# Framework for the creation of the single European sky

2001/0060(COD) - 26/11/2002 - Modified legislative proposal

The Commission accepted many of the amendments introduced by the European Parliament. The following amendments are amongst those accepted by the Commission: - the introduction of an effective sanctioning mechanism against the operators that breach the rules; - certain amendments that clarify or improve the text of the regulation by reinforcing the reference to the consultation of social stakeholders, national defence needs capacity needs, flight efficiency, performance indicators, safety and progress reporting. Amongst the amendments accepted in principle but not as regards wording: - the Commission feels that the relationship between the EC and Eurocontrol is addressed through the accession of the Community to this organisation. The principle of developing the "highest level of co-operation" between the two organisations will be a consequence of this event, as enshrined in the protocol of accession. The principle will be stated in a recital. The Commission introduces a reference to co-operation with the executive body of Eurocontrol, namely the Eurocontrol Agency. - the affirmation of the role of Member States in deciding the statute and structure for providers and the nature of public interest of air navigation service providers, which is particularly relevant for air traffic control, is accepted; - the Commission notes the extension of the scope of safeguards for security and defence reasons to cover the prompt availability of airspace for the rapid reaction of armed forces. The amendment refers to operational situations and not exceptional situations. Thus it would introduce a too generous leeway to waive the application of the regulation. The Commission can accept the principle of ensuring Member States capability of maintaining the availability of armed forces. This principle should not result in unilateral exemptions from the application of the regulation. The efficient management of the airspace would otherwise be affected. - the establishment of an industry advisory group having an institutional role would result in affecting the right of initiative of the Commission. The latter accepts the principle on consultation of the industry in a recital. The Commission rejected eight amendments. Amongst these was the reference to Eurocontrol participation in the work of the Committee.