



NOTICE TO OPERATORS 14-04

Subject:	Findings and corrective actions under EASA
Date:	15 April 2014
Reference:	LA/C-OPS/LVC/2014-0281
Amends:	na
Applicability:	Commercial Air Transport operators
References:	(EU) No 965/2012 (EASA Air OPS) requirements with regard to Authority findings. ARO.GEN.350, ORO.GEN.150, AMC1 ORO.GEN.150(b)

Description:

We would like to draw your attention to the following requirements from EASA Air OPS:

Regulatory extracts:

Authority requirements of importance for the Operators:

- *ARO.GEN.350 Findings and corrective actions — organisations*

...

(d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EC) No 216/2008 and its Implementing Rules, communicate the finding to the organisation in writing and request corrective action to address the non-compliance(s) identified. Where relevant, the competent authority shall inform the State in which the aircraft is registered.

(1) In the case of level 1 findings the competent authority shall take immediate and appropriate action to prohibit or limit activities, and if appropriate, it shall take action to revoke the certificate or specific approval or to limit or suspend it in whole or in part, depending upon the extent of the level 1 finding, until successful corrective action has been taken by the organisation.

(2) In the case of level 2 findings, the competent authority shall:

(i) grant the organisation a corrective action implementation period appropriate to the nature of the finding that in any case initially shall not be more than 3 months. At the end of this period, and subject to the nature of the finding, the competent authority may extend the 3 month period subject to a satisfactory corrective action plan agreed by the competent authority; and

(ii) assess the corrective action and implementation plan proposed by the organisation and, if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.

(3) Where an organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding and action taken as laid down in (d)(1).



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- (4) *The competent authority shall record all findings it has raised or that have been communicated to it and, where applicable, the enforcement measures it has applied, as well as all corrective actions and date of action closure for findings.*

Operators requirements:

- **ORO.GEN.150 Findings**

After receipt of notification of findings, the operator shall:

(a) identify the root cause of the non-compliance;

(b) define a corrective action plan; and

(c) demonstrate corrective action implementation to the satisfaction of the competent authority within a period agreed with that authority as defined in ARO.GEN.350(d).

- **AMC1 ORO.GEN.150(b) Findings**

GENERAL

The corrective action plan defined by the operator should address the effects of the non-compliance, as well as its root-cause.

BCAA OPS additional comments:

When a level 2 finding becomes overdue, the BCAA has to raise, by the implementing rule requirement, this finding to a level 1 finding and to take action as laid down in (d)(1).

Therefore, the BCAA would like to emphasize the importance of preparing your corrective plan at an early stage. Then, but before the deadline, the Operator has to demonstrate the implementation of the corrective action plan to the satisfaction of the BCAA.

Transitional period

These new requirements become effective October 28th 2014 at the latest.

Queries

Any queries or requests for further guidance as a result of this communication should be addressed at the following e-mail address: ops.queries@mobilif.gov.be.

Cancellation

This Information Notice shall remain in force until revoked or amended.

For the BCAA,


Robbie Decoster
Responsible a.i. Operations Directorate