

Civil aviation: common rules and creation of the European Aviation Safety Agency (EASA)

2005/0228(COD) - 11/12/2006

Pending the European Parliament's first-reading opinion, the Council reached agreement on a general approach on a proposal for a regulation amending regulation 1592/2002/EC on common rules in the field of civil aviation and establishing a European Aviation Safety Agency.

The working party agreed on several modifications to the Commission proposal, which concern in particular the following issues:

- **essential requirements for licensing, operations and third country aircraft:** changes have been made to the operative part of the Regulation and to recitals in order to assuage concerns from Member States about the safety impact of the proposed essential requirements with regard in particular to the proposed leisure pilot licence; the content of rules to be applied to non-commercial operations in the Community by third country operators; and the circumstances under which general practitioners may act as aero medical examiners in accordance with national regulations;
- **assessment bodies:** provision in the Commission proposal granting privileges to assessment bodies for the issuing of various Community-recognised approvals, particularly in the area of licensing has been deleted from the proposal, on the understanding that this deletion does not prevent those Member States who so wish to grant these privileges to bodies based within their jurisdiction;
- **new certification tasks for the agency:** the number of new certification tasks accorded to the Agency has been reduced, compared to the Commission's proposal. The new certification tasks are limited largely to the certification of third country operators flying to and from the Community and to approvals of organisations based outside the territory of the Member States.
- **rulemaking:** with respect to the scope of the rulemaking for third country operators, a new provision clarifies the requirements that shall be imposed upon third country operators using Community airports;
- **governance:** changes proposed by the Commission to the governance arrangements for EASA have been rejected on the grounds that they would interfere with the proper system of accountability in the Community agencies. However, the working party has maintained the Commission's proposal to include interested parties as observers in the Management Board and has provided for special Management Board working bodies to assist the Board proper in carrying out its functions.
- **annexes:** the annexes to the proposal, which set out the essential requirements to be applied in the area of air operations and licensing, have been refined. The European Parliament's first-reading opinion is expected for February 2007.