

Air safety: third-country aircrafts using Community airports, SAFA programme

2002/0014(COD) - 21/04/2004 - Final act

PURPOSE : to harmonise the rules and procedures for ramp inspections of third-country aircraft landing at airports located in the Member States. **LEGISLATIVE ACT** : Directive 2004/36/CE of the European Parliament and of the Council on the safety of third-country aircraft using Community airports.

CONTENT : In order to maintain a high uniform level of civil aviation safety in Europe, this Regulation introduces a harmonised approach to the effective enforcement of international safety standards within the Community. To that end, it harmonises the rules for ramp inspections of third-country aircraft landing at airports located in the Member States. Such a harmonised approach also avoids distortions of competition. The Regulation provides that aircraft landing in the Member States must undergo an inspection when it is suspected that they do not comply with international safety standards. In implementing such procedures, particular attention shall be given by the competent authority to aircraft: - where information has been received indicating poor maintenance condition or obvious damage or defects; - which have been reported as performing abnormal manoeuvres since entering the airspace of a Member State such as to give rise to serious safety concerns; - in respect of which a previous ramp inspection has revealed deficiencies which give rise to serious concern that the aircraft does not comply with international safety standards and where the Member State is concerned that the defects may not have been corrected; - where there is evidence that the competent authorities of the country of registration may not be exercising proper safety oversight; or - where information collected gives cause for concern about the operator or where a previous ramp inspection of an aircraft used by the same operator has revealed deficiencies. Inspections may also be carried out in accordance with a spot-check procedure in the absence of any particular suspicion, provided that Community and international law is observed. In particular, the inspections will be carried out in a non-discriminatory way. Inspections may be stepped up in the case of aircraft in which defects have already been identified frequently in the past, or on aircraft belonging to airlines whose aircraft have frequently attracted attention. Aircraft on which corrective measures are required will, where the identified deficiencies are clearly hazardous to safety, be grounded until the non-compliance with international safety standards has been rectified. The facilities in the airport of inspection may be such that the competent authority will be obliged to authorise the aircraft to transfer to an appropriate airport, provided that conditions for a safe transfer are complied with. There are provisions in the Regulation for exchange of information between the Member States and with the Commission in order to ensure the most efficient monitoring of the compliance of third country aircraft with international safety standards. Due to the sensitive nature of safety-related information, the Regulation requires that Member States take necessary measures to ensure appropriate confidentiality of the information received by them. Finally, there are provisions on the special arrangements for Gibraltar airport. **DATE OF TRANSPOSITION** : 30 April 2006. **ENTRY INTO FORCE** : 30/04/04.