

Civil aviation: reporting, analysis and follow-up of occurrences

2012/0361(COD) - 15/10/2019 - Follow-up document

The Commission presented a report on the delegation of power provided for in Regulation (EU) No 376/2014 of the European Parliament and of the Council on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council.

The objective of Regulation (EU) No 376/2014 is to improve aviation safety by ensuring that relevant safety information relating to civil aviation is reported, collected, stored, protected, exchanged, disseminated and analysed. The sole objective of occurrence reporting is the prevention of accidents and incidents.

Common European Risk Classification Mechanism (ERCS)

Under Article 7(6) of the Regulation, the Commission is empowered to adopt delegated acts to define the European risk classification scheme (ERCS). ERCS, as defined in a delegated act, must be implemented in accordance with the modalities established by means of an implementing act.

The ERCS development was concluded on 15 May 2017. Works for the subsequent adoption of the delegated act, defining the ERCS, have been commenced, but have so far not been concluded. It appeared to the Commission that it would be preferable with a view to achieving a consistent set of rules, in the interest of successful implementation of the scheme, to prepare the delegated act in parallel to the implementing act(s) and to adopt them at the same time.

Amendments to the Annexes

Article 17 of the Regulation says that the Commission shall be empowered to adopt delegated acts in order to:

- (a) update the list of mandatory data fields in occurrence reports laid down in Annex I where, in the light of experience gained in the application of this Regulation, changes prove necessary in order to improve aviation safety;
- (b) update the request for European Central Repository information form provided in Annex III, to take account of experience gained and of new developments;
- (c) align any of the Annexes with the ECCAIRS software and the ADREP taxonomy, as well as with legal acts adopted by the Union and with international agreements.

The Commission has noted that, so far the content of the Annexes, as they stand today, is still fit for purpose. Consequently, the empowerment to adopt delegated acts, for the purposes of amending the Annexes, has so far not been exercised

The Commission has so far not exercised its powers to adopt delegated acts as provided for in the aforementioned articles. The adoption of such acts remains necessary in respect of Article 7(6) and may become necessary in respect of Article 17.