



SSCC and Sub-SSCC Rule of Procedure	Doc #	WI.RPRO.00048-003
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WI.RPRO.00048-003

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DOCUMENT CONTROL SHEET

Process Area	Developing regulatory material
Scenario	Rules programming, Rules development
Process	All
Main Process Owner	Jules KNEEPKENS

Reference documents

a) Procedures

PR.RPRO.0001 - Rules development
 PR.RMP.00001 - Rules programming

b) Internal documents

The amended MB Decision 01/2012 of 13.03.2012 concerning the Procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications, Acceptable Means of Compliance and Guidance Material ("Rulemaking Procedure") and in particular Article 7.6 and 10 thereof.

Abbreviations/Definitions

ED: Executive Director
 MB: Management Board
 SSCC: Safety Standards Consultative Committee

Log of issues

Issue	Issue date	Change description
001	16/11/2010	First issue
002	17/07/2013	Second issue after review of SSCC
003	24/03/2014	Third issue, following additional comments provided by SSCC, applicable after formal adoption by the SSCC in consultation with the Executive Director



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Introduction

Following the report of the Working Group set up by the Management Board to review the Rulemaking Process, the Rulemaking procedure was amended on 13 March 2012 with the MB Decision 01/2012. According to Art.9 of that Decision, the Safety Standards Consultative Committee (SSCC) with its subcommittees shall provide the European Aviation Safety Agency (EASA) with advice on the content, priorities and execution of the Agency's Rulemaking Programme and amendments thereto, and provide feedback on the implementation of the EASA rules.

The SSCC is assisted by six subcommittees (sub-SSCC), supporting the following industry sectors:

- Flight Standards;
- Design and Manufacturing;
- Engineering and Maintenance;
- Aerodromes;
- Air Traffic Management;
- General Aviation.

The number and domain of the subcommittees will be revised from time to time to adjust it to developments in relation with the remit of EASA and the evolutions of the industry.

The purpose of this document is to set up more detailed rules of procedure for both the SSCC and its subcommittees.

I. General

1. Establishment and composition of the SSCC and its subcommittees

The SSCC and its subcommittees are established by the Executive Director.

The SSCC shall be made up of persons proposed by organisations and trade associations representing the industries, professions, domains and user groups concerned.

The subcommittees shall be made up of persons proposed by organisations, trade associations and companies representing the industries, professions, domains and user groups concerned.

The SSCC and the subcommittees shall define their internal organisation, sub-structure and practical working arrangements, in order to be able to effectively and efficiently address the various domains of aviation safety rulemaking.

The list of members of the SSCC and its subcommittees is provided by Decision N° 2013/014/RM of the Executive Director of the Agency dated 25 July 2013, or any subsequent change thereof. It is envisaged to limit the SSCC to a maximum of 35 members, and each sub-SSCC to a maximum of 25.

In accordance with the Agency's policy on access to documents, the contact list of the SSCC and subcommittee members, the reports of each subcommittee, the approved agendas with related documentation, and the summaries of conclusion of the meetings shall be published in the Agency's website. A link to the webpage with all SSCC documentation will be provided in the respective website of the organisations and associations represented in the SSCC and subcommittees. Moreover, each subcommittee shall develop a specific communication plan with the concerned stakeholders.

Members undertake to inform the Chair and the Agency of any changes in their position within their organisations, replacements, addresses and phone or fax or e-mail.

The Executive Director is not bound by any advice given by the SSCC and its subcommittees. The final decision is always the Agency's decision.

2. Chair and Rule of procedure

The SSCC and its subcommittees shall elect their Chairs and Vice-Chairs in consultation with the Executive Director. They shall serve for a term of two years. Election shall be made on the basis of 'one member, one vote' basis. The subcommittee Chair shall automatically be a member of the SSCC.



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The tasks of the Chairs include:

- chairing meetings;
- preparing, together with the Agency, the agenda and documentation for the meetings;
- adopting the summary of conclusions of the meetings;
- representing, when necessary, the SSCC in its contacts with the Agency and other bodies.
- serving as the Agency's contact point on subjects dealt with by the Members between meetings.

Upon completion of the work of the subcommittees, each subcommittee Chair shall report back to the SSCC for ratification and adoption of their work as appropriate.

The SSCC and its subcommittees shall adopt this rule of procedure.

3. Agency

The Agency shall provide the SSCC and its subcommittees with the administrative and logistical support necessary for its operation.

The Agency will provide the secretariat of the SSCC and its subcommittees. This level of support will vary depending on the resources available, but should include the following:

- distribution of preparatory documents, agenda, working papers and summary of conclusions for meetings;
- updating of the list of SSCC and subcommittee members;
- making available meeting rooms;
- distributing position papers, communications etc. to outside recipients;
- assisting with information on procedural questions;
- drafting agendas and preparatory documents as necessary;
- collecting and drafting working papers/position papers if necessary;
- preparing the meeting together with the Chair and subcommittee Chairs;
- assisting the Chair and subcommittee Chairs with the conduct of the meeting;
- drafting the summaries of conclusions and submitting them, as appropriate, to the Members for comments and to the Chair and subcommittee Chairs for signature;
- ensuring appropriate co-ordination with the work of the Rulemaking Advisory Group and the Thematic Advisory Groups.

4. Agenda, minutes and documentation

The SSCC and subcommittees Chairs shall, together with the Agency, prepare the agenda for the meetings. The Chairs shall ensure that the agenda contains all the points that need be raised, including specific items raised by Members and, where applicable, the Agency. The SSCC Chair will request subcommittee Chairs to supply points for the SSCC agenda well in advance of the meeting.

As a rule, the necessary documentation for all meetings (agenda, reports, working papers, etc.) shall be distributed to Members possibly fifteen days before the meeting.

Draft minutes of all meetings (in the form of summary of conclusions) shall be circulated after the signature of the respective Chairs to all participants within four weeks following the meeting. The draft summary of conclusions are then submitted for final decision at the following meeting.

5. Duties of SSCC and subcommittee members

Members shall participate in good faith and with a view to, where possible, reaching common positions on matters of common interest. These positions should be reached in recognition of the need to balance safety, programme impact and international harmonisation.

Members are expected to represent positions based upon their best technical knowledge as subject matter experts on issues. Members are expected to bring information to the SSCC that will enable and support decisions



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that balance the interests of public safety, the regulatory programme of the Agency and the business interests of groups they are affiliated with.

Members shall co-ordinate the views taken in a meeting within the group they are affiliated with to ensure that a coherent position of such group is brought forward at a meeting. Moreover Members shall ensure that they express where possible the consolidated positions of their profession and shall liaise with other relevant trade associations or organisations to ensure it.

Opinions shall be made by consensus. Consensus does not mean explicit unanimity, but a sufficient level of common understanding which each Member of the group can accept as a common position. If no consensus can be found, but the majority of the group wishes to take a certain position, the members who do not support the majority position may disassociate themselves from the majority position and may request to be mentioned as holding a minority position, whenever the majority position is communicated internally or externally.

Members shall undertake to reflect the viewpoint of their representatives on the relevant issue as clearly and comprehensibly as possible. They should also strive to present consistent opinions throughout the process. Where no consolidated position is possible, Members shall, as much as possible, reflect the different viewpoints and aspects in their profession on the issue involved.

6. Working arrangements

Electronic mail and sharing of documents via communication platform shall be the normal and usual means of communication between Members, and with the Agency, including for consultation on, and endorsement of opinions and positions.

English shall be the working language of SSCC and its subcommittees and will be used for all internal correspondence, meetings, and external communications (unless dictated otherwise by third party concerned).

The SSCC or its subcommittees may nominate among its members, on an ad hoc basis, co-ordinators on specific subjects.

II. Safety Standards Consultative Committee (SSCC)

1. Functions

The SSCC shall focus on addressing horizontal issues and coordinate with subcommittees. In particular, the SSCC shall:

1. Provide an opinion on the priorities assigned by the subcommittees to the rulemaking tasks, and advise on the overall priorities in the future Rulemaking Programmes.
2. verify that appropriate changes contained within future Rulemaking Programmes are supported by a formal and structured (safety) case that justifies the need for regulation together with a Regulatory Impact Assessment that supports any required investment by Industry;
3. provide advice on the consistency of the Rulemaking Programme and the adaptation of existing rules in the light of experience gained in their application, and to take into account the technological and commercial evolution/progress;
4. provide advice on the development and use of regulatory tools and concepts insofar as they relate to the work of the Agency including, in particular, recommendations on risk assessment analysis, regulatory impact assessments and other tools to be employed in rulemaking;
5. provide advice as appropriate in the context of the on-going efforts to improve the effectiveness and efficiency of the Agency's rulemaking processes and structures;
6. assist, and provide advice to, the Executive Director as required by EASA rulemaking procedures;
7. take initiative and express the position of interested parties on all aspects related to the rulemaking activities of the Agency whenever deemed appropriate;
8. provide advice on the setting up and composition of drafting groups as necessary in relation to specific rulemaking tasks;
9. consider rulemaking strategy and policy generation, together with cross group activities and the structure of the Rulemaking Programme as appropriate.



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10. Ensure communication with their respective stakeholders on issues these wish to bring to the attention of the Agency during the SSCC meetings, as well as keeping the stakeholders updated of decisions taken and issues discussed at the SSCC meetings.

The SSCC shall retain independence and a right of initiative on all aspects related to the rulemaking activities of the Agency.

2. Membership and participation

Membership in the SSCC is dependent on Executive Director appointment following an official nomination by organisations or trade associations representing the industries, professions and end user groups concerned. Persons representing a particular national sector only or single company membership are not considered. The SSCC should have a maximum of 35 members, including Chairs of the subcommittee.

The nominating organisations and associations shall continuously assess whether their representation remains effective and efficient.

Every SSCC member is entitled to participate in all SSCC meetings, and shall actively participate in at least one subcommittee.

No alternates are envisaged for the Members of the SSCC. In exceptional circumstances, as in case of sickness or other unavoidable indisposition, a member of SSCC may be replaced for a meeting.

When specific technical subjects are discussed, some members of the subcommittees or other specialists may attend the SSCC meeting or a part thereof as observers or experts. This shall be subject to decision of the SSCC Chair in consultation with the Agency. The Agency should be informed at least 1 month in advance.

3. Meetings

The SSCC shall hold at least two meetings per year, in the second and fourth quarters of each year, at the invitation of the Chair and at dates agreed by the Agency. The Chair may propose further meetings at his discretion or the proposal of a Member, with the agreement of the majority of SSCC members and the Agency.

The SSCC meetings shall take place at the Agency's headquarters (in Cologne) or in Brussels.

The Chair may invite non-SSCC members to attend as observers of a meeting or part thereof. The Chair will inform Members of his/her intention to do so and his/her reasons for doing so. If there are strong objections by one or more Members, the meeting will discuss the invitation for the next SSCC meeting. The SSCC itself may also decide by consensus that non-SSCC Members should be invited. The Chair will send invitations.

Whereas it is permissible to invite the same non-SSCC member several times, no external person can become a member of SSCC in any function. The Chair shall ensure that the attendance of non-Members shall be limited to relevant agenda items.

Each member will, upon request of the secretary, confirm their attendance and that of any replacement not less than 14 days prior to the meetings. SSCC meetings shall be cancelled if, 14 days prior to the meeting, less than 25% have confirmed their attendance. In special cases, if the circumstances so warrant, the Chair may observe a shorter period before cancellation.

In case of cancellation, the Agency will co-ordinate a new meeting date with the Chair and Vice Chair. If at the second date again less than 25% of the members register for attendance, the SSCC meeting shall continue as planned, irrespective of attendance.

III. Subcommittees

1. Functions

The subcommittees shall mainly focus on thematic topics and their formal reporting process to the SSCC shall be through the Chair of the subcommittee. In addition each subcommittee shall:

1. review and comment the content, the adequacy, the priorities and the execution of the rulemaking tasks contained within its remit or interacting within its remit together with and, where appropriate, the preliminary Regulatory Impact Assessment provided by the Agency;
2. assign a priority to the rulemaking tasks within their remit based upon the opinions of its Members;



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- a. High (high cost, high risk, proven safety issue, etc...)
 - b. Important (clarity of the rule, flexibility, consistency, rule coherence)
 - c. Minor (rule is appropriate but of minor impact and non-urgent)
 - d. Not required (rule is not necessary for the management of safety or the improvement of regulatory efficiency and should not be progressed further)
3. provide the SSCC with opinions on rulemaking tasks. Such opinion shall be forwarded in due time to allow the SSCC to issue an opinion to the Agency before the planned issue of the related NPA;
 4. comment on the Rulemaking Programme itself on the basis of regulatory code assignment. Cross group consideration will be addressed to the SSCC or, by agreement, by a combination of subcommittees.
 5. following publication by the Agency of the Rulemaking Task Terms of Reference, make comments as appropriate directly to the Agency. This shall include recommendations on the need for the establishment and composition of a drafting group or the use of Agency resources for the fulfillment of each rulemaking task. Furthermore their subcommittee Members shall inform the groups they are affiliated with about the need to nominate experts in drafting groups;
 6. liaise directly with the Agency on details of their work provide advice to the Agency on the possibility or need to extend or reduce the consultation period associated with NPAs;
 7. Following publication of an NPA, provide the SSCC with opinions to allow it to comment to the Agency, including the nomination of members for inclusion in the NPA comment review groups as appropriate.
 8. Ensure communication with their respective stakeholders on issues these wish to bring to the attention of the Agency during the sub-SSCC and SSCC meetings, as well as keeping the stakeholders updated of decisions taken and issues discussed at the sub-SSCC and SSCC meetings. This should be implemented through a communication plan to be drafted by the respective subcommittee.

In the case of the General Aviation subcommittee, Pt. 1 above shall not apply. Furthermore, as regards Pt. 2. the GA subcommittee shall give the Agency and the other subcommittees advice in terms of priority of rulemaking tasks with relevance to General Aviation. Lastly, an additional function of the GA subcommittee is the right of initiative to suggest the prioritisation of rules and to initiate workshops on specific items in order to evaluate existing rules.

2. Membership and participation

Membership in a subcommittee is dependent on Executive Director appointment following an official nomination by associations, organisations or companies. However members (expected to be technical experts) do not necessarily need to represent an organisation or association that is member of the SSCC, as there might be certain niche organisations of importance in a particular sector. Each subcommittee should have a maximum of 25 members.

No alternates are envisaged for the Members of the subcommittees. In exceptional circumstances, as in case of sickness or other unavoidable indisposition, a member of the subcommittee may be replaced for a meeting.

Subcommittees may consult with subject matter experts to assist them in their tasks. The experts may include non-SSCC members as required. The participation of these experts in the subcommittee meetings is subject to decision of the Chair of the subcommittee, in consultation with the Agency.

3. Meetings

Each subcommittee will meet independently at least twice a year, in the second and fourth quarters of each year, at dates to be defined by the subcommittee Chair in coordination with the Agency. Whenever possible, the subcommittees shall meet the day before the SSCC meeting.

Further meetings of the subcommittees may be convened by the Agency, at its initiative, or by the subcommittee Chair, either at his initiative, or following the request of at least half of the subcommittee Members. These meetings should be thematic in nature, and focus on specific issues.

The Agency, upon request of the Chairs, may also propose to convene joint meetings of two or more subcommittees to discuss multidisciplinary tasks.



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IV. Transition clause

This rule of procedure will be reviewed bi-annually by the SSCC Chair, with the support of the Agency, and adapted if so required.



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RECORDS

Appendix A : Operational Documents

Record	Step / Related to

Appendix B : External Documents

Record	Step / Related to