Harmonisation of technical requirements and administrative procedures in the field of civil aviation: implementing powers conferred on the Commission

2006/0209(COD) - 20/12/2006 - Final act

PURPOSE: to amend Council Regulation 3922/91/EC on the harmonisation of technical requirements and administrative procedures in the field of civil aviation in order to introduce the “regulatory procedure with scrutiny” for measures of general scope.

LEGISLATIVE ACT: Regulation 1900/2006/EC of the European Parliament and of the Council amending Council Regulation 3922/91/EEC on the harmonisation of technical requirements and administrative procedures in the field of civil aviation.

BACKGROUND: Annex III to Regulation 3922/91/EEC provides for common safety rules applicable to the operation and maintenance of aircraft and to the persons and bodies involved in these tasks. Articles 8 and 11 of that Regulation authorise the Commission to amend or supplement the common rules in Annex III, or to exempt a Member State from applying them, in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred to the Commission.

Decision 1999/468/EC was amended by Decision 2006/512/EC, which introduced the “regulatory procedure with scrutiny” (see CNS/2002/0298) for measures of general scope which seek to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty, including deleting some of those elements, or supplementing the instrument by the addition of new non-essential elements.

CONTENT: the purpose of this Regulation, therefore, is to apply the “regulatory procedure with scrutiny” for measures of general scope, when amending non-essential elements of Regulation 3922/91/EEC.

However, in cases where, on imperative grounds of urgency regarding the maintenance of a sufficient level of aviation safety, the time-limits normally applicable under this procedure cannot be complied with, the Commission will revert to the urgency procedure provided for in Article 5a(6) of Decision 1999/468 /EC to adopt certain measures.

ENTRY INTO FORCE: 16 January 2007.