Aerodromes, air traffic management and air navigation services: simplifying and clarifying the legal framework

2013/0187(COD) - 12/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 614 votes to 56 with 8 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and Council modifying Regulation (EC) No 216 /2008 on aerodromes, air traffic management and air navigation services.

Parliament's position in first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Scope: the regulation should promote safety, sustainable development, performance, interoperability, climate protection, environmental friendliness and energy saving, in a manner proportionate to the nature of each particular activity.

Role of the European Aviation Safety Agency (EASA): in order to ensure the proper functioning and development of civil aviation, **and particularly safety**, the EASA must promote Union aviation standards and rules **at international level** by establishing the appropriate cooperation with third countries and international organisations, and thereby promote the movement of the Union's aeronautical products, professionals and services with a view to facilitating their access to new growing markets worldwide.

The EASA must also **perform the accreditation** of the national aviation authorities.

Pilots: when adopting delegated acts, the Commission shall take specific care that they reflect the state of the art, including best practices and scientific and technical progress in the field of pilot training, an enhanced culture of safety and fatigue management systems.

Delegation of powers: the decision to suspend the delegation of the appointing authority powers to the Executive Director and the sub-delegation of these powers must be taken by an **absolute majority** of the Management Board.

Executive Board: Parliament wished to ensure **openness and transparency** for every Member State when decisions are taken at the EASA Management Board.

The Executive Board shall be composed of the Chairperson of the Management Board, one representative of the Commission to the Management Board, and five other members appointed by the Management Board for a term of two years, among its members with the right to vote. The term of the five appointees of the Management Board may be renewed on an unlimited number of occasions.

The term of office of the Chairperson of the Executive Board shall be the same as his/ her term of office as the Chairperson of the Management Board. The term of office of the representative of the Commission shall be the same as his/her term of office on the Management Board.

Executive Director: before appointment, the candidate selected by the Management Board shall make a **statement before the competent committee** of the European Parliament and answer questions put by its members.

Mid-term, the Commission shall draw up a report evaluating the Executive Director's performance and the Agency's future tasks and challenges. This evaluation report shall be presented to the competent committee of the European Parliament.

The Executive Director shall be assisted by one Deputy Executive.

Revenues of the Agency: these may be provided for by **grants**. These grants constitute an indispensable part of the Agency's budget, allowing it to perform various aviation safety related projects, mainly with third countries.

Conflicts of interest: Parliament introduced an amendment proposing the legal ground for the Agency to implement **a complete set of rules** for managing and avoiding conflicts of interest. The Executive Director and officials seconded by Member States and the Commission on a temporary basis shall make a declaration of commitments and a declaration of interests indicating the absence of any direct or indirect interests, which might be considered prejudicial to their independence. Those declarations shall be made in writing on their entry into service and shall be renewed in the event of a change in their personal circumstances. The Management Board shall implement a policy to manage and avoid conflicts of interest.

Lastly, the Agency must maintain a **real flexibility regarding the management of staff** dedicated to activities strongly linked to market demands.