Certain aspects of aviation safety with regard to the end of the transition period mentioned in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

2020/0364(COD) - 10/12/2020 - Legislative proposal

PURPOSE: to establish provisional measures to ensure the possibility of continued use of various safety certificates for products in EU aircraft after the end of the transitional period mentioned in the UK withdrawal agreement.

PROPOSED ACT: Regulation of the European Parliament and of the Council

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: this proposal is part of a package of contingency measures to prepare for a possible scenario of no agreement between the EU and the United Kingdom after the end of the transitional period.

If no agreement on the future relationship that covers aviation safety is reached by the end of the transition period, the withdrawal of the United Kingdom from the Union will affect in particular the validity of certificates and licenses issued by the European Union Aviation Safety Agency on behalf of the United Kingdom, or by certain design organisations based in the United Kingdom.

Regarding certain aeronautical products (‘type certificates’) and companies (‘organisation approvals’), the United Kingdom resumes, for its jurisdiction as of the end of the transition period, the role of ‘State of design’ under the Convention on International Civil Aviation.

It is therefore necessary to develop a controlled transition mechanism, ensuring that the affected products or designs, which were certified by the Agency or a design organisation certified by the Agency before the end of the transition period, can continue to be used in Union aircraft without disruption.

CONTENT: the proposal concerns aviation safety and complements Union Regulation (EC) 2018/1139 to deal specifically with the situation entailed by the end of transition period set in the withdrawal agreement in the absence of an agreement covering aviation safety matters applicable by that date.

The proposal should allow EU manufacturers to continue production and operators to continue to operate these products in accordance with the applicable EU legal requirements. An interruption of these activities would cause serious economic and social difficulties. By ensuring compliance with EU law by the bodies concerned, the proposal should also ensure the protection of consumers and citizens.

This Regulation should apply to the certificates listed in the Annex which are valid on the day preceding the date of application of this Regulation and which have been issued by the Agency to natural or legal persons having their principal place of business in the United Kingdom or by a design organisation having

its principal place of business in the United Kingdom. It shall only apply in respect of aircraft registered in the Union.