



## European Aviation Safety Agency

**Frank Manuhutu** • Chief Legal Adviser • Executive Directorate

Cologne, **18. MRZ. 2014**  
MMA/rma/E.5.1 2014(D)51310

**Subject:** Your request on access to documents  
**Reference:** email of 22 February 2014  
**Attachment:** copy of email of 6 December 2013

Dear Mr Naylor,

Thank you for your email of 22 February 2014, in which you apply for access to documents in accordance with Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145 of 31 May 2001, p. 43).

You have requested access to the following documents:

1. Minutes of meetings, letters and records of conversations between EASA and the Czech National Aviation Authority on the subject of the transition to a permit to fly and in particular any requests or proposals concerning modifications to the aircraft;
2. Minutes of meetings, letters and records of conversations between EASA and the manufacturer of the SportCruiser, namely Czech Sport Aircraft (CSA), and in particular any requests or proposals concerning modifications to the aircraft;
3. Internal documents, memos and reports generated by EASA in relation to this subject, in particular the evaluation of different options considered.

The scope of Regulation (EC) No 1049/2001 was extended to documents held by the European Aviation Safety Agency by Art. 58 para. 1 of Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79 of 19.3.2008. p.1).

I can inform you that EASA does not hold any documents as requested under point 1, 2 and 3. However, there is a record of a conversation between EASA and CSA of 6 December 2013 and this is subject to disclosure.

For documents drawn up by the Agency: I must remind you, however, that it may not be reproduced or disseminated for commercial purposes without the Agency's prior authorisation.

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Other issues:

I would like to take this opportunity however to explain you the current situation in some more detail. EASA and CSA are currently evaluating the compliance of the whole fleet of SportCruiser aircraft with ASTM F2245-08. Once this evaluation is fully agreed by EASA and CSA, this will serve as a basis for a Transition Program for each individual SportCruiser aircraft in order to approve Flight Conditions for permanent Permit to Fly under 21A.701(15) of Commission Regulation (EU) No 748 of 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p.1-85). In the end, all SportCruiser aircraft will be assessed for compliance with ASTM F2245-08 which is the basis for their initial flight conditions. Once the Transition Program is finalised, it will be communicated by CSA to each individual owner of SportCruiser aircraft.

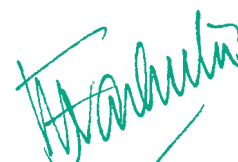
However, EASA and CSA will present the evaluation in a meeting with the owners of SportCruiser aircraft at AERO Friedrichshafen on 10 April 2014. At the moment, this evaluation is in drafting phase and it is intended for internal use only as a part of preliminary consultations with the CSA and it is not subject for disclosure in accordance with first indent of Art 4(3) of Regulation (EC) No 1049/2001. You can obtain more information from EASA project certification manager Michal Stepan regarding the evaluation, his phone number is: +49 221 89990 4378.

Additionally, please be informed about policy document on transition period for LSA aircraft under permit to fly which is available on the EASA web-site: <https://www.easa.europa.eu/certification/faq/docs/LSA%20Transition%20period.pdf>.

You are hereby notified that you have a right to request the Agency to reconsider its decision not to disclose the above mentioned documents by making a confirmatory application. In such case, you should send your justified confirmatory application in writing to the Executive Director of the Agency (Postfach 10 12 53, 50452 Cologne, Germany). Please note that you have 15 working days from receipt of this letter in which to make the confirmatory application. Any confirmatory application received beyond this deadline cannot be accepted.

Within 15 working days of receipt of your request the Executive Director will inform you regarding the outcome of this re-examination of your confirmatory application, either by granting you access to the document[s], or by confirming the refusal. In the latter case, he will also inform you of any further appeal routes you may take.

Yours sincerely,



F. MANUHUTU