

Common rules in the field of civil aviation security

2003/0222(COD) - 25/09/2003 - Legislative proposal

PURPOSE: to amend Regulation 2320/2002/EC concerning the laying down of common rules for civil aviation safety. **PROPOSED ACT:** European Parliament and Council Regulation **CONTENT:** Following the tragic events of 11 September 2001 the European Commission brought forward swiftly a legislative proposal for a framework Regulation establishing common rules in the field of civil aviation security. This Regulation 2320/2002/EC had been adopted on 16 December 2002 and came into force on 19 January 2003. Following its coming into force Member States have informed the Commission that certain technical requirements of very limited effect on the required level of security as laid down in the regulation are, at best, very difficult to apply in a manner that does not negatively impact on the operational procedures at airports and of air carriers. The Commission, therefore, proposes to amend Regulation 2320/2002/EC with an amendment of a technical nature that seeks to rectify operational problems inadvertently caused by the Regulation, as follows: The amendment, if adopted, would ensure the application of equivalent levels of security than those explicitly prescribed in the legislation at airports used only by small aircraft, general aviation or airports used infrequently, on the grounds that investment in expensive security equipment would be inappropriate. Most commercial airports - even very large ones - have separate facilities that are used exclusively by small aircraft and general aviation. For all intents and purposes these are separate aerodromes. However, the Regulation does not permit them to be considered as such. The Commission proposes, in a new paragraph, permitting Member States to designate areas of large airports as autonomous small airports for the purposes of security. This is conditional on a notification procedure for flights departing from such demarcated areas of airports, so as to ensure that levels of security are not compromised at arriving airports. A new definition covering demarcated areas of airports is also added. The proposed change will maintain the high levels of aviation security within the European Union that are mandated in Regulation 2320/2002/EC, but will facilitate their efficient application at the areas of airports used by small aircraft.