

Airworthiness Findings

1 Purpose and scope

This Airworthiness Notice provides guidance and information on SCAA process of categorization of findings to non-compliances with airworthiness and maintenance procedures found during audits; and provide guidance on management of corrective action process to address the findings. This airworthiness notice serves to supplement the continuing airworthiness provisions (this includes Civil Aviation (Safety) Regulations, 2017 and applicable EASA requirements) relating to findings and corrective actions.

Findings are categorized based on their impact on the degradation of safety standards. Therefore, careful study and analysis of non-compliances are of paramount importance.

2 Categories of findings

Level 1 Findings

A level 1 finding is any significant non-compliance with applicable requirements, the organisation's procedures and manuals, or the organisation's certificate including the terms of approval, which lowers safety or seriously endangers flight safety.

Level 1 findings shall also include:

- a. any failure to grant the competent authority access to the organisation's facilities during normal operating hours and after two written requests;
- b. obtaining the organisation certificate or maintaining its validity by falsification of the submitted documentary evidence;
- c. any evidence of malpractice or fraudulent use of the organisation certificate;
- d. the lack of an accountable manager.

When an organization is informed of a level 1 finding, they shall take immediate and appropriate actions to address the finding. SCAA may take actions to prohibit or limit the activities of the organisation involved and, if appropriate, it may revoke the certificate / approval or limit or suspend it in whole or in part, depending on the extent of the level 1 finding, until successful corrective action has been taken by the organisation

Level 2 Findings

A level 2 finding is any non-compliance with applicable requirements, the organisation's procedures and manuals, or the organisation's certificate including the terms of approval, which is not classified as a level 1 finding.

If there are any level 2 findings:

- i. the organization will be granted a corrective action implementation period that will commence from the date of the written communication of the finding. The duration of the corrective action implementation period will be determined based on the nature and complexity of the finding, and in any case will initially not be more than 3 months;
- ii. within the first 14 days of the corrective action implementation period, the organization is required to develop and submit a proposed corrective action and implementation plan to SCAA on Centrik. The proposed plan submitted by the organization will be assessed by SCAA and if the assessment concludes that they are sufficient to address the non-compliance, SCAA will accept them and the organization will be required to implement the CAP as per the accepted implementation plan.
- iii. If the organization cannot fully implement the corrective action plan to close the finding as per the accepted CAP implementation plan or before or, at the very least, at the end of the corrective action implementation period, the organization shall request for an extension using the '**Postpone**' button on Centrik and provide reasonable justification for not complying with the corrective action implementation period in the '**Comments**' box. Supporting documents are to be uploaded in the appropriate '**Attachments**' section on Centrik. SCAA will take the request into consideration and either accept or reject the request.
 - If the request is accepted, SCAA will provide a new corrective action implementation period based on an updated corrective action plan that is required to be submitted by the organization and accepted by SCAA.
 - If the request for extension is rejected and the organization fails to implement the corrective actions within the agreed corrective action implementation period, SCAA may raise the finding to a Level 1 finding and take appropriate action as required by a Level 1 finding.

Note – extension of any corrective action implementation period is granted at the Authority's discretion.

Observations.

The competent authority may issue observations for any of the following cases not requiring level 1 or level 2 findings:

- (1) for any item whose performance has been assessed to be ineffective;
- (2) when it has been identified that an item has the potential to cause a non-compliance under points (b) or (c);
- (3) when suggestions or improvements are of interest for the overall safety performance of the organisation.

The observations issued under this point shall be communicated in writing to the organisation and recorded by the competent authority.

'Findings' are issued for non-compliance with the Regulation, whereas 'observations' may be issued to an organisation remaining compliant with the Regulation while additional inputs for the organisation could be considered for continuous improvement.

However, the competent authority may decide to issue a 'level 2' finding when the 'observations' process is not managed correctly or overlooked.

The observations received in accordance with point 145.B.350(f) shall be given due consideration by the organisation. The organisation shall record the decisions taken in respect of those observations.

DUE CONSIDERATION TO OBSERVATIONS

For each observation notified by the competent authority, the organisation should analyse the related issues and determine when actions are needed.

The handling of the observations may follow a process similar to the handling of the findings by the organisation.

The organisation should record the analysis and the outputs, such as the actions taken or the reasons for not taking actions.

The Airworthiness Inspector may decide to issue observations as per the relevant continuing airworthiness regulations. For each observation notified, the organisation should analyse the related issues and determine when actions are needed. The handling of the observations may follow a process similar to the handling of the findings by the organisation. The organisation should record the analysis and the outputs, such as the actions taken or the reasons for not taking actions.

It is expected that observations are given due consideration by the organization, with particular reference to those which indicate that performance is not effective or where potential exists to cause a non-compliance.

Guidance.

Considering the fact that classifying Findings can be a challenge especially where the regulation does not provide any examples to support the making of a determination, in some situations a judgement is necessary. For instance, if there is no accountable manager available (one of the criteria) the SCAA may need to investigate further to understand the underlying situation, such as, what are the related risks, are there mitigating measures in place bridging the gap until a manager will become available and so on.

The lists below of possible Level 1 findings against each approval type is in line with the SCAA procedures and guidance. This is not an exhaustive list, there may be other circumstances which may warrant a level 1 classification.

Part 145 & Part-CAO maintenance approval

- working outside scope of approval.
- fabrication of primary structural elements without TCH approval or iaw approved data.
- carrying out maintenance / mods / repairs to non-approved data
- systemic breakdown of calibration control
- systemic breakdown of maintenance standards
- knowingly releasing aircraft with incomplete / incorrect maintenance
- falsifying of work packs
- lack of Accountable Manager
- lack of Nominated Postholder (where no deputy is defined within exposition or where no suitable temporary arrangements can be approved in an interim basis)
- failure to respond to the Civil Aviation Authority (CAA) within the agreed timescales
- denied access (after 2 written requests)
- repeat significant finding.
- Failure or ineffective Quality System (multiple significant findings across various areas of an organisation at medium or High safety severity indicating a breakdown of the control and/or monitoring of the organisation's compliance and adherence to its procedures and safety policies).

Part-CAMO / Part-CAO Continuing Airworthiness Management approval

- working outside scope of approval
- AD non-compliance (inadequate control / deliberate)
- significant AMP shortfalls
- mandatory tasks (CMR / AD / LLP)
- repair repeat inspections
- ICA's for STC's
- inappropriate / lack of a reliability system
- insufficient / incompetent key personnel
- systemic breakdown of continuing airworthiness management
- inadequate maintenance planning & control (variations of CMR / AD / LLP tasks)
- operating aircraft with an un-approved mod, un-recorded defects, an un-airworthy condition
- arranging maintenance to be carried out by unapproved organisation
- inappropriate management of significant repetitive defects
- any action intended to mislead the authority
- lack of Accountable Manager
- lack of Nominated Postholder (where no deputy is defined within exposition or where no suitable temporary arrangements can be approved in an interim basis)
- repeat denied access
- failure to respond to within the agreed timescales
- repeat significant finding.
- Failure or ineffective Quality / Management System (multiple significant findings across various areas of an organisation at medium or High safety severity indicating a breakdown of the control and/or monitoring of the organisation's compliance and adherence to its procedures and safety policies).

Notice revision.

This Notice becomes effective from the date of issue.