EASA
European Aviation Safety Agency

Roles, structure and Swiss representation
About EASA

With the aim of harmonising flight safety norms and regulations, the European Union founded in 2002 the European Aviation Safety Agency (EASA). This agency, of which Switzerland has been a member since 2006, reached full functionality in 2008, taking over the Joint Aviation Authorities (JAA) duties step by step (www.jaa.nl/introduction/introduction.html).

Impetus to safety under SES II

The Single European Sky is composed of five pillars. One of them is the safety pillar. Following a total system approach, the European Commission has decided to extend the competence of its aviation safety agency EASA to ATM, ANS and aerodromes (ADR), thus giving sufficient institutional impetus to safety under SES II (www.eurocontrol.int/dossiers/single-european-sky).

1. Roles, responsibilities and essential requirements

There are different players in the ATM/ANS field, each with different objectives, roles and requirements:

The objectives of EASA are to:

- Guarantee a harmonised and high level of safety
- Ensure efficient and harmonised transposition of ICAO requirements
- Guarantee the cost efficiency of regulation implementation
- Promote European standards world-wide

The roles and responsibilities in ATM/ANS for EASA are fivefold:

1. Rulemaking
   - Hard law: development of EU regulations
   - Soft law: AMC, GM and CS
2. Standardisation through inspections
3. Certification
4. Safety analysis and safety strategy
5. Safety advice for SES

The essential requirements for ATM/ANS, ATCOs and ADR concern:

- Use of airspace
- Systems and constituents
- ATCO qualification
- Authority requirements for ATM/ANS and ADR
- Service providers and training organisations and ADR

Definitions as stated in REGULATION (EC) No 549/2004

Air navigation services

- Air traffic management
- Air traffic services
  - Area control service
  - Approach control service
  - Aerodrome control service
- Alerting service
- Air traffic advisory service
- Flight information services

Air traffic flow management

- Airspace management
- ATC services
  - Communication services
  - Navigation services
  - Surveillance services
- Meteorological services
- Aeronautical information services

Definitions as stated in REGULATION (EC) No 549/2004
2. EASA structure and Swiss representation

Rulemaking Directorate
The Rulemaking Directorate contributes to the production of all the EU legislation and implementation material related to the regulation of civil aviation safety and environmental compatibility. It submits opinions to the European Commission and must be consulted by the Commission on any technical question in its field of competence. It is also in charge of the related international co-operation.

EASA is composed of several directorates. The core safety-related tasks are carried out by the “Rulemaking”, “Certification” and “Approvals & Standardisation” directorates.

EASA Management Board
This is the governing body of the Agency, comprising representatives from each of the EASA Member States and the European Commission. Switzerland is a member of this body via its FOCA participant.

EASA Advisory Board
This board comprises industry representatives and provides the EASA Management Board with advice on the Agency’s work programme and on its business plan and budget.

Rulemaking Advisory Group (RAG) and Thematic Advisory Groups (TAGs)
The RAG and the TAGs are made up of representatives of the national authorities responsible for applying the Basic Regulation and its implementing rules, and the Commission. The RAG shall provide advice on strategic rulemaking issues, whereas the four TAGs shall each focus on a certain area within the competence of the Agency, namely:
- Air Traffic Management/Air Navigation Services (ATM/ANS TAG);
- Aerodromes (ADR TAG);
- Flight Crew Licensing & Air Operations (FCL & OPS TAG) and
  Production & Maintenance (P & M TAG).

Safety Standards Consultative Committee (SSCC)
The SCC assists the Executive Director and the Rulemaking Directorate on the prioritisation of new rulemaking tasks, on the programme and working methods. The SCCC is assisted by sub-committees. One of them concerns ATM and aerodromes.

Executive Director
The Executive Director is at the head of EASA. He is appointed by EASA Management Board and is also answerable to the European Parliament and the Council of the European Union.
3. Total system approach and rulemaking procedure

EASA uses a total system approach for rulemaking. This approach is based on the fact that the aviation system components – products, operators, crews, aerodromes, ATM, ANS, on the ground or in the air – are part of a single network. Uniformity is achieved by common implementing rules (IR) adopted by the Commission. The aim of the total system approach is to eliminate the risk of safety gaps or overlaps and avoid conflicting requirements and confused responsibilities.

Regulations are interpreted and applied in a standardised manner and best practices are provided. This allows the realisation of increased interoperability of products and services. The total system approach also aims to streamline the certification processes and reduce the burden on regulated persons and organisations.

In Switzerland

The published EU regulation is taken over into Swiss law through a joint committee. The applicability date is set individually for each EU regulation and depends on operational, technical, legal and political criteria.

4. Contact details

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FOCA – bazl.admin.ch
skyguide – skyguide.ch
5. Annex

Current rulemaking groups

Rulemaking groups in ATM/ANS and Swiss representatives:

- New thematic areas covered by the regulation (EC) No. 216/2008 as amended by the regulation (EC) No. 1108/2009
  - ATCO licensing and associated approvals
  - Aerodromes and aerodrome operations
  - Air traffic management and air navigation services
  - Associated certificates
  - Oversight and enforcement
  Excluding: military and aerodromes under certain size (not within EASA remit)

Affected regulations and new thematic areas in ATM/ANS and aerodromes

Affected regulations
- ESARR
- ICAO SARPs

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Timescale

**Two stage rulemaking processes in ATM / ANS**
In order to press ahead the SES process, the Single Sky Committee (SSC) accepted in December 2009 the proposal of the European Commission to push for an accelerated process for three key tasks (ATM 001, 003, 004). This process has been translated into the so-called “Fast-track” approach, which has transposed the existing rules with a minimum of technical changes/updates and opinions issued by the Commission for Implementation Regulation without the normal Notice of Proposed Amendment process and nor formal public consultation conducted by EASA.

Fast track transposed the following regulations in 2011 (in the EU):

The second stage, which includes more changes to fulfill the requirements of the Basic Regulation will be subsequently published. These regulations will go through the full rulemaking process. The regulations are directly applicable once adopted by Switzerland through the joint committee.

**Current status (December 2011) and timelines in ATM rulemaking, phase 2**

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<td>ER</td>
<td>Rulemaking - Environmental Protection</td>
<td>Finalise implementation of CAEP/8 Amendments</td>
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<td>Rulemaking - Product Safety</td>
<td>Maintain the rules taking into account the high regulatory demand from stakeholders, the accident investigation safety recommendations, urgent safety needs (e.g. volcanic ash issues), new technologies developments, business developments</td>
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<td>1st EXT</td>
<td>Rulemaking - Flight Standards</td>
<td>EC adoption of last implementing rules on 1st extension initial package</td>
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<td>2nd EXT</td>
<td>Rulemaking - ATM/Airports</td>
<td>1) Continue the development of implementing rules for ATM/ANS implementing the Basic Regulation in its entirety 2) EC adoption in 2012 and onwards</td>
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05-09-2011
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Glossary

ADR Aerodrome
AGNA Advisory Group of National Authorities
AMC Acceptable Means of Compliance
ANS Air Navigation Services
ANSP Air Navigation Service Provider
ATCO Air Traffic Controller
ATM Air Traffic Management
CANSO Civil Air Navigation Services Organisation
CRD Common Response Document
CS Certification Specification
EASA European Aviation Safety Agency
EU European Union
FOCA Federal Office of Civil Aviation
GM Guidance Material
ICAO International Civil Aviation Organisation
MB Management Board
NAA National Aviation Authority
NPA Notice of Proposed Amendment
RAG Rulemaking Advisory Group
RM Rulemaking (e.g. RMG: Rulemaking Group)
SES Single European Sky
SSC Single Sky Committee
SSCC Safety Standards Consultative Committee
TAG Thematic Advisory Group
ToR Terms of Reference