



EUROPEAN  
COMMISSION

Brussels, **XXX**  
[...](2022) **XXX** draft

**ANNEX to EASA Opinion No 03/2022**

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of **XXX****

**amending Regulation (EU) 139/2014 as regards the definition of SNOWTAM**

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE DELEGATED ACT**

The current European aviation safety regulatory framework contains a series of interlinked requirements aiming at improving runway safety, through the use of a system for reporting the runway surface condition, known as the ICAO global reporting format (GRF), to aircraft operators.

One of the means for reporting the runway surface condition to aircraft operators is through the use of SNOWTAMs, which contain all necessary operational information. A SNOWTAM is initiated by the aerodrome operator, in accordance with the provisions of Regulation (EU) No 139/2014, and subsequently issued and distributed to the aviation community by the aeronautical information services provider, as per the provisions of Regulation (EU) 2017/373.

The current definition of SNOWTAM contained in Regulation (EU) No 139/2014 does not address the case of ‘standing water’ associated with the other contaminants mentioned in this definition. This is in contradiction with the content of the provisions concerning the origination of a SNOWTAM contained in Regulation (EU) No 139/2014, thus leading to an ambiguity about the necessity to issue a SNOWTAM in the cases where standing water is associated with certain runway contaminants.

It is therefore necessary to remove this ambiguity, by amending the definition of SNOWTAM contained in Annex I to Regulation (EU) No 139/2014, in line with the provisions of ICAO Annex 15, and the equivalent definition of Regulation (EU) 2017/373, to ensure the promulgation of the necessary information, through SNOWTAMs, under all relevant runway surface conditions.

### **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

In accordance with Article 128(4) of Regulation (EU) 2018/1139, before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. The present draft delegated act was presented to the Air Safety experts group, which includes representatives from the Member States, at its meeting on [...]. The present draft delegated act is based on EASA Opinion No 03/2022, whose contents had been consulted with the EASA Advisory Bodies through Notice of Proposed Amendment (NPA) 2021-103 “Amendments to the aeronautical data catalogue and the aeronautical information publication structure and content” (RMT.0719). The draft Opinion developed through this consultation process, was further consulted with the EASA Member States Advisory Body (MAB), prior to its publication as EASA Opinion No 03/2022.

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

Article 39(1) of Regulation (EU) 2018/1139 empowers the Commission to adopt delegated acts, in accordance with Article 128 of that Regulation, laying down detailed rules with regard to organisations responsible for the operation of aerodromes.

# COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

## amending Regulation (EU) No 139/2014 as regards the definition of SNOWTAM

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 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 <sup>(1)</sup>, and in particular Article 39(1) thereof,

Whereas:

- (1) Commission Regulation (EU) No 139/2014 <sup>(2)</sup> lays down requirements and administrative procedures related to aerodromes, including provisions addressing the reporting of the runway surface conditions and origination of SNOWTAM, as part of the global reporting format.
- (2) SNOWTAM should be originated under certain conditions, according to the provisions of Annex 15 to the Convention on International Civil Aviation, signed on 7 December 1944 in Chicago ('the Chicago Convention') and the provisions of the Procedures for Air Navigation Services — Aeronautical Information Management (PANS-AIM, Doc 10066), adopted by the International Civil Aviation Organization (ICAO).
- (3) The definition of SNOWTAM contained in Annex I (Definitions) to Regulation (EU) No 139/2014 should be amended to be in line with that of Annex 15 and consistent with that of Regulation (EU) 2017/373<sup>(3)</sup>.
- (4) Regulation (EU) No 139/2014 should therefore be amended accordingly.
- (5) Pursuant to Article 75(2), points (b) and (c) and Article 76(1) of Regulation (EU) 2018/1139, the European Union Aviation Safety Agency prepared and submitted to the Commission Opinion No 03/2022 <sup>(4)</sup> as regards draft implementing rules,

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<sup>(1)</sup> [OJ L 212, 22.8.2018, p. 1.](#)

<sup>(2)</sup> Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, [OJ L 44, 14.2.2014, p. 1.](#)

<sup>(3)</sup> Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011, [OJ L 62, 8.3.2017, p. 1.](#)

<sup>(4)</sup> <https://www.easa.europa.eu/document-library/opinions>

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 139/2014 is amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*  
*The President*  
[\[...\]](#)