Basic information

1997/0039(SYN) SYN - Cooperation procedure (historic)	Procedure lapsed or withdrawn
Air transport safety: third countries aircraft using Community airports **Subject** 3.20.01.01 Air safety	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	GONZÁLEZ TRIVIÑO Antonio (ARE)	16/04/1997

Former committee responsible	Former rapporteur	Appointed
TRAN Transport and Tourism	GONZÁLEZ TRIVIÑO Antonio (ARE)	16/04/1997

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	2142	1998-11-30
Transport, Telecommunications and Energy	2016	1997-06-18
Social Affairs	2102	1998-06-04

Key events

Date	Event	Reference	Summary
17/02/1997	Legislative proposal published	COM(1997)0055	Summary
07/04/1997	Committee referral announced in Parliament		
18/06/1997	Debate in Council		
29/10/1997	Vote in committee		Summary
29/10/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0335/1997	
18/11/1997	Debate in Parliament		Summary
04/03/1998	Modified legislative proposal published	COM(1998)0123	Summary
04/06/1998	Council position published	08387/1/1998	Summary

18/06/1998	Committee referral announced in Parliament, 2nd reading		
02/09/1998	Vote in committee, 2nd reading		Summary
02/09/1998	Committee recommendation tabled for plenary, 2nd reading	A4-0295/1998	
14/09/1998	Debate in Parliament		
14/10/1998	Modified legislative proposal published	COM(1998)0597 	Summary
30/11/1998	Debate in Council		
09/06/2000	End of procedure in Parliament		
09/01/2004	Additional information		Summary

Technical information

Procedure reference	1997/0039(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC Treaty (before Amsterdam) E 084-p2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	TRAN/4/10191

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Document attached to the procedure		B4-1235/1996	18/10/1996	
Committee report tabled for plenary, 1st reading/single reading		A4-0335/1997 OJ C 358 24.11.1997, p. 0003	29/10/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0551/1997 OJ C 371 08.12.1997, p. 0045-0064	19/11/1997	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0295/1998 OJ C 313 12.10.1998, p. 0009	02/09/1998	
Text adopted by Parliament, 2nd reading		T4-0466/1998 OJ C 313 12.10.1998, p. 0023-0032	15/09/1998	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	08387/1/1998 OJ C 227 20.07.1998, p. 0018	04/06/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1997)0055 OJ C 124 21.04.1997, p. 0039	17/02/1997	Summary
Modified legislative proposal	COM(1998)0123 OJ C 122 21.04.1998, p. 0010	04/03/1998	Summary
Commission communication on Council's position	SEC(1998)1013	15/06/1998	Summary
Modified legislative proposal	COM(1998)0597	14/10/1998	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1175/1997	29/10/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 19/11/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Antonio GONZALEZ TRIVINO (ARE, E), the European Parliament has approved, subject to certain amendments, the proposal for a safety assessment of third countries' aircraft using Community airports. Through its amendments, Parliament calls for inspections covering such aircraft, their operation and their equipment and for the measures adopted as a result of these inspections also to take account of the safety of persons on the ground. It wants consideration to be given to important safety information accessible through users and residents of areas near airports. In order to provide an effective deterrent, Parliament calls for the competent authorities to carry out ramp inspections on any aircraft which: - shows signs of poor maintenance condition or obvious damage or defect, or where information has been received that this is the case; - has already been subjected to a previous ramp inspection which has revealed deficiencies giving rise to serious concerns that the aircraft does not comply with international standards; - where there is evidence that the competent authorities of the country of registration may not be exercising proper safety oversight; - where safety information collected gives cause for concern about the operator; Parliament also calls for: - Member States to make provision for the exchange of information and cooperation between their competent authorities, the competent authorities of all other Member States and the Commission; - Member States to establish appropriate procedures for appeals against grounding decisions; - the operator and the competent authorities of the operator's country and of the State where the aircraft is registered to be informed in writing if an aircraft is grounded; - each competent public authority to publish, at least quarterly, information (accessible to the public) concerning aircraft which have been grounded, including details of all aircraft, operators, countries of operators and States of registration whose aircraft have been detained more than once during the past 24 months. Finally, Parliament calls on the Commission to draw up an information and revision report no later than two years after the Directive enters into force.

Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 15/06/1998 - Commission communication on Council's position

The Commission did not approve the common position adopted unanimously by the Council on 03/06/1998. In particular, it considered that it could not support Community legislation which merely recognised the rights already vested in Member States, without making any provision for joint decisions on sanctions against countries, aircraft or operators that fail to comply with international safety standards. Accordingly, the Commission considers that further amendments need to be made in order to solve the problem of confidentiality/ transparency and ensure that adequate joint measures can be

taken by means of the committee and consultation procedures provided for in Articles 9 and 10 of the common position. The Council's statements concerning confidentiality and the explanation of the role of the committee contained in the Council's statement on its common position point the way to these improvements.

Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 17/02/1997 - Legislative proposal

OBJECTIVE: To contribute to the improvement of air safety by checking the safety of third countries' aircraft using Community airports. SUBSTANCE: The proposal for a directive applies to third countries' aircraft landing at Community airports, apart from State aircraft and aircraft not engaged in commercial air transport. The proposal requires Member States: - to carry out ramp inspections on aircraft suspected of non-compliance with international safety standards: the broad lines of the procedure to be followed appears in an annex containing a standard report form, with the details left up to the discretion of the Member States - to ground dangerous aircraft: the measures to be taken to ensure that an aircraft is grounded are set out in detail, while recognizing the right of appeal of affected operators. The proposal also permits the Commission to address the problems which may have surfaced after the assessment procedure has been applied and a safety hazard has been identified. It gives various possible levels of response according to the severity of the hazard. The proposal also sets out: - all the information which the Member States will collect in order to facilitate the assessment of aircraft, including information that will generally be available on aircraft or operators when an abnormal situation arises, information concerning ramp inspections, follow-up information following initial ramp inspections, and information from sources other than the competent authorities; - how this information should be exchanged to ensure Community-wide coverage for the whole system. Provisions are also made to protect sources of information, and in particular the voluntary contribution of crew of the inspected aircraft.

Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 04/03/1998 - Modified legislative proposal

The Commission's amended proposal takes over almost all the amendments adopted by Parliament where they are consistent with the purpose of the proposed measures, namely to contribute to the improvement of air safety: - by inspecting third countries aircraft whenever there is a suspicion that they are not operating in accordance with international safety standards, - by collecting and disseminating information relating to shortcomings, so that sufficient evidence can be established to decide on measures required to ensure the safety of passengers, - by providing for measures to rectify identified shortcomings. These amendments are essentially intended to specify a number of details in the proposed provisions and the categories of aircraft which should be subject to ramp inspections, to publish information on the results of these inspections and to provide for the drawing-up by the Commission of a report on the operation of the Directive, possibly accompanied by proposals for revising it. The Commission could not, however, accept the amendment calling for the deletion of one article in the proposal which provides for the imposition by the Member States of penalties for breaches of national provisions adopted pursuant to the directive.

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1997/0039(SYN) - 29/10/1997 - Economic and Social Committee: opinion, report

While welcoming the Commission proposal, the Committee thinks that Community action should not be limited to improving safety of Third Country carriers and aircraft but should continue efforts to increase safety standards in Europe as a whole. This is why the Committee agrees with the Commission's view that actions on inspections and groundings and, where appropriate on restrictions of landing rights, must be common within all Member States, otherwise the value of the Commission proposal will become questionable. The Committee also stresses the importance of the JAA (Joint Aviation Authorities) and considers that the Commission should find ways for the JAA and the Commission to cooperate efficiently. Even if they do not currently have any legal status, the JAA are likely to have a major role to play in future, especially in setting standards and work schedules.

Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 14/10/1998 - Modified legislative proposal

In its re-examined proposal following the opinion at second reading of the European Parliament, the Commission decided to take up all the amendments adopted by Parliament. These were amendments seeking to: - provide for controls for all aircraft suspected of non-compliance with international safety standards landing at any airport open to international traffic; - protect the safety information to avoid a drying up of the sources of information and giving the public the information on the safety of air carriers; - adopt measures vis-à-vis third countries or third country operators found non-compliant with international safety standards.

Air transport safety: third countries aircraft using Community airports

1997/0039(SYN) - 15/09/1998 - Text adopted by Parliament, 2nd reading

Adopting the recommendation for second reading by Mr Antonio GONZALEZ TRIVINO (ARE, E) on the common position establishing a safety assessment of third country aircraft using Community airports, the European Parliament called for the public to be informed of the safety problems of third country aircraft and airline companies. Parliament proposed a set of basic amendments which the European Commission could adopt and which the Council could then adopt by qualified majority. The following amendments were adopted: a) each Member State should publish half-yearly information on the following: - the number of aircraft grounded, stating the type of aircraft, the number and country of the operator, the reason for

grounding, the airport and date of grounding and any corrective measures notified as a consequence of the grounding; - the type of aircraft, the state of registration and the name and country of the operators whose aircraft has been detained more than once during the past 24 months, the reasons for grounding, the airport and the date of grounding and any corrective measures notified; - a list of airports open to international traffic, the number of ramp inspections carried out and the number of movements of third country aircraft at each airport on the list; - the number of ramp inspections communicated. b) the Commission may decide on the release of supplementary information to third parties such as safety and air passenger associations if it is deemed to be in the interest of air safety; c) the European Commission should identify the Community-wide implications of the safety hazard of a third country aircraft and propose any Community measures deemed necessary.

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.