



NOTICE OF PROPOSED DASR AMENDMENT

NPA 03/2019

MANAGEMENT OF DEFECTS

INTRODUCTION

Applicability

1. This proposal is applicable to all Military Air Operators (MAO), Continuing Airworthiness Management Organisations (CAMO) and DASR 145 Maintenance Organisations involved in the management of defects on Defence aircraft.

Purpose

2. The purpose of this NPA is to support the intent of the current DASR M.A.301(a)(2) and DASR 145.A50(e) by clarifying existing responsibilities of all organisations and personnel involved in defect management on Defence aircraft through AMC and GM.

3. The proposed amendments are expected to:

- a. simplify Acceptable Means of Compliance (AMC) relating to the management of defects;
- b. introduce Guidance Material which provides options for flexibility through outcome based philosophies that should be applied with respect to the management of defects; and
- c. define the term 'credible data' in the context of determining whether a defect affects the safe operation of the aircraft.

4. The benefits flowing from the proposal are expected to:

- a. result in improved compliance with the DASR intent regarding the management of defects; and
- b. provide MAOs, CAMOs and DASR 145 Maintenance Organisations a defensible and agile framework for the management of defects.

Background

5. Once identified, the CAMO is responsible for the management of all defects until rectified by an approved maintenance organisation. The current AMC is perceived by the regulated community to be overly prescriptive, inflexible and it doesn't provide the safety outcomes expected. A number of organisations have been unable to comply with their approved processes for management of deferred defects. This has led to the issue of Findings of non-compliance against DASR requirements in relation to their defect management process.

6. Since DASR was introduced in Sep 2016, the understanding of the regulatory principles with respect to the management of defects has significantly matured, resulting in several interim changes to defect management AMC. The proposed changes to AMC and GM within this NPA represent the contemporary interpretation of the requirements concerning defect management. The proposed changes are expected to increase compliance and provide regulated entities with more flexibility in deferring defects.

Proposed Amendment

7. The proposed wording for AMC and GM to DASR M.A.301(a)(2) and DASR 145.A.50(e) is presented at Annexes A through C. This amendment both removes a significant amount of Australian unique text to more closely align with the EASA/EMAR and introduces GM to outline the philosophical principles that should be applied with respect to the management of defects. In particular, where the CAMO opts to utilise the flexibility provided in the AMC and GM the CAMO must clearly define sources of credible data within the approved Continuing Airworthiness Management Exposition (CAME).

Implementation Strategy

8. The proposed AMC and GM is intended to be released in conjunction with the DASR update in Oct 2019. Training material on management of defects will be revised in conjunction with the DASR release. Introduction of this AMC and GM does not change the primary regulation or the compliance requirements. The adoption of this AMC and GM provides additional flexibility with respect to the management of defects. The choice to adopt the AMC and GM in order to meet compliance requirements of DASR M.A.301(a)(2) and DASR 145.A.50(e) remains that of the CAMO or DASR 145 respectively. DASA will consider comments on this NPA in relation to their impact on AC 005/2018 and will either modify or delete as appropriate.

HOW TO SUBMIT COMMENTS ON THIS NPA

Format

9. Responses to this NPA are to be recorded on the NPA Response Sheet included at Annex C. Responses are to be submitted by email to [DASA](#), Hardcopies of the NPA Comment Sheet are not required.

Timing

10. Comments on NPA 03/2019 are to be forwarded to DASA by close of business on 20 Sep 19.

Additional Information

11. Additional information concerning this NPA is available from Deputy Director Regulations and Strategic Data Analysis, LTCOL Chris Davies: chris.davies@defence.gov.au or (03) 9622 2761.

DISPOSITION OF RESPONSES RECEIVED

12. A Summary of Responses will be prepared and published on the [DASA Website](#). DASA will not individually acknowledge or respond to comments or submissions.

(Original Signed at BO3924969)

AIRCDRE JW AGIUS

DG-DASA
Defence Aviation Safety Authority
Tel: (03) 9256 3059

Aug 19

Annexes:

- A. NPA 2019-03 - Proposed Changes to AMC DASR M.A.301(a)(2)
- B. NPA 2019-03 - Proposed Changes to GM DASR M.A.301(a)(2)
- C. NPA 2019-03 - Proposed Changes to AMC DASR 145.A.50(e)
- D. NPA 2019-03 - Response Sheet

NPA 2019.03

PROPOSED CHANGES TO DASR AMC M.A.301(A)(2)

AMC M.A.301(a)(2) Continuing airworthiness tasks

1. The CAMO should have a system to ensure that all defects affecting the safe operation of the aircraft are rectified within the limits prescribed by **credible data as described at DASR GM M.A.301(a)(2) and includes** the approved Minimum Equipment List (MEL) or Configuration Deviation List (CDL) or national equivalents. Such defect rectification cannot be postponed/**deferred** unless agreed by the CAMO and in accordance with a procedure approved by the NMAA.
2. A system of assessment should be established to support the continuing airworthiness of the aircraft and to provide a continuous analysis of the effectiveness of the CAMO's defect control system in use.
3. The system should provide for:
 - a. significant incidents and defects: monitor incidents and defects that have occurred in flight and defects found during maintenance, highlighting any that appear significant in their own right.
 - b. repetitive incidents and defects: monitor on a continuous basis defects occurring in flight and defects found during maintenance, highlighting any that are repetitive.
 - c. deferred defects: monitor on a continuous basis deferred defects, **including defects deferred by a Command Clearance**. Deferred defects are defined as those defects reported in operational service or arising during maintenance which are deferred for rectification at a later maintenance input.
 - d. unscheduled removals and system performance: analyse unscheduled component removals and the performance of aircraft systems for use as part of the AMP efficiency.
4. When deferring a defect the cumulative effect of a number of deferred defects occurring on the same aircraft and any restrictions contained in the MEL/CDL or national equivalents should be considered. Deferred defects should be made known to the pilot / flight crew prior to their pre-flight inspection of the aircraft.

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PROPOSED CHANGES TO DASR GM M.A.301(A)(2)

1. **Management of Deferred Defects.** To meet the demands of operational availability, where it is not reasonably practicable to rectify the defects, provide life extensions or obtain approved repairs, deferred defects may be considered. In these cases, it may be appropriate for the CAMO to defer defects subject to a deferment period using credible data. However, the Military Air Operator – Accountable Manager (MAO-AM) remains responsible for ensuring that hazards are eliminated or minimised so far as is reasonably practicable (SFARP) and where this is not practicable, that hazards are minimised SFARP.

2. **Credible data (see AMC M.A.301(a)(2) paragraph 1).** Credible data is considered to be any instructions or information resources defined by the CAMO in the NMAA approved CAME that is required to retain the aircraft and/or related equipment in a condition for safe flight. The CAMO should articulate in the CAME who can use credible data. Credible data may include:

- Minimum Equipment List (MEL) / Configuration Deviation List (CDL)
- Maintenance Data as defined by DASR 145.A.45(b)
- OEM publications
- Type certification data
- Approved designs or advice from the relevant design approval holder
- Field Service Representative data
- Flight operations advice where the defect relates to systems or equipment that can be safely disabled or not used for mission within the period of deferment

3. **Deferment Options.** If the Defect does not affect the safe operation of the aircraft, the CAMO can choose to defer the defect in accordance with a procedure approved in the CAME. If the Defect does affect the safe operation of the aircraft the CAMO has the following options:

- a. **Military Permit to Fly.** MPTF in accordance with DASR 21.A.701.
- b. **Command Clearance.** If it is not reasonably practicable to seek a MPTF, Command Clearance in accordance with DASR SPA.10.

4. The CAMO must ensure that deferred defects are documented in the continuing airworthiness record system, including the deferment period and any associated limitations/restrictions.

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PROPOSED CHANGES TO DASR AMC 145.A.50(E)

AMC 145.A.50(e) Certification of maintenance

1. Being unable to establish full compliance with sub-paragraph DASR 145.A.50(a) means that the maintenance required by the CAMO could not be completed due either to running out of available aircraft maintenance downtime for the scheduled check or by virtue of the condition of the aircraft requiring additional maintenance downtime.
2. The CAMO is responsible for ensuring that all required maintenance has been carried out before flight and therefore DASR 145.A.50(e) requires the CAMO to be informed in the case where full compliance with DASR 145.A.50(a) cannot be achieved. If the CAMO agrees to the deferment of full compliance, then the 'CRS for aircraft' may be issued subject to details of the deferment, including the CAMO's authority, being endorsed on the certificate.

NOTE: Whether or not the CAMO does have the authority to defer maintenance is an issue between the CAMO and the NMAA. In case of doubt concerning such a decision of the CAMO, the AMO should inform its NMAA on such doubt, before issuing the CRS. This should allow the NMAA to investigate the matter as appropriate.

3. The procedure should draw attention to the fact that DASR 145.A.50(a) does not normally permit the issue of a 'CRS for aircraft' in the case of non-compliance and should state what action the mechanic, supervisor and certifying staff should take to bring the matter to the attention of the relevant department or person responsible for technical co-ordination with the CAMO so that the issue may be discussed and resolved. In addition, the appropriate person(s) as specified in DASR 145.A.30(b) should be kept informed in writing of such possible non-compliance situations and this should be included in the procedure.

NPA 03/2019 Response Sheet

Management of Defects

Please forward this sheet to DASA as an email attachment to [DASA](#) by 13 Sep 19,

Please indicate your acceptance or otherwise of this proposal by ticking the appropriate box below. Additional comments, suggested amendments or alternative action are welcome and may be provided on this response sheet or by separate correspondence.

- The proposal is **acceptable without change.**
- The proposal is **acceptable but would be improved if the following changes were made:**
- The proposal is **not acceptable but would be acceptable if the following changes were made:**

LSN	NPA Reference: (i.e Regulation number, NPA paragraph etc)	Comment or suggested change	Explanation
1			
2			
3			
4			
5			

RESOURCE IMPLICATIONS

Please provide specific comment on any significant resource implications that this proposal may have for your organisation, for both its implementation and ongoing compliance. Your comments should address both financial and human resource considerations.

Resource implications – Proposal implementation	
Resource implications – Proposal sustainment	

RESPONDENT DETAILS

Your name:	
Submission date:	
Your organisation:	
Email address:	
Postal address:	
Phone:	
Whose views are represented in your response? i.e. Is your response the authoritative response from your organisation?	Responding on behalf of : Individual [] Regulated Military entity [] Regulated Commercial entity [] Wing HQ [] Group HQ [] ADF Regulatory, Technical or Logistics policy agency [] Other commercial entity [], Other [] Please describe:
Do you consent to your name being published as an NPA respondent within the NPA Summary of Responses:	YES [] NO []