

Air transport safety, civil aviation: prevention of accidents, collect and dissemination of information

2000/0343(COD) - 17/06/2002 - Council position

The Council was able to incorporate into its common position, either wholly or in substance, most of the amendments submitted by the European Parliament at first reading. In this connection, attention is drawn to the following amendments: - to underline the importance of ensuring consistency with the ICAO's technical reporting requirements, a reference to the ICAO has been added (recital 16). - in Article 8 concerning the protection of information, the Council, in agreement with the European Parliament, has deleted paragraph 3, and in order to take fuller account of Member States' national law the Council has also decided to delete paragraph 4 and has made certain other corresponding amendments to that Article. - in order to ensure that a system capable of improving safety can be established as quickly as possible, the Council has accepted the two-year deadline proposed by Parliament for the entry into force of the relevant laws. The amendments below are the main ones introduced by the Council in its common position: - scope: temporary exclusion of Gibraltar. It should be noted that a Joint statement by the Council and the Commission has been included which states that the Council and the Commission confirm that the suspension of the application of this Directive provided for in Article 2(4) is without prejudice to the fact that the EC Treaty applies to Gibraltar; - mandatory reporting: adjustment of the drafting to take account, among other things, of certain operational trends (e.g. leasing); - collection and storage of information: amended to give greater flexibility in the choice of one or more competent authorities to manage the occurrence reports; - exchange of information: simplified wording, does not affect the scope of the article; - dissemination of information: amendment of the wording to bring it more into line with the text of the regulation establishing the European Aviation Safety Agency. Given the extent of the amendments which affect the text of the Commission proposal and one of the amendments by the European Parliament, a joint Council and Commission statement will be issued announcing that additional measures will be taken by the Commission assisted by the committee provided for in Article 9; - protection of information: simplified wording and deletion of paragraph 3. The Commission regrets the deletion of paragraph 3 which gave a clear political signal about the principle that the occurrence reporter should be regarded as conveying an important positive message for air safety and therefore encouraged to do so without risking any counterproductive sanctions; - confidential reporting: Article 9 of the amended proposal has been deleted by the Council although it was supported by the European Parliament, the Economic and Social Committee and the organisations representing civil aviation personnel.