Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 04/06/1998 - Council position

The common position incorporates, in whole or in part, 10 of the 15 amendments adopted by the European Parliament at first reading. In addition, the Council makes certain amendments to the Commission proposal. The scope of the common position is restricted to third-country aircraft, i.e. aircraft not used or operated under the control of a competent authority of a Member State, with the proviso that aircraft registered in the Community must comply not only with the relevant international safety rules but also with the stricter standards laid down in Regulation (EEC) No 3922/91. To ensure the strictest possible compliance with international safety standards by third-country aircraft, the common position provides for a system to gather and exchange all relevant information, while ensuring that the information gathered is adequately protected. It requires Member States to introduce a system for carrying out ramp inspections on third- country aircraft suspected of non-compliance with the appropriate safety standards; these must be carried out under a standardised procedure. Where a ramp inspection reveals non-compliance with international safety standards which is clearly hazardous to safety, the aircraft is to be grounded and must not leave the airport until the risk has been remedied. In cooperation with a committee of representatives of the Member States, the Commission may adopt appropriate measures to facilitate the implementation of the provisions on data gathering and exchange and the performance of ramp inspections. Under the same procedure, one or more operators of a given third country may be subjected to inspections or other surveillance measures. The committee must also exchange information on the decisions taken by the various Member States to ban one or more operators of a given third country from flying from their airports, or to impose conditions on such flights. On the basis of this exchange of information, the committee is to examine the measures which the Member States deem necessary. The common position contains a revision clause, calling on the Commission to draw up a report, if appropriate accompanied by proposals for revision of the Directive, within two years of its entry into force.