Basic information

2015/0277(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency Repealing Regulation (EC) No 552/2004 2001/0237(COD) Repealing Regulation (EC) No 216/2008 2005/0228(COD) Amending Regulation (EC) No 2111/2005 2005/0008(COD) Amending Regulation (EC) No 1008/2008 2006/0130(COD) Amending Regulation (EU) No 996/2010 2009/0170(COD) Amending Directive 2014/30/EU 2011/0351(COD) Amending Directive 2014/53/EU 2012/0283(COD) Amending Regulation (EU) No 376/2014 2012/0361(COD) Amended by 2025/0359(COD) **Subject** 3.20.01 Air transport and air freight 3.20.01.01 Air safety 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	MARINESCU Marian-Jean (PPE)	05/02/2016
	Shadow rapporteur PREUSS Gabriele (S&D) FOSTER Jacqueline (ECR) VAN MILTENBURG Matthijs (ALDE) KYLLÖNEN Merja (GUE/NGL) DELLI Karima (Verts/ALE) AIUTO Daniela (EFDD) MAYER Georg (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	GEIER Jens (S&D)	18/01/2016
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
	LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

Council of the European Union	Council configuration	Meetings	Date
	General Affairs	3629	2018-06-26
	Transport, Telecommunications and Energy	3505	2016-12-01
	Transport, Telecommunications and Energy	3472	2016-06-06
	Transport, Telecommunications and Energy	3545	2017-06-08

European Commission	Commission DG	Commissioner
	Mobility and Transport	BULC Violeta

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
07/12/2015	Legislative proposal published	COM(2015)0613	Summary
18/01/2016	Committee referral announced in Parliament, 1st reading		
06/06/2016	Debate in Council		
10/11/2016	Vote in committee, 1st reading		
10/11/2016	Committee decision to open interinstitutional negotiations with report adopted in committee		
01/12/2016	Debate in Council		
02/12/2016	Committee report tabled for plenary, 1st reading	A8-0364/2016	Summary
08/06/2017	Debate in Council		
23/01/2018	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2018)000481 PE623.864	
11/06/2018	Debate in Parliament		
12/06/2018	Decision by Parliament, 1st reading	T8-0245/2018	Summary
12/06/2018	Results of vote in Parliament		
26/06/2018	Act adopted by Council after Parliament's 1st reading		
04/07/2018	Final act signed		

04/07/2018	End of procedure in Parliament		
22/08/2018	Final act published in Official Journal		

Technical information

Procedure reference	2015/0277(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 552/2004 2001/0237(COD) Repealing Regulation (EC) No 216/2008 2005/0228(COD) Amending Regulation (EC) No 2111/2005 2005/0008(COD) Amending Regulation (EC) No 1008/2008 2006/0130(COD) Amending Regulation (EU) No 996/2010 2009/0170(COD) Amending Directive 2014/30/EU 2011/0351(COD) Amending Directive 2014/53/EU 2012/0283(COD) Amending Regulation (EU) No 376/2014 2012/0361(COD) Amended by 2025/0359(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 100-p2
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/8/05273

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE576.812	03/05/2016	
Amendments tabled in committee		PE584.197	15/06/2016	
Amendments tabled in committee		PE584.220	15/06/2016	
Amendments tabled in committee		PE584.221	15/06/2016	
Committee report tabled for plenary, 1st reading/single reading		A8-0364/2016	02/12/2016	Summary
Text agreed during interinstitutional negotiations		PE623.864	22/12/2017	
Text adopted by Parliament, 1st reading/single reading		T8-0245/2018	12/06/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2018)000481	22/12/2017	
Draft final act	00002/2018/LEX	04/07/2018	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2015)0613	07/12/2015	Summary
Document attached to the procedure	SWD(2015)0262	07/12/2015	
Document attached to the procedure	SWD(2015)0263	07/12/2015	
Commission response to text adopted in plenary	SP(2018)458	11/07/2018	
Follow-up document	COM(2022)0486	28/09/2022	
Follow-up document	COM(2023)0524	12/09/2023	
Follow-up document	SWD(2026)0306	05/10/2026	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	RO_SENATE	COM(2015)0613	21/03/2016	
Reasoned opinion	MT_PARLIAMENT	PE580.752	14/04/2016	
Reasoned opinion	IT_SENATE	PE580.753	14/04/2016	
Contribution	CZ_SENATE	COM(2015)0613	21/04/2016	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0007/2016	12/10/2016	

Additional information

Source	Document	Date
European Parliament	Briefing	
European Commission	EUR-Lex	

Final act

Regulation 2018/1139
OJ L 212 22.08.2018, p. 0001 Summary

Delegated acts

Reference	Subject
2019/2641(DEA)	Examination of delegated act
2020/2536(DEA)	Examination of delegated act
2020/2576(DEA)	Examination of delegated act
2020/2590(DEA)	Examination of delegated act
2020/2629(DEA)	Examination of delegated act
2019/2637(DEA)	Examination of delegated act
2021/2624(DEA)	Examination of delegated act
2020/2820(DEA)	Examination of delegated act
2020/2941(DEA)	Examination of delegated act
2021/3028(DEA)	Examination of delegated act
2021/2623(DEA)	Examination of delegated act
2022/2605(DEA)	Examination of delegated act
2022/2549(DEA)	Examination of delegated act
2020/2677(DEA)	Examination of delegated act
2024/3024(DEA)	Examination of delegated act
2024/3025(DEA)	Examination of delegated act
2024/3026(DEA)	Examination of delegated act
2025/2586(DEA)	Examination of delegated act
2022/2711(DEA)	Examination of delegated act
2022/2782(DEA)	Examination of delegated act
2025/2625(DEA)	Examination of delegated act
2025/2732(DEA)	Examination of delegated act
2022/2805(DEA)	Examination of delegated act
2023/2804(DEA)	Examination of delegated act
2025/2735(DEA)	Examination of delegated act
2022/2987(DEA)	Examination of delegated act
2022/2980(DEA)	Examination of delegated act
2023/2618(DEA)	Examination of delegated act
2026/2863(DEA)	Examination of delegated act
2025/2957(DEA)	Examination of delegated act
2025/3038(DEA)	Examination of delegated act

Common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency

2015/0277(COD) - 07/12/2015 - Legislative proposal

PURPOSE: to revise the rules on aviation safety in the EU in order to maintain a high uniform level of civil aviation safety in the Union, while ensuring a high uniform level of environmental protection.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND : building on over twelve years of experience in the implementation of Regulation (EC) No 216/2008, this initiative is part of the Commission's 2015 'Aviation Strategy to Enhance the Competitiveness of the EU Aviation Sector'. Its objective is to **prepare the EU aviation safety regulatory framework for the challenges of the next ten to fifteen years** and thus to continue to ensure safe, secure and environmentally friendly air transport for passengers and the general public.

Safety and consideration for environmental protection are pre-requisites for a competitive aviation sector. With the aviation traffic in Europe predicted to **reach 14.4 million flights in 2035** (50% more than in 2012), the Commission's objective is to make sure that the system continues to maintain the current low number of accidents, allowing the EU aviation sector to safely grow in the future and thus to contribute to its competitive edge.

To this end, the proposal aims to:

- introduce a **risk and performance** based approach to safety regulation;
- **close existing safety gaps**, and better take into account interdependencies between aviation safety and other technical domains of regulation such as aviation security or environmental protection;
- **contribute to a competitive** European aviation industry and aeronautical manufacturing which generates high value-jobs and drives technological innovation;
- create a Union framework for safe integration of **unmanned aircraft (drones)** into the European airspace;
- introduce **a scalable framework** that recognises the differences existing between the various sectors of civil aviation and the risks involved therein. This approach is expected to benefit the whole aviation sector in the Union and will be particularly suited to the needs of small and medium sized enterprises (SMEs);
- propose **better arrangements for coordination and development of aviation research and training** so that Member States and the European Union Aviation Safety Agency (EASA) might develop new skills and competences, as well as be continuously abreast with the latest technologies developed by industry;
- assist some national authorities maintaining and financing the resources necessary for accomplishing the required **certification and oversight work**.

IMPACT ASSESSMENT: the proposal is accompanied by two impact assessment reports.

CONTENT: the proposal to **revise the rules on aviation safety in the EU** (Regulation 216/2008) aims to establish and maintain a high uniform level of civil aviation safety in the Union, while ensuring a high uniform level of environmental protection. The main points are as follows:

Scope: the present initiative proposes adding a limited number of specific areas to the overall Union aviation safety framework, **namely unmanned aircraft, safety of ground handling services and security aspects of aircraft and aviation systems' design, including cybersecurity**.

Excluded from the scope of the legislation are aircraft that are of simple design or operate mainly on a local basis and those which are home-built or particularly rare or only exist in a small number. Certain aerodromes are **exempt** from the scope, such as those that are not open to public use and aerodromes mainly used for recreational flying or serving commercial air transport or those that do not fulfil certain minimum technical criteria related to the volume or scope of activities.

Aviation Safety Management: a new chapter dealing with safety management is introduced, which requires the adoption of the **European aviation safety programme and the European plan for aviation safety**, and transposes ICAO Annex 19 standards and recommended practices related to state safety programmes.

With regard to the European plan for aviation safety, the proposal introduces the concept of **acceptable level of safety performance at Union level**. The introduction of this concept does not result, however, in establishing any binding safety targets for the Union or its Member States.

Substantive requirements: it is proposed that the provisions of the Regulation (EC) No 216/2008 dealing with airworthiness be revised, taking into account existing experience and reflecting the new concept of **non-installed equipment** (equipment carried on board of an aircraft but not installed in the aircraft and which may have an impact on safety).

The scope of the provisions dealing with airworthiness certification is also extended to **environmental compatibility of aeronautical products**, but the Union would now be given the flexibility to adapt the ICAO standards to its specific needs, as is already the case for safety.

For **low risk operations**, the possibility of assessing the airworthiness and environmental compatibility of the design of products and parts without the need to issue a certificate is being proposed. This option could be implemented especially for certain aircraft used in the general aviation sector.

The **certification requirement** is now limited to commercial air transport operations. Other types of operations to be subject to a certification or declaration requirement are to be defined in the delegated acts based on a risk assessment.

Aircrew: the scope of the articles is extended to include **cabin crew** and the relevant provisions on cabin crew from are moved to this section. The text concerning the leisure pilot licence has been simplified and the text concerning the general medical practitioner has been moved to Chapter IV, which deals with certification activities

Operators: the certification requirement is now **limited to commercial air transport operations**. Other types of operations to be subject to a certification or declaration requirement are to be defined in the delegated acts based on a risk assessment.

Aerodromes: ground handling services have been added to the scope of this section. It is also proposed that providers of apron management services be allowed to declare their compliance with the applicable requirements instead of being certified.

Unmanned aircraft: Annex IX sets out the **essential requirements** regarding the design, production, maintenance and operation of unmanned aircraft which must be observed in order to ensure safety. It also sets out the means of demonstrating that the requirements have been complied with.

For **mass produced unmanned aircraft** which pose a low risk, it is proposed to use existing market surveillance mechanisms, as governed by Regulation 765/2008 and Decision 768/2008, which are specifically devised for the production and marketing of such type of products. While the Agency would not be responsible for the oversight of the market surveillance mechanisms, the Commission is always entitled to verify whether Member States fulfill their responsibilities.

Joint Oversight and Enforcement System: the new proposal contains, inter alia:

- a clear legal basis to empower the Commission to adopt, by means of delegated acts, requirements with respect to management systems of authorities, **qualification of inspectors**, conditions for conducting the inspections and other oversight activities, ramp inspections, and grounding of aircraft in case of non-compliance;
- a set of new provisions concerning **cooperation** between the competent authorities of Member States, the Commission and the European Union Aviation Safety Agency as regards certification, oversight and enforcement. A **mechanism** for pooling and sharing of aviation inspectors and other experts is introduced, along with a dedicated financing mechanism to assist Member States in cooperative oversight;
- a new provision for **mitigating possible systemic safety oversight deficiencies** identified at Member State. This emergency oversight mechanism is to be used as a measure of last resort of temporary nature;
- the possibility of accepting **foreign certificates** and similar documentation on the basis of conditions specified in delegated acts;
- clarification of the provisions on **accreditation of qualified entities**. It is proposed that qualified entities may be granted a privilege to issue, revoke, and suspend certificates on behalf of the Agency or national competent authority. The principle of recognition of accreditations of qualified entities is introduced;
- a legal basis for a **new repository** of information relevant for certification, oversight and enforcement activities, to be managed by the Agency. It is proposed that this repository is also used by the Member States for the purpose of exchanging information concerning medical fitness of pilots.

The European Union Aviation Safety Agency: the proposal creates **three new functions** for the Agency (assistance to national competent authorities, support to the Commission in the implementation of aviation performance schemes, and cooperation with other Union bodies, such as the European Chemicals Agency or the European Defence Agency on technical matters related to civil aviation).

The proposal:

- limits the responsibility of the Agency to **approve organisations not established in the Union** to organisations located outside the territory for which a Member State is responsible under the Chicago Convention;
- clarifies that **fines** are in principle to be imposed only if other enforcement measures would be inadequate or disproportionate;
- clarifies that the **investigative powers** of the Agency must be exercised in compliance with the applicable provisions of national law of the Member State where the investigation takes place;
- mandates the Agency to assist the Commission in **identifying key research themes** related to the areas covered by the Regulation;
- introduces an article focusing on **interdependencies** which may exist between aviation security measures (e.g. cockpit door locking systems) and aviation safety;
- sets out the role of the Agency in **crisis management, provision of aviation training and the implementation of the Single European Sky;**
- creates an **Executive Board** assisting the Management Board of the Agency.

BUDGETARY IMPLICATIONS: the proposal has budgetary implications with regard to the budget of the European Union Aviation Safety Agency set out under article 06 02 02 of the Union budget. Total expenditure is estimated at: **EUR 37.369 million in year N (beginning of the implementation of the proposal); EUR 37.839 million in year N+1; EUR 37.887 million EUR in year N+2; EUR 38.598 million in year N+3.**

The proposal introduces a number of new tasks for the Agency with consequences for its need for posts financed from the Union contribution. The human resources required will partially be met by present staff through their redeployment, thus reducing the need of the Agency for additional staff financed from budget related to the Union contribution to 5 posts and 4 contract agents.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

Common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency

2015/0277(COD) - 02/12/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Marian-Jean Marinescu (EPP, RO) on the proposal for a regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council.

The committee recommended that the European Parliament, following the ordinary legislative procedure in first reading, should adopt certain amendments to the Commission's proposal. The main amendments may be grouped as follows:

Name of the Agency: this is changed to the European Union Aviation Agency in the report.

Common rules and objectives: the principal objective of the Regulation is to establish, maintain and enforce a high, uniform level of civil aviation safety in the Union.

The committee considers that the Commission should facilitate the adoption of common airworthiness standards and guidance material to meet certain of the Agency's objectives, including:

- contributing to a high, uniform level of environmental protection;
- facilitating, in the fields covered by the Regulation, the movement of aviation goods, services and personnel worldwide by establishing appropriate cooperation with third countries and their aviation authorities;
- promoting research and innovation, inter alia in regulatory, certification and oversight processes;
- promoting, in the fields covered by this Regulation, administrative, technical and operational interoperability.

Scope: the Regulation will also apply to:

- a third country natural or legal person, intended to be registered or operated, and respectively used, in the territory to which the Treaties apply;
- the design, maintenance and operation of aerodromes including their safety-related equipment located in the territory to which the Treaties apply.

The report reinforced the powers of the Agency and added that the Agency, rather than the Commission, will decide on whether **the design of an aircraft** will fall within the scope of certain provisions in the Regulation. This applies also to a decision to exempt certain aerodromes from the scope of the Regulation.

Safety Programmes: each Member State shall, in cooperation with relevant industry stakeholders, establish and maintain a State safety programme for the management of civil aviation safety in relation to the aviation activities under its responsibility. That programme shall be commensurate with the size and the complexity of those activities and shall be consistent with the European Aviation Safety Programme.

Interdependencies between civil aviation safety and security: Members amended the report to ensure that **risks to aviation safety would be identified early**. In order to contribute to protecting civil aviation against acts of unlawful interference, the Agency shall, where necessary, react without undue delay to an urgent problem which is of common concern to Member States where interdependencies exist between civil aviation safety and security and where that urgent problem falls within the scope of this Regulation. To that end, the Agency may:

- address vulnerabilities in aircraft design;
- **determine corrective action** to be taken by the national competent authorities or legal and natural persons, **by issuing binding directives or recommendations**, when the problem affects aircraft operation, including the **risks to civil aviation arising from conflict zones.**

These measures must be based, where possible, on common Union risk assessments and take into account the need for a rapid reaction in emergency cases.

Socio-economic factors: a new clause states that interdependencies between civil aviation safety and related socio-economic factors shall be taken into account, inter alia in regulatory procedures, as well as with a view of identifying measures to prevent socio-economic risks to aviation safety where they exist.

The Agency shall consult and involve relevant stakeholders when addressing such interdependencies, and, every three years, publish a review, which shall give an objective account of the actions and measures undertaken, in particular those addressing the **interdependencies between civil aviation safety and socio-economic factors.**

Transfer of responsibility: where a Member States decides to transfer to the Agency the responsibility for certification, oversight and enforcement, it shall establish jointly with the Agency or with the other Member State, as applicable, **a transition plan**, including an impact assessment that ensures an orderly transfer of the responsibilities covered by the request, including the related records and documentation.

Certification, oversight and enforcement: Members considered that the **national competent authorities should be accredited by the Agency.** That accreditation shall only be issued, if the Agency has determined that the entity complies with the rules established by Commission delegated acts for the purpose of ensuring compliance with the requirements on certification, oversight and enforcement. Accordingly, the Commission must lay down the conditions and procedures for the accreditation by the Agency.

Unmanned aircraft (drones): the Commission will be empowered to adopt delegated acts with regard to:

- the conditions and procedures for the mandatory registration, marking and identification of unmanned aircraft with a **maximum take-off mass above 250 grams** and of operators;
- the conditions and procedures under which a **remote pilot** of an unmanned aircraft shall demonstrate the required competence through a license or a declaration as applicable and a medical certificate;
- condition under which unmanned aircraft shall be required to be equipped with safety and security enhancing **equipment** related, in particular, to distance and altitude limitation, position communication, critical zones restriction, collision avoidance, stabilisation and automated landing;

- the conditions under and the procedures by which a **European Register of Unmanned Aircraft** or a compatible harmonised national registration system are to be established that assigns a unique owner number and unmanned aircraft marking for an unmanned aircraft flown in any Member State, and that imposes a financial and administrative burden that is low.

Air operators certification: the Agency shall, where applicable and as specified in the Chicago Convention, carry out on behalf of Member States the functions and tasks of the State of Operator with regard to air operators referred to in the Regulation and engaged in commercial air transport operations: (a) between aerodromes located in the territories of different Member States; (b) involving an aerodrome located outside the territory of a Member State. To that end, the Agency shall be responsible for the tasks related to certification, oversight and enforcement with respect to those operators.

Aerodromes: provisions relating to aerodromes should distinguish between the different types of aerodrome equipment. The report included some sub-divisions such as safety-related equipment and safety-critical aerodrome equipment.

Cybersecurity: the Agency, Member States and the Commission shall cooperate on security matters related to civil aviation, including cyber security, where interdependencies between civil aviation safety and security exist.

Environmental protection, emissions and noise: Members specified that the measures taken by the Agency as regards civil aviation aircraft emissions and noise, for the purpose of the certification of the design of products and in the framework of international standards and recommended practices, shall aim to prevent effects which have been shown to be significantly harmful to the climate, environment and human health caused by the civil aviation activities concerned giving due consideration to environmental benefits, technological feasibility and economic capacity.

Governance: the Management Board shall take decisions **by majority** of its members with voting rights.

When necessary, because of urgency, the Executive Board may take certain **provisional decisions** on behalf of the Management Board. The decisions shall be taken by a majority of five of the seven members of the Executive Board. The Management Board may revoke those decisions by an absolute majority of the votes cast.

The committee added that there would be mid-term assessments of the Executive Director. Those assessments shall be transmitted to the competent committee of the European Parliament and after the mid-term assessment, the Executive Director shall make a **statement before the competent committee of the European Parliament** and shall answer questions put to him or her by its members.

International cooperation: the report stated that the Agency, in close cooperation with the Commission, should make a major contribution to **exporting the Union's aviation standards** and to promoting the movement of the Union's aeronautical products, professionals and services throughout the world, in order to facilitate access to new growing markets. It should in particular do so through partnerships with the competent aviation authorities of third countries and by **opening local offices in the territory of third countries**.

Acceptance of third-country certification: in order to achieve and maintain the confidence in regulatory systems of third countries, the Agency shall be authorised to conduct the necessary technical assessments and evaluations of the laws of third countries and of foreign aviation authorities. For the purpose of conducting such assessments and evaluations the Agency may conclude working arrangements

The Commission is empowered to adopt delegated acts in order to lay down detailed rules with regard to acceptance of certificates and other documentation attesting compliance with civil aviation rules issued in accordance with the laws of a third country.

Recommendations and guidance: three years after the entry into force of the Regulation, the Agency shall:

- make recommendations to the Commission on airworthiness and pilot licensing with respect to light sport aircraft having a maximum take-off mass of not more than 600 kg for aircraft not intended to be operated on water or 650 kg for aircraft intended to be operated on water;
- issue guidance material for voluntary use by Member States to support the development of proportionate national rules concerning the design, production, maintenance and operation of aircraft listed in Annex I (categories of manned aircraft to which the Regulation does not apply).

Common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency

2015/0277(COD) - 12/06/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 538 votes to 71 with 48 abstentions a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council.

Parliament’s position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Objectives: the regulation seeks to establish and maintain **a high and uniform level of civil aviation safety in the Union** and should:

- contribute to a high, uniform level of **environmental protection**;
- facilitate the movement of goods, services and personnel worldwide, by establishing appropriate cooperation with third countries and their aviation authorities, and by promoting the mutual acceptance of certificates and other relevant documents;
- support passenger confidence in a safe civil aviation;
- promote research and innovation, inter alia, in regulatory, certification and oversight processes.

The Regulation on EU civil aviation safety covers all key areas of aviation including airworthiness, aircrew, aerodromes, air operations and the provision of air navigation services. It would also include the rules for unmanned aircraft (civil drones).

The measures introduced under the Regulation are **proportionate to the nature of each activity to which they relate and the risks associated with that activity**.

Member States will be allowed to exempt from the Regulation the design, production, maintenance and operation activities that are performed in respect of certain small aircraft, other than unmanned aircraft, unless, in respect of those aircraft, a certificate has been issued.

Rules relating to drones: in view of the risks that unmanned aircraft can present for safety, privacy, protection of personal data, security or the environment, the Regulation should lay down **essential requirements** concerning the registration and operators of unmanned aircraft.

Depending on the nature of the activity concerned and the risks involved, the operational characteristics of the drones concerned and the characteristics of the area of operation, a **certificate** may be required for the design, production, maintenance and operation of drones and their remote control equipment, as well as for personnel, including remote pilots, and organisations involved in these activities.

The amended text aims to establish **digital, harmonised and interoperable national registration systems** in which information about unmanned aircraft and operators of unmanned aircraft registered in accordance with the Regulation should be stored. This would not apply to operators of smaller drones.

On the basis of these key principles, the European Commission would be responsible for developing **more detailed rules at EU level** (implementing acts and delegated acts), for example on the conditions under which unmanned aircraft are required to be equipped with necessary features and functionalities related, in particular, to maximum operating distance and altitude limitations, position communication, geographical zones entry restriction, collision avoidance, flight stabilisation and automated landing.

The essential requirements should also cover matters relating to **electromagnetic compatibility** and the radio spectrum, in order to ensure that they do not cause harmful interference.

Modernisation of air safety rules: the amendments update EU safety legislation in the aviation sector.

The amended text **extends the European Aviation Safety Agency (EASA) mandate** to safety-related aspects of security, such as cyber security, and to the protection of the environment. It establishes a framework for the **pooling and sharing of aviation inspectors** and other specialists to support member states in certification and oversight tasks. The draft regulation will also create a **new support mechanism** for Member States that will include technical assistance for certification, oversight and enforcement tasks.

The repository of information established by the Agency to ensure effective cooperation with national authorities should contain information on, inter alia, the re-allocation by Member States to the Agency or another Member State of certification and oversight tasks as well as Agency measures concerning flights over conflict areas.

The amended text states that **cabin crew** involved in commercial air transport should be subject to certification and, as a result of that certification, should be issued with an attestation. Implementing powers will be conferred on the Commission to establish detailed rules and procedures for the qualification of cabin crewmembers.

Where the implementing acts so provide, aircraft shall be equipped with the **necessary safety-related equipment and instruments**, certified where required, including some or all of the following: (i) flight recorders; (ii) means to track the position of the aircraft; (iii) means to recover flight recorder data in a timely manner in case of aircraft in distress.

Common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency

2015/0277(COD) - 04/07/2018 - Final act

PURPOSE: establish a high and uniform level of civil aviation safety while ensuring a high and uniform level of environmental protection.

LEGISLATIVE ACT : Regulation (EU) 2018/1139 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91

CONTENT: this Regulation **updates aviation safety rules**, which include a revised mandate for the European Aviation Safety Agency (EASA). The reform introduces **proportionate and risk-based rules** designed to enable the EU aviation sector to grow, make it more competitive and encourage innovation.

The purpose of the new rules is to create the right conditions so that the EU has the capacity to handle the air traffic increase expected over the next 20 years and to ensure that the EU aviation sector is prepared for global competition.

Scope: the Regulation covers **all key areas of aviation** including airworthiness, aircrew, aerodromes, air operations and the provision of air navigation services. It also includes the rules for unmanned aircraft (civil drones) and provides for new tool to facilitate the implementation of simpler provisions for sport and recreational aviation. It also sets out a division of tasks between the EU and national authorities.

Modernisation of aviation safety rules: the amendments update EU safety legislation in the aviation sector. Essential requirements are established for aircraft with respect to their airworthiness and environmental compatibility. Manufacturers will be required to issue **certificates of airworthiness**, in accordance with the technical requirements.

Cabin crew involved in commercial air transport will be subject to certification and, as a result of that certification, will be issued with an attestation. The Commission will establish detailed rules and procedures for the qualification of cabin crew members.

Where the implementing acts so provide, **aircraft shall be equipped with the necessary safety-related equipment and instruments**, including the following: (i) flight recorders; (ii) means to track the position of the aircraft; (iii) means of recovering flight recorder data in a timely manner if an aircraft is in distress.

The regulation also lays down new rules for the safe provision of **ground handling services** and closes a number of other safety gaps.

Civil drones: the rules on drones provide the basic principles to ensure safety, security, privacy the protection of personal data and environmental protection.

The Regulation specifies the **registration threshold** that applies to drone operators: operators must be registered if they operate drones which can transfer more than **80 Joules of kinetic energy** upon impact with a person. This threshold can be amended in the future without lengthy procedures by means of delegated act to take account of developments in this area.

Depending on the nature and risk of the activity concerned, the operational characteristics of the unmanned aircraft concerned and the characteristics of area of operation, a **certificate** may be required for the design, production, maintenance and operation of unmanned aircraft as well as for the personnel, including remote pilots. Drones presenting the lowest risk will simply need to conform to the normal EU market surveillance mechanisms.

The Commission will determine other detailed rules for drones with the assistance of EASA, on the basis of the principles set out in the Regulation.

European Aviation Safety Agency (EASA): the Regulation extends the EASA's mandate to safety-related aspects of security, such as **cyber security**, and to the **protection of the environment.** It establishes a framework for the pooling and sharing of aviation inspectors and other specialists to support Member States in certification and oversight tasks. The Regulation also creates a new support mechanism for Member States that will include technical assistance for certification, oversight and enforcement tasks.

The **repository of information** established by the Agency to ensure effective cooperation between the Agency and the national competent authorities shall contain information on, inter alia, the reallocation by one Member States to another or to the Agency the responsibilities related to certification, oversight and enforcement, as well as measures of the Agency concerning flights above conflict zones.

The decisions of the Agency may be subject to appeal to a Board of Appeal, the decisions of which may be subject to action before the Court of Justice of the European Union.

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