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| <b>EASA</b>   | <b>COMMENT RESPONSE DOCUMENT</b>  |
|  | <b>EASA PAD No. 13-058</b><br><b>[Published on 24 April 2013 and officially closed for comments on 22 May 2013]</b> |

**Commenter 1: HELICOPTERS ITALIA S.r.l. Unipersonale – Umberto De Biasio – 24.04.2013**

**Comment # 1**

we'd like to know which is the reason of this AD .

In accordance with PART M the Operators, also privates, must be update the AMP with the latest TCH documentation, in particular the ALS ( Chap 04) documentation . So it is implicit that the revisions of TCH documentation must be taken into account for the AMP. It is the key of Continued Airworthiness

**EASA response:**

AD requirements prevail over ALS requirements. ALS Revisions that introduce new or more restrictive mandatory maintenance tasks and/or airworthiness limitations should lead to issuance of an AD, unless either failure to comply with the ALS revision does not result in an unsafe condition, or an AD has already been issued, prior to the ALS revision, that adequately addresses all the restrictive items raised in the revised ALS.

In Europe, Regulation (EC) 2042/2003, Part M.A.302 paragraph (a) requires that “every aircraft shall be maintained in accordance with a maintenance programme approved by the competent authority, which shall be periodically reviewed and amended accordingly”. Paragraph (c) requires that “The maintenance programme must establish compliance with instructions for continued airworthiness issued by type certificate and supplementary type certificate holders...” and Part M.A.709 requires operators to hold and use applicable current maintenance data in the performance of continuing airworthiness tasks.

Nevertheless, having taken over the responsibility of State of Design for Continuing Airworthiness for EU products, EASA is concerned about solely relying on Part M, which is applicable to EU registered aircraft or aircraft registered in a third country and used by an operator for which a Member State ensures oversight of operations. In addition, other ICAO Contracting States' National authorities might not be aware of this regulation (or not have any similar regulation in place), or of the fact that a TC holder has published a revised ALS. For these reasons, EASA will issue Mandatory Continuing Airworthiness Information concerning ALS, and disseminate this to all ICAO Contracting States, through issuance of an AD.

***No changes have been made to the Final AD in response to this comment***