as follows.

- A maintenance organisation is entitled to request instructions for continuing airworthiness, if it demonstrates to the holder of the respective type certificate that it is required to comply with this instructions. This will usually be the case if the maintenance organisation has an aircraft of a corresponding type under repair.
- A TC holder has the obligation to make available to the relevant maintenance organisations, the same complete instructions for continuing airworthiness as it has provided to each known owner of the aircraft (or engine or propeller). The completeness of such instructions is described in Art. 2 (1) of EC Regulation 2042/2003 in connection with paragraph 21.A.61 of Annex 1 (Part 21) and the respective Certification Specifications (e.g. paragraph 25.1529 and Annex H of ED Decision 2003/02/RM with

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regard to CS-25 or paragraph 25 of ED Decision 2003/09/RM with regard to CS-E). The decision on completeness lies within the sole discretion of the Agency and was determined in accordance with the applicable certification specifications at the time of TC-approval.

- As the abovementioned rules are addressing aviation safety, the rules do not specify how and under which conditions the instructions should be made available.

Already from this it follows that EASA will not take any actions against neither Rolls Royce Corp. nor Airbus. You have especially not demonstrated that one of them is rejecting to make instructions for continuing airworthiness available to the extent approved by the Agency, nor that no agreement can be achieved at all on how the instructions are made available to the maintenance organisation.

Best regards,



F. MANUHUTU