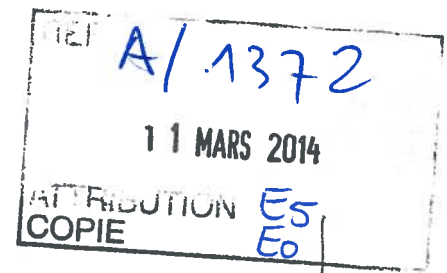


Saturday, February 22, 2014

Mr Patrick Ky
Executive Director EASA
Postfach 10 12 53
50452
Cologne
GERMANY



Leatt: DHO
Task 14-036

Re: DHOR/oco/E(5) 2014(D)5093 from Mr Frank Manuhutu

Dear Sirs

Thank you for your response. This is my confirmatory request.

I note your reference to Regulation (EC) 1049/2001, specifically Art. 4(2).

My request relates to the interests of a group of owners of the pre and post RT (Restricted Type) certificated CSA manufactured aircraft (Sportcruiser/Pipersport/PS28) relevant to the ongoing safe operation of these aircraft.

Prior to the awarding of the Restricted Type Certificate to the final variant of the aircraft now known as the PS28, design changes were made to the airframe, equipment and avionics, such that the final certificated version of the aircraft has significant differences from the hundreds of earlier factory and kit built aircraft.

These differences are sufficient that there are many factory built aircraft that are excluded from inclusion within the RTC and one must therefore conclude are outside of the Certification Specifications referred to in Mr Manuhutu's letter of the 21st Feb 2014.

It is my understanding that these changes to the aircraft were implemented by the manufacturer (CSA) as a direct result of the testing, compliance checking and technical evaluation of the aircraft by EASA and local Aviation Authorities acting independently or as EASA proxies.

However, both EASA and CSA have been opaque to both formal and informal enquiries in relation to the reasoning, data and justification of these changes.

If there were evidence based safety cases sufficient to justify or require technical changes to the aircraft design, operation or specification in order to meet required EASA TC standards, we are at a loss as to why EASA would not make that information available to owners who continue to operate their earlier version aircraft without access to the relevant safety data or the benefits of modifications arising from it.

Whilst I am aware that EASA or CSA would move to issue a Service Bulletin on what they considered critical safety issues, these decisions are a matter of judgement and degree (often influenced by commercial considerations), hence our desire to

access the original opinions and advice by EASA and various parties to the RTC evaluation process.

Notwithstanding that I believe the protection of commercial data as a grounds for withholding is overstated for some if not all of the documentation requested (the aircraft design is widely known, documented in detail and unexceptional; the manufacturing processes conventional and most of the systems & components proprietary and sourced from third parties), it is unreasonable and against the principle of public access to withhold the majority of the information in order to protect a small amount of data of doubtful commercial value.

Were such a rule to stand, then it would be far too easy to embargo legitimate access to documents simply by introducing unnecessary data of a commercial nature and claiming exceptions because of it.

With this in mind, may I refer you to two other parts of Regulation (EC) 1049/2001: Article 4 (6)

If only parts of the requested document are covered by any of the exceptions, the remaining parts of the document shall be released.

Article 6 (3)

In the event of an application relating to a very long document or to a very large number of documents, the institution concerned may confer with the applicant informally, with a view to finding a fair solution.

Neither I or other connected parties have any interest in data of a sensitive or commercial nature relating to CSA's drawings, values, schemes or working methods not already in the public domain.

I would be happy to receive suitably abbreviated or redacted copies of these documents. As a suggestion, I presume some if not all of these documents either begin with a Summary or end with a list of Conclusions & Recommendations.

At this stage I would not object to receiving the Summary, Conclusions, Recommendations or other elements or synopsis form of the documents which would identify (without risk of sensitive commercial disclosure) the rationales and recommendations of EASA/CSA/Others and the relative importance given to them.

I would also like to bring to your attention that the manufacturers have allegedly advised other aircraft owners that they are not allowed to lobby EASA for information relating to the CSA aircraft or discussions between EASA and CSA relating to the future regulation of EASA Permit and RTC aircraft.

Our experience of regulators has largely been of the UK CAA, who quite frankly are nobody's friend, but as such treat all parties with equal distance.

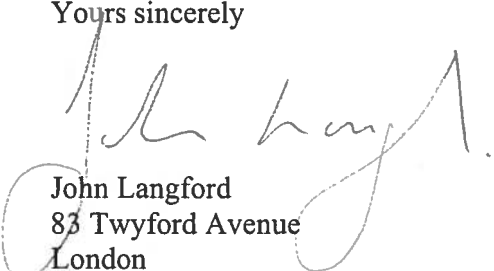
The dynamic within EASA seems a little different there are times when it seems that in GA the end user (pilots and maintenance organisations) are always on the outside,

but manufacturers (with or without their local Aviation Authority partners) seem to be allowed inside when it suits. We have directly experienced the result of this in the form of a manufacturer clearly attempting to use EASA regulation to engineer a commercial opportunity solely to their gain.

We have a strong suspicion that in ongoing negotiations with EASA regarding the issue of a permanent EASA PTF for the pre RTC types, CSA are adopting a strategy that is more about controlling the market in their new and used aircraft, than safety.

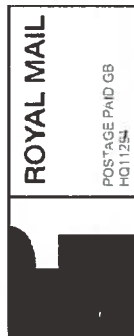
Hence my request for relevant data and rationales that created the differences between the PS28/Sportcruiser aircraft types.

Yours sincerely



John Langford
83 Twyford Avenue
London
W3 9QD

cc. Frank Manuhutu

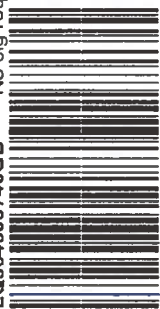


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11. März 2014

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