



Comment-Response Document 2014-05

Amendment to Commission Implementing Regulation (EU) No 923/2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation (SERA Part C)

CRD TO NPA 2014-05 — RMT.0609 (ATM.001(A)) AND RMT.0610 (ATM.001(B)) — 16.12.2014
RELATED OPINION NO 04/2014

EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on NPA 2014-05 and the responses provided thereto by the Agency.

Based on the comments and responses, Opinion No 04/2014 was developed.

The Agency developed the revised draft rule to amend Commission Implementing Regulation (EU) No 923/2012, which is presented in this CRD.

A total of 665 comments were received on the NPA. The Agency regarded the comments provided as an essential contribution to the rule development. All comments have been responded to and several of them have resulted in changes in the proposed text.

During the consultation process, it became apparent that alignment with other European Regulations is necessary. Therefore, Opinion No 04/2014 proposes to transpose and repeal Commission Regulation (EC) No 730/2006 and to partially transpose and revise Commission Regulation (EU) No 1332/2011.

Applicability		Process map	
Affected regulations and decisions:	Commission Implementing Regulation (EU) No 923/2012; Regulation (EC) No 730/2006; and Commission Regulations (EU) Nos 1332/2011 and 965/2012.	Concept Paper:	No
		Terms of Reference (Issue 2):	29.9.2010
		Rulemaking group:	Yes
		RIA type:	Light
Affected stakeholders:	Member States; competent authorities/national supervisory authorities; ATM/ANS providers; airspace users (e.g. aircraft operators); aerodrome operators; and EASA.	Technical consultation during NPA drafting:	No
		Publication date of the NPA:	18.2.2014
		Duration of NPA consultation:	3 months
		Review group:	No
Driver/origin:	Legal obligation (Regulation (EC) No 216/2008, EASp, and ICAO SARPs)	Focussed consultation:	No
		Publication date of the Opinion:	2014/Q4
Reference:	N/A	Publication date of the Decision(RMT.0610):	2015/Q4



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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Comment-Response Document (CRD) in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's Rulemaking Programme under RMT.0609 (ATM.001(A)) AND RMT.0610 (ATM.001(B)).

665 comments were received from interested parties, including industry, national aviation authorities, air navigation service providers, social partners and individuals.

The text of this CRD has been developed by the Agency based on the input of EUROCONTROL and the group of experts which supported the Agency in the development of SERA Part B.

1.2. The structure of this CRD and related documents

This CRD provides the full set of individual comments (and responses thereto) received on NPA 2014-05. The resulting rule text is provided in Chapter 3 of this CRD.

1.3. The next steps in the procedure

The Opinion containing the proposed changes in EU regulations is addressed to the European Commission and will be published together with this CRD.

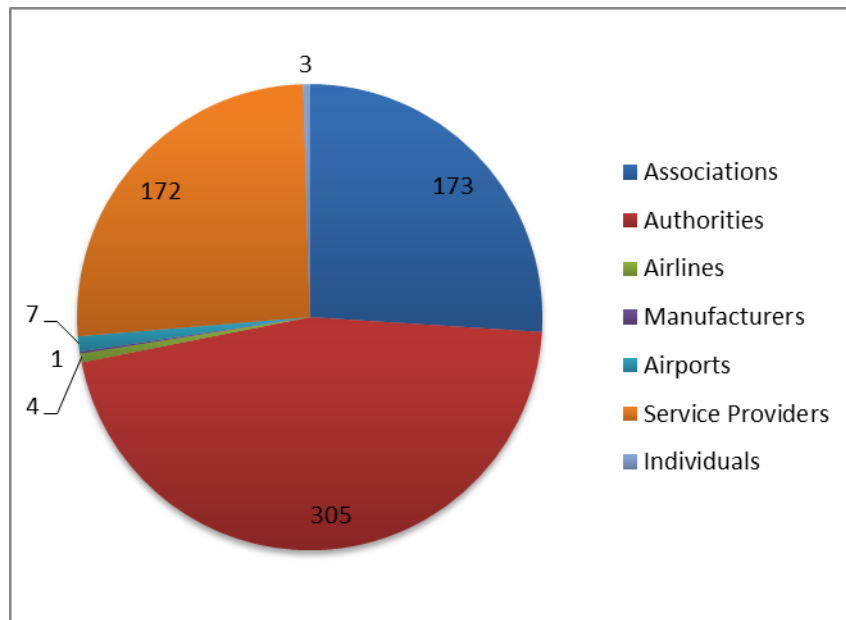
¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2012.

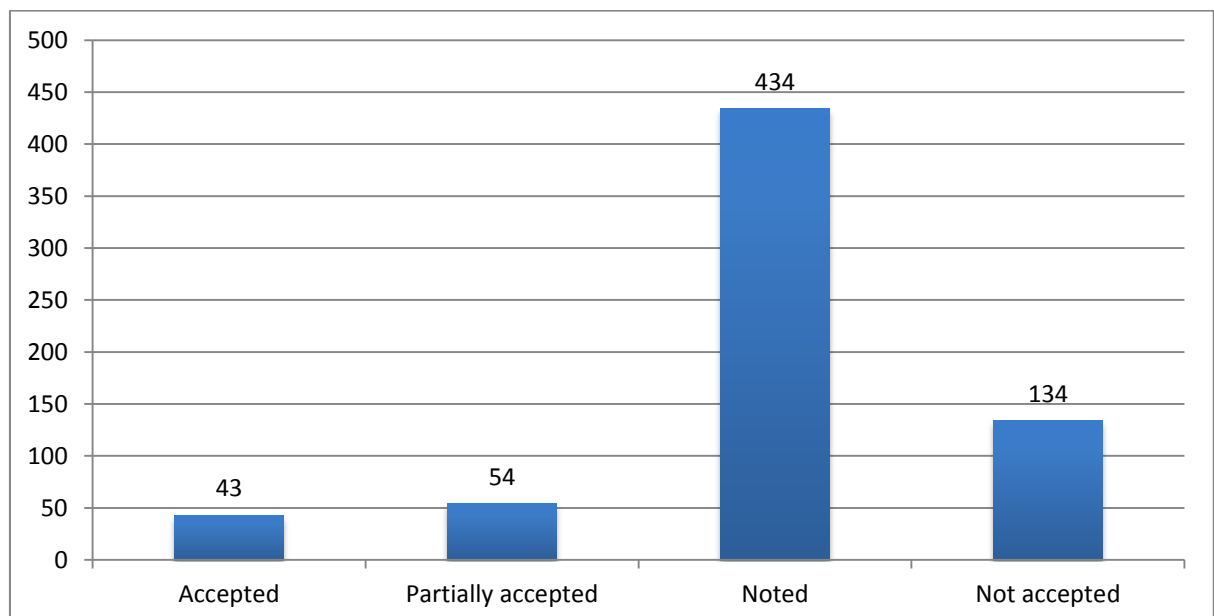


2. Summary of comments and responses

During the consultation, a total of 665 comments were received by the industry, national aviation authorities, air navigation service providers, social partners and individuals. The distribution of the comments is shown in the figure below:



The comments were responded to using one of the following options: 'Accepted', 'Partially accepted', 'Noted' and 'Not accepted'. The figure below shows the distribution of the provided responses:



A list of all the individual comments and responses can be found in Chapter 4 of this document.

2.1. Outcome of the responses to the questions in the NPA

2.1.1. Use of English

The question was:

‘Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year.’

Responses and analysis:

The vast majority of responses were in support of the proposal to introduce the use of English, as described in the NPA, into SERA Part C. Some of them were even in favour of a wider extension of the mandatory use of English than the proposed one. The airline associations were particularly strong in supporting this approach. 5 comments out of 30 were not in favour or requested the possibility to maintain some flexibility in specific cases. The validity of these comments and the safety concerns related to specific cases were recognised. Therefore, it was decided to amend the text of SERA.14015 as follows:

‘SERA.14015 Language to be used in air-ground communication

(...)

(b) The English language shall be available, on request from any aircraft, at all stations on the ground serving designated aerodromes and routes used by international air services. Unless otherwise prescribed by the Competent Authority for specific cases, the English language shall be used at aerodromes with more than 50 000 international IFR movements per year.

(...)

It was further decided that the flexibility provided by the new text would be supported by Guidance Material (GM) to be developed on the basis of existing agreements, in particular those related to the works of EUROCONTROL SRC/PC.

2.1.2. Safety ‘open issues’

On the basis of the safety assessment conducted in the preparation phase of SERA Part C, EUROCONTROL identified a number of issues, which remained ‘open’ and were proposed in the NPA, with the intention of collecting stakeholders views, supported by robust justification, in order to assist the drafting group in reaching decisions about these issues. Six ‘open issues’ were presented in the NPA.

The question was:

‘The Agency would like to invite the stakeholders to provide their view with regard to the open issues listed below, if possible, justified by safety assessment or consolidated evidence.’

Responses and analysis:

The issues of ‘Voice communication failure’ in SERA.14085 and ‘Transmitting technique’ in SERA.14045 are addressed in the present paragraph. The other ‘open issues’ are the subject of following paragraphs as they were repeated in specific questions.



SERA.14085 Voice communications failure

In SERA Parts A and B (which resulted in the adoption of Regulation (EU) No 923/2012³), the issue of the radio communications failure was left pending due to the consideration given to ongoing discussions at ICAO level, originating from many national differences notified to ICAO by European States and by the works of APDSG/NETOPS and EANPG. The opinions expressed on this subject in the NPA were all in favour of following the same approach for Part C, waiting for the expected ICAO amendments before reaching a formal decision on the content of SERA. The main reason is that it is widely recognised that these provisions are global and that regional deviations would not be an optimal situation with regard to safety.

Subsequently, it was decided to remove the elements related to radio communication failure from the relevant provisions of SERA.14085 and to retain only the provisions describing the ‘transmitting blind’ and ‘relay procedure’ split into SERA.14085 and a new SERA.14087. The new text reads:

‘SERA.14085 Use of Blind Transmission**(a) Air-ground**

When an aircraft fails to establish contact on the designated channel, on the previous channel used or on another channel appropriate to the route, and fails to establish communication with the appropriate ATS unit, other ATS unit or other aircraft, using all available means, the aircraft shall transmit its message twice on the designated channel(s), preceded by the phrase ‘TRANSMITTING BLIND’ and, if necessary, include the addressee(s) for which the message is intended.’

(b) Receiver failure

When an aircraft is unable to establish communication due to receiver failure, it shall transmit reports at the scheduled times, or positions on the channel in use, preceded by the phrase ‘TRANSMITTING BLIND DUE TO RECEIVER FAILURE’. The aircraft shall:

- (1) transmit the intended message, followed by a complete repetition;
- (2) during this procedure, also advise on the time of its next intended transmission; and
- (3) when provided with air traffic service, transmit information regarding the intention of the pilot-in-command with respect to the continuation of the flight.

SERA.14087 Use of relay communication technique

(a) When an Air Traffic Services (ATS) unit has been unable to establish contact with an aircraft after calls on frequencies on which the aircraft is believed to be listening, it shall:

- (1) request other ATS units to render assistance by calling the aircraft and relaying traffic, if necessary; and
- (2) request aircraft on the route to attempt to establish communication with the aircraft and relay traffic, if necessary.

³ Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p. 1).



- (b) The provisions of (a) shall also be applied:
- (1) at the request of the ATS unit concerned; and
 - (2) when an expected communication from an aircraft has not been received within a time period, such that the occurrence of a communication failure is suspected.

SERA.14045 Transmitting technique

It was identified that some Member States had notified differences to ICAO about elements of ICAO Annex 10, Volume II, 5.2.1.5.8, transposed in a table in SERA.14045. The comments received were all in favour of keeping the meaning and the description as presented in ICAO Annex 10, Volume II, 5.2.1.5.8 without additional differences for Europe.

2.1.3. Definition of ‘mountainous terrain’

The question was:

‘The Agency is seeking the opinion of stakeholders and Member States whether the definition of ‘mountainous area’ should be at the level of IR or it should be done in AMC/GM.’

Responses and analysis:

Some views were in favour of having the extended definition in IR while others were of the opinion that it should be addressed in AMC/GM, but there was no clear majority trend for any of the options. The content and the justification of the comments were essential in determining the way forward.

Notably, it was considered particularly relevant that references or allusions to ‘mountainous areas’ appear in ICAO Annexes 2, 3 and 11, and Docs 4444 (PAN-ATM) and 8168 (PANS-OPS), although the only definition can be found in PANS-OPS, Volume II. The term ‘mountainous terrain’ is used in PANS-OPS, but is not defined; it seems to refer to a specific terrain in the context of procedures and their design, whilst ‘mountainous areas’ is used in a more generic sense (as in the common understanding of the word). The use of the term ‘mountainous area’ would, therefore, appear appropriate in the context of the proposed SERA changes, which would afford alignment with ICAO in this respect.

Based on the above, it is believed that the values referred to in the proposed definition should be for guidance only. What constitutes a ‘mountainous area’ should be determined at a national or local level. The competent authority or ATS provider should be able to define any formal requirements as appropriate mitigation in accordance with a local assessment, as rigid application of the proposed criteria may impose otherwise avoidable constraints upon aircraft operations.

Therefore, the text retained will read as follows:

‘95a ‘mountainous area’ is an area of changing terrain profile where the changes of terrain elevation exceed values determined by the Competent Authority.’

The definition will be complemented by AMC/GM to SERA.5005(c)(3)(iv) ‘Visual Flight Rules’ and SERA.5015(b)(1) ‘Instrument Flight Rules (IFR)’.

2.1.4. Extension of the definition of ‘safety sensitive personnel’

The question was:



‘The Agency is seeking the opinion of stakeholders and Member States whether modifying the ICAO definition by including explicitly personnel such as rescue and firefighting in the definition of ‘safety-sensitive personnel’ will improve the clarity of the relevant provision i.e. SERA.2020.’

Responses and analysis:

A significant majority of stakeholders were in favour of extending the definition as proposed in the NPA, but some of them are pro a slightly different arrangement or with some restrictions. In addition, other views were also well justified in recognising that the ICAO definition is not exhaustive and that a deviation is not necessarily required.

As the Agency is of the strong opinion that the extension of the definition would be beneficial, the definition was accepted to be amended as proposed in the NPA.

2.1.5. Transposing Regulation (EC) No 730/2006⁴ into SERA

The question was:

‘The Agency is seeking the opinion of stakeholders and Member States whether the relevant provisions of Commission Regulation (EC) No 730/2006 should be transposed in SERA in order to improve the readability of the regulatory provisions with respect to access of VFR flights to levels above FL 195.’

Responses and analysis:

The vast majority of the responses provided were in favour of transposing Regulation (EC) No 730/2006 in SERA. However, some well-justified comments indicated that the transposition could also bear some risks and complexities.

After analysis of the various arguments and proposals, and considering the willingness of the Agency to simplify the regulatory structure, it was decided to propose a SERA transposition of Regulation (EC) No 730/2006 at the next stages of the decision-making process.

The content of Articles 3 and 4 of Regulation (EC) No 730/2006 was identified as relevant for transposition. The definition of ‘airspace reservation’, copied from the applicable Regulation (EC) No 2150/2005⁵ on flexible use of airspace, was not considered necessary to be transposed into SERA.

Paragraph (d) will be proposed in SERA.5005 with the final amended text reading:

‘SERA.5005 Visual flight rules

(...)

(d) VFR flights shall not be operated:

- (1) at transonic and supersonic speeds unless authorised by the competent authority; and
- (2) above FL 195. Exceptions to this are:

⁴ Commission Regulation (EC) No 703/2006 of 8 May 2006 amending Regulation (EC) No 1845/2005 as regards the quantity covered by the standing invitation to tender for the resale on the Community market of maize held by the Czech intervention agency (OJ L 122, 9.5.2006, p. 7).

⁵ Commission Regulation (EC) No 2150/2005 of 23 December 2005 laying down common rules for the flexible use of airspace (OJ L 342, 24.12.2005, p. 20).



- (i) an airspace reservation established, where practical, by the competent authority, in which VFR flights may be allowed; or
 - (ii) an airspace up to and including FL 285, where VFR flights may also be allowed when authorised by the responsible ATS unit in accordance with the authorisation procedures established and published by Member States in the relevant aeronautical information publication.
- (e) Authorisation for VFR flights to operate above FL 285 shall not be granted where a vertical separation minimum of 300 m (1 000 ft) is applied above FL 290.
- (...)

SERA.6001 will be proposed as follows:

SERA.6001 Classification of airspaces

- (a) Member States shall, as appropriate to their needs, designate airspace in accordance with the following airspace classification and in accordance with Appendix 4:
- (1) Class A. IFR flights only are permitted. All flights are provided with Air Traffic Control (ATC) service and are separated from each other. Continuous air-ground voice communications are required for all flights. All flights shall be subject to ATC clearance.
 - (2) Class B. IFR and VFR flights are permitted. All flights are provided with ATC service and are separated from each other. Continuous air-ground voice communications are required for all flights. All flights shall be subject to ATC clearance.
 - (3) Class C. IFR and VFR flights are permitted. All flights are provided with ATC service and IFR flights are separated from other IFR flights and from VFR flights. VFR flights are separated from IFR flights and receive traffic information in respect of other VFR flights and traffic avoidance advice on request. Continuous air-ground voice communications are required for all flights. For VFR flights, a speed limitation of 250 kts indicated airspeed (IAS) applies below 3 050 m (10 000 ft) AMSL, except where approved by the competent authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. All flights shall be subject to ATC clearance.
 - (4) Class D. IFR and VFR flights are permitted and all flights are provided with ATC service. IFR flights are separated from other IFR flights, receive traffic information in respect of VFR flights and traffic avoidance advice on request. VFR flights receive traffic information in respect of all other flights and traffic avoidance advice on request. Continuous air-ground voice communications are required for all flights and a speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the competent authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. All flights shall be subject to ATC clearance.
 - (5) Class E. IFR and VFR flights are permitted. IFR flights are provided with ATC service and are separated from other IFR flights. All flights receive traffic information, as far as practicable. Continuous air-ground voice communications are required for IFR flights. A speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the competent authority for aircraft types, which for technical or



safety reasons, cannot maintain this speed. All IFR flights shall be subject to ATC clearance. Class E shall not be used for control zones.

- (6) Class F. IFR and VFR flights are permitted. All participating IFR flights receive an air traffic advisory service and all flights receive flight information service if requested. Continuous air-ground voice communications are required for IFR flights participating in the advisory service and all IFR flights shall be capable of establishing air-ground voice communications. A speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the competent authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. ATC clearance is not required.
 - (7) Class G. IFR and VFR flights are permitted and receive flight information service if requested. All IFR flights shall be capable of establishing air-ground voice communications. A speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the competent authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. ATC clearance is not required.
 - (8) Implementation of Class F shall be considered as a temporary measure until such time as it can be replaced by alternative classification.
- (b) The designation of the airspace classification shall be appropriate to the needs of the Member States, except that all airspace above flight level 195 shall be classified as Class C Airspace.

2.1.6. Introducing flexibility in SERA.13010

This issue was also one of the 'open issues' raised in the safety assessment.

The question was:

'Through this NPA and the present section, the Agency is seeking the opinion of stakeholders and Member States on the validity of the approach proposed for SERA.13010.'

Responses and analysis:

The vast majority of the responses provided were in support of the NPA proposal and recognised the validity of the explanations provided therein.

The text of SERA.13010, providing the Member States with some flexibility, is proposed as follows:

'(...)

- (b) Unless otherwise prescribed by the competent authority, verification of the pressure-altitude-derived level information displayed to the controller shall be effected at least once by each suitably equipped ATC unit on initial contact with the aircraft concerned or, if this is not feasible, as soon as possible thereafter.'

2.1.7. ICAO message category naming

This issue was also one of the 'open issues' raised in the safety assessment. This was due to the fact that several States in Europe had notified differences from this provision of ICAO, and it was



considered necessary to verify if any of those should be regarded as candidates for a commonly agreed difference for Europe.

The question was:

‘The Agency is seeking the opinion of the stakeholders on whether they consider, from the safety point of view, that the ICAO voice communication message category naming and radiotelephony order is appropriate and should be kept identical in SERA or if it should rather be modified and in which way.’

Responses and analysis:

With the exception of 5 comments requesting the inclusion of ‘courtesy messages’ which were visibly coordinated, all the responses were in favour of keeping the ICAO message category naming identical in SERA.

No other alternatives were proposed even if some aspects of the ICAO provisions were considered to a certain extent ‘outdated’.

2.1.8. Option to omit the ground station call sign for busy ATC

The NPA posed the question as follows:

‘However, a national difference was notified which allows, for the establishment of radiotelephony communications and for busy ATC under certain circumstances, that the answering ground station omits its own call sign. Views of stakeholders are also sought on this specific point.’

Responses and analysis:

The comments received did not show a clear-cut majority for any of the 2 options, even though the balance was slightly in favour of remaining identical to ICAO. After further evaluation and assessment, it was agreed that, as expressed in several comments, an in-depth impact assessment of such kind of flexibility was missing and that the risk of creating confusion rather than benefits could not be excluded. This was also confirmed to a certain extent by the fact that only one State had notified this kind of difference in the whole of Europe.

Therefore, it was decided to keep the relevant ICAO provision transposed in SERA without any change.

2.1.9. Indication of the number of persons on board in emergency messages

This issue was also one of the ‘open issues’ raised in the safety assessment owing to one State in Europe having notified a difference from this provision of ICAO and it was considered necessary to verify if it should be regarded as a candidate for a commonly agreed difference for Europe.

The NPA proposed the question as follows:

‘On SERA.14095 b) and c), an existing notified difference by one European State has been considered interesting for SERA and the opinion of stakeholders is expected on the option to add ‘the number of passengers on board’ to the list of elements associated to a distress or urgency call.’

Responses and analysis:

The responses received have shown a small majority in favour of including the obligation to indicate the number of persons on board in the distress calls transmitted in radiotelephony communication. However, the robustness of the arguments in favour of not making it mandatory was also extremely



relevant. Notably, it was expressed that an urgency call may be made on behalf of another aircraft, or may relate to the sighting of an emergency on the ground, and thus the number of persons on board the reporting aircraft has no relevance to the incident. It was also indicated that there would be cases where such an obligation in a critical phase like distress would be inappropriate and, therefore, some flexibility would be required.

Finally, it was considered and agreed that it would be more appropriate to incorporate this information, where relevant, into the 'any other useful information' field contained in SERA.14095(c)(1)(ii)(F) by means of appropriate Guidance Material.

The IR text will be kept identical to ICAO and Guidance Material will be developed to address the issue of the number of persons on board.

2.1.10. No crossing of illuminated stop bars

The question was:

'The adopted SERA.3210(d)(2) and (3) provisions presented in the draft IR of the present NPA are transposed from ICAO Annex 2 (3.2.2.7.2 and 3.2.2.7.3) without any change to the original meaning. This was considered to be the appropriate transposition for SERA on the basis that the rule should cover the general case and not the details of specific contingency measures for which a specific safety assessment is necessary. Another opinion has emerged which proposes to insert additional text to cover the cases where the stop bar lights cannot be switched off, with the intention to permit crossing the illuminated stop bars with only a clearance by radio from the aerodrome control tower. The Agency is seeking the views of stakeholders on the relevance of such insertion.'

Responses and analysis:

The vast majority of responses were clearly opposed to the possibility of allowing crossing lighted stop bars on the basis of a clearance by radio from the aerodrome control tower only. The main reasons put forward were that the rule should cover the general case and not the details of specific contingency measures for which a specific safety assessment is necessary.

It was clearly stated that any provision in the ground rule to permit crossing illuminated stop bars with only a clearance by radio from the aerodrome control tower would undermine the intention of the ICAO provisions to establish a fail-safe double requirement for runway entry. If just an ATC clearance would be accepted to allow crossing the lighted stop bars, these would lose their function completely.

Therefore, it was decided to keep the original ICAO provisions without any alteration.

2.1.11. Amending the table of airspace classification

On the basis of comments received by the Agency, some amendments to the adopted Appendix 4 to SERA were proposed in the NPA for clarification.

The question was:

'The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Appendix 4 brings more clarity of the rule.'



Responses and analysis:

The vast majority of responses clearly supported the amendments to Appendix 4 which were proposed in the NPA, with only 2 comments expressing diverging views.

It was decided to keep Appendix 4 as proposed in the NPA.

2.1.12. Utilisation of the term ‘super’ for wake turbulence

The introduction of the term ‘super’ as a sub-category of the ‘heavy’ wake turbulence category came with the ICAO publication of a description of this specific categorisation in a State Letter. It was felt necessary to consult the stakeholders in the NPA in order to receive their opinion on the subject, considering that it has not yet been inserted in the ICAO documentation either as ‘standard’ or ‘recommended practice’.

The question was:

‘The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term ‘super’ shall be implemented even before the relevant change in ICAO Annexes.’

Responses and analysis:

The vast majority of the responses clearly supported the introduction of the term ‘super’ in SERA.

However, some relevant arguments were expressed, indicating that, within Europe, FDP systems contain the wake turbulence categories for each aircraft and this allows controllers to undertake their wake turbulence spacing responsibilities.

It was, furthermore, indicated that the argument that it is also for the benefit of other airspace users’ situational awareness was weak as it was debatable whether the position of a Heavy/Super would be readily identifiable to other aircraft simply by hearing an aircraft check in on a frequency. On the other hand, many commentators supported the insertion of ‘super’, on the basis that ICAO advice should be followed, but also because this provision is already in place today in many States. Finally, it is to be noted that all airline associations were in favour of the insertion of ‘super’, as well as a significant number of the ANSPs and most of the regulators.

Therefore, in the absence of more comprehensive assessments, it was decided to keep the term ‘super’ in the draft Implementing Rule as recommended by ICAO and shown in the NPA.

2.1.13. Outcome of other comments

Although it was not part of the proposed amendment, a comment was received proposing to amend Appendix 1 ‘Signals’ by adding some graphics to paragraph 4.2. illustrating signals from the pilot of an aircraft to a signalman/marshaller. It was considered that this proposal increases the clarity and consistency of the rule and is included in the proposed draft rule.



There was also a comment with regard to alignment of Regulation (EU) No 1332/2011⁶. It is also the Agency's opinion that the above-mentioned Regulation shall be amended and such proposal is made with regard to the phraseology and the proper references in some other rules.

Numerous comments (such as Nos 6,18, 38, 178, 219, 347, 408, 425, 428, 450, 452, 523, 568 and 675) were taken into account for improving the quality of the proposed regulatory texts.

2.1.14. Other noteworthy issues

After consultation, provisions regarding the carriage of ACAS and the procedure for responding to ACAS resolution advisory were added. These provisions will be further complemented by additional Guidance Material at a later stage. SERA.14030 'Use of designators for standard instrument departure and arrival routes' was not commented at all.

The Agency has also decided to propose the transposition of Regulation (EC) No 730/2006 into the SERA IR Regulation.

⁶ Commission Regulation (EU) No 1332/2011 of 16 December 2011 laying down common airspace usage requirements and operating procedures for airborne collision avoidance (OJ L 336, 20.12.2011, p. 20).



3. Draft resulting text

The Agency publishes amendments to an IR as consolidated documents. Consequently, the consolidated text does not allow readers to see the detailed changes introduced by the new amendment. To allow readers to also see these detailed changes, including changes resulting from the consultation process, this section of the CRD has been created.

The text of the amendment is arranged to show deleted text, new or amended text as shown below:

- (a) deleted text is marked with ~~strike through~~;
- (b) new or amended text is highlighted in grey;
- (c) an ellipsis (...) indicates that the remaining text is unchanged in front of or following the reflected amendment.

3.1. Draft Regulation (Draft EASA Opinion)

Article 1

Subject matter and scope

(...)

3. This Regulation shall also apply to the Competent Authorities of the Member States, Air Navigation Service Providers, aerodrome operators and the relevant ground personnel engaged in aircraft operations.

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

(...)

34a. 'ATS surveillance service' means a service provided directly by means of an ATS surveillance system.

(...)

89a. 'instrument approach operation' means an approach and landing using instruments for navigation guidance based on an instrument approach procedure. There are two methods for performing instrument approach operations:

- (a) a two-dimensional (2D) instrument approach operation, using lateral navigation guidance only; and
- (b) a three-dimensional (3D) instrument approach operation, using both lateral and vertical navigation guidance.

90. 'instrument approach procedure (IAP)' means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply. Instrument approach procedures are classified as follows:



- (a) *Non-precision approach* (NPA) procedure means an instrument approach procedure ~~which utilises lateral guidance but does not utilise vertical guidance~~ designed for 2D instrument approach operations Type A.
- (b) *Approach procedure with vertical guidance* (APV) means ~~an instrument procedure which utilises lateral and vertical guidance but does not meet the requirements established for precision approach and landing operations~~ a performance-based navigation (PBN) instrument approach procedure designed for 3D instrument approach operations Type A.
- (c) *Precision approach* (PA) procedure means an instrument approach procedure ~~using precision lateral and vertical guidance with minima as determined by the category of operation~~ based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B;

94a. 'minimum fuel' is a term used to describe a situation in which an aircraft's fuel supply has reached a state where the flight is committed to land at a specific aerodrome and no additional delay can be accepted.

[The rest of the definitions are renumbered]

116. 'safety-sensitive personnel' mean persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel, aerodrome operators, rescue and fire-fighting and maintenance personnel, personnel allowed unescorted access to the movement area and air traffic controllers;

[The rest of the definitions are renumbered]

ANNEX

RULES OF THE AIR

(...)

SECTION 2

Applicability and compliance

SERA.2001 Applicability

Without prejudice to SERA.1001 above, this Regulation shall apply in accordance with Article 1 in particular to airspace users and aircraft:

- (a) operating into, within or out of the Union;
- (b) bearing the nationality and registration marks of a Member State of the Union, and operating in any airspace to the extent that they do not conflict with the rules published by the State having jurisdiction over the territory overflown.

This Regulation shall also apply to the Competent Authorities of the Member States, Air Navigation Service Providers, aerodrome operators and the relevant ground personnel engaged in aircraft operations.

(...)



CHAPTER 2

Avoidance of collisions

(…)

SERA.3215 Lights to be displayed by aircraft

(a) Except as provided by (e), at night all aircraft in flight shall display:

- (1) anti-collision lights intended to attract attention to the aircraft; and
- (2) ~~except for balloons,~~ navigation lights intended to indicate the relative path of the aircraft to an observer, ~~and~~ Other lights shall not be displayed if they are likely to be mistaken for these lights; ~~or~~
- (3) ~~in the case of balloons, position lights.~~

(…)

SECTION 5

Visual meteorological conditions, visual flight rules, special VFR and instrument flight rules

(…)

SERA.5001 VMC visibility and distance from clouds

Table S5-1*

(a) Altitude band	Airspace class	Flight visibility	Distance from cloud
(b) At and above 3 050 m (10 000 ft) AMSL	(c) A** B C D E F G	(d) 8 km	(e) 1 500 m horizontally 300 m (1 000 ft) vertically
(f) Below 3 050 m (10 000 ft) AMSL and above 900 m (3 000 ft) AMSL, or above 300 m (1 000 ft) above terrain, whichever is the higher	(g) A** B C D E F G	(h) 5 km	(i) 1 500 m horizontally 300 m (1 000 ft) vertically
(j) At and below 900 m (3 000 ft) AMSL, or 300 m (1 000 ft) above terrain, whichever is the higher	(k) A** B C D E	(l) 5 km	(m) 1 500 m horizontally 300 m (1 000 ft) vertically



<p>* When the height of the transition altitude is lower than 3 050 m (10 000 ft) AMSL, FL 100 shall be used in lieu of 10 000 ft.</p> <p>** The VMC minima in Class A airspace are included for guidance to pilots and do not imply acceptance of VFR flights in Class A airspace.</p> <p>*** When so prescribed by the competent authority:</p> <p>(a) flight visibilities reduced to not less than 1 500 m may be permitted for flights</p>			



operating:

(1) at speeds of 140 kts IAS or less to give adequate opportunity to observe other traffic or any obstacles in time to avoid collision; or

(2) in circumstances in which the probability of encounters with other traffic would normally be low, e.g. in areas of low volume traffic and for aerial work at low levels.

- (b) HELICOPTERS may be permitted to operate *in less than 1 500 m* but not less than 800 m flight visibility, if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision. ~~Flight visibilities lower than 800 m may be permitted for special cases, such as medical flights, search and rescue operations and fire fighting.~~

SERA.5005 Visual Flight Rules

(...)

- (c) When so prescribed by the competent authority, VFR flights at night may be permitted under the following conditions:

- (1) if leaving the vicinity of an aerodrome, a flight plan shall be submitted in accordance with SERA.4001(b)(6);
- (2) flights shall establish and maintain two-way radio communication on the appropriate ATS communication channel, when available;
- (3) the VMC visibility and distance from cloud minima as specified in Table S5-1 shall apply except that:

- (i) the ceiling shall not be less than 450 m (1 500 ft);
- (ii) ~~except as specified in (c)(4),~~ the reduced flight visibility provisions specified in Table S5-1(a) and (b) shall not apply;
- (iii) in airspace classes B, C, D, E, F and G, at and below 900 m (3 000 ft) above MSL or 300 m (1 000 ft) above terrain, whichever is the higher, the pilot shall maintain continuous sight of the surface; **and**
- ~~(iv) for helicopters in airspace classes F and G at and below 900 m (3 000 ft) above MSL or 300 m (1 000 ft) above terrain, whichever is the higher, flight visibility shall not be less than 3 km, provided that the pilot maintains continuous sight of the surface and if manoeuvred at a speed that will give adequate opportunity to observe other traffic or obstacles in time to avoid collision; and~~
- (iv)** for mountainous terrain **area**, higher VMC visibility and distance from cloud minima may be prescribed by the competent authority;

- ~~(4) ceiling, visibility and distance from cloud minima lower than those specified in (3) may be permitted for helicopters in special cases, such as medical flights, search and rescue operations and fire fighting.~~

- (45)** except when necessary for take-off or landing, or except when specifically authorised by the competent authority, a VFR flight at night shall be flown at a level which is not below the minimum flight altitude established by the State whose territory is overflown, or, where no such minimum flight altitude has been established:

(...)



- (d) ~~Unless authorised by the competent authority in accordance with Regulation (EC) 730/2006, VFR flights shall not be operated:~~
- (1) ~~at transonic and supersonic speeds unless authorised by the competent authority; above FL 195;~~
 - (2) ~~above FL 195. Exceptions to this are:~~
 - ~~at transonic and supersonic speeds:~~
 - (i) ~~an airspace reservation, established, where practical, by the Member States, in which VFR flights may be allowed; or~~
 - (ii) ~~an airspace up to and including flight level 285, when authorised by the responsible air traffic services (ATS) unit in accordance with the authorisation procedures established and published by the Member States in the relevant aeronautical information publication.~~
- (e) Authorisation for VFR flights to operate above FL 285 shall not be granted where a vertical separation minimum of 300 m (1000 ft) is applied above FL 290.
- (...)

SERA.5010 Special VFR in control zones

Special VFR flights may be authorised to operate within a control zone, subject to an ATC clearance. ~~Except when permitted by the competent authority for helicopters in special cases such as medical flights, search and rescue operations and fire fighting,~~ The following additional conditions shall be applied:

(...)

SERA.5015 Instrument flight rules (IFR) — Rules applicable to all IFR flights

(...)

(c) Change from IFR Flight to VFR Flight

- (1) An aircraft electing to change the conduct of its flight from compliance with the instrument flight rules to compliance with the visual flight rules shall notify the appropriate air traffic services unit specifically that the IFR flight is cancelled and communicate thereto the changes to be made to its current flight plan.
- (2) When an aircraft operating under the instrument flight rules is flown in or encounters visual meteorological conditions it shall not cancel its IFR flight unless it is anticipated, and intended, that the flight will be continued for a reasonable period of time in uninterrupted visual meteorological conditions.
- (3) ~~Change from IFR flight to VFR flight shall only be acceptable when a message initiated by the pilot-in-command containing the specific expression 'CANCELLING MY IFR FLIGHT', together with the changes, if any, to be made to the current flight plan, is received by an ATS unit. No invitation to change from IFR flight to VFR flight shall be made by ATS either directly or by inference.~~

(...)

SERA.6001 Classification of airspaces

- (a) ~~Member States shall, as appropriate to their needs,~~ Member States shall, designate airspace in accordance with the following airspace classification and in accordance with Appendix 4:



- (a1) Class A. IFR flights only are permitted. All flights are provided with air traffic control service and are separated from each other. Continuous air-ground voice communications are required for all flights. All flights shall be subject to ATC clearance.
- (b2) Class B. IFR and VFR flights are permitted. All flights are provided with air traffic control service and are separated from each other. Continuous air-ground voice communications are required for all flights. All flights shall be subject to ATC clearance.
- (c3) Class C. IFR and VFR flights are permitted. All flights are provided with air traffic control service and IFR flights are separated from other IFR flights and from VFR flights. VFR flights are separated from IFR flights and receive traffic information in respect of other VFR flights and traffic avoidance advice on request. Continuous air-ground voice communications are required for all flights. For VFR flights a speed limitation of 250 kts indicated airspeed (IAS) applies below 3 050 m (10 000 ft) AMSL, except where approved by the Competent Authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. All flights shall be subject to ATC clearance.
- (d4) Class D. IFR and VFR flights are permitted and all flights are provided with air traffic control service. IFR flights are separated from other IFR flights, receive traffic information in respect of VFR flights and traffic avoidance advice on request. VFR flights receive traffic information in respect of all other flights and traffic avoidance advice on request. Continuous air-ground voice communications are required for all flights and a speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the Competent Authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. All flights shall be subject to ATC clearance.
- (e5) Class E. IFR and VFR flights are permitted. IFR flights are provided with air traffic control service and are separated from other IFR flights. All flights receive traffic information, as far as is practical. Continuous air-ground voice communications are required for IFR flights. A speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the Competent Authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. All IFR flights shall be subject to ATC clearance. Class E shall not be used for control zones.
- (f6) Class F. IFR and VFR flights are permitted. All participating IFR flights receive an air traffic advisory service and all flights receive flight information service if requested. Continuous air-ground voice communications are required for IFR flights participating in the advisory service and all IFR flights shall be capable of establishing air-ground voice communications. A speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the Competent Authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. ATC clearance is not required.
- (g7) Class G. IFR and VFR flights are permitted and receive flight information service if requested. All IFR flights shall be capable of establishing air-ground voice communications. A speed limitation of 250 kts IAS applies to all flights below 3 050 m (10 000 ft) AMSL, except where approved by the Competent Authority for aircraft types, which for technical or safety reasons, cannot maintain this speed. ATC clearance is not required.
- (h8) Implementation of Class F shall be considered as a temporary measure until such time as it can be replaced by alternative classification.



- (b) The designation of the airspace classification shall be appropriate to the needs of the Member States, except that all airspace above FL 195 shall be classified as Class C Airspace.

(...)

SECTION 7

Air traffic services

(...)

SERA.7002 Collision hazard information when ATS based on surveillance are provided

- (a) When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the pilot of the controlled flight shall, whenever practicable:
- (1) be informed of the unknown aircraft, and if the pilot so requests or if the situation so warrants in the opinion of the controller, avoiding action shall be suggested; and
 - (2) be notified when the conflict no longer exists.

(...)

SECTION 8

Air traffic control service

(...)

SERA.8012 Application of wake turbulence separation

Wake turbulence separation minima shall be applied to aircraft in the approach and departure phases of flight under the following circumstances:

- (1) an aircraft is operating directly behind another aircraft at the same altitude or less than 300 m (1 000 ft) below; or
- (2) both aircraft are using the same runway or parallel runways separated by less than 760 m (2 500 ft); or
- (3) an aircraft is crossing behind another aircraft at the same altitude or less than 300 m (1 000 ft) below.

SERA.8015 Air traffic control clearances

- (a) Air traffic control clearances shall be based solely on the requirements for providing air traffic control service.
- (1) ATC clearances shall be issued solely for expediting and separating air traffic and are based on known traffic conditions which affect safety in aircraft operation. Such traffic conditions include not only aircraft in the air and on the manoeuvring area over which control is being exercised, but also any vehicular traffic or other obstructions not permanently installed on the manoeuvring area in use.
 - (2) ATC units shall issue such ATC clearances as necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.
 - (3) ATC clearances shall be issued early enough to ensure that they are transmitted to the aircraft in sufficient time for it to comply with them.
- (b) Operation subject to clearance



- (1) An air traffic control clearance shall be obtained prior to operating a controlled flight, or a portion of a flight as a controlled flight. Such clearance shall be requested through the submission of a flight plan to an air traffic control unit.
 - (2) The pilot-in-command of an aircraft shall inform ATC if an air traffic control clearance is not satisfactory. In such cases, ATC will issue an amended clearance, if practicable.
 - (3) Whenever an aircraft has requested a clearance involving priority, a report explaining the necessity for such priority shall be submitted, if requested by the appropriate air traffic control unit.
 - (4) Potential reclearance in flight. If, prior to departure, it is anticipated that, depending on fuel endurance and subject to reclearance in flight, a decision may be taken to proceed to a revised destination aerodrome, the appropriate air traffic control units shall be so notified by the insertion in the flight plan of information concerning the revised route (where known) and the revised destination.
 - (5) An aircraft operated on a controlled aerodrome shall not taxi on the manoeuvring area without clearance from the aerodrome control tower and shall comply with any instructions given by that unit.
- (c) Clearances for transonic flight
- (1) The air traffic control clearance relating to the transonic acceleration phase of a supersonic flight shall extend at least to the end of that phase.
 - (2) The air traffic control clearance relating to the deceleration and descent of an aircraft from supersonic cruise to subsonic flight shall seek to provide for uninterrupted descent at least during the transonic phase.
- (d) Contents of clearances
- An air traffic control clearance shall indicate:
- (1) aircraft identification as shown in the flight plan;
 - (2) clearance limit;
 - (3) route of flight;
 - (i) The route of flight shall be detailed in each clearance when deemed necessary; and
 - (ii) The phrase 'cleared via flight planned route' shall not be used when granting a re-clearance;
 - (4) level(s) of flight for the entire route or part thereof and changes of levels if required;
 - (5) any necessary instructions or information on other matters such as approach or departure manoeuvres, communications and the time of expiry of the clearance.
- (e) Changes in clearance regarding route or level
- (1) When issuing a clearance covering a requested change in route or level, the exact nature of the change shall be included in the clearance.



- (2) When traffic conditions will not permit clearance of a requested change, the word 'UNABLE' shall be used. When warranted by circumstances, an alternative route or level shall be offered.

(f) Clearance related to altimetry

- (1) For flights in areas where a transition altitude is established, the vertical position of the aircraft shall, except as provided for in (5) below, be expressed in terms of altitudes at or below the transition altitude and in terms of flight levels at or above the transition level. While passing through the transition layer, the vertical position shall be expressed in terms of flight levels when climbing and in terms of altitudes when descending.
- (2) The flight crew shall be informed of the transition level in due time prior to reaching it during descent.
- (3) A QNH altimeter setting shall be included in the descent clearance when first cleared at an altitude below the transition level, in approach clearances or clearances to enter the traffic circuit, and in taxi clearances for departing aircraft except when it is known that the aircraft has already received the information in a directed transmission.
- (4) A QFE altimeter setting shall be provided to aircraft on request or on a regular basis in accordance with local arrangements.
- (5) When an aircraft which has been given clearance to land is completing its approach using atmospheric pressure at aerodrome elevation (QFE), the vertical position of the aircraft shall be expressed in terms of height above aerodrome elevation during that portion of its flight for which QFE may be used except that it shall be expressed in terms of height above runway threshold elevation:
 - (i) for instrument runways if the threshold is 2 m (7 ft) or more below the aerodrome elevation; and
 - (ii) for precision approach runways.

(g) Conditional clearances

Conditional phrases, such as 'behind landing aircraft' or 'after departing aircraft', shall not be used for movements affecting the active runway(s) except when the aircraft or vehicles concerned are seen by the appropriate controller and pilot. The aircraft or vehicle causing the condition in the clearance issued shall be the first aircraft/vehicle to pass in front of the other aircraft concerned. In all cases, a conditional clearance shall be given in the following order and consist of:

- (1) a call sign;
- (2) the condition;
- (3) the clearance; and
- (4) a brief reiteration of the condition.

(e-h) Read-back of clearances and safety-related information



- (1) The flight crew shall read back to the air traffic controller safety-related parts of ATC clearances and instructions which are transmitted by voice. The following items shall always be read back:
 - (i) ATC route clearances;
 - (ii) clearances and instructions to enter, land on, take off from, hold short of, cross, taxi and backtrack on any runway; and
 - (iii) runway-in-use, altimeter settings, SSR codes, newly assigned communication channels, level instructions, heading and speed instructions; and
 - (iv) transition levels, whether issued by the controller or contained in ATIS broadcasts.
 - (2) Other clearances or instructions, including conditional clearances and taxi instructions, shall be read back or acknowledged in a manner to clearly indicate that they have been understood and will be complied with.
 - (3) The controller shall listen to the read-back to ascertain that the clearance or instruction has been correctly acknowledged by the flight crew and shall take immediate action to correct any discrepancies revealed by the read-back.
 - (4) Voice read-back of CPDLC messages shall not be required, unless otherwise specified by the ANSP.
- (f-i) Coordination of clearances
- (1) An air traffic control clearance shall be coordinated between air traffic control units to cover the entire route of an aircraft or a specified portion thereof as described in provisions (2) to (6).
 - (2) An aircraft shall be cleared for the entire route to the aerodrome of first intended landing:
 - (i) when it has been possible, prior to departure, to coordinate the clearance between all the units under whose control the aircraft will come; or
 - (ii) when there is reasonable assurance that prior coordination will be effected between those units under whose control the aircraft will subsequently come.
 - (3) When coordination as in (2) has not been achieved or is not anticipated, the aircraft shall be cleared only to that point where coordination is reasonably assured; prior to reaching such point, or at such point, the aircraft shall receive further clearance, holding instructions being issued as appropriate.
 - (4) When prescribed by the ATS unit, aircraft shall contact a downstream air traffic control unit, for the purpose of receiving a downstream clearance prior to the transfer of control point.
 - (i) Aircraft shall maintain the necessary two-way communication with the current air traffic control unit whilst obtaining a downstream clearance.
 - (ii) A clearance issued as a downstream clearance shall be clearly identifiable as such to the pilot.
 - (iii) Unless coordinated, downstream clearances shall not affect the aircraft's original flight profile in any airspace, other than that of the air traffic control unit responsible for the delivery of the downstream clearance.



- (5) When an aircraft intends to depart from an aerodrome within a control area to enter another control area within a period of thirty minutes, or such other specific period of time as has been agreed between the area control centres concerned, coordination with the subsequent area control centre shall be effected prior to issuance of the departure clearance.
- (6) When an aircraft intends to leave a control area for flight outside controlled airspace, and will subsequently re-enter the same or another control area, a clearance from the point of departure to the aerodrome of first intended landing may be issued. Such clearance or revisions thereto shall apply only to those portions of the flight conducted within controlled airspace.

SERA.8020 Adherence to flight plan

(...)

- (b) *Inadvertent changes.* In the event that a controlled flight inadvertently deviates from its current flight plan, the following action shall be taken:

- (1) Deviation from track: if the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable.
- (2) Variation in true airspeed: if the average true airspeed at cruising level between reporting points varies or is expected to vary by plus or minus 5 per cent of the true airspeed, from that given in the flight plan, the appropriate air traffic services unit shall be so informed.
- (3) Change in time estimate: if the time estimate for the next applicable reporting point, flight information region boundary or destination aerodrome, whichever comes first, is found to be in error in excess of 3-2 minutes from that notified to air traffic services, or such other period of time as is prescribed by the competent authority ~~or on the basis of ICAO regional air navigation agreements~~, a revised estimated time shall be notified as soon as possible to the appropriate air traffic services unit.

(...)

SERA.8025 Position reports

Unless exempted by the competent authority or by the appropriate air traffic services unit under conditions specified by that authority, a controlled flight shall report to the appropriate air traffic services unit, as soon as possible, the time and level of passing each designated compulsory reporting point, together with any other required information. Position reports shall similarly be made in relation to additional points when requested by the appropriate air traffic services unit. In the absence of designated reporting points, position reports shall be made at intervals prescribed by the competent authority or specified by the appropriate air traffic services unit.

- (a) Controlled flights providing position information to the appropriate air traffic services unit via data link communications shall only provide voice position reports when requested.
- (b) When a controlled flight has been exempted from the requirement to report at compulsory reporting points, pilots shall resume voice or CPDLC position reporting:
 - (i) when so instructed;



- (ii) when advised that the ATS surveillance service has been terminated; or
 - (iii) when advised that the ATS surveillance identification is lost unless automated position reporting is in effect.
- (c) The format of position reports shall be in accordance with Appendix 5.
- (...)

SECTION 10

Alerting service

(...)

SERA.10001 Application

- (a) Alerting service shall be provided by the air traffic services units:
- (1) for all aircraft provided with air traffic control service;
 - (2) in so far as practicable, to all other aircraft having filed a flight plan or otherwise known to the air traffic services; and
 - (3) to any aircraft known or believed to be the subject of unlawful interference.
- (b) Unless otherwise prescribed by the competent authority, aircraft equipped with suitable two-way radio-communications shall report during the period 20 to 40 minutes following the time of the last contact, whatever the purpose of such contact, merely to indicate that the flight is progressing according to plan. Such report shall comprise identification of the aircraft and the words 'Operations normal'.
- (c) The 'Operations normal' message shall be transmitted air-ground to an appropriate ATS unit.
- (...)

SECTION 11

Interference, emergency contingencies and interception

SERA.11001 ~~Unlawful interference~~ General

- ~~(a) An aircraft which is being subjected to unlawful interference shall endeavour to set the transponder to Code 7500 and notify the appropriate ATS unit of any significant circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstances, in order to enable the ATS unit to give priority to the aircraft and to minimize conflict with other aircraft.~~
- ~~(b) If an aircraft is subjected to unlawful interference, the pilot-in-command shall attempt to land as soon as practicable at the nearest suitable aerodrome or at a dedicated aerodrome assigned by the competent authority unless considerations aboard the aircraft dictate otherwise.~~
- (a) In the case of an aircraft known or believed to be in a state of emergency, including being subjected to unlawful interference, ATS units shall give the aircraft maximum consideration, assistance and priority over other aircraft as may be necessitated by the circumstances.
- (b) Subsequent ATC actions will be based on the intentions of the pilot, the overall air traffic situation and the real-time dynamics of the contingency.

SERA.11005 ~~Service to aircraft in the event of an emergency~~ Unlawful interference



- ~~(a) In the case of an aircraft known or believed to be in a state of emergency, including being subjected to unlawful interference, air traffic services units shall give the aircraft maximum consideration, assistance and priority over other aircraft as may be necessitated by the circumstances.~~
- (a) An aircraft which is being subjected to unlawful interference shall endeavour to set the transponder to Code 7500 and notify the appropriate ATS unit of any significant circumstances associated therewith and any deviation from the current flight plan necessitated by the circumstances in order to enable the ATS unit to give priority to the aircraft and to minimise conflict with other aircraft.
- (b) If an aircraft is subjected to unlawful interference, the pilot-in-command shall attempt to land as soon as practicable at the nearest suitable aerodrome or at a dedicated aerodrome assigned by the competent authority unless considerations aboard the aircraft dictate otherwise.
- ~~(b)~~ (c) When an occurrence of unlawful interference with an aircraft takes place or is suspected, air traffic services units shall attend promptly to requests by the aircraft. Information pertinent to the safe conduct of the flight shall continue to be transmitted and necessary action shall be taken to expedite the conduct of all phases of the flight, especially the safe landing of the aircraft.
- ~~(c)~~ (d) When an occurrence of unlawful interference with an aircraft takes place or is suspected, air traffic services units shall, in accordance with locally agreed procedures, immediately inform the appropriate authority designated by the State and exchange necessary information with the aircraft operator or its designated representative.

SERA.11010 ~~In-flight contingencies~~ Strayed or unidentified aircraft

- (a) As soon as an air traffic services unit becomes aware of a strayed aircraft it shall take all necessary steps as outlined in (1) and (3) to assist the aircraft and to safeguard its flight.
- (1) If the aircraft's position is not known, the air traffic services unit shall:
- (i) attempt to establish two-way communication with the aircraft, unless such communication already exists;
 - (ii) use all available means to determine its position;
 - (iii) inform other air traffic services units into whose area the aircraft may have strayed or may stray, taking into account all the factors which may have affected the navigation of the aircraft in the circumstances;
 - (iv) inform, in accordance with locally agreed procedures, appropriate military units and provide them with pertinent flight plan and other data concerning strayed aircraft;
 - (v) request from the units referred to in (iii) and (iv) and from other aircraft in flight every assistance in establishing communication with the aircraft and determining its position.
- (2) The requirements in (1)(iv) and (1)(v) shall apply also to air traffic services units informed in accordance with (1)(iii).
- (3) When the aircraft's position is established, the air traffic services unit shall:
- (i) advise the aircraft of its position and corrective action to be taken. This advice shall be immediately provided when the ATS unit is aware that there is a possibility of interception or other hazard to the safety of the aircraft; and



- (ii) provide, as necessary, other air traffic services units and appropriate military units with relevant information concerning the strayed aircraft and any advice given to that aircraft.
- (b) As soon as an air traffic services unit becomes aware of an unidentified aircraft in its area, it shall endeavour to establish the identity of the aircraft whenever this is necessary for the provision of air traffic services or required by the appropriate military authorities in accordance with locally agreed procedures. To this end, the air traffic services unit shall take such of the following steps as are appropriate in the circumstances:
 - (1) attempt to establish two-way communication with the aircraft;
 - (2) inquire of other air traffic services units within the flight information region about the flight and request their assistance in establishing two-way communication with the aircraft;
 - (3) inquire of air traffic services units serving the adjacent flight information regions about the flight and request their assistance in establishing two-way communication with the aircraft;
 - (4) attempt to obtain information from other aircraft in the area.
 - (5) the air traffic services unit shall, as necessary, inform the appropriate military unit as soon as the identity of the aircraft has been established.
- (c) In the case of a strayed or unidentified aircraft, the possibility of the aircraft being subject of unlawful interference shall be taken into account. Should the air traffic services unit consider that a strayed or unidentified aircraft may be the subject of unlawful interference, the appropriate authority designated by the State shall immediately be informed, in accordance with locally agreed procedures.

SERA.11012 Minimum fuel and fuel emergency

- (a) When a pilot reports a state of minimum fuel, the controller shall inform the pilot as soon as practicable of any anticipated delays or that no delays are expected.
- (b) When the level of fuel renders declaring a situation of distress necessary, the pilot, in accordance with SERA.14095, shall indicate this by using the radiotelephony distress signal (MAYDAY), preferably spoken three times, followed by the nature of the distress condition (FUEL).

SERA.11013 Degraded aircraft performance

- (a) Whenever, as a result of failure or degradation of navigation, communications, altimetry, flight control or other systems, the aircraft performance is degraded below the level required for the airspace in which it is operating, the flight crew shall advise the ATC unit concerned without delay. Where the failure or degradation affects the separation minimum currently being employed, the controller shall take action to establish another appropriate type of separation or separation minimum.
- (b) Degradation or failure of the RNAV system

When an aircraft cannot meet the specifications as required by the RNAV route or procedure as a result of a failure or degradation of the RNAV system, a revised clearance shall be requested by the pilot.
- (c) Loss of vertical navigation performance required for reduced vertical separation minima (RVSM) airspace



- (1) The pilot shall inform ATC as soon as possible of any circumstances where the vertical navigation performance requirements for RVSM airspace cannot be maintained. In such cases, the pilot shall obtain a revised ATC clearance prior to initiating any deviation from the cleared route and/or flight level, whenever possible. When a revised ATC clearance cannot be obtained prior to such a deviation, the pilot shall obtain a revised clearance as soon as possible thereafter.
- (2) During operations in or vertical transit through RVSM airspace with aircraft not approved for RVSM operations, pilots shall report non-approved status as follows:
 - (i) at initial call on any channel within the RVSM airspace;
 - (ii) in all requests for level changes; and
 - (iii) in all read-backs of level clearances.
- (3) Air traffic controllers shall explicitly acknowledge receipt of messages from aircraft reporting RVSM non-approved status.
- (4) Degradation of aircraft equipment — pilot-reported
 - (i) When informed by the pilot of an RVSM-approved aircraft operating in RVSM airspace that the aircraft's equipment no longer meets the RVSM requirements, ATC shall consider the aircraft as non-RVSM-approved.
 - (ii) ATC shall take action immediately to provide a minimum vertical separation of 600 m (2 000 ft) or an appropriate horizontal separation from all other aircraft concerned that are operating in this RVSM airspace. An aircraft rendered non-RVSM-approved shall normally be cleared out of the RVSM airspace by ATC when it is possible to do so.
 - (iii) Pilots shall inform ATC, as soon as practicable, of any restoration of the proper functioning of equipment required to meet the RVSM requirements.
 - (iv) The first ACC to become aware of a change in an aircraft's RVSM status shall coordinate with adjacent ACCs, as appropriate.
- (5) Severe turbulence — not forecast
 - (i) When an aircraft operating in RVSM airspace encounters severe turbulence due to weather or wake vortex that the pilot believes will impact the aircraft's capability to maintain its cleared flight level, the pilot shall inform ATC. ATC shall establish either an appropriate horizontal separation or an increased minimum vertical separation.
 - (ii) ATC shall, to the extent possible, accommodate pilot requests for flight level and/or route changes and shall pass on traffic information as required.
 - (iii) ATC shall solicit reports from other aircraft to determine whether RVSM shall be suspended entirely or within a specific flight level band and/or area.
 - (iv) The ACC suspending RVSM shall coordinate with adjacent ACCs such suspension(s) and any required adjustments to sector capacities, as appropriate, to ensure an orderly progression of the transfer of traffic.
- (6) Severe turbulence — forecast



- (i) When a meteorological forecast predicts severe turbulence within RVSM airspace, ATC shall determine whether RVSM shall be suspended and, if so, for how long and for which specific flight level(s) and/or area.
- (ii) In cases where RVSM will be suspended, the ACC suspending RVSM shall coordinate with adjacent ACCs with regard to the flight levels appropriate for the transfer of traffic unless a contingency flight level allocation scheme has been determined by letter of agreement. The ACC suspending RVSM shall also coordinate with adjacent ACCs applicable sector capacities, as appropriate.

SERA.11014 ACAS resolution advisory (RA)

- (a) ACAS II shall be used during flight except as provided in the minimum equipment list specified in Regulations (EU) Nos 965/2012, 800/2013 and 379/2014 in a mode that enables RA indications to be produced for the flight crew when undue proximity to another aircraft is detected unless inhibition of RA indication mode (using TA indication only or equivalent) is called for by an abnormal procedure or due to performance-limiting conditions.
- (b) In the event of an RA, pilots shall:
 - (1) respond immediately by following the RA as indicated unless doing so would jeopardise the safety of the aircraft;
 - (2) follow the RA even if there is a conflict between the RA and an ATC instruction to manoeuvre;
 - (3) not manoeuvre in the opposite sense to an RA;
 - (4) as soon as permitted by flight crew workload, notify the appropriate ATC unit of any RA which requires a deviation from the current ATC instruction or clearance;
 - (5) promptly comply with any modified RAs;
 - (6) limit the alterations of the flight path to the minimum extent necessary to comply with the RAs;
 - (7) promptly return to the terms of the ATC instruction or clearance when the conflict is resolved; and
 - (8) notify ATC when returning to the current clearance.
- (c) When a pilot reports an ACAS RA, the controller shall not attempt to modify the aircraft flight path until the pilot reports 'CLEAR OF CONFLICT'.
- (d) Once an aircraft departs from its ATC clearance or instruction in compliance with an RA, or a pilot reports an RA, the controller ceases to be responsible for providing separation between that aircraft and any other aircraft affected as a direct consequence of the manoeuvre induced by the RA. The controller shall resume responsibility for providing separation for all the affected aircraft when:
 - (1) he/she acknowledges a report from the flight crew that the aircraft has resumed the current clearance; or



- (2) he/she acknowledges a report from the flight crew that the aircraft is resuming the current clearance and issues an alternative clearance which is acknowledged by the flight crew.

(...)

SECTION 12

Services related to meteorology — Aircraft observations and reports by voice communications

(...)

SERA.12005 Special aircraft observations

- (a) Special observations shall be made and reported by all aircraft whenever the following conditions are encountered or observed:
- (1) moderate or severe turbulence; or
 - (2) moderate or severe icing; or
 - (3) severe mountain wave; or
 - (4) thunderstorms, without hail, that are obscured, embedded, widespread or in squall lines; or
 - (5) thunderstorms, with hail, that are obscured, embedded, widespread or in squall lines; or
 - (6) heavy dust storm or heavy sandstorm; or
 - (7) volcanic ash cloud; or
 - (8) pre-eruption volcanic activity or a volcanic eruption.
- (b) Competent authorities shall prescribe as necessary other conditions which shall be reported by all aircraft when encountered or observed.
- (c) Flight crews shall compile the reports using forms based on the model AIREP SPECIAL form in Appendix 5. The detailed instructions for reporting, as provided in Appendix 5, shall be complied with.
- (1) The detailed instructions, including the formats of messages and the phraseologies provided in Appendix 5, shall be used by flight crews when transmitting air-reports and by ATS units when retransmitting such reports.
 - (2) Special air-reports containing observations of volcanic activity shall be recorded on the special air-report of volcanic activity form. Forms based on the model form for special air-reports of volcanic activity in Appendix 5 shall be provided for flight crews operating on routes which could be affected by volcanic ash clouds.

(...)



SERA.12020 Exchange of air-reports

- (a) ATS units shall transmit, as soon as practicable, special and non-routine air-reports to:
 - (1) other aircraft concerned;
 - (2) the associated meteorological watch office (MWO) in accordance with Appendix 5; and
 - (3) other ATS units concerned.
 - (b) Transmissions to aircraft shall be repeated at a frequency and continued for a period of time which shall be determined by the ATS unit concerned.
- (...)

SECTION 13**Use of SSR transponders****SERA.13001 Operation of SSR transponder**

- (a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside airspace where SSR is used for ATS purposes.
- (b) Pilots shall not operate the IDENT feature unless requested by ATC.

SERA.13005 SSR transponder Mode A code setting

- (a) To indicate that it is in a specific contingency situation, the pilot of an aircraft equipped with SSR shall:
 - (1) select Code 7700 to indicate a state of emergency unless ATC has previously directed the pilot to operate the transponder on a specified code. In the latter case, a pilot may nevertheless select Code 7700 whenever there is a specific reason to believe that this would be the best course of action;
 - (2) select Code 7600 to indicate a state of radio-communication failure;
 - (3) attempt to select Code 7500 to indicate a state of unlawful interference. If circumstances so warrant, Code 7700 shall be used instead.
- (b) Except in cases described in (a) above, the pilot shall:
 - (1) select codes as instructed by the ATS unit; or
 - (2) in absence of ATS instructions related to code setting, select code 2000 or other code as prescribed by the competent authority; or
 - (3) when not receiving air traffic service, select code 7000 in order to improve the detection of suitably equipped aircraft unless otherwise prescribed by the competent authority.
- (c) When it is observed that the code shown on the situation display is different from what has been assigned to the aircraft:
 - (1) the pilot shall be requested to confirm the code selected and, if the situation warrants, to reselect the correct code; and



- (2) if the discrepancy between assigned and displayed codes still persists, the pilot may be requested to stop the operation of the aircraft's transponder. The next control position and any other affected unit using SSR in the provision of ATS shall be informed accordingly.

SERA.13010 Pressure-altitude-derived information

- (a) When the aircraft carries serviceable Mode C equipment, the pilot shall continuously operate this mode unless otherwise dictated by ATC.
- (b) Unless otherwise prescribed by the competent authority, verification of the pressure-altitude-derived level information displayed to the controller shall be effected at least once by each suitably equipped ATC unit on initial contact with the aircraft concerned or, if this is not feasible, as soon as possible thereafter.

SERA.13015 SSR transponder Mode S aircraft identification setting

- (a) Aircraft equipped with Mode S having an aircraft identification feature shall transmit the aircraft identification as specified in Item 7 of the ICAO flight plan or, when no flight plan has been filed, the aircraft registration.
- (b) Whenever it is observed on the situation display that the aircraft identification transmitted by a Mode S-equipped aircraft is different from that expected from the aircraft, the pilot shall be requested to confirm and, if necessary, re-enter the correct aircraft identification.
- (c) If, following confirmation by the pilot that the correct aircraft identification has been set on the Mode S identification feature, the discrepancy continues to exist, the controller shall take the following actions:
 - (1) inform the pilot of the persistent discrepancy;
 - (2) where possible, correct the label showing the aircraft identification on the situation display; and
 - (3) notify the next control position and any other unit concerned using Mode S for identification purposes that the aircraft identification transmitted by the aircraft is erroneous.

SERA.13020 SSR transponder failure when the carriage of a functioning transponder is mandatory

- (a) In case of a transponder failure after departure, ATC units shall attempt to provide for continuation of the flight to the destination aerodrome in accordance with the flight plan. Pilots may, however, be expected to comply with specific restrictions.
- (b) In the case of a transponder which has failed and cannot be restored before departure, pilots shall:
 - (1) inform ATS as soon as possible, preferably before submission of a flight plan;
 - (2) insert in Item 10 of the ICAO flight plan form under SSR the character 'N' for complete unserviceability of the transponder or, in case of partial transponder failure, insert the character corresponding to the remaining transponder capability; and
 - (3) comply with any published procedures requesting an exemption from the requirements to carry a functioning SSR transponder.



SECTION 14

Voice communication procedures**SERA.14001 General**

Standardised phraseology shall be used in all situations for which it has been specified. Only when standardised phraseology cannot serve an intended transmission, plain language shall be used.

SERA.14005 Categories of messages

- (a) The categories of messages handled by the aeronautical mobile service and the order of priority in the establishment of communications and the transmission of messages shall be in accordance with Table S14-1.

Table S14-1

<i>Message category and radiotelephony order of priority signal</i>	<i>Radiotelephony signal</i>
(a) Distress calls, distress messages and distress traffic	MAYDAY
(b) Urgency messages, including messages preceded by the medical transports signal	PAN PAN or PAN PAN MEDICAL
(c) Communications relating to direction finding	—
(d) Flight safety messages	—
(e) Meteorological messages	—
(f) Flight regularity messages	—

- (b) *Distress messages and distress traffic* shall be handled in accordance with the provisions of SERA.14095.
- (c) *Urgency messages and urgency traffic*, including messages preceded by the medical transports signal, shall be handled in accordance with the provisions of SERA.14095.

SERA.14010 Flight safety messages

Flight safety messages shall comprise the following:

- (a) movement and control messages;
- (b) messages originated by an aircraft operator or by an aircraft of immediate concern to an aircraft in flight;
- (c) meteorological advice of immediate concern to an aircraft in flight or about to depart (individually communicated or for broadcast); and
- (d) other messages concerning aircraft in flight or about to depart.

SERA.14015 Language to be used in air-ground communication

- (a) The air-ground radiotelephony communications shall be conducted in the English language or in the language normally used by the station on the ground.



- (b) The English language shall be available, at the request of any aircraft, at all stations on the ground serving designated aerodromes and routes used by international air services. Unless otherwise prescribed by the competent authority for specific cases, the English language shall be used at aerodromes with more than 50 000 international IFR movements per year.
- (c) The languages available at a given station on the ground shall form part of the Aeronautical Information Publications and other published aeronautical information concerning such facilities.

SERA.14020 Word spelling in radiotelephony.

When proper names, service abbreviations and words of which the spelling is doubtful are spelled out in radiotelephony, the alphabet in the Table S14-2 shall be used.

Table S14-2

The Radiotelephony Spelling Alphabet

<i>Letter</i>	<i>Word</i>	<i>Approximate pronunciation (Latin alphabet representation)</i>
A	Alfa	<u>AL</u> FAH
B	Bravo	<u>BRAH</u> VOH
C	Charlie	<u>CHAR</u> LEE or <u>SHAR</u> LEE
D	Delta	<u>DELL</u> TAH
E	Echo	<u>ECK</u> OH
F	Foxtrot	<u>FOKS</u> TROT
G	Golf	GOLF
H	Hotel	HO <u>TELL</u>
I	India	<u>IN</u> DEE AH
J	Juliett	<u>JEW</u> LEE <u>ETT</u>
K	Kilo	<u>KEY</u> LOH
L	Lima	<u>LEE</u> MAH
M	Mike	MIKE
N	November	NO <u>VEM</u> BER
O	Oscar	<u>OSS</u> CAH
P	Papa	PAH <u>PAH</u>



Q	Quebec	<u>KEH</u> <u>BECK</u>
R	Romeo	<u>ROW</u> ME OH
S	Sierra	SEE <u>AIR</u> RAH
T	Tango	<u>TANG</u> GO
U	Uniform	<u>YOU</u> NEE FORM <i>or</i> <u>OO</u> NEE FORM
V	Victor	<u>VIK</u> TAH
W	Whiskey	<u>WISS</u> KEY
X	X-ray	<u>ECKS</u> RAY
Y	Yankee	<u>YANG</u> KEY
Z	Zulu	<u>ZOO</u> LOO

In the approximate representation using the Latin alphabet, syllables to be emphasised are underlined.

SERA.14025 Principles governing the identification of ATS routes other than standard departure and arrival routes

(a) Use of ATS route designators in communications

- (1) In voice communications, the basic letter of a designator shall be spoken in accordance with the spelling alphabet as defined in Table S14-2.
- (2) Where the prefixes K, U or S are used, they shall, in voice communications, be spoken as follows:
 - (i) K — KOPTER
 - (ii) U — UPPER
 - (iii) S — SUPERSONIC

- (b) The term 'kopter' shall be pronounced as in the word 'helicopter' and the words 'upper' and 'supersonic' as in the English language.

SERA.14030 Use of designators for standard instrument departure and arrival routes

The plain language designator for standard instrument departure or arrival routes shall be used in voice communications.

SERA.14035 Transmission of numbers in radiotelephony

(a) Transmission of numbers

- (1) All numbers used in the transmission of aircraft call sign, headings, runway, wind direction and speed shall be transmitted by pronouncing each digit separately.



- (i) Flight levels shall be transmitted by pronouncing each digit separately except in the case of flight levels in whole hundreds.
 - (ii) The altimeter setting shall be transmitted by pronouncing each digit separately except in the case of a setting of 1 000 hPa which shall be transmitted as 'ONE THOUSAND'.
 - (iii) All numbers used in the transmission of transponder codes shall be transmitted by pronouncing each digit separately except that, when the transponder codes contain whole thousands only, the information shall be transmitted by pronouncing the digit in the number of thousands followed by the word 'THOUSAND'.
- (2) All numbers used in transmission of other information than those described in (a)(1) shall be transmitted by pronouncing each digit separately, except that all numbers containing whole hundreds and whole thousands shall be transmitted by pronouncing each digit in the number of hundreds or thousands followed by the word HUNDRED or THOUSAND as appropriate. Combinations of thousands and whole hundreds shall be transmitted by pronouncing each digit in the number of thousands followed by the word THOUSAND followed by the number of hundreds followed by the word HUNDRED.
- (3) In cases where there is a need to clarify the number transmitted as whole thousands and/or whole hundreds, the number shall be transmitted by pronouncing each digit separately.
- (4) When providing information regarding the relative bearing to an object or to conflicting traffic in terms of the 12-hour clock, the information shall be given pronouncing the digits together such as TEN O'CLOCK or ELEVEN O'CLOCK.
- (5) Numbers containing a decimal point shall be transmitted as prescribed in (a)(1) with the decimal point, indicated by the word DECIMAL in appropriate sequence.
- (6) All six digits of the numerical designator shall be used to identify the transmitting channel in VHF radiotelephony communications, except in the case of both the fifth and sixth digits being zeros, in which case only the first four digits shall be used.

SERA.14040 Pronunciation of numbers

When the language used for communication is English, numbers shall be transmitted using the pronunciation shown in Table S14-3:

Table S14-3

<i>Numeral or numeral element</i>	<i>Pronunciation</i>
0	ZE-RO
1	WUN
2	TOO
3	TREE
4	FOW-er
5	FIFE
6	SIX



7	SEV-en
8	AIT
9	NIN-er
Decimal	DAY-SEE-MAL
Hundred	HUN-dred
Thousand	TOU-SAND

SERA.14045 Transmitting technique

- (a) Transmissions shall be conducted concisely in a normal conversational tone.
- (b) The following words and phrases shall be used in radiotelephony communications, as appropriate, and shall have the meaning ascribed in Table S14-4:

Table S14-4

Phrase	Meaning
ACKNOWLEDGE	'Let me know that you have received and understood this message.'
AFFIRM	'Yes.'
APPROVED	'Permission for proposed action granted.'
BREAK	'I hereby indicate the separation between portions of the message.'
BREAK BREAK	'I hereby indicate the separation between messages transmitted to different aircraft in a very busy environment.'
CANCEL	'Annul the previously transmitted clearance.'
CHECK	'Examine a system or procedure.'
CLEARED	'Authorised to proceed under the conditions specified.'
CONFIRM	'I request verification of: (clearance, instruction, action, information).'
CONTACT	'Establish communications with...'
CORRECT	'True' or 'Accurate'.
CORRECTION	'An error has been made in this transmission (or message indicated). The correct version is...'
DISREGARD	'Ignore.'
HOW DO YOU READ	'What is the readability of my transmission? (see SERA.14070(c))'
I SAY AGAIN	'I repeat for clarity or emphasis.'
MAINTAIN	'Continue in accordance with the condition(s) specified' or in its literal sense.
MONITOR	'Listen out on (frequency).'
NEGATIVE	'No' or 'Permission not granted' or 'That is not correct' or 'Not capable'.
OVER	'My transmission is ended, and I expect a response from you.'



OUT	'This exchange of transmissions is ended and no response is expected.'
READ BACK	'Repeat all, or the specified part, of this message back to me exactly as received.'
RECLEARED	'A change has been made to your last clearance and this new clearance supersedes your previous clearance or part thereof.'
REPORT	'Pass me the following information...'
REQUEST	'I should like to know...' or 'I wish to obtain...'
ROGER	'I have received all of your last transmission.'
SAY AGAIN	'Repeat all, or the following part, of your last transmission.'
SPEAK SLOWER	'Reduce your rate of speech.'
STANDBY	'Wait and I will call you.'
UNABLE	'I cannot comply with your request, instruction, or clearance.'
WILCO	(Abbreviation for 'will comply'.) 'I understand your message and will comply with it.'
WORDS TWICE	a) As a request: 'Communication is difficult. Please send every word, or group of words, twice.' b) As information: 'Since communication is difficult, every word, or group of words, in this message will be sent twice.'

SERA.14050 Radiotelephony call signs for aircraft**(a) Full call signs**

An aircraft radiotelephony call sign shall be one of the following types:

- (1) Type a) — the characters corresponding to the registration marking of the aircraft; or
- (2) Type b) — the telephony designator of the aircraft operator, followed by the last four characters of the registration marking of the aircraft; or
- (3) Type c) — the telephony designator of the aircraft operator, followed by the flight identification.

(b) Abbreviated call signs

The aircraft radiotelephony call signs shown in (a), with the exception of Type c), may be abbreviated under the circumstances prescribed in SERA.14065(d)(1). Abbreviated call signs shall be in the following form:

- (1) Type a) — the first character of the registration and at least the last two characters of the call sign;
- (2) Type b) — the telephony designator of the aircraft operator, followed by at least the last two characters of the call sign;
- (3) Type c) — no abbreviated form.



SERA.14055 Radiotelephony procedures

- (a) An aircraft shall not change the type of its radiotelephony call sign during flight except temporarily at the instruction of an ATC unit in the interest of safety. Except for reasons of safety, no transmission shall be directed to an aircraft during take-off, during the last part of the final approach or during the landing roll.
- (b) Establishment of radiotelephony communications
 - (1) Full radiotelephony call signs shall always be used when establishing communication; the aircraft shall start their call by the designation of the station called, followed by the designation of the station calling.
 - (2) In the reply to the above calls, the call sign of the station calling shall be used, followed by the call sign of the station answering, which shall be considered an invitation to proceed with transmission by the station calling.
 - (3) Communications shall commence with a call and a reply when it is desired to establish contact, except that, when it is certain that the station called will receive the call, the calling station may transmit the message without waiting for a reply from the station called.
- (c) Subsequent radiotelephony communications
 - (1) Abbreviated radiotelephony call signs, as prescribed in SERA.14050(b), shall be used only after satisfactory communication has been established and provided that no confusion is likely to arise. An aircraft shall use its abbreviated call sign only after it has been addressed in this manner by the aeronautical station.
 - (2) When issuing ATC clearances and reading back such clearances, controllers and pilots shall always add the call sign of the aircraft to which the clearance applies. For other than those occasions, continuous two-way communication, after contact has been established, shall be permitted without further identification or call until termination of the contact.

SERA.14060 Transfer of VHF communications

- (a) An aircraft shall be advised by the appropriate ATS unit to transfer from one radio frequency to another in accordance with agreed procedures. In the absence of such advice, the aircraft shall notify the ATS unit before such a transfer takes place.
- (b) When establishing initial contact on, or when leaving, a VHF frequency, an aircraft shall transmit such information as may be prescribed by the ANSP responsible for the provisions of services and approved by the competent authority.

SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover

- (a) Unless otherwise prescribed by the ANSP responsible for the provisions of services and approved by the competent authority, the initial call to an ATS unit after a change of air-ground voice communication channel shall contain the following elements:
 - (1) designation of the ATS unit being called;
 - (2) call sign and, for aircraft in the heavy wake turbulence category, the word 'Heavy' or 'Super' if that aircraft has been so identified by the competent authority;



- (3) level, including passing and cleared levels if not maintaining the cleared one;
- (4) speed, if assigned by ATC; and
- (5) additional elements, as required by the ANSP responsible for the provisions of services and approved by the competent authority.

(b) Pilots shall provide level information at the nearest full 30 m or 100 ft as indicated on the pilot's altimeter.

(c) Initial call to aerodrome control tower

For aircraft being provided with aerodrome control service, the initial call shall contain:

- (1) designation of the ATS unit being called;
- (2) call sign and, for aircraft in the heavy wake turbulence category, the word 'Heavy' or 'Super' if that aircraft has been so identified by the competent authority;
- (3) position; and
- (4) additional elements, as required by the ANSP responsible for the provision of services and approved by the competent authority.

SERA.14070 Test procedures

(a) The form of test transmissions shall be as follows:

- (1) the identification of the station being called;
- (2) the identification of the station calling;
- (3) the words 'RADIO CHECK'; and
- (4) the frequency being used.

(b) The reply to a test transmission shall be as follows:

- (1) the identification of the station requesting the test;
- (2) the identification of the station replying; and
- (3) information regarding the readability of the station requesting the test transmission.

(c) When the tests have been performed, the following readability scale shall be used:

Readability Scale

- (1) 1 Unreadable
- (2) 2 Readable now and then
- (3) 3 Readable but with difficulty
- (4) 4 Readable
- (5) 5 Perfectly readable

SERA.14075 Exchange of communications



- (a) Communications shall be concise and unambiguous, using standard phraseology whenever available.
 - (1) When transmitted by an aircraft, the acknowledgement of receipt of a message shall comprise the call sign of that aircraft.
 - (2) When acknowledgement of receipt is transmitted by an ATS unit to an aircraft, it shall comprise the call sign of the aircraft, followed, if considered necessary, by the call sign of the ATS unit.
- (b) End of conversation

A radiotelephone conversation shall be terminated by the receiving ATS unit or the aircraft using its own call sign.
- (c) Corrections and repetitions
 - (1) When an error has been made in transmission, the word 'CORRECTION' shall be spoken, the last correct group or phrase repeated, and then the correct version transmitted.
 - (2) If a correction can best be made by repeating the entire message, the phrase 'CORRECTION, I SAY AGAIN' shall be used before the message is transmitted a second time.
 - (3) If the receiving station is in doubt as to the correctness of the message received, a repetition either in full or in part shall be requested.
 - (4) If repetition of an entire message is required, the words 'SAY AGAIN' shall be spoken. If repetition of a portion of a message is required, the phrase: 'SAY AGAIN ALL BEFORE... (first word satisfactorily received)' shall be used; or 'SAY AGAIN...(word before missing portion) TO...(word after missing portion)' or 'SAY AGAIN ALL AFTER...(last word satisfactorily received)'.
- (d) If, when checking the correctness of a read-back, incorrect items are noticed, the words 'NEGATIVE I SAY AGAIN' shall be transmitted at the conclusion of the read-back, followed by the correct version of the items concerned.

SERA.14080 Communications watch/Hours of service

- (a) During flight, aircraft shall maintain watch as required by the competent authority and shall not cease watch, except for reasons of safety, without informing the ATS unit concerned.
 - (1) Aircraft on long over-water flights, or on flights over designated areas over which the carriage of an emergency locator transmitter (ELT) is required, shall continuously guard the VHF emergency frequency 121.5 MHz, except for those periods when aircraft carry out communications on other VHF channels or when airborne equipment limitations or cockpit duties do not permit simultaneous guarding of two channels.
 - (2) Aircraft shall continuously guard the VHF emergency frequency 121.5 MHz over areas or on routes where the possibility of interception of aircraft or other hazardous situations exists, and a requirement has been established by the competent authority.
- (b) Aeronautical stations shall maintain a continuous listening watch on VHF emergency channel 121.5 MHz during the hours of service of the units at which it is installed.



- (c) When it is necessary for an aircraft station or ATS unit to suspend operation for any reason, it shall, if possible, so inform other stations concerned, indicating the time at which it is expected that operation will be resumed. When operation is resumed, other stations concerned shall be so informed. When it is necessary to suspend operation beyond the time specified in the original notice, a revised time of resumption of operation shall, if possible, be transmitted at or near the time first specified.

SERA.14085 Use of blind transmission

- (a) When an aircraft fails to establish contact on the designated channel, on the previous channel used or on another channel appropriate to the route and fails to establish communication with the appropriate ATS unit, other ATS units or other aircraft using all available means, the aircraft shall transmit its message twice on the designated channel(s), preceded by the phrase 'TRANSMITTING BLIND and, if necessary, include the addressee(s) for which the message is intended.
- (b) When an aircraft is unable to establish communication due to receiver failure, it shall transmit reports at the scheduled times, or positions, on the channel in use, preceded by the phrase 'TRANSMITTING BLIND DUE TO RECEIVER FAILURE'. The aircraft shall:
- (1) transmit the intended message, following this by a complete repetition;
 - (2) advise the time of its next intended transmission; and
 - (3) when provided with ATS, transmit information regarding the intention of the pilot-in-command with respect to the continuation of the flight.

SERA.14087 Use of the relay communication technique

- (a) When an ATS unit has been unable to establish contact with an aircraft after calls on the frequencies on which the aircraft is believed to be listening, it shall:
- (1) request other ATS units to render assistance by calling the aircraft and relaying traffic, if necessary; and
 - (2) request aircraft on the same route to attempt to establish communication with the aircraft and relay traffic, if necessary.
- (b) The provisions of (a) shall also be applied:
- (1) at request of the ATS unit concerned; and
 - (2) when an expected communication from an aircraft has not been received within a time period such that the occurrence of a communication failure is suspected.

SERA.14090 Specific communication procedures

- (a) Movement of vehicles

Phraseologies for the movement of vehicles, other than tow-tractors, on the manoeuvring area shall be the same as those used for the movement of aircraft, with the exception of taxi instructions, in which case the word 'PROCEED' shall be substituted with the word 'TAXI' when communicating with vehicles.

- (b) Air traffic advisory service



The air traffic advisory service does not deliver 'clearances' but only 'advisory information'; it shall use the word 'advise' or 'suggest' when a course of action is proposed to an aircraft.

(c) Indication of heavy wake turbulence category

- (1) For aircraft in the heavy wake turbulence category, the word 'Heavy' shall be included immediately after the aircraft call sign in the initial radiotelephony contact between such aircraft and ATS units.
- (2) For specific aircraft in the heavy wake turbulence category, as identified by the competent authority, the word 'Super' shall be included immediately after the aircraft call sign in the initial radiotelephony contact between such aircraft and ATS units.

(d) Procedures related to weather deviation

When the pilot initiates communication with ATC, a rapid response may be obtained by stating 'WEATHER DEVIATION REQUIRED' to indicate that priority is desired on the frequency for ATC response. When necessary, the pilot shall initiate communication using the urgency call 'PAN PAN' (preferably spoken three times).

SERA.14095 Distress and urgency radiotelephony communication procedures

(a) General

- (1) Distress and urgency traffic shall comprise all radiotelephony messages relative to the distress and urgency conditions respectively. Distress and urgency conditions are defined as:
 - (i) *Distress*: a condition of being threatened by serious and/or imminent danger and of requiring immediate assistance.
 - (ii) *Urgency*: a condition concerning the safety of an aircraft or other vehicle, or of some person on board or within sight, but which does not require immediate assistance.
- (2) The radiotelephony distress signal MAYDAY and the radiotelephony urgency signal PAN PAN shall be used at the commencement of the first distress and urgency communication respectively. At the commencement of any subsequent communication in distress and urgency traffic, it shall be permissible to use the radiotelephony distress and urgency signals.
- (3) The originator of messages addressed to an aircraft in distress or urgency condition shall restrict to the minimum the number, volume and content of such messages as required by the condition.
- (4) If no acknowledgement of the distress or urgency message is made by the ATS unit addressed by the aircraft, other ATS units shall render assistance as prescribed in (b)(2) and (b)(3) respectively.
- (5) Distress and urgency traffic shall normally be maintained on the frequency on which such traffic was initiated until it is considered that better assistance can be provided by transferring that traffic to another frequency.



(6) In cases of distress and urgency communications, in general, the radiotelephony transmissions shall be made slowly and distinctly, each word being clearly pronounced to facilitate transcription.

(b) Radiotelephony distress communications

(1) Action by the aircraft in distress

In addition to being preceded by the radiotelephony distress signal 'MAYDAY' in accordance with (a)(2), preferably spoken three times, the distress message to be sent by an aircraft in distress shall:

- (i) be on the air-ground frequency in use at the time;
- (ii) consist of as many as possible of the following elements spoken distinctly and, if possible, in the following order:
 - (A) the name of the ATS unit addressed (time and circumstances permitting);
 - (B) the identification of the aircraft;
 - (C) the nature of the distress condition;
 - (D) the intention of the pilot-in-command; and
 - (E) the present position, level and heading.

(2) Action by the ATS unit addressed or the first ATS unit acknowledging the distress message

The ATS unit addressed by an aircraft in distress, or the first ATS unit acknowledging the distress message, shall:

- (i) immediately acknowledge the distress message;
- (ii) take control of the communications or specifically and clearly transfer that responsibility, advising the aircraft if a transfer has been made; and
- (iii) take immediate action to ensure that all necessary information is made available, as soon as possible, to:
 - (A) the ATS unit concerned; and
 - (B) the aircraft operator concerned or its representative in accordance with pre-established arrangements;
- (iv) warn other ATS units, as appropriate, in order to prevent the transfer of traffic to the frequency of the distress communication.

(3) Imposition of silence

- (i) The aircraft in distress, or the ATS unit in control of distress traffic, shall be permitted to impose silence either on all stations of the mobile service in the area or on any station which interferes with the distress traffic. It shall address these instructions 'to all stations' or to one station only, according to the circumstances. In either case, it shall use:
 - (A) 'STOP TRANSMITTING'; and



(B) the radiotelephony distress signal 'MAYDAY'.

(ii) The use of the signals specified in (b)(3)(i) shall be reserved for the aircraft in distress and for the ATS unit controlling the distress traffic.

(4) Action by all other ATS units/aircraft

(i) The distress communications have absolute priority over all other communications, and ATS units/aircraft aware of them shall not transmit on the frequency concerned unless:

(A) the distress is cancelled or the distress traffic is terminated;

(B) all distress traffic has been transferred to other frequencies;

(C) the ATS unit controlling communications gives permission; and

(D) it has itself to render assistance.

(ii) Any ATS unit/aircraft which has knowledge of distress traffic and which cannot itself assist the aircraft in distress shall nevertheless continue listening to such traffic until it is evident that assistance is being provided.

(5) Termination of distress communications and of silence

(i) When an aircraft is no longer in distress, it shall transmit a message cancelling the distress condition.

(ii) When the ATS unit which has controlled the distress communication traffic becomes aware that the distress condition is ended, it shall take immediate action to ensure that this information is made available, as soon as possible, to:

(A) the ATS unit concerned; and

(B) the aircraft operator concerned or its representative in accordance with pre-established arrangements.

(iii) The distress communication and silence conditions shall be terminated by transmitting a message, including the words 'DISTRESS TRAFFIC ENDED', on the frequency or frequencies being used for the distress traffic. This message shall be originated only by the ATS unit controlling the communications when, after the reception of the message prescribed in (b)(5)(i), it is authorised to do so by the competent authority.

(c) Radiotelephony urgency communications

(1) Action by the aircraft reporting an urgency condition except as indicated in (c)(4)

In addition to being preceded by the radiotelephony urgency signal PAN PAN in accordance with (a)(2), preferably spoken three times and each word of the group pronounced as the French word 'panne', the urgency message to be sent by an aircraft reporting an urgency condition shall:

(i) be on the air-ground frequency in use at the time; and



(ii) consist of as many as required of the following elements spoken distinctly and, if possible, in the following order:

- (A) the name of the ATS unit addressed;
- (B) the identification of the aircraft;
- (C) the nature of the urgency condition;
- (D) the intention of the pilot-in-command;
- (E) the present position, level and heading; and
- (F) any other useful information.

(2) Action by the ATS unit addressed or the first ATS unit acknowledging the urgency message

The ATS unit addressed by an aircraft reporting an urgency condition or the first ATS unit acknowledging the urgency message shall:

- (i) acknowledge the urgency message; and
- (ii) take immediate action to ensure that all necessary information is made available, as soon as possible, to:
 - (A) the ATS unit concerned; and
 - (B) the aircraft operator concerned or its representative in accordance with pre-established arrangements;
- (iii) if necessary, exercise control of communications.

(3) Action by all other ATS units/aircraft

The urgency communications have priority over all other communications except distress, and all ATS units/aircraft shall take care not to interfere with the transmission of urgency traffic.

(4) Action by an aircraft used for medical transports

- (i) The use of the signal described in (c)(4)(ii) shall indicate that the message which follows concerns a protected medical transport pursuant to the 1949 Geneva Conventions and Additional Protocols.
- (ii) For the purpose of announcing and identifying aircraft used for medical transports, a transmission of the radiotelephony urgency signal 'PAN PAN', preferably spoken three times, and each word of the group pronounced as the French word 'panne', shall be followed by the radiotelephony signal for medical transports 'MAY-DEE-CAL', pronounced as in French 'médical'. The use of the signals described above indicates that the message which follows concerns a protected medical transport.

The message shall convey the following data:

- (A) the call sign or other recognised means of identification of the medical transports;
- (B) the position of the medical transports;



- (C) the number and type of the medical transports;
 - (D) the intended route;
 - (E) the estimated time en route and of departure and arrival, as appropriate; and
 - (F) any other information such as flight altitude, radio frequencies guarded, languages used and secondary surveillance radar modes and codes.
- (5) Action by the ATS units addressed, or by other stations receiving a medical transports message
- The provisions under (c)(2) and (c)(3) shall apply as appropriate to ATS units receiving a medical transports message.

Appendix 1

Signals

- (...)
- 1.1.2. The telecommunication transmission procedures for the distress and urgency signals shall be in accordance with ~~Section 14 Volume II of Annex 10 to the Chicago Convention.~~
- (...)
- (a) 3.2.4. *Closed runways or taxiways*
- 3.2.4.1. Crosses of a single contrasting colour, ~~yellow or white~~ white on runways and yellow on taxiways (Figure A1-6), displayed horizontally on runways and taxiways or parts thereof indicate an area unfit for movement of aircraft.



Figure A1-6

- (...)
4. MARSHALLING SIGNALS
- 4.1. From a signalman/marshaller to an aircraft
- (...)
- 4.2. From the pilot of an aircraft to a signalman/marshaller
- 4.2.1. These signals shall be used by a pilot in the cockpit with hands plainly visible to the signalman/marshaller, and illuminated as necessary to facilitate observation by the signalman/marshaller.

~~4.2.1.1. Brakes~~

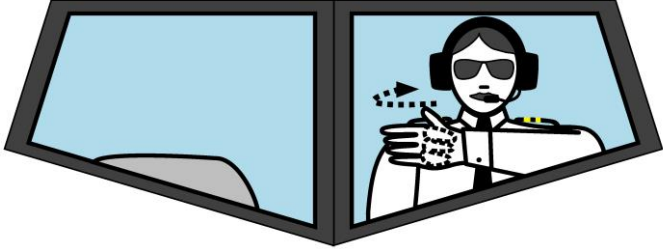
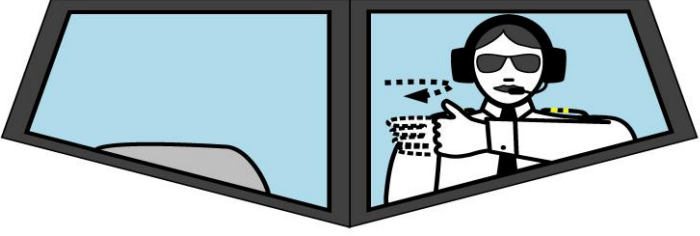
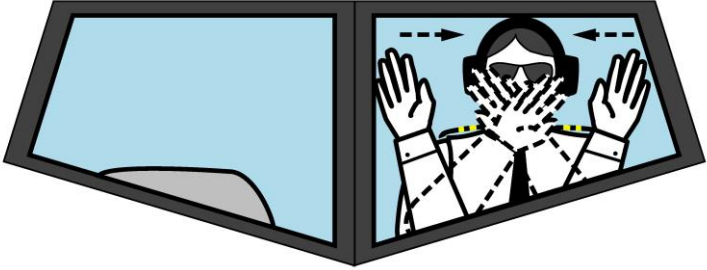

- ~~(a) Brakes engaged: raise arm and hand, with fingers extended, horizontally in front of face, then clench fist.~~
- ~~(b) Brakes released: raise arm, with fist clenched, horizontally in front of face, then extend fingers.~~

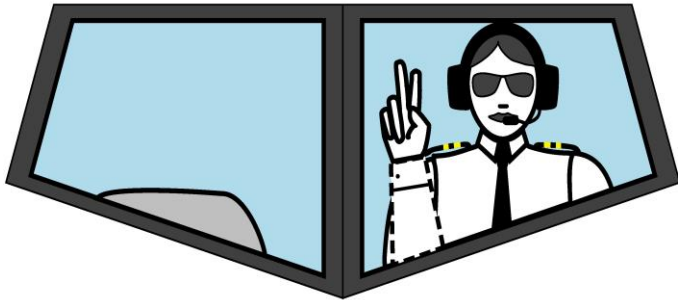
~~4.2.1.2. Chocks~~

- ~~(a) Insert chocks: arms extended, palms outwards, move hands inwards to cross in front of face.~~
- ~~(b) Remove chocks: hands crossed in front of face, palms outwards, move arms outwards.~~

~~4.2.1.3. Ready to start engine(s)~~

- ~~(a) Raise the appropriate number of fingers on one hand indicating the number of the engine to be started.~~

	(a) Brakes engaged: raise arm and hand, with fingers extended, horizontally in front of face, then clench fist
	(b) Brakes released: raise arm, with fist clenched, horizontally in front of face, then extend fingers.
	(c) Insert chocks: arms extended, palms outwards, move hands inwards to cross in front of face.
	(d) Remove chocks: hands crossed in front of face, palms outwards, move arms outwards.

	<p>(e) Raise the appropriate number of fingers on one hand indicating the number of the engine to be started.</p>
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4.3. Technical/servicing communication signals

(...)

Appendix 4

ATS airspace classes — services provided and flight requirements

(SERA.6001 and SERA.5025(b) refers)

<i>Class</i>	<i>Type of flight</i>	<i>Separation provided</i>	<i>Service provided</i>	<i>Speed limitation (*)</i>	<i>Radio communication capability requirement</i>	<i>Continuous two-way air-ground voice communication required</i>	<i>Subject to an ATC clearance</i>
A	IFR only	All aircraft	Air traffic control service	Not applicable	Yes	Yes	Yes
B	IFR	All aircraft	Air traffic control service	Not applicable	Yes	Yes	Yes
	VFR	All aircraft	Air traffic control service	Not applicable	Yes	Yes	Yes
C	IFR	IFR from IFR IFR from VFR	Air traffic control service	Not applicable	Yes	Yes	Yes
	VFR	VFR from IFR	(1) Air traffic control service for separation from IFR; (2) Air traffic control service, VFR/VFR traffic information (and traffic avoidance advice on request)	250 kts IAS below 3 050 m (10 000 ft) AMSL	Yes	Yes	Yes
D	IFR	IFR from IFR	Air traffic control service, traffic information about VFR flights (and traffic avoidance advice on request)	250 kts IAS below 3 050 m (10 000 ft) AMSL	Yes	Yes	Yes



<i>Class</i>	<i>Type of flight</i>	<i>Separation provided</i>	<i>Service provided</i>	<i>Speed limitation (*)</i>	<i>Radio communication capability requirement</i>	<i>Continuous two-way air-ground voice communication required</i>	<i>Subject to an ATC clearance</i>
	VFR	Nil	Air traffic control service, IFR/VFR and VFR/VFR traffic information (and traffic avoidance advice on request)	250 kts IAS below 3 050 m (10 000 ft) AMSL	Yes	Yes	Yes
E	IFR	IFR from IFR	Air traffic control service and, as far as practical, traffic information about VFR flights	250 kts IAS below 3 050 m (10 000 ft) AMSL	Yes	Yes	Yes
	VFR	Nil	Traffic information as far as practical	250 kts IAS below 3 050m (10 000 ft) AMSL	No (**)	No (**)	No
F	IFR	IFR from IFR as far as practical	Air traffic advisory service; flight information service if requested	250 kts IAS below 3 050m (10 000ft) AMSL	Yes (***)	No (***)	No
	VFR	Nil	Flight information service if requested	250kts IAS below 3 050m (10 000ft) AMSL	No (**)	No (**)	No



<i>Class</i>	<i>Type of flight</i>	<i>Separation provided</i>	<i>Service provided</i>	<i>Speed limitation (*)</i>	<i>Radio communication capability requirement</i>	<i>Continuous two-way air-ground voice communication required</i>	<i>Subject to an ATC clearance</i>
G	IFR	Nil	Flight information service if requested	250 kts IAS below 3 050 m (10 000 ft) AMSL	Yes (**)	No (**)	No
	VFR	Nil	Flight information service if requested	250 kts IAS below 3 050 m (10 000 ft) AMSL	No (**)	No (**)	No
(*) When the level of the transition altitude is lower than 3 050 m (10 000 ft) AMSL, FL 100 should be used in lieu of 10 000 ft.							
(**) Pilots shall maintain continuous air-ground voice communication watch and establish two-way communication, as necessary, on the appropriate communication channel in RMZ.							
(***) Air-ground voice communications mandatory for flights participating in the advisory service. Pilots shall maintain continuous air-ground voice communication watch and establish two-way communication, as necessary, on the appropriate communication channel in RMZ.							



Appendix 5

REQUIREMENTS REGARDING SERVICES IN AIR NAVIGATION

Technical specifications related to aircraft observations and reports by voice communications

A. Reporting instructions**MODEL AIREP SPECIAL**

ITEM	PARAMETER	TRANSMIT IN TELEPHONY as appropriate
—	Message-type designator: • special air-report	[AIREP] SPECIAL

Section 1	1	Aircraft identification	(aircraft identification)
	2	Position	POSITION (latitude and longitude) OVER (significant point) ABEAM (significant point) (significant point) (bearing) (distance)
	3	Time	(time)
	4	Level	FLIGHT LEVEL (number) or (number) METRES or FEET CLIMBING TO FLIGHT LEVEL (number) or (number) METRES or FEET DESCENDING TO FLIGHT LEVEL (number) or (number) METRES or FEET
	5	Next position and estimated time over	(position) (time)
	6	Ensuing significant point	(position) NEXT
Section 2	7	Estimated time of arrival	(aerodrome) (time)
	8	Endurance	ENDURANCE (hours and minutes)
Section 3	9	Phenomenon encountered or observed, prompting a special air-report: • Moderate turbulence • Severe turbulence • Moderate icing • Severe icing • Severe mountainwave • Thunderstorms without hail • Thunderstorms with hail • Heavy dust/sandstorm • Volcanic ash cloud • Pre-eruption volcanic activity or volcanic eruption	TURBULENCE MODERATE TURBULENCE SEVERE ICING MODERATE ICING SEVERE MOUNTAINWAVE SEVERE THUNDERSTORMS THUNDERSTORMS WITH HAIL DUSTSTORM or SANDSTORM HEAVY VOLCANIC ASH CLOUD PRE-ERUPTION VOLCANIC ACTIVITY or VOLCANIC ERUPTION



1. CONTENTS OF AIR-REPORTS

1.1 Position reports and Special air-reports

1.1.1 Section 1 is obligatory for position reports and special air-reports, although Items 5 and 6 thereof may be omitted. Section 2 shall be added, in whole or in part, only when so requested by the operator or its designated representative, or when deemed necessary by the pilot-in-command. Section 3 shall be included in special air-reports.

~~1.1.1 The elements contained in special air reports shall be:~~

~~Message type designator~~

~~Section 1 (Position information)~~

~~Aircraft identification~~

~~Position or latitude and longitude~~

~~Time~~

~~Level or range of levels~~

~~Section 3 (Meteorological information)~~

1.1.2 Condition prompting the issuance of a special air-report, to be selected from the list presented in SERA.12005(a).

1.1.3 In the case of special air-reports containing information on volcanic activity, a post-flight report shall be issued using the volcanic activity reporting form (Model VAR). All elements which are observed shall be recorded and indicated respectively in the appropriate places on the form Model VAR.

1.1.4 Special air-reports shall be issued as soon as practicable after a phenomenon calling for a special air-report has been observed.

1.1.5 If a phenomenon warranting the issuance of a special air-report is observed at or near the time or place where a routine air-report is to be issued, a special air-report shall be issued instead.

2. Detailed reporting instructions

2.1 Items of an air-report shall be reported in the order in which they are listed in the model AIREP SPECIAL form.

— MESSAGE TYPE DESIGNATOR. Report 'SPECIAL' for a special air-report.

Section 1

Item 1 — AIRCRAFT IDENTIFICATION. Report the aircraft radiotelephony call sign as prescribed in SERA.14050.

Item 2 — POSITION. Report position in latitude (degrees as 2 numerics or degrees and minutes as 4 numerics, followed by 'North' or 'South') and longitude (degrees as 3 numerics or degrees and minutes as 5 numerics followed by 'East' or 'West'), or as a significant point identified by a coded designator (2 to 5 characters), or as a significant point followed by magnetic bearing (3



numerics) and distance from the point in nautical miles. Precede significant point with 'ABEAM', if applicable.

Item 3 — TIME. Report time in hours and minutes UTC (4 numerics) unless reporting time in minutes past the hour (2 numerics) is prescribed on the basis of regional air navigation agreements. The time reported must be the actual time of the aircraft at the position and not the time of origination or transmission of the report. Time shall always be reported in hours and minutes UTC when issuing a special air-report.

Item 4 — FLIGHT LEVEL OR ALTITUDE. Report flight level by 3 numerics when on standard pressure altimeter setting. Report altitude in metres followed by 'METRES' or in feet followed by 'FEET' when on QNH. Report 'CLIMBING' (followed by the level) when climbing or 'DESCENDING' (followed by the level) when descending to a new level after passing the significant point.

Item 5 — NEXT POSITION AND ESTIMATED TIME OVER. Report the next reporting point and the estimated time over such reporting point, or report the estimated position that will be reached one hour later according to the position reporting procedures in force. Use the data conventions for position specified in Item 2. Report the estimated time over this position. Report time in hours and minutes UTC (4 numerics) unless reporting time in minutes past the hour (2 numerics) as prescribed by regional air navigation agreements.

Item 6 — ENSUING SIGNIFICANT POINT. Report the ensuing significant point following the 'next position and estimated time over'.

Section 2

Item 7 — ESTIMATED TIME OF ARRIVAL. Report the name of the aerodrome for the first intended landing, followed by the estimated time of arrival at this aerodrome in hours and minutes UTC (4 numerics).

Item 8 — ENDURANCE. Report 'ENDURANCE' followed by fuel endurance in hours and minutes (4 numerics).

Section 3

Item 9 — PHENOMENON PROMPTING A SPECIAL AIR-REPORT. Report one of the following phenomena encountered or observed:

- moderate turbulence as 'TURBULENCE MODERATE'; and
- severe turbulence as 'TURBULENCE SEVERE'.

The following specifications apply:

- **Moderate** — Conditions in which moderate changes in aircraft attitude and/or altitude may occur but the aircraft remains in positive control at all times. Usually, small variations in airspeed. Changes in accelerometer readings of 0.5 g to 1.0 g at the aircraft's centre of gravity. Difficulty in walking. Occupants feel strained against seat belts. Loose objects move about.
- **Severe** — Conditions in which abrupt changes in aircraft attitude and/or altitude occur; aircraft may be out of control for short periods. Usually, large variations in



airspeed. Changes in accelerometer readings greater than 1.0 g at the aircraft's centre of gravity. Occupants are forced violently against seat belts. Loose objects are tossed around.

— moderate icing as 'ICING MODERATE', severe icing as 'ICING SEVERE';

The following specifications apply:

- Moderate — Conditions in which change of heading and/or altitude may be considered desirable.
- Severe — Conditions in which immediate change of heading and/or altitude is considered essential.

— Severe mountain wave as 'MOUNTAIN WAVE SEVERE';

The following specification applies:

Severe — Conditions in which the accompanying downdraft is 3.0 m/s (600 ft/min) or more and/or severe turbulence is encountered.

— Thunderstorm without hail as 'THUNDERSTORM', thunderstorm with hail as 'THUNDERSTORM WITH HAIL';

The following specification applies:

Only report those thunderstorms which are:

- obscured in haze; or
- embedded in cloud; or
- widespread; or
- forming a squall line.

— Heavy dust storm or sandstorm as 'DUSTS TORM HEAVY' or SANDSTORM HEAVY' respectively;

— Volcanic ash cloud as 'VOLCANIC ASH CLOUD';

— Pre-eruption volcanic activity or a volcanic eruption as 'PRE-ERUPTION VOLCANIC ACTIVITY' or 'VOLCANIC ERUPTION' respectively;

The following specification applies:

'Pre-eruption volcanic activity' in this context means unusual and/or increasing volcanic activity which could presage a volcanic eruption.

2.2 Information recorded on the volcanic activity reporting form (Model VAR) is not for transmission by RTF but, on arrival at an aerodrome, is to be delivered without delay by the operator or a flight crew member to the aerodrome meteorological office. If such an office is not easily accessible, the completed form shall be delivered in accordance with local arrangements agreed upon between MET and ATS providers and the aircraft operator.



3. Forwarding of meteorological information received by voice communications

When receiving special air-reports, ATS units shall forward these air-reports without delay to the associated meteorological watch office (MWO). In order to ensure assimilation of air-reports in ground-based automated systems, the elements of such reports shall be transmitted using the data conventions specified below and in the order prescribed.

- ADDRESSEE. Record the station called and, when necessary, the relay required.
- MESSAGE TYPE DESIGNATOR. Record 'ARS' for a special air-report.
- AIRCRAFT IDENTIFICATION. Record the aircraft identification using the data convention specified for Item 7 of the flight plan, without a space between the operator's designator and the aircraft registration or flight identification, if used.

Section 1

Item 0 — POSITION. Record position in latitude (degrees as 2 numerics or degrees and minutes as 4 numerics, followed, without a space, by N or S) and longitude (degrees as 3 numerics or degrees and minutes as 5 numerics, followed without a space by E or W), or as a significant point identified by a coded designator (2 to 5 characters), or as a significant point followed by magnetic bearing (3 numerics) and distance from the point in nautical miles (3 numerics). Precede significant point with 'ABEAM', if applicable.

Item 1 — TIME. Record time in hours and minutes UTC (4 numerics).

Item 2 — FLIGHT LEVEL OR ALTITUDE. Record 'F' followed by 3 numerics (e.g. 'F310') when a flight level is reported. Record altitude in metres followed by 'M' or in feet followed by 'FT' when an altitude is reported. Record 'ASC' (level) when climbing or 'DES' (level) when descending.

Section 2

Item 9 — PHENOMENON PROMPTING A SPECIAL AIR-REPORT. Record the phenomenon reported as follows:

- moderate turbulence as 'TURB MOD';
- severe turbulence as 'TURB SEV';
- moderate icing as 'ICE MOD';
- severe icing as 'ICE SEV';
- severe mountain wave as 'MTW SEV';
- thunderstorm without hail as 'TS';
- thunderstorm with hail as 'TSGR';
- heavy dust storm or sandstorm as 'HVV SS';
- volcanic ash cloud as 'VA CLD';
- pre-eruption volcanic activity or a volcanic eruption as 'VA';
- hail as 'GR'; and
- cumulonimbus clouds as 'CB'.



TIME TRANSMITTED. Record only when Section 3 is transmitted.

42. SPECIFIC PROVISIONS RELATED TO REPORTING WIND SHEAR AND VOLCANIC ASH

42.1 Reporting of wind shear

42.1.1 When reporting aircraft observations of wind shear encountered during the climb-out and approach phases of flight, the aircraft type shall be included.

42.1.2 Where wind shear conditions in the climb-out or approach phases of flight were reported or forecast but not encountered, the pilot-in-command shall advise the appropriate air traffic services unit as soon as practicable unless the pilot-in-command is aware that the appropriate air traffic services unit has already been so advised by a preceding aircraft.

42.2 Post-flight reporting of volcanic activity

42.2.1 On arrival of a flight at an aerodrome, the completed report of volcanic activity shall be delivered by the aircraft operator or a flight crew member, without delay, to the aerodrome meteorological office, or if such office is not easily accessible to arriving flight crew members, the completed form shall be dealt with in accordance with local arrangements ~~made by the meteorological authority~~ agreed upon between MET and ATS providers and the aircraft operator.

42.2.2 The completed report of volcanic activity received by a meteorological office shall be transmitted without delay to the meteorological watch office responsible for the provision of meteorological watch for the flight information region in which the volcanic activity was observed



B. Special air-report of volcanic activity form (Model VAR)**MODEL VAR: to be used for post-flight reporting****VOLCANIC ACTIVITY REPORT**

Air-reports are critically important in assessing the hazards which volcanic ash cloud presents to aircraft operations.

OPERATOR:			A/C IDENTIFICATION: (as indicated on flight plan)		
PILOT-IN-COMMAND:					
DEP FROM:	DATE:	TIME, UTC:	ARR AT:	DATE:	TIME, UTC:
ADDRESSEE			AIREP SPECIAL		
Items 1-8 are to be reported immediately to the ATS unit that you are in contact with.					
1) AIRCRAFT IDENTIFICATION			2) POSITION		
3) TIME			4) FLIGHT LEVEL OR ALTITUDE		
5) VOLCANIC ACTIVITY OBSERVED AT (position or bearing, estimated level of ash cloud and distance from aircraft)					
6) AIR TEMPERATURE			7) SPOT WIND		
8) SUPPLEMENTARY INFORMATION			Other _____		
SO ₂ detected Yes <input type="checkbox"/> No <input type="checkbox"/>					
Ash encountered Yes <input type="checkbox"/> No <input type="checkbox"/>			(Brief description of activity especially vertical and lateral extent of ash cloud and, where possible, horizontal movement, rate of growth, etc.)		
After landing complete items 9-16 then fax form to: (Fax number to be provided by the meteorological authority based on local arrangements between the meteorological authority and the operator concerned.)					
9) DENSITY OF ASH CLOUD	<input type="checkbox"/> (a) Wispy	<input type="checkbox"/> (b) Moderate dense	<input type="checkbox"/> (c) Very dense		
10) COLOUR OF ASH CLOUD	<input type="checkbox"/> (a) White	<input type="checkbox"/> (b) Light grey	<input type="checkbox"/> (c) Dark grey		
	<input type="checkbox"/> (d) Black	<input type="checkbox"/> (e) Other _____			
11) ERUPTION	<input type="checkbox"/> (a) Continuous	<input type="checkbox"/> (b) Intermittent	<input type="checkbox"/> (c) Not visible		
12) POSITION OF ACTIVITY	<input type="checkbox"/> (a) Summit	<input type="checkbox"/> (b) Side	<input type="checkbox"/> (c) Single		
	<input type="checkbox"/> (d) Multiple	<input type="checkbox"/> (e) Not observed			
13) OTHER OBSERVED FEATURES OF ERUPTION	<input type="checkbox"/> (a) Lightning	<input type="checkbox"/> (b) Glow	<input type="checkbox"/> (c) Large rocks		
	<input type="checkbox"/> (d) Ash fallout	<input type="checkbox"/> (e) Mushroom cloud	<input type="checkbox"/> (f) All		
14) EFFECT ON AIRCRAFT	<input type="checkbox"/> (a) Communication	<input type="checkbox"/> (b) Navigation systems	<input type="checkbox"/> (c) Engines		
	<input type="checkbox"/> (d) Pitot static	<input type="checkbox"/> (e) Windscreen	<input type="checkbox"/> (f) Windows		
15) OTHER EFFECTS	<input type="checkbox"/> (a) Turbulence	<input type="checkbox"/> (b) St. Elmo's Fire	<input type="checkbox"/> (c) Other fumes		
16) OTHER INFORMATION (Any information considered useful.)					



Supplement to the ANNEX

List of commonly agreed differences to be notified to ICAO in accordance with Article 5 of this Regulation:

Difference A2-04	
ICAO Annex 2 Chapter 3 3.3.1.2.	ICAO Annex 2, 3.3.1.2 is replaced with Implementing Regulation (EU) No 923/2012 SERA.4001(b). The differences between this ICAO Standard and this Union regulation are as follows: <ul style="list-style-type: none"> — With regards to VFR flights planned to operate across international borders, the Union regulation (SERA.4001(b)(5)) differs from the ICAO Standard in Annex 2, 3.3.1.2(e) with the addition of the underlined text, as follows: <i>'any flight across international borders, <u>unless otherwise prescribed by the States concerned.</u>'</i> — With regard to VFR and IFR flights planned to operate at night, an additional requirement is inserted to Union regulation SERA.4001(b)(6) as follows: <i>'(6) any flight planned to operate at night, if leaving the vicinity of an aerodrome'</i> This difference is also addressed in Difference A2-06 below for VFR.
(...)	
Difference A2-06	
ICAO Annex 2 Chapter 4 4.3.	<p>New provision. ICAO Annex 2, 4.3, is replaced with Implementing Regulation (EU) No 923/2012 SERA.5005(c). The difference is that Implementing Regulation (EU) No 923/2012 adds requirements under which VFR flights at night may be permitted, as follows:</p> <p>'(c) When so prescribed by the competent authority, VFR flights at night may be permitted under the following conditions:</p> <ul style="list-style-type: none"> (1) if leaving the vicinity of an aerodrome, a flight plan shall be submitted; (2) flights shall establish and maintain two-way radio communication on the appropriate ATS communication channel, when available; (3) the VMC visibility and distance from cloud minima as specified in Table S5-1 shall apply except that: <ul style="list-style-type: none"> (i) the ceiling shall not be less than 450 m (1 500 ft); (ii) except as specified in (c)(4), the reduced flight visibility provisions specified in Table S5-1(a) and (b) shall not apply; (iii) in airspace classes B, C, D, E, F and G, at and below 900 m (3 000 ft) above MSL or 300 m (1 000 ft) above terrain, whichever is the higher, the pilot shall maintain continuous sight of the surface; (iv) for helicopters in airspace classes F and G, flight visibility shall not be less than 3 km, provided that the pilot maintains continuous sight of the surface and if manoeuvred at a speed that will give adequate opportunity to observe other traffic or obstacles in time to avoid collision; and (v) for mountainous terrain, higher VMC visibility and distance from cloud minima may be prescribed. (4) ceiling, visibility and distance from cloud minima lower than those specified 4.3(c) above may be permitted for helicopters in special cases, such



	<p>as medical flights, search and rescue operations and fire fighting.</p> <p>(5) except when necessary for take off or landing, or except when specifically authorised by the competent authority, a VFR flight at night shall be flown at a level which is not below the minimum flight altitude established by the State whose territory is overflown, or, where no such minimum flight altitude has been established:</p> <p>(i) over high terrain or in mountainous areas, at a level which is at least 600 m (2 000 ft) above the highest obstacle located within 8 km of the estimated position of the aircraft;</p> <p>(ii) elsewhere than as specified in (i), at a level which is at least 300 m (1 000 ft) above the highest obstacle located within 8 km of the estimated position of the aircraft.'</p>
(…)	
<p>Difference A10-01</p> <p>ICAO Annex 10</p> <p>Volume II</p> <p>Chapter 5</p> <p>5.2.1.4.1</p>	<p>ICAO Annex 10, Volume II, Chapter 5.2.1.4.1 is transposed in SERA.14035 with some differences. The differences between this ICAO Standard and this EU Regulation are as follows:</p> <p>SERA.14035 Transmission of numbers in radiotelephony</p> <p>(a) Transmission of numbers</p> <p>(1) All numbers used in the transmission of aircraft call sign, headings, runway, wind direction and speed shall be transmitted by pronouncing each digit separately.</p> <p>(i) Flight levels shall be transmitted by pronouncing each digit separately except for the case of flight levels in whole hundreds.</p> <p>(ii) The altimeter setting shall be transmitted by pronouncing each digit separately except for the case of a setting of 1 000 hPa which shall be transmitted as 'ONE THOUSAND'.</p> <p>(iii) All numbers used in the transmission of transponder codes shall be transmitted by pronouncing each digit separately except that, when the transponder codes contain whole thousands only, the information shall be transmitted by pronouncing the digit in the number of thousands followed by the word 'THOUSAND'.</p> <p>(2) All numbers used in transmission of other information than those described in (a)(1) shall be transmitted by pronouncing each digit separately, except that all numbers containing whole hundreds and whole thousands shall be transmitted by pronouncing each digit in the number of hundreds or thousands followed by the word 'HUNDRED' or 'THOUSAND', as appropriate. Combinations of thousands and whole hundreds shall be transmitted by pronouncing each digit in the number of thousands followed by the word 'THOUSAND', followed by the number of hundreds, followed by the word 'HUNDRED'.</p> <p>(3) In cases where there is a need to clarify the number transmitted as whole thousands and/or whole hundreds, the number shall be transmitted by</p>



	<p>pronouncing each digit separately.</p> <p>(4) When providing information regarding relative bearing to an object or to conflicting traffic in terms of the 12-hour clock, the information shall be given pronouncing the digits together such as 'TEN O'CLOCK' or 'ELEVEN O'CLOCK'.</p> <p>(5) Numbers containing a decimal point shall be transmitted as prescribed in (a)(1) with the decimal point indicated by the word 'DECIMAL' in appropriate sequence.</p> <p>(6) All six digits of the numerical designator shall be used to identify the transmitting channel in VHF radiotelephony communications except in the case of both the fifth and sixth digits being zeros, in which case only the first four digits shall be used.</p>
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4. Individual comments and responses

In responding to comments, a standard terminology has been applied to attest the Agency's position. This terminology is as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

4.1. CRD table of comments, responses and resulting text

(General comments)	
comment	<p>44 comment by: René Meier, Europe Air Sports</p> <p>Europe Air Sports (EAS), European Powered Flying Union (EPFU) and Aero-Club of Switzerland thank the Agency for the preparation of this NPA on SERA Part C which according to 2.3.2 on page 8/170 and 6.2.2.1 on page 156/170 will apply to all aircraft and therefore is important to our community.</p> <p>These days a European Ballooning Federation will be founded. The author of these lines is member of this founding committee. You will therefore also find comments with regards to ballooning.</p>
response	<p><i>Noted</i></p>
comment	<p>120 comment by: skyguide Corporate Regulation Management</p> <p>Principles of transposing ICAO SARPs into SERA Part C</p> <p><i>Part C is developed using SERA drafting principle upon which the "rule of the air" is the rule that entails "collective action", where as "collective" means both ground and airborne sides. It was the original SERA mandate issued to EUROCONTROL by European Commission that established that "due to historical reasons, not all of these rules or recommendations are contained in Annex 2 ("Rules of the Air"), but are spread over several annexes and documents". The Mandate, hence, encouraged inclusion of the provisions that qualify to be a rule of the air into SERA (even if they are taken from an ICAO document other than Annex 2), to achieve a coherent and consistent European Regulation. Consequently, the drafting principle of SERA was introduced with an "inclusive function".</i></p> <p><i>However, with the extension of EASA remits to ATM and the resulting extension of the original SERA mandate into Parts B and C, the same drafting principle of "rule of the air" has been kept, this time with an opposite purpose. Namely, as elaborated in NPA 2011-02, page 60 (SERA Part B), the drafting principle was used "when deciding on the allocation of</i></p>



candidate ICAO material to SERA or other EASA/SES rules". This time, the ICAO provisions from documents already considered in the framework of SERA (e.g. PANS-ATM) were considered so as to identify which of them is to be left out of SERA. Consequently, the same original SERA drafting principle started being used for an "exclusive function."

Draft SERA C continued with the use of the same drafting principle, for a function completely opposite than the one it was originally designed for. It, however, resulted in a draft for which it is very difficult to tell how certain provisions of PANS-ATM qualified to be included, while some others did not. Skyguide provides several individual comments further that are aimed in support of this observation.

Skyguide again takes the opportunity to state that the ICAO documents, and in particular PANS-ATM, have been being developed creating and achieving an organic consistence of ATS procedures. Further, they have been there for the entire lifetime of today's European ATM systems, and many of the elements of these systems, primarily the operations manuals, have been developed and established to reflect this.

Consistent application of SERA drafting principle, for a purpose opposite to what it was originally designed for results in ICAO PANS-ATM procedures being decomposed into segments that are of pilot's concern and those that are only related to ground coordination, to the extent that they face ending up in different European Regulations.

Skyguide is aware that EASA's standard practice has been to place the requirements for each stakeholder in a separate document, so that each stakeholder only needs to go to one document to find the requirements which they must apply. However, with the expansion of EASA regulatory remit and the regulatory landscape of European aviation, such approach becomes unsustainable. Already today, there are examples of regulatory requirements addressing the same stakeholder, but placed in different regulatory package, as they address the different problem area (e.g. EC Regulations 965/2012 on Air Operations and 923/2013 on SERA, both directly applicable to pilot-in-command).

The principle of "rule of the air" as "collective action", when used in an exclusive manner ("what is not a rule of the air"), instead of an inclusive manner ("is this a rule of the air"), can have adverse effect on:

- ANSP effort needed to reach and maintain compliance with European legislation that comes into place instead of ICAO,
- Consistent evolution of closely related pieces of procedures that had been decomposed by exclusive implementation of the "rule of the air" principle,
- Effort on behalf of Member States in maintaining ongoing consistency with ICAO, and participation in ICAO evolution.

EASA is invited to reconsider, in the light of these observations and identified hazards, the use of the "rule of the air" drafting principle for its current exclusive function. EASA is invited to reconsider the different regulatory structure upon which all relevant provisions of PANS-ATM may be transposed into European legislative framework, but preserved in a single Regulatory document.

response

Not accepted

As described in the NPA, its main objectives are:

- to maintain a high level of safety;
- to complete the initial objective of Regulation (EU) No 923/2012, namely the harmonisation of the rules of the air and operational procedures for the use of European airspace;



- to maintain the SERA IR Regulation aligned with developments of ICAO Annexes; and
- to align the SERA IR Regulation with the provisions in other fields of aviation to ensure a total system approach.

In the development of the NPA, the Agency and Eurocontrol used the drafting principles that would facilitate these objectives, taking into consideration the input from the stakeholders and the obligations stemming from the Basic Regulation. Therefore, the method used for the inclusion or exclusion of certain ICAO provisions is a result of the original aim and the task given to the Agency.

The ICAO provisions that have been included in the rule proposal do not introduce any new requirement for or obligations to the Member States. Instead, the Agency is of the opinion that this will serve the purpose of uniform application of the already existing requirements.

It was considered that ICAO SARPs and PANS are complementary and, in some cases, such transposition from PANS provisions into SERA is done with intent to achieve completeness of the rule. In fact, the provisions transposed from PANS are very few and will not affect the future RMT.0464 on Part ATS.

comment

121

comment by: skyguide Corporate Regulation Management

Paragraph formatting

What looked as a convenient formatting for transposing SARPs from Annexes became rather inconvenient when SERA is expanded for the PANS-ATM material. We ended up in having, e.g. SERA11.013, (c) (2) (iii). This formatting makes SERA very difficult to read, and even more difficult to use as reference source in other documents.

response

Noted

The formatting is a typical formatting for EASA rules. It is recognised that in some cases it may be a bit complex but it still fits the purposes.

comment

129

comment by: Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)

Definition no 57 (EU) 923/2012

We propose that definition number 57 “controlled aerodrome” be changed to comply with ICAO. The current EASA definition saying that a controlled aerodrome can be without a CTR, causes a problem in Sweden as we only have two airspace classes, C and G. So if there is no CTR it will automatically be uncontrolled airspace in Sweden.

Compare ICAO definition for controlled airspace.

ICAO: **Controlled airspace.** An airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification. *Note.— Controlled airspace is a generic term which covers ATS airspace Classes A, B, C, D and E as described in Annex 11, 2.6.*



response *Not accepted*

Definition 57 is about 'controlled aerodrome' which may exist with or without controlled airspace. The SERA definition of 'controlled aerodrome' is in line with the ICAO Annex 2 definition and complements the ICAO definition taking also into account the relevant note. It allows for a controlled aerodrome to be located in Class G airspace.

comment

130

comment by: *Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)*

(EU) 923/2012 SERA 6001

The requirement that it is the competent authority that decides exemptions to the requirement of IAS 250 kt under 10 000 ft should be moved to the ATS unit as it is an operative decision by the ATCO on request by the pilot.

response *Not accepted*

It is considered that the responsibility of the competent authority with regard to the safety assessment must be maintained. This already existing provision also takes into account the need to apply the 'see and avoid' principle, which should be applied to certain speed limits. For some classes of the airspace and where no separation is provided, such a decision should not be taken by the ATCO.

comment

131

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

ICAO differences

We are in support of the reduction of differences to ICAO that has been made

response *Noted*

comment

132

comment by: *Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)*

Definitions

We think that a definition should be so informative that anyone can understand it, therefore we don't understand why a definition needs GM. We hope that this part of SERA don't generate more GM to any definitions.



response *Noted*

GM to definitions often comes from ICAO notes to ICAO definitions which were useful to be kept but not designed to be integrated into binding material, which is the status of the definitions in SERA. This was the best way identified to remain as close as possible to ICAO while using EU regulatory tools.

comment 190

comment by: *ENAV*

The decision to extract and add single paragraphs, or parts thereof, from ICAO Docs 4444, 8168 and 7030, implies certain issues, among which:

- **while it would hardly be possible to say that many of the selected excerpts do not fit into SERA, the same could be the case of many others. The criteria for selection remain subjective;**
- **potential inconsistencies stemming from the fact that the integrity of those documents have not been maintained are not likely to emerge through the NPA, as – due to general time and effort constraints – comments will reasonably focus on the parts which have been included, rather than on those who have not;**
- **to this it should be added that, while the non-selected parts will remain ICAO PANS, the selected ones will acquire the status of European law. Though this is in fact the purpose of their inclusion, it will increase the risk of such inconsistencies;**
- **the maintenance of SERA vs ICAO amendments becomes more and more complicated.**

response *Noted*

It is not considered that the current proposal would create inconsistencies between ICAO PANS and SERA as the status of the text may have changed, but its content or intention was maintained unless it would be the subject of a difference and then it would normally be identified.

comment 289

comment by: *Malta Air Traffic Controllers' Association*

The implementation of SERA amendments will have a direct impact on personnel, training and the adaptation of national legislations. We fear that all the modifications will be done "as is" and little or no training will be provided to the personnel on this topic. What seems to be a contradiction is the effort to reduce costs on ANSPs and NSAs while at



the same time increasing their workload with additional legal adaptations that are so wide as an overall rules of the air...

response *Noted*

The proposed provisions are based on already existing ICAO provisions which have been in place for a long time. Thus, any need for additional extensive training was not identified. The need for training would only exist in places where the existing national differences from ICAO will be affected by the proposed transposition. The need for additional training should be identified on a case-by-case basis and the personnel should be ready for the rule application at the applicably date.

Harmonisation of the rules will bring benefits in the long term and it is not considered that SERA amendments will somehow have a negative impact on the Member States when they reach their performance objectives for cost efficiency.

comment 325

comment by: *AIRBUS*

Airbus strongly supports the EASA initiative to harmonize the SERA IR Regulation with the ICAO Annexes.

In consequence, we would like that the Agency explains in details the "maintenance process" to align with the future ICAO amendments.

response *Noted*

comment 326

comment by: *Danish Transport Authority*

We welcome the principles behind the proposed inclusions of ICAO provisions that will lead to an amended Regulation 923/2012.

We are however of the general opinion that the European regulations shall follow as close as possible the ICAO provisions. Only after an amendment to provisions at global level (ICAO SARPS) or at European level (Doc 7030 (EUR SUPPS)), such amendments should form part of EU legislation. By following this process, you ensure transparency at global level.

The above comment should be taken as a generic position provided that no other comments are made to the specific paragraph/item in the NPA.

response *Noted*

This was the principle followed in the SERA drafting, as requested by the mandate, that the IR 'should prioritise ICAO compliant solutions'. Subsequently, the number of differences notified to ICAO by the EU should be reduced from hundreds to about 15.



comment	<p>327 comment by: <i>ATCEUC - Air Traffic Controllers European Unions Coordination</i></p> <p>The implementation of SERA amendments will have a direct impact on personnel, training and the adaptation of national legislations. We fear that all the modifications will be done "as is" and little or no training will be provided to the personnel on this topic.</p> <p>What seems to be a contradiction is the effort to reduce costs on ANSPs and NSAs while at the same time increasing their workload with additional legal adaptations that are so wide as an overall Rules of the Air.</p>
response	<p><i>Noted</i></p> <p>The proposed provisions are based on already existing ICAO provisions which have been in place for a long time. Thus, any need for additional extensive training was not identified. The need for training would only exist in places where the existing national differences from ICAO will be affected by the proposed transposition. The need for additional training should be identified on a case-by-case basis and the personnel should be ready for the rule application at the applicably date.</p> <p>Harmonisation of the rules will bring benefits in the long term and it is not considered that SERA amendments will somehow have a negative impact on the Member States when they reach their performance objectives for cost efficiency.</p>
comment	<p>348 comment by: <i>Polish NSA</i></p> <p>Consider including in SERA preamble provision on <i>EUROAT Specification</i> application in EU (as per analogy to <i>ASM Handbook</i> in 549/2004 preamble 22)</p> <p>Although the time foreseen for the implementation of <i>EUROAT Specification</i> is 9 to 12 months after the publication of specification and by that time SERA Part C will have not been implemented, by putting reference into SERA preamble, <i>EUROAT Specification</i> will have a stronger basis and obligation to implement.</p>
response	<p><i>Not accepted</i></p> <p>While it is recognised that the EUROAT Specification, developed by EUROCONTROL, will support significant progress in the harmonisation of OAT practices in Europe, it should be noted that SERA is a Regulation which applies to GAT. It is unlikely that any reference to EUROAT in SERA would affect the sovereign decision of States on their intended usage of EUROAT.</p>
comment	<p>389 comment by: <i>Federal Office of Civil Aviation FOCA</i></p> <p>1. In many ways SERA Part C is a patchwork document consisting of provisions stemming from various ICAO Standards and Recommended practices (i.e. its annexes and PANS-documents). FOCA has certain doubts with regard to this methodology of transposition. By selectively transposing some essential requirements from a more comprehensive and</p>



response

exhaustive framework and introducing some slight modifications therein might negatively impact on aviation safety. Furthermore, this method is likely to create considerable difficulties of implementation. It is of great importance to keep in mind the existing and well established ICAO framework and its structure. Therefore, future rules on SERA should be drafted along the lines of ICAO SARPs by reflecting the parallelism of those two regulatory systems.

2. In general, the structure of some provisions is too complex, which makes the regulation difficult to read and understand. This aspect was already mentioned with respect to EU Reg. 923/2013 [e.g. SERA.5005 (c) (3) (iii)] and we think that there is still room for improvement by introducing easy-to read regulation in SERA C [e.g. SERA.8015 (5) (f) (ii)].

Noted

As described in the NPA, its main objectives are:

- to maintain a high level of safety;
- to complete the initial objective of Regulation (EU) No 923/2012, namely the harmonisation of the rules of the air and operational procedures for the use of European airspace;
- to maintain the SERA IR Regulation aligned with developments of ICAO Annexes; and
- to align the SERA IR Regulation with the provisions in other fields of aviation to ensure a total system approach

In the development of the NPA, the Agency used the drafting principles that would facilitate these objectives, taking into consideration the input from the stakeholders and the obligations stemming from the Basic Regulation. Therefore, the method used for the inclusion or exclusion of certain ICAO provisions is a result of the original aim and the task given to the Agency.

The ICAO provisions that have been included in the rule proposal do not introduce any new requirement for or obligations to the Member States. Instead, the Agency is of the opinion that this will serve the purpose of uniform application of the already existing requirements.

The structure of Regulation (EU) No 923/2012 was agreed by the MS, and provisions of a 'rule-of-the-air' nature were put into SERA (drafting principle as described in the 'Initial Plan Phase II').

The structure is typical EASA rule structure which in some cases may be improved but in general fits the purposes.

comment

392

comment by: UK CAA

Page No: N/A

Paragraph No: General comment

Comment:

It is acknowledged that the text being proposed for transposition into the SERA regulation is



	<p>considered to be the ‘binding’ content of the source documents. However each of the source documents includes provisions that may not be considered to be binding (e.g. where ‘may’ or ‘should’ is used instead of ‘shall’, Recommendations and Notes).</p> <p>Notwithstanding the fact that the development of Part C Acceptable Means of Compliance and Guidance Material is dependent upon the content of the adopted ‘binding’ text’, the UK CAA argues that the proposed material would be considerably better contextualised had the NPA indicated where such non-binding source material would be considered in due course as candidate Acceptable Means of Compliance and Guidance Material. Failure to indicate potential Acceptable Means of Compliance and Guidance Material has at worst removed context and results in incomplete provisions that will lead to stakeholder misinterpretation or misunderstanding of the proposed text, at best significantly diminished said context.</p> <p>Justification: Reduced or misleading context undermines the meaning and understanding of proposed amendments.</p>
response	<p><i>Partially accepted</i></p> <p>Following an informal consultation, the content of the initial draft Part C, proposed in 2013, has been significantly reduced and limited to the provisions which were considered necessary to complement what had been adopted in parts A and B. It is recognised that having AMC and GM available at the same time as the proposed binding provisions would be useful. However, developing such material for a not yet stabilised binding Part C was not possible. All efforts will be made to issue the draft AMC/GM to Part C as early as possible.</p> <p>It must also be recalled that any ICAO material which is not transposed remains applicable as such wherever it is relevant.</p>

comment	<p>393</p> <p>comment by: UK CAA</p> <p>Page No: N/A</p> <p>Paragraph No: General comment</p> <p>Comment:</p> <p>Given the increasing amount of aviation-related EU regulatory material that is both created by EASA and/or derived from ICAO, an EASA-owned lexicon of common terms – essentially a compendium of all definitions and abbreviations that appear in regulatory material ‘parented’ by the EASA Basic Regulation (as amended) is considered necessary. Incorporation of terms used in material ‘parented’ by the Single European Sky should also be incorporated. Such a lexicon could be hosted on the EASA and Eurocontrol websites and amended as terms are introduced, amended or withdrawn. As such it would be the EASA equivalent of ICAO Doc 9713 — International Civil Aviation Vocabulary.</p> <p>Justification:</p> <p>Such a lexicon would ensure consistency of understanding and application of the terms and abbreviations used within aviation-related EU regulatory material by the EU, its agencies, Member States and industry alike.</p> <p>Proposed Text:</p> <p>A compendium of all definitions that appear in regulatory material ‘parented’ by the EASA Basic Regulation (as amended).</p>
response	<p><i>Noted</i></p>



Your comment has been positively received by the Agency and the need to develop a lexicon for definitions and abbreviations used in the IRs to the Basic Regulation is recognised.

The possibility to allocate the necessary resources for performing this task is being studied by the Agency.

comment

394

comment by: UK CAA

Page No: N/A**Paragraph No:** General comment**Comment:**

Given that consultation on NPA 2014-05 (SERA Part C) closes on 18 May 2014, and for NPA 2014-09 on 3 July 2014, the UK CAA asks EASA whether it will be possible to merge the CRDs and Opinions (in other words, have a single CRD and Opinion). Whilst it is acknowledged that process is unlikely to allow for a single, combined CRD, one would sincerely hope that a single Opinion would be possible, leading to a common implementation date (and then preferably tied to an AIRAC date). Member States and industry face the prospect of implementing two amending Rules and therefore double the implementation burden (including domestic legislative change, amendment to aeronautical information, amendment or development of local guidance/awareness material). This generates costs to Member States and to industry that could be reduced if a single amending rule capturing the content of both NPAs were adopted into EU law.

Justification:

Ease of implementation; alignment of implementation with AIRAC date to facilitate changes to legislation and aeronautical information; reduction in implementation burden and costs to Member States and industry.

response

Noted

The Agency acknowledges the justification. Since the Commission is aiming at presenting the Part C Opinion during the SSC meeting in November 2014, it is not feasible to have one common Opinion for the mentioned two NPAs. However, there is a common understanding that there will be one amendment to SERA, aiming at a common implementation date.

comment

395

comment by: UK CAA

Page No: N/A**Paragraph No:** General comment**Comment:**

The SERA Part B Opinion (Opinion 05/2011 dated 14 Nov 2011) noted the requirement for 'a *'maintenance' process [to] be put in place to consider future safety needs, ICAO Annex 11 and Annex 3 amendments, or any amendment coming from a change within the EU operational environment*'. The matter has been raised at successive meetings of the Single European Sky Committee but no decision on the way forward appears to have been reached at these.

Now that SERA Parts A and B have entered EU law there is a need to put in place a process to deal with amendments to the legislation made necessary by changes to ICAO SARPs and material within the scope of the legislation. Although EASA have a process in place to make suggestions on how States should respond to ICAO material and help them respond, States



	<p>still have rights and obligations to ICAO including the ability to make national differences. This raises the potential of different national approaches to ICAO material impacting on SERA and the need to have a way to resolve these, agree EU differences where needed and make appropriate changes to the SERA regulation.</p> <p>Justification: Requirement for a process to deal with amendments to the legislation and agreement on what this will be.</p>
response	<p><i>Noted</i></p> <p>The maintenance of the rule, including aligning it with the amendments of ICAO SARPs, will be addressed by the Agency in the near future.</p> <p>If a MS makes a national difference to a non-SERA ICAO provision, that national difference should not negatively affect the EU provisions which take precedence over national rules.</p>
comment	<p>396 comment by: UK CAA</p> <p>Page No: N/A Paragraph No: General comment Comment: The CAA notes inconsistencies in the numbering of sub-paragraphs between texts at sections 3 ‘Proposed amendments’ and 6 ‘Appendices’. Justification: Consistent numbering/referencing of text.</p>
response	<p><i>Accepted</i></p> <p>The final proofreading for overall consistency will be made.</p>
comment	<p>397 comment by: UK CAA</p> <p>Page No: N/A Paragraph No: General comment Comment: The SERA Part B Opinion (Opinion 05/2011 dated 14 Nov 2011) noted the requirement for ‘a <i>‘maintenance’ process [to] be put in place to consider future safety needs, ICAO Annex 11 and Annex 3 amendments, or any amendment coming from a change within the EU operational environment</i>’. The matter has been raised at successive meetings of the Single European Sky Committee but no decision on the way forward appears to have been reached at these. Now that SERA Parts A and B have entered EU law there is a need to put in place a process to deal with amendments to the legislation made necessary by changes to ICAO SARPs and material within the scope of the legislation. Although EASA have a process in place to make suggestions on how States should respond to ICAO material and help them respond, States still have rights and obligations to ICAO including the ability to make national differences. This raises the potential of different national approaches to ICAO material impacting on SERA and the need to have a way to resolve these, agree EU differences where needed and make appropriate changes to the SERA regulation. Justification: Requirement for a process to deal with amendments to the legislation and agreement on what this will be.</p>



response

Noted

. Please refer to the response to comment 395

comment

447

comment by: EUROCONTROL

The various comments sent by the EUROCONTROL Agency have all been made by the Maastricht Upper Area Control Centre (MUAC), viz the single ATC organisation within EUROCONTROL.

response

Noted

comment

486

comment by: SwissATCA

The implementation of SERA amendments will have a direct impact on personnel, training and the adaptation of national legislations. We fear that all the modifications will be done "as is" and little or no training will be provided to the personnel on this topic.

What seems to be a contradiction is the effort to reduce costs on ANSPs and NSAs while at the same time increasing their workload with additional legal adaptations that are so wide as an overall rules of the air...

response

Noted

The proposed provisions are based on already existing ICAO provisions which have been in place for a long time. Thus, any need for additional extensive training was not identified. The need for training would only exist in places where the existing national differences from ICAO will be affected by the proposed transposition. The need for additional training should be identified on a case-by-case basis and the personnel should be ready for the rule application at the applicably date.

Harmonisation of the rules will bring benefits in the long term and it is not considered that SERA amendments will somehow have a negative impact on the Member States when they reach their performance objectives for cost efficiency.

comment

503

comment by: UK CAA

Attachment [#1](#)

Page No: Regulation 923/2012 Appendix 1 Signals 4. MARSHALLING SIGNALS

Paragraph No: 4.2. From the pilot of an aircraft to a signalman/marshaller

Comment: Although beyond the scope of this NPA, the UK CAA would wish to offer the following graphics, taken from CAP637 Visual Aids Handbook (Table F 'Meaning of Signals made by Pilot to Marshaller (Reference Rules of the Air Regulations Rule 63)) for incorporation in Regulation 923/2012 Appendix 1.

Justification: Enhancement of SERA content..

Proposed Text: See following graphics attached.



response

Accepted

The proposed graphics will be used to increase the readability and improve the consistency of the Appendix.

comment

596

comment by: *USCA*

SERA amendments will have a direct impact on personnel, training and the adaptation of national legislations. We fear that all the modifications will be done without any training and would like EASA to put a special emphasis on the need for a proper and safe implementation.

response

Noted

The proposed provisions are based on already existing ICAO provisions which have been in place for a long time. Thus, any need for additional extensive training was not identified. The need for training would only exist in places where the existing national differences from ICAO will be affected by the proposed transposition. The need for additional training should be identified on a case-by-case basis and the personnel should be ready for the rule application at the applicably date.

Harmonisation of the rules will bring benefits in the long term and it is not considered that SERA amendments will somehow have a negative impact on the Member States when they reach their performance objectives for cost efficiency.

comment

597

comment by: *USCA*

In our opinion it is pretty contradictory that on the one hand we are making huge efforts to reduce costs on ANSPs and NSAs while at the same time increasing their workload with additional legal adaptations of such a wide scope as the ones we are going to discuss here

response

Noted

Please refer to the response to comment 596.

comment

632

comment by: *Swiss International Airlines / Bruno Pfister*

Swiss Intl Air Lines is in full support of the AEA comments Numbers 21-29 which have been developed jointly.



response *Noted*

comment 641

comment by: *European Cockpit Association*

ECA supports the principal decision to include Transponder Operating Procedures within the SERA provisions.

ECA supports the principal decision to consolidate ACAS Operating Procedures from PANS-OPS and PANS-ATM within SERA as single provision.

ECA supports the effort to extend the applicability of an English language requirement.

ECA supports the effort to harmonise details of the RTF phraseologies on a European level.

ECA supports the pro-active addressing of the imminent ICAO Annex 2 amendment. It should, however, be noted that this fortunate coincidence should not hide the need for a continuously functioning maintenance mechanism.

response *Noted*

Notice of Proposed Amendment 2014-05

p. 1

comment 501

comment by: *Air France*

Air France fully support AEA comments on this NPA.

response *Noted*

1. Procedural information — 1.4. The next steps in the procedure

p. 5

comment 398

comment by: *UK CAA*

Page No: 5 of 170

Paragraph No: 1.4. The next steps in the procedure

Comment:

The final sentence of this paragraph states that the NPA 'does not contain any draft Decision, and it will be included in a future NPA which will be published in 2014'. This suggests a second NPA concerning SERA Part C, which the UK CAA does not believe to be the case. Agency confirmation that a second NPA is not planned is requested.

If a second NPA is proposed, further details regarding its purpose and associated timescales is requested.

Does the sentence allude to the need for a supporting NPA regarding proposals for Acceptable Means of Compliance and Guidance Material?

Justification: Clarification is necessary.

response *Noted*

There will be an NPA proposing AMC/GM to some of the provisions of SERA Part C. The work



is on-going and the NPA will most likely be published for consultation in Q4 of 2014.
A similar approach was applied to the development of AMC/GM to SERA Parts A and B.

2. Explanatory Note — 2.1. Overview of the issues to be addressed

p. 6-7

comment	30	comment by: <i>BALPA</i>
	<p>In answer to the question at the bottom, BALPA believes that the rule requiring English to be spoken should apply to all licensed and available diversion/alternate aerodromes even those with fewer movements.</p>	
response	<p><i>Noted</i></p> <p>Based on the stakeholders' feedback, the title of SERA.14015 was changed and the following provision was added to SERA.14015:</p> <p>SERA.14015 Language to be used in air-ground communication</p> <p>(...)</p> <p>(b) Unless otherwise prescribed by the competent authority for specific cases, the English language shall be used at aerodromes with more than 50 000 international IFR movements per year.</p> <p>Further AMC/GM to this provision will be proposed by the Agency.</p>	
comment	47	comment by: <i>René Meier, Europe Air Sports</i>
	<p>2.1. Overview</p> <p>Question box at the end of page 7/170, second comment:</p> <p>The same "use of language" regime should be available at all aerodromes, the number of movements should not be taken into consideration. There should only be one language regime per frequency or, if applicable, per aerodrome. No changing of the language used should occur when the mode of operations changes e.g. from "TWR occupied" to "TWR not occupied".</p> <p>Rationale:</p> <p>Changing the language during hours of aerodrome operations may create situations difficult to overcome by a crew, at worst it may provoke a costly diversion.</p>	
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>	
comment	56	comment by: <i>Isavia Ltd.</i>
	<p>In 2.1. on page 7 the Agency asks about stakeholders opinion regarding the possibility to extend the requirement to require the use of English at aerodromes with international traffic of more than 50 000 commercial IFR movements a year.</p>	



	<p>Comment:</p> <p>Isavia is of the opinion that requiring the use of the English language only at aerodromes with much international traffic is preferable and likely to increase safety at aerodromes. In Isavia's view this rule should not only apply at aerodromes with international traffic of more than 50 000 IFR movements a year. The safety risk can for example be no less at aerodromes where international and other national traffic (IFR or VFR) combined exceed 50 000 movements a year (but international movements only are less than 50 000). Furthermore the safety can be similar at aerodromes where there IFR movements are fewer but the traffic is mainly focused on certain times of the day, resulting in complicated traffic. Isavia is of the opinion that this should be optional at aerodromes with fewer IFR movements.</p>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>
comment	<p>70 comment by: CAA-Norway</p> <p>Norwegian CAA believes the proposal to extend the requirement for use of the English language may be appropriate. However, we believe that this have to be examined further. It is especially important to pay attention to GA traffic and to personnel at the airport who usually do not have requirements for English language</p>
response	<p><i>Noted</i></p> <p>Please refer to the responseto comment 30.</p>
comment	<p>101 comment by: DFS Deutsche Flugsicherung GmbH</p> <p>EN on SERA.14015</p> <p>DFS already provides this service in English - independent of the amount of traffic at aerodromes.</p>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>
comment	<p>133 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>2.1 page 7</p> <p>We are positive to this proposal, but we like to stress that the requirement shall only apply to ATCOs and aircrew, not to ground personnel.</p>
response	<p><i>Noted</i></p> <p>t Please refer to the response o comment 30.</p>



comment	159	comment by: <i>LFV Sweden</i>
	<p>LFV support the proposed extension of the language to be used at certain aerodromes according to the NPA. It will increase the pilots situationela awareness and therefore also incresing flight safety.</p> <p>However, we support an exeption from this extension for certain movements under certain circumstances (i.e. stated by the competent authority) such as police and ambulance helicopters where they can use the "local" language.</p>	
response	<p><i>Noted</i></p> <p>to Please refer to the response comment 30.</p>	
comment	177	comment by: <i>ENAV</i>
	<p><i>"Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year."</i></p> <p>ENAV supports</p>	
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>	
comment	198	comment by: <i>CAA-NL</i>
	<p>Question page 7 on SERA.14015</p> <p>We agree.</p>	
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>	
comment	235	comment by: <i>ENAIRE</i>
	<p>Regarding this proposal (SERA.14015), it has to be considered that some personnel involved in RTF in the airport environment (yellow car drivers, maintenance personnel, etc) does not have the required English command. This personnel is involved in safety critical operations like runway inspections, maintenance operations in safety areas. The scope of the requirement has to be narrowed considering the mentioned limitations.</p>	
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>	



comment	<p>319 comment by: Danish Transport Authority</p> <p>2.1 - SERA.14015: We are positive to the proposal, but would like to stress that the requirement shall only apply to ATS and Aircrew, not to Ground personnel.</p>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>
comment	<p>352 comment by: NUAC</p> <p>Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year. NUAC Support the requirement</p>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>
comment	<p>376 comment by: Fédération Française Aéronautique</p> <p><i>Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year.</i></p> <p>La langue française est une langue OACI et doit pouvoir continuer à être utilisée sans restriction sur le territoire national. Il n'est pas tolérable que des pilotes se voient refuser l'accès à certains aérodromes sous prétexte qu'ils ne parlent pas anglais.</p> <p>La Fédération Française Aéronautique est totalement opposée à ce projet.</p>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>
comment	<p>390 comment by: Finavia</p> <p>Regarding "...the use of single frequency for all safety critical operations on a runway...", it should be clarified/defined if vehicle movements are also regarded as such? The recommendation is not seen practicable for vehicles by Finavia (Finnish Aerodrome Operator and Air Navigation Service Provider) and potentially, in some conditions (winter maintenance), even harmful/degrading for safety. However, if the recommendation is still seen necessary for vehicles also, Finavia suggest following text/addition: "<i>...if applicable taking into account the nature and total amount of radio communication needed by other than air traffic. (e.g. the winter maintenance may require such amount of</i></p>



	<i>communication that the use of separate radiofrequency is justifiable)".</i>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>

comment	<p>500</p> <p style="text-align: right;">comment by: <i>Air France</i></p> <p>Air France will support any initiative that improves flight safety. If the use of English in Air Traffic Control communication improves flight safety, Air France will support this initiative.</p>
response	<p><i>Noted</i></p> <p>Please refer to the response to comment 30.</p>

comment	<p>508</p> <p style="text-align: right;">comment by: <i>German NSA</i></p> <p>DFS already offers this service in English, independent of the amount of traffic at aerodromes. The question remains whether the use of the English language is deemed necessary for ATC only or even for fire fighters (ground/ACFT communication).</p>
response	<p><i>Noted</i></p> <p>Please refer to the response comment 30.</p>

comment	<p>547</p> <p style="text-align: right;">comment by: <i>AESA / DSANA</i></p>				
	<table border="1"> <thead> <tr> <th data-bbox="363 1283 863 1328">COMMENT</th><th data-bbox="863 1283 1481 1328">JUSTIFICATION</th></tr> </thead> <tbody> <tr> <td data-bbox="363 1328 863 2016"> <p>Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year.</p> </td><td data-bbox="863 1328 1481 2016"> <p>We support the possibility suggested by EASA provided that this possibility takes into account the following considerations:</p> <p>1.- This requirement must be limited strictly to the air-ground communications between pilots and ATCOs. The reason for this limitation is that extension of this requirement to the personnel working for the airport operator in the maneuvering area will not bring a significant increase in safety whilst introducing a burdensome process for all parties affected.</p> <p>2.- In relation to the previous consideration, we would like to know what is the actual scope of this requirement and how would it affect the ATCO language proficiency rating. In particular, we would like to know if this implies that the ATCOs would have to speak exclusively in English.</p> <p>3.- The level of language proficiency is not stated either for all pilots so we would suggest to reduce</p> </td></tr> </tbody> </table>	COMMENT	JUSTIFICATION	<p>Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year.</p>	<p>We support the possibility suggested by EASA provided that this possibility takes into account the following considerations:</p> <p>1.- This requirement must be limited strictly to the air-ground communications between pilots and ATCOs. The reason for this limitation is that extension of this requirement to the personnel working for the airport operator in the maneuvering area will not bring a significant increase in safety whilst introducing a burdensome process for all parties affected.</p> <p>2.- In relation to the previous consideration, we would like to know what is the actual scope of this requirement and how would it affect the ATCO language proficiency rating. In particular, we would like to know if this implies that the ATCOs would have to speak exclusively in English.</p> <p>3.- The level of language proficiency is not stated either for all pilots so we would suggest to reduce</p>
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the scope to commercial air transport pilots

4.- It would be convenient to include an exception in cases of emergency, affecting one single aircraft, when a safe and positive communication is not guaranteed in English language.

5.- The number of commercial IFR movements itself would not be enough to ensure a positive impact on safety of this rule. We would propose to consider the ratio between movements with English and non-English communications at those aerodromes. Giving an example of this situation, according to the NPA, Tenerife North (GCXO) would fulfill the requirements to apply the rule although nowadays less than 5% of the communications between ATCOs and pilots are in English language.

response *Partially accepted*

On point 1: Accepted

Please refer to the response to comment 30.

On point 2 and 3: Noted

The use of phraseology in English depends on the level of traffic. The English language proficiency as defined in EASA Opinion 11/2013 will not be affected.

On point 4 and 5: Noted

The proposed amendment to SERA.14015 gives possibilities to the competent authority to consider specific cases in which the English language may not be used.

comment 577

comment by: *Finnish Transport Safety Agency (NSA)*

Finnish Transport Safety Agency supports the extension English language requirement at aerodromes with international traffic of more than 50 000 commercial IFR movements a year. In our opinion this improves safety by also improving the situational awareness of pilots operating on the same frequency, and thus adding an extra safety net.

Regarding the content of SERA.14015, we would propose adding a point after b) with e.g. following text: "On aerodromes with international traffic of more than 50 000 commercial IFR movements a year English language shall be used as the only language except in communication with pilots without English language proficiency".



response

Noted

Please refer to the response to comment 30.

A certain flexibility is provided in the new text of the provision.

comment

623

comment by: *European Transport Workers Federation - ETF*

ETF is in favour of the Agency's proposal.

response

Noted

Please refer to the response to comment 30.

comment

649

comment by: *NATS National Air Traffic Services Limited*

Page No: 7 Paragraph No: 2.1 Based on this, the Agency would like to know the opinion of the stakeholders regarding the content of SERA.14015 and the possibility to extend this requirement to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year.

NATS Comment: The use of the language normally used by the station on the ground is not supported for international aviation.

Justification: Situational awareness by pilots operating in and out of international aerodromes is vital. NATS supports the EASA proposal to require the use of a common language to mitigate the current lack of situational awareness that may exist.

response

Noted

Please refer to the response to comment 30.

2. Explanatory Note — 2.3. Summary of the Regulatory Impact Assessment (RIA) — 2.3.1. Issues

p. 8

comment

189

comment by: *ENAV*

In the summary of the Regulatory Impact Assessment (paragraph 2.3) there is no evidence about if and how the APDSG proposal to consider and study the feasibility of adopting PANS-ATM and EUR-SUPPS in their entirety as AMC has been assessed, and eventually of the reasons why it has been discarded. The knowledge of such reasons would be of relevance both in better understanding the proposed Part C and, moreover, in defining the path for the future Part ATS.

response

Noted

The adoption of the entirety of PANS-ATM and EUR-SUPPS as AMC would be contradictory to the mandate which requires to address only the 'Rules of the air'.



2. Explanatory Note — 2.3. Summary of the Regulatory Impact Assessment (RIA) — 2.3.2. Who is affected?

p. 8

comment	236	comment by: ENAIRE
	AFISO have to be mentioned too. Apron management services providers may be also included.	
response	<p><i>Noted</i></p> <p>The impact assessment mentions air navigation services providers and it already includes personnel such as AFIS officers.</p>	
comment	399	comment by: UK CAA
	<p>Page No: 8 of 170 Paragraph No: 2.3.2. Who is affected? Comment: The text as presented is inadequate in that it does not make explicit statements as to how and when the proposed amendments may affect State aircraft operations. State aircraft operations (military, paramilitary and non-military) are commonly undertaken within airspace used by commercial and non-commercial aircraft, but may not be bound by the same regulations. Justification: Greater clarification regarding the impacts of the proposed amendments (and SERA in general) upon State aircraft operations is necessary.</p>	
response	<p><i>Noted</i></p> <p>The Agency considered that the state aircraft non-GAT operations are not within the scope of the Regulation and its changes will affect GAT only.</p>	

2. Explanatory Note — 2.3. Summary of the Regulatory Impact Assessment (RIA) — 2.3.3. Options

p. 8-9

comment	400	comment by: UK CAA
	<p>Page No: 8 of 170 Paragraph No: 2.3.3. Options Comment: The UK CAA supports the application of Option 2 subject to the refinements proposed by the UK CAA and the acceptability to the UK of any further refinements to the proposed text. It makes sense to reference ICAO documentation and include recent changes to ICAO Annexes, PANS and document, however a robust SERA maintenance methodology is necessary. Now that SERA Parts A and B have entered EU law there is a need to put in place a process to deal with amendments to the legislation made necessary by changes to ICAO SARPs and material within the scope of the legislation. Although EASA have a process in place to make suggestions on how States should respond to ICAO material and help them respond, States</p>	



still have rights and obligations to ICAO including the ability to make national differences. This raises the potential of different national approaches to ICAO material impacting on SERA and the need to have a way to resolve these, agree EU differences where needed and make appropriate changes to the SERA regulation.

Justification:

Enhanced harmonisation. Requirement for a process to deal with amendments to the legislation and agreement on what this will be.

response *Noted*

Please refer to the response to comment 395.

Your comment is quite relevant and the intent is that the rule maintenance mechanism should also consider common European approach to ICAO material.

2. Explanatory Note — 2.3. Summary of the Regulatory Impact Assessment (RIA) — 2.3.4.Summary of the main impacts

p. 9

comment 237

comment by: *ENAIRE*

The statement about additional cost for the training of the relevant personnel within the air navigation services provider should not be conditional. The adoption of the changes will cost training of personnel without any doubts.

response *Noted*

It is not clear to the Agency why there would be additional cost for training if the ICAO provisions proposed for transposition are already transposed in the Member States' national legislation.

comment 238

comment by: *ENAIRE*

Regarding the provision of transitional measures, the mechanism to adopt this option should be described here.

response *Noted*

2. Explanatory Note — 2.3. Summary of the Regulatory Impact Assessment (RIA) — 2.3.5.Open issues

p. 9-11

comment 15

comment by: *Union des Aéroports français - UAF*

Please find UNION des Aéroports Francais (UAF) comments

response *Noted*



comment

19

comment by: AFSBW Capt Traurig

SERA 14085 (a) and (b) Issue correctness 07*We will await the proposal of the ICAO coordination group.***SERA 14005: Issue correctness 08***No change required***SERA 14045 Issue correctness 11***No objections proposal will be supported***SERA 14055 (b) Issue correctness 13***German military supports the proposal which does not authorize the omission of the ground station call sign for the establishment of radio communication.**Several incidents of "airspace violations" are showing, that the correct and full use of the phraseology, also there are times where the controller is busy, is an fundamental requirement to provide a safe and orderly ATC service.***SERA 14095 (b) and (c) Issue Correctness 16***As a result of an accident the german military decided to establish the following regulations:**When establishing initial radio contact, the current number of persons on board (POB) shall be requested, if the number of POB cannot be determined unless this information is provided by the pilot of his own accord.**The inquiry shall be made for **all** flight movements (approaches, departures and overflights).**In case of aircraft that establish radio contact first with radar approach control, the number of persons on board (POB) shall be transmitted to the aerodrome control tower without delay.**The number of persons on board (POB) shall be recorded on the flight progress strip and shall be relayed to the emergency services according to local procedures.**The german military will support this.*

response

Noted

comment

69

comment by: CAA-Norway

SERA14095(b) and (c)

Norwegian CAA support this statement

response

Noted

comment

134

comment by: Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)

Reference of the proposed Amendments (section 3 of this NPA)	Open Issues	Status	Vårt förslag
SERA 13010 (b) 'Pressure altitude derived information'	Issue Flexibility 02 Confirm that the flexibility ('Unless otherwise prescribed by the...') associated to SERA	OPEN waiting NPA consultation results for a conclusion on the opportunity to maintain this flexibility	The flexibility allows for states not to make this requirement, and thus has an



	13010(b) (Verification of the pressure altitude at controller level) does not impair the 'high' and 'uniform' level of safety.		impact on the (intended) level of safety. The flexibility should be removed
SERA 14085 (a) & (b) 'Voice communication failure'	Issue Correctness 07 Provision for using SSR/ADS-B in case of Radio communication failure and procedures in case of voice communication failure are associated with the more general concern about the Radio Communication Failure (RCF) which should be reviewed and amended by ICAO.	OPEN waiting conclusion of the ICAO Communication Failure Coordination Group. Provisions may be revisited after the NPA consultation.	No opinion, we await the ICAO position.
SERA 14005 'categories of message'	Issue Correctness 08 Determine from a safety point of view if the voice communication message category naming and radiotelephony order is correct considering the existing Member State's notified differences.	OPEN waiting NPA consultation results to determine if the message category name and radiotelephony order is acceptable by Member States.	We agree to wait for the consultation result
SERA 14045 'Transmitting technique'	Issue Correctness 11 Meaning of words and phrases used in radiotelephony provision should be reviewed based on a lot of Member State's notified differences which lead to words/phrase not used and/or new words/phrase used in certain States. This provision should be modified, if necessary, for standardisation purposes.	OPEN waiting NPA consultation results to confirm that meaning of words and phrases are acceptable by Member States.	While the intention is good, this should be done at global (i.e. ICAO) level, and amended into Part C later.
SERA 14055 (b) 'Radiotelephony procedures'	Issue Correctness 13 Assess if omitting the ground station call sign for the establishment of radio telecommunications may improve safety standards at busy ATC units.	OPEN waiting NPA consultation results to confirm that the proposed SERA 14055(b), which does not authorise the omission of the ground station call sign for the establishment of radio	We agree to wait for the consultation result



		telecommunications at busy ATC units, is acceptable.	
SERA 14095 (b) and (c) 'Distress and urgency radiotelephony communication procedures'	Issue Correctness 16 Determine if the number of persons on board shall be added to the list of elements to be transmitted during radiotelephony procedures for distress communications.	OPEN waiting NPA consultation results to determine if the number of person on board should be added to distress and/or urgency communications.	We agree to wait for the consultation result

response *Noted*

comment *166*

comment by: *LFV Sweden*

Regarding the Open Issues, LFV has the following comments:

SERA.13010 (b), Issue Flexibility 02

LFV confirm that the flexibility does not impair with the 'high' and 'uniform' level of safety.

SERA.14085 (a) & (b), Issue Correctness 07

No comments. Awaiting conclusion of the ICAO Communication Failure Coordination Failure Group.

SERA.14005, Issue Correctness 08

LFV support the existing provision.

SERA.14045, Issue Correctness 11

LFV support the existing provision.

SERA.14055 (b), Issue Correctness 13

LFV support the existing provision. Omitting the ground stations call sign for establishment of radio communications might impair flight safety.

SERA.14095 (b) & (c), Issue Correctness 16

LFV support the proposed amendment. Adding PoB as proposed would improve rescue operations at an early stage.

response *Noted*

comment *178*

comment by: *ENAV*

Issue Flexibility 02: ENAV supports maintaining flexibility

Issue Correctness 07: noted



	<p>Issue Correctness 08: from ENAV point of view category naming and radiotelephony order is correct</p> <p>Issue Correctness 11: the meaning is acceptable. ENAV would suggest to add <i>ALL STATIONS</i> (ref ICAO Annex 10 Vol II 5,2,1,7,3,2,2) meaning <i>"this message is addressed to all stations likely to intercept"</i></p> <p>Issue Correctness 13: the proposed SERA.14055 (b) is acceptable but the wording appears incorrect.</p> <p>SERA.14050 (a), which is referenced to in (1) as a calling procedure, is not. The corresponding paragraph in ICAO Annex 10 refers to Table 5-2, which indeed depicts calling procedures. Therefore, while a reply procedure is established in (2), there is no procedure for the initial call. We suggest to amend (1) as follows:</p> <p><i>(1) Full radiotelephony call signs shall always be used when establishing communication. When establishing communication, aircraft shall start their call by the designation of the station called, followed by the designation of the station calling.</i></p> <p>Issue Correctness 16: ENAV would not support the addition. For commercial aviation, the number of persons on board, which is relevant for SAR and not for ATS, may reasonably be retrieved from the flight plan, the operator or also the pilot, ideally not in the first moments of the distress phase. The item could be more relevant for general aviation, but this would not be sufficient ground for establishing a general requirement. It could be mentioned within the foreseen GM to (c) (1) (ii) (F).</p>
response	<p><i>Partially accepted</i></p> <p>Issue correctness 02-07-08: Noted</p> <p>Issue correctness 11: Partially accepted — the point raised on 'ALL STATIONS' will be included in AMCs on phraseology.</p> <p>Issue correctness 13: Accepted – the text has been amended accordingly.</p> <p>SERA.14055 (b)(1):</p> <p>Full radiotelephony call signs shall always be used when establishing communication. The calling procedure of an aircraft establishing communication shall be in accordance with SERA.14050(a). When establishing communication, aircraft shall start their call with the designation of the station being called, followed by the designation of the station calling.</p> <p>Issue correctness 16: Noted</p>
comment	<p>191 comment by: CAA-NL</p> <p>SERA.13010(b) Issue Flexibility 02</p> <p>Confirmed. Many ANSPs already work according to the flexible manner. Different units work according to the same references, so it is not always necessary to check this with every transfer (it would not be practical with high workloads).</p> <p>There are sufficient other means in place to safeguard the 'high' and 'uniform' level of safety.</p>
response	<p><i>Noted</i></p>
comment	<p>192 comment by: CAA-NL</p>



response	<p>SERA.14085(a)&(b) Issue Correctness 07 It is deemed useful to use what is available now, the ICAO-update could be inserted later.</p> <p><i>Noted</i></p>
comment	<p>193 comment by: CAA-NL</p>
response	<p>SERA.14005 Issue Correctness 08 The order of priority should be (a) , (b) , (d). Furthermore, (c) seems to be somewhat outdated for the European situation. The order of priority of (c), (e)-(f) is not as important as (a)-(b)-(d), in fact safety-related messages should always have priority. It is proposed to add this to the table. However, filing of differences in respect of this order of message is undesirable.</p> <p><i>Noted</i></p>
comment	<p>194 comment by: CAA-NL</p>
response	<p>SERA 14045 Issue Correctness 11 In our opinion it should not be modified. For many ANSPs, this is THE standard. So, changing the meaning of words and phrases would require serious efforts (in training, manuals and financial). Therefore, it is proposed to leave the list as it is.</p> <p><i>Noted</i></p>
comment	<p>195 comment by: CAA-NL</p>
response	<p>SERA 14055(b) Issue Correctness 13 Yes. ATCOs establish when it is required to do this, not necessary that it should be done always. With all dedicated frequencies after initial call of the station it is not required anymore (whereas in the past more units could be calling on the same frequency).</p> <p><i>Noted</i></p>
comment	<p>196 comment by: CAA-NL</p>
response	<p>SERA 14095(b)&(c) Issue Correctness 16 No. It would distract from what is really required when things go wrong. The solution should rather be sought in a proper dissemination of flight plans.</p> <p><i>Noted</i></p>
comment	<p>239 comment by: ENAIRE</p>
	<p>Issue Flexibility 02: It is correct. No affection expected if the information is given "as soon as</p>



response	possible".	
response	Noted	
comment	240	comment by: ENAIRE
	Issue Correctness 08: It is correct.	
response	Noted	
comment	241	comment by: ENAIRE
	Issue Correctness 11: All meanings are in the same way than in Spain.	
response	Noted	
comment	242	comment by: ENAIRE
	Regarding the issue if omitting the ground station call sign for the establishment of radio telecommunications may improve safety standards at busy ATC units: Capacity could be increased, but the potential improvement in terms of radio frequency occupation factor, could get lost due to the potential reduction of situational awareness of the pilots involved in the communications.	
response	Noted	
comment	243	comment by: ENAIRE
	Issue Correctness 16: It's useful for emergency services, fire fighters etc: should be added.	
response	Noted	
comment	304	comment by: Malta Air Traffic Controllers' Association
	Priority should be given to the nature of the distress/urgency condition and to the intention of the pilot in command. The number of persons on board and the endurance should be the second priority because in distress situations, messages should be kept short.	
response	Noted	
comment	307	comment by: Danish Transport Authority
	SERA.13010 (b): We do not agree to include the phrase "Unless otherwise prescribed by the competent authority", as it opens up for a variety of options at community level. We agree with the rationale of the proposal to include some flexibility, however we suggest that a reworded or amended text be included. We have included, as comments to the specific paragraph	



	<p>SERA.13010 a proposal for a revised text.</p> <p>SERA.14085 (a) & (b):</p> <p>No option proposed. We agree to await the ICAO position.</p> <p>SERA.14005:</p> <p>We agree to await the result from the NPA consultation. In principle, we stress the importance of keeping the text of the ICAO Annex 10, Vol. II, unless an amendment is made to that globally accepted text.</p> <p>SERA.14045:</p> <p>We do not agree with the the suggestion to modify words/phrases. While the intention is good, this should be done at global level (ICAO) and subsequently result in an amendment to Regulation 923/2012.</p> <p>SERA.14055 (b):</p> <p>We accept the text as is. We acknowledge that there may be a need to omit station call sign at busy ATC-units, however a proposal for an amended procedure would require a full impact assessment before a change could be introduced. We furthermore recommend that such a change process should include amending appropriate ICAO SARPS.</p> <p>SERA.14095 (b) & (c):</p> <p>We agree to await the result from the NPA consultation, however our comments are that the list for distress communications should be as short as possible. If anything, persons on board should be added to the urgency communication only.</p>
response	<i>Noted</i>

comment	<p>354</p> <p>comment by: <i>NUAC</i></p> <p>SERA 13010 (b)</p> <p>If a safety assesement is carried out, and approved by competent authority, it would be sufficient with verification per ATS-system. If this also is a question of exclusion of pilot level information at communication change-over within the ATS-system, this is wanted if safety assesement is done and approved.</p> <p>SERA 14085 (a). <i>Good to keep the paragraph for better understanding</i></p> <p>SERA 14005. <i>c) is a little bit out of date.</i></p> <p>SERA 14045. <i>Paragraph is good.</i></p> <p>SERA 14055. <i>NUAC recommend omission of the ground station call sign for the establishment of radio communications.</i></p> <p>SERA 14095 (b) and (c). <i>In an initial distress situation, POB may not be of intrerest. This information may be included in (c) (ii) (F), and this paragraph, "any other useful information", shall also be included in paragraph (b) (1) (ii). (the figure of passengers is not impotant, it's the total persons on board that is essential)</i></p>
response	<i>Noted</i>

comment	<p>451</p> <p>comment by: <i>EUROCONTROL</i></p> <p>Page 10 – Table 1 - SERA.13010(b) Issue Flexibility 02, in conjunction with (I) on page 15 and question on page 16</p> <p>Confirmed: EUROCONTROL/MUAC supports the approach by EASA in giving the Competent Authority flexibility in this matter.</p> <p>Page 10 – Table 1 - SERA.14005 Issue Correctness 08, in conjunction with Table S14-1 on</p>
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response	<p>page 40</p> <p>The order of priority of (a) and (b) is correct for EUROCONTROL/MUAC. However, (c) seems to be somewhat outdated for the European situation.</p> <p>It is suggested that, in fact, safety-related messages should always have priority and that discretion may be used to determine for items (c) to (f) what the priority in a certain situation is.</p> <p>Page 10 – Table 1 - SERA 14055(b) Issue Correctness 13, in conjunction with SERA 14055(b)(2) on page 45</p> <p>In a busy ATC unit, EUROCONTROL/MUAC wishes to point out that it is recommended not to mandate the use of the ground station callsign for the establishment of radio telecommunications. In this case it is considered a greater benefit to save frequency time rather than insist on an item that is of limited value.</p> <p><i>Noted</i></p>
comment	<p>510 comment by: German NSA</p> <p>It would make sense to clearly include tolerance values (e.g. as stated in ICAO PANS-ATM). In advanced ATS systems in Germany verification of mode C information is not a one-time-task to officially certify the accuracy of the systems. Mode C is permanently monitored and – in case there is a discrepancy – this is immediately confirmed/corrected between controller and pilot, and unsolvable discrepancies are always coordinated downstream. ICAO PANS-ATM 8.5.5.1.2 is still valid for environments where mode C information is not monitored permanently or where it is not displayed on the radar screen.</p> <p>We recommend reviewing this part.</p>
response	<p><i>Noted</i></p>
comment	<p>513 comment by: German NSA</p> <p><u>Table 1: SERA.14005</u></p> <p>The order does not deviate from German national law (NfL). However the state telegram is missing as a last item after flight regulatory messages.</p>
response	<p><i>Noted</i></p>
comment	<p>515 comment by: German NSA</p> <p><u>Table 1: SERA.14045</u></p> <p>Missing in SERA but stated in national law (NfL):</p> <p>NON RNAV</p> <p>SQUAWK</p> <p>We recommend to implement those two phraseologies into SERA.</p>
response	<p><i>Noted</i></p>
comment	<p>516 comment by: German NSA</p>



	<p><u>Table 1: SERA.14055 (b)</u> Due to possible overreach of signals (see examples of misleading communications of FRA and BRU) the naming of the ground station should remain.</p>
response	<i>Noted</i>

comment	<p>518 comment by: German NSA</p> <p><u>Table 1: SERA.14095 (b), (c)</u> It would be an overload for the flight crew as they have to take more actions in finding out. To get this information as well as fuel on board and dangerous cargo is a standard procedure of ATC units and will be asked anyhow.</p>
response	<i>Noted</i>

comment	<p>546 comment by: AESA / DSANA</p> <table border="1"> <thead> <tr> <th>COMMENT</th><th>JUSTIFICATION</th></tr> </thead> <tbody> <tr> <td>The Agency would like to invite the stakeholders to provide their view with regard to the open issues listed below, if possible, justified by safety assessment or consolidated evidence.</td><td>Not addressed directly. Some of these open issues are dealt with in other comments to other sections of this NPA.</td></tr> </tbody> </table>	COMMENT	JUSTIFICATION	The Agency would like to invite the stakeholders to provide their view with regard to the open issues listed below, if possible, justified by safety assessment or consolidated evidence.	Not addressed directly. Some of these open issues are dealt with in other comments to other sections of this NPA.
COMMENT	JUSTIFICATION				
The Agency would like to invite the stakeholders to provide their view with regard to the open issues listed below, if possible, justified by safety assessment or consolidated evidence.	Not addressed directly. Some of these open issues are dealt with in other comments to other sections of this NPA.				
response	<i>Noted</i>				

comment	<p>643 comment by: European Cockpit Association</p> <p><u>SERA 13010 (b) 'Pressure altitude derived information'</u> Issue Flexibility 02: Confirm that the flexibility ('Unless otherwise prescribed by the...') associated to SERA 13010(b) (Verification of the pressure altitude at controller level) does not impair the 'high' and 'uniform' level of safety.</p> <p>The mentioned 'flexibility' in fact introduces an option for a CA to "opt-out" from the verification of the pressure altitude at controller level.</p> <p>ECA may be able to agree to the position that - in view of technological advances - it may be 'sufficient to perform such [altitude] verification per ATS system rather than per ATC unit'.</p> <p>However, ECA strongly believes that proposed SERA 13010 (b) addresses the ground ATS system requirements and that the changed environment there should NOT be taken to immediately provoke a change of the related airborne RTF provisions which are spelled out in SERA.14065 (a).</p> <p>After thorough consideration of the arguments brought forward in NPA Section 2.4 item (I) for item SERA 13010 (b), ECA believes that</p>
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- while it may be acceptable to introduce a qualification ('unless otherwise prescribed ...') for the PANS-ATM 8.5.5.1.2 based SERA.13010,
- the reversion of the original ICAO qualification (from ICAO 'when so prescribed ...') does not correctly reflect the current uniform application of the standard initial call in the European requirement.

In consequence, ECA would suggest to retain the qualification in 13010, with an appropriate expansion to address the prerequisites of safety assessment as detailed in the explanation of the NPA, but delete the qualification in 14065 (a) to support true harmonisation of the RTF environment across Europe which in fact appears to have been achieved in the day-to-day operations anyhow, as follows:

SERA.13010 Pressure altitude derived information

... (b) ~~Unless otherwise prescribed by the competent authority, verification~~ Verification of the pressure altitude derived level information displayed to the controller shall be effected at least once by each suitably equipped ATC unit on initial contact with the aircraft concerned or, if this is not feasible, as soon as possible thereafter, unless otherwise prescribed by the competent authority in specified circumstances, subject to a safety assessment carried out by the ATS provider and approved by the competent authority.

[Note: The last half sentence alternatively may be part of associated AMC]

SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover

(a) ~~Unless otherwise prescribed by the ANSP responsible for the provisions of services, the~~ The initial call to an ATC unit after a change of air-ground voice communication channel shall contain the following elements: ...

[list unchanged]

SERA 14085 (a) & (b) 'Voice communication failure'

Issue Correctness 07: Provision for using SSR/ADS-B in case of Radio communication failure ...

Awaiting conclusion of the ICAO Communication Failure Coordination Group.
Provisions may be revisited after the NPA consultation.

SERA 14005 'categories of message'

Issue Correctness 08: Determine from a safety point of view if the voice communication message category naming and radiotelephony order is correct considering the existing Member State's notified differences.

The Agency is seeking the opinion of the stakeholders on whether they consider, from the safety point of view, that the ICAO voice communication message category naming and radiotelephony order is appropriate and should be kept identical in SERA or if it should rather be modified and in which way.

The question is primarily addressed to those national ANSPs which have notified differences. ECA expresses support to keep the current proposal in SERA identical with the reference ICAO legacy provision.



SERA 14045 ‘Transmitting technique’

Issue Correctness 11: Meaning of words and phrases used in radiotelephony provision should be reviewed based on a lot of Member State’s notified differences which lead to words/phrase not used and/or new words/phrase used in certain States. This provision should be modified, if necessary, for standardisation purposes.

Awaiting NPA consultation results to confirm that meaning of words and phrases are acceptable by Member States.

Again, the question is primarily addressed to those national ANSPs which have notified differences. The expanded explanation in NPA Section 2.4.1 (m) advocates refraining from variants and maintaining consistency with other regions of the world.

ECA supports to keep the current proposal in SERA identical with the reference ICAO provision. ECA would like to point out that it is nearly impossible to comment in a meaningful way when the possible variations are not spelled out in the NPA but would be introduced in the ensuing process only.

SERA 14055 (b) ‘Radiotelephony procedures’

Issue Correctness 13: Assess if omitting the ground station call sign for the establishment of radio telecommunications may improve safety standards at busy ATC units.

Awaiting NPA consultation results to confirm that the proposed SERA 14055(b), which does not authorise the omission of the ground station call sign for the establishment of radio telecommunications at busy ATC units, is acceptable.

It should be noted that the expanded explanation in NPA Section 2.4.1 (m) appears to give a better, possibly the correct description of the issue: The respective national difference allows, for the establishment of radiotelephony communications and for busy ATC under certain circumstances, that the answering ground station omits its own call sign.

It appears that the reference national difference reflects current operational practices; in this context, **ECA is exceptionally able to accept a common European difference from the ICAO provision**. It should be emphasised that such a decision should be followed up with an appropriate amendment proposal for the ICAO global Annex 10 provisions. It should further be noted that a valid assessment of the potentially amended SERA proposal is impossible, as the alternative text is not included in the NPA.

While reviewing the associated RTF procedures in order to address issue ‘Correctness 13’, a predominantly editorial inconsistency was detected: While the ICAO provisions keep the general procedures for „Establishment of RTF“ (SERA.14055 (b) refers) and „Subsequent RTF“ in close sequence, the proposal moves the latter to SERA.14065 (channel changeover).

While at first sight it may appear appropriate to have the „subsequent RTF“ follow the specific provisions for the „initial call“, the content and language of SERA.14065 (d) – Subsequent radiotelephony communications – may better be retained in the sequence used in ICAO Annex 10, following the general provisions for the establishment of such communications.



In consequence, ECA would suggest to consider moving SERA.14065 (d) into SERA.14055 as new sub-section (c) – text and content unchanged.

SERA 14095 (b) and (c)

‘Distress and urgency radiotelephony communication procedures’

Issue Correctness 16: Determine if the number of persons on board shall be added to the list of elements to be transmitted during radiotelephony procedures for distress communications.

Awaiting NPA consultation results to determine if the number of person on board should be added to distress and/or urgency communications.

The proposed text of SERA.14095 is verbatim from ICAO Annex 10 Vol II (RTF). The ICAO provisions clearly address the need to confine the content of the message of the aircraft in distress to an absolute minimum in the circumstances, as can be deducted by the qualifications 'consist of as many as possible of the following elements' in the lead in and 'time and circumstances permitting' with regard to the name of the station addressed. It may also be noted that the list of elements is expanded by the item 'any other useful information' in the context of urgency messages only; probably, as these are deemed to relate to a less demanding situation for the flight crew.

The number of persons on board should be available in most cases from the filed flight plan or through established notification processes for those AOC holders which are exempt from providing this information in the flight plan.

A European expansion of the global ICAO provisions, introducing a requirement to include number of persons on board within the initial distress and urgency calls, does not appear to be necessary; to the contrary, the associated addition to crew workload appears not justified.

It is suggested that the current proposal be retained unchanged and consistent with the ICAO Annex 10 provisions.

response *Partially accepted*

Flexibility 02: Not accepted — The Mode C verification in the proposed provisions is based on the currently used technologies on ground. It is possible to use information processed by one single automated ATM system in different ATC units and it is up to the competent authority to take a decision on the use of such flexibility.

Flexibility 07-08-11: Noted

Correctness 13: Partially accepted — the text will be amended by moving SERA.14065 (d) into the new SERA.14055 (c). The remaining part of SERA.14055 will be unchanged. Please refer to the response to comment 178.

Correctness 16: Noted



comment	<p>48</p> <p>comment by: <i>René Meier, Europe Air Sports</i></p> <p>2.4.(d) page 11/170 Thank you for the proposal to align the type of lights to be switched on by a balloon. Rationale: This new provision will be operationally reasonable.</p> <p>2.4.(f) page 11/170 Please indicate what "other EU Regulations" are meant. Rationale: This would help understanding the whole complex use of airspace and air operations interdependencies.</p>
response	<p><i>Noted</i></p> <p>'Other EU Regulations' means other applicable European Regulations such as Regulations (EU) Nos 965/2012 and 800/2013 (OPS Regulations).</p>

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.1. Proposed amendments coming from the relevant material from ICAO Annex 10 and ICAO Documents

p. 11-18

comment	<p>49</p> <p>comment by: <i>René Meier, Europe Air Sports</i></p> <p>2.4.1(a) page 12/170 Clarity on "mountain area", "mountainous area", "mountainous terrain", "hostile environment" is needed. ICAO Annex 2 definitions, PANS OPS definitions and SERA terms have to be identical. We propose "mountain area". The level of application could be the one of an AMC/GM, but the IR level also is acceptable to our community. Rationale: Observing what is discussed these days in the relevant rulemaking group for the Helicopter Mountain Rating (RMT.0565, RMT.0566) with regards to the terms to be applied clarity is needed. And: The shorter a term the better is understandable.</p>
response	<p><i>Noted</i></p> <p>The definitions have been aligned: Please refer to the response to comment 401.</p>
comment	<p>50</p> <p>comment by: <i>René Meier, Europe Air Sports</i></p> <p>2.4.1(a) page 12/170 2nd para: "safety sensitive" is in our view not a useful term. It will not improve the clarity of relevant provisions. Please use "safety relevant"</p>



	<p>Rationale: As "efficient" and "effective", "sensitive" may lead to confusion, "sensible" sounds so similar, has, however, a different meaning. "Safety relevant" is clearer.</p>
response	<p><i>Not accepted</i></p> <p>The clarity of 'safety sensitive' is considered satisfactory and it is also aligned with the ICAO definition. The difference is that the scope of the definition explicitly includes more categories of personnel.</p>
comment	<p>51 comment by: René Meier, Europe Air Sports</p> <p>2.4.1(b) SERA.5005(e) pages 12 and 13/170 Please transpose the relevant provisions. Rationale: In doing so confusion and interpretations will not occur.</p>
response	<p><i>Noted</i></p>
comment	<p>52 comment by: Isavia Ltd.</p> <p>1. In 2.4.1.(a) on page 12 the Agency asks whether the definition of "mountainous area" should be at the level of IR or done in AMC/GM Comment: It should be done in AMC/GM. Circumstances can differ requiring flexibility within AMC and GM.</p> <p>2. In 2.4.1.(b) on page 13 the Agency asks whether the relevant provisions of Regulation (EC) No 730/2006 should be transposed in SERA. Comment: It is Isavia's opinion that the regulation should not be transposed in SERA. This is because there are different requirements in the High Seas than for example in the NAT region.</p> <p>3. In 2.4.1.(l) on page 16 the Agency asks for stakeholders opinion on the validity of the approach proposed for SERA.13010. Comment: Isavia agrees with the proposed approach. It improves safety.</p> <p>4. In 2.4.1.(m) on page 18 the Agency refers to SERA.14095 b) and c) and asks for stakeholders view on adding "the number of passengers on board" to the list of elements associated to a distress urgency call. Comment: Isavia is in favour of this adding this element since this information is not readily available (is only in complementary flight plan).</p>
response	<p><i>Noted</i></p>
comment	<p>58 comment by: René Meier, Europe Air Sports</p>



response	<p>2.4.1.(m) page 16/170, question box near to the bottom end of page SERA.14005 Please keep it identical, do not modify anything. Rationale: Variations provoke misunderstandings. We all know that standard language of aviation is broken english, we therefore have to keep things simple.</p> <p><i>Noted</i></p>
comment	<p>71 comment by: René Meier, Europe Air Sports</p> <p>2.4.1.(m) page 18/170 SERA.14095 Number of passengers on board We agree, this is helpful to SAR organisations. However, it must be changed to "persons on board", not only "passengers". Rationale: SAR organisations must have the full picture of the situation. "Persons onboard" is the wording we find in "Issue Correctness 16, page 170/170.</p>
response	<p><i>Accepted</i></p> <p>A GM to the proposed SERA14095 provision, reflecting your proposal, will be developed .</p>
comment	<p>72 comment by: CAA-Norway</p> <p>The definition should be in the IR. Norwegian CAA still seek more clarity in the distinction between “Mountainous area” and “High terrain” which cannot be the same. “High terrain” is used in SERA.5005(c)(4)(i) and SERA.5015(b)(1) and it need to be defined. If we do not know what “High terrain” is, then we do not know where the rule should be applied. (Today our national regulation defines “high terrain” to be above 1.850 m AMSL.)</p>
response	<p><i>Noted</i></p>
comment	<p>73 comment by: CAA-Norway</p> <p>Norwegian CAA support including explicitly personell like rescue and firefighting in the definition.</p>
response	<p><i>Noted</i></p>
comment	<p>75 comment by: CAA-Norway</p> <p>Norwegian CAA support the transposition into SERA of the relevant provisions of (EC)730/2006</p>



response	<i>Noted</i>	
comment	79	comment by: CAA-Norway
	To NPA page 16 SERA13010 Norwegian CAA support this new approach to Mode C verification.	
response	<i>Noted</i>	
comment	80	comment by: CAA-Norway
	To NPA page 16 SERA voice communication The ICAO regulations seem to be appropriate.	
response	<i>Noted</i>	
comment	82	comment by: CAA-Norway
	Norwegian CAA support the option to add the number of passengers on board.	
response	<i>Noted</i>	
	The text 'passengers on board' will be changed to 'persons on board'.	
comment	87	comment by: BALPA
	BALPA has no objection to the boxed question on page 17 wrt ground stations omitting their own call sign when busy.	
response	<i>Noted</i>	
comment	105	comment by: DFS Deutsche Flugsicherung GmbH
	related to page 13 point (e) SERA.8012 Application of wake turbulence separation: The values for separation minima shall be established on a European basis and not be subject to local assessments.	
response	<i>Noted</i>	
	This will be further described in Part ATS.	
comment	106	comment by: DFS Deutsche Flugsicherung GmbH
	Page 16 question box on SERA.13010: DFS supports the validity of the approach.	



response *Noted*

comment 108 comment by: *DFS Deutsche Flugsicherung GmbH*

Page 17 question box on omission of callsign of ground station in certain circumstances: AMC/GM for the definition of "busy ATC" and "certain circumstances" is recommended.

response *Not accepted*

Proposing such definitions in the IR may lead to situations in which the rule will limit unnecessarily the actions of the pilots and/or ATCOs. After the consultation, it has been decided not to retain the option of allowing the omission of the call sign.

comment 109 comment by: *DFS Deutsche Flugsicherung GmbH*

Page 18 question box SERA.14095

We recommend to use POB because this is an important information for the rescue services on ground.

response *Noted*

comment 135 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page 12 **2.4.1(a)**

We think that each MS shall be able to decide their own level for the mountainous area with regard to their topography; therefore we prefer it to be at GM level.

In theory your proposal is more restrictive than ICAO Doc 8168 Vol I, as ICAO says 1 500 ft above obstacle between 3 000 – 5 000 ft and 2 000 ft above 5 000 ft.

The definition of mountainous area says "within a distance of 10 NM"; this implies that if the aircraft is within 10 NM of a mountain of 3 000 ft or higher it shall be 2000 ft above that obstacle (mountain). This contradicts the writing in 5015 (b) 1. which states "2 000 ft above the highest obstacle within 8 km".

response *Noted*

The definition of 'mountainous terrain' is independent of the provisions related to minimum flight altitude in IFR.

comment 136 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

2.4.1 (a) page 12

We don't see any problem with naming more personnel "safety-sensitive" as long as it is stated that it is not limited to these areas of personnel listed in definition 116.

response *Noted*



comment	137	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	2.4.1 (b) page 13	
	We are in favour of transposing Regulation 730/2006 into the SERA Regulation.	
response	<i>Noted</i>	
comment	138	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	2.4.1 (i) page 16	
	13010 (b). The flexibility allows for states not to make this requirement, and thus has an impact on the (intended) level of safety. The flexibility should be removed.	
response	<i>Not accepted</i>	
	As explained in the Explanatory Note of the NPA, the current systems in place justify such flexibility which does not reduce the level of safety. In certain cases, pretty much dependant on the local conditions, the lack of flexibility could generate unnecessary workload.	
comment	139	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	2.4.1(m) page 16	
	We accept the suggested text in IR.	
response	<i>Noted</i>	
comment	140	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	2.4.1(m) page 17	
	We would like a clarification on which phase of the communication exchange you refer too.	
response	<i>Noted</i>	
	The reference is made to the category of messages as listed in ICAO Annex 10, Volume II, 5.1.8	
comment	141	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	2.4.1(M) page 17	
	We accept the suggested text in IR. However the list for initial distress communications should be as short as possible. If anything, POB should be added to the urgency communication only.	



response	Noted
comment	<p>167 comment by: LFV Sweden</p> <p>Page 12 LFV have no comments regarding 'mountainous area' whether it should be at the level of IR or AMC/GM.</p>
response	Noted
comment	<p>180 comment by: ENAV</p> <p><i>"The Agency is seeking the opinion of stakeholders and Member States whether the definition of 'mountainous area' should be at the level of IR or it should be done in AMC/GM."</i> It should be at IR level</p>
response	Noted
comment	<p>181 comment by: ENAV</p> <p><i>"The Agency is seeking the opinion of stakeholders and Member States whether the relevant provisions of Commission Regulation (EC) No 730/2006 should be transposed in SERA in order to improve the readability of the regulatory provisions with respect to access of VFR flights to levels above FL 195."</i> The relevant provisions of Commission Regulation (EC) No 730/2006 should be transposed in SERA and therefore Reg 730 can consequentially be withdrawn. If it is not possible because of the applicability of Reg 730 to the ICAO AFI Region, the same provisions should not be duplicated in different regulations.</p>
response	Noted
comment	<p>182 comment by: ENAV</p> <p><i>"Through this NPA and the present section, the Agency is seeking the opinion of stakeholders and Member States on the validity of the approach proposed for SERA.13010."</i> ENAV supports the possibility to allow for alternative means.</p>
response	Noted
comment	<p>183 comment by: ENAV</p> <p><i>"The Agency is seeking the opinion of the stakeholders on whether they consider, from the safety point of view, that the ICAO voice communication message category naming and radiotelephony order is appropriate and should be kept identical in SERA or if it should rather be modified and in which way."</i> From ENAV point of view the ICAO voice communication message category naming and radiotelephony order is appropriate and should be kept identical in SERA</p>



response *Noted*

comment 184

comment by: ENAV

"However, a national difference was notified which allows, for the establishment of radiotelephony communications and for busy ATC under certain circumstances, that the answering ground station omits its own call sign. Views of stakeholders are also sought on this specific point."

The proposed SERA.14055 (b) is acceptable. However the wording of SERA.14055 (b) appears incorrect.

SERA.14050 (a), which is referenced to in (1) as a calling procedure, is not. The corresponding paragraph in ICAO Annex 10 refers to Table 5-2, which indeed depicts calling procedures. Therefore, while a reply procedure is established in (2), there is no procedure for the initial call. We suggest to amend (1) as follows:

(1) Full radiotelephony call signs shall always be used when establishing communication. When establishing communication, aircraft shall start their call by the designation of the station called, followed by the designation of the station calling.

response *Accepted*

Please refer to the response to comment 178.

comment 185

comment by: ENAV

"On SERA.14095 b) and c), an existing notified difference by one European State has been considered interesting for SERA and the opinion of stakeholders is expected on the option to add 'the number of passengers on board' to the list of elements associated to a distress or urgency call."

ENAV would not support the addition. For commercial aviation, the number of persons on board, which is relevant for SAR and not for ATS, may reasonably be retrieved from the flight plan, the operator or also the pilot, ideally not in the first moments of the distress phase. The item could be more relevant for general aviation, but this would not be sufficient ground for establishing a general requirement. It could be mentioned within the foreseen GM to (c) (1) (ii) (F).

response *Noted*

comment 197

comment by: CAA-NL

Question page 16 on SERA.13010

We agree. Many ANSPs already work according to the flexible manner. Different units work according to the same references, so it is not always necessary to check this with every transfer (it would not be practical with high workloads).



response	There are sufficient other regulatory means to safeguard the 'high' and 'uniform'.
comment	199 comment by: CAA-NL Question page 12 on SERA.5005 (mountainous area) We are of the opinion that it should be at IR-level, in order to safeguard unity of definitions throughout Europe.
response	Noted
comment	201 comment by: CAA-NL Second question page 12 regarding safety sensitive personnel The new version of article 2.116 seems to be somewhat too broad and prescriptive. It should rather be tailored to situations that occur in practice. It is proposed to state "(...) who might endanger aviation safety <u>when performing duties that are safety sensitive</u> ". This should be elaborated in the safety management systems of ANSPs and aerodromes.
response	Noted
comment	202 comment by: CAA-NL Question page 13 on EC 730/2006 Yes, transposing them to SERA indeed provides for a better readability.
response	Noted
comment	203 comment by: CAA-NL Question page 16 on SERA.14005 The order of priority should be (a) , (b), (d). Furthermore, (c) seems to be somewhat outdated for the European situation. The order of priority of (c), (e)-(f) is not as important as (a)-(b)-(d), in fact safety-related messages should always have priority. It is proposed to add this to the table. However, filing of differences in respect of this order of message is undesirable.
response	Noted
comment	204 comment by: CAA-NL Question page 17 on 14055(b) We agree to the difference. ATCOs establish when it is required to do this, not necessary that it should be done always. With all dedicated frequencies after initial call of the station it is not required anymore (in the past more units could be calling on the same frequency).



response	Noted	
comment	244	comment by: ENAIRE
	Regarding the definition of 'mountainous area', we agree with the proposed term.	
response	Noted	
comment	245	comment by: ENAIRE
	Fully agree with the inclusion and with the definition of safety-sensitive personnel.	
response	Noted	
comment	246	comment by: ENAIRE
	Fully agree with the inclusion in SERA of the relevant provisions of Commission Regulation (EC) N° 730/2006.	
response	Noted	
comment	247	comment by: ENAIRE
	Regarding SERA.8012, if the cases where wake turbulence separation has to be ensured are given, minima should be prescribed for them in SERA, not just letting the ATS providers define them.	
response	Noted	
	This issue will be addressed in be covered in Part ATS.	
comment	248	comment by: ENAIRE
	The approach proposed for SERA.13010 is ok.	
response	Noted	
comment	249	comment by: ENAIRE
	In our opinion, SOB should be included in distress situations. It might help search and rescue as well as fire fighting forces in an early stage to evaluate the situation, not depending on the capacity of the aircraft, but on its real number of passengers.	
response	Noted	



comment	291	comment by: <i>Malta Air Traffic Controllers' Association</i>
	<p>The definition should be at IR level but we don't see any improvement in changing the term "mountainous terrain" to "mountainous area".</p> <p>In cockpit "terrain" is used to warn crews from ground proximity.</p>	
response	<i>Noted</i>	
comment	292	comment by: <i>Malta Air Traffic Controllers' Association</i>
	<p>For a matter of readability we believe the regulation 730/2006 should be transposed into SERA.</p>	
response	<i>Noted</i>	
comment	300	comment by: <i>Malta Air Traffic Controllers' Association</i>
	<p>At the first contact both call signs (station calling and station answering) shall be used for improved situation awareness. After the establishment of radio communications it may be possible to omit the ground station call sign.</p> <p>If a unit is too busy to use its own call sign, regulatory measures should have been taken beforehand. Other measures may be taken for the sake of an optimum frequency usage</p>	
response	<i>Noted</i>	
comment	308	comment by: <i>Danish Transport Authority</i>
	<p>2.4.1 (a): 'mountainous area': We agree with the proposed text as is, as it ensures harmonisation and consistency with the same definition in PANS-OPS.</p> <p>'Safety sensitive personnel': We see no problem with naming more personnel as long as it's stated that it is not limited to these areas of personnel listed in definition 116.</p> <p>2.4.1 (b): Consolidation of EU Regulations should take place whenever possible. We are therefore in favour of transposing Regulation 730/2006 into Regulation 923/2012.</p> <p>2.4.1 (m-i): SERA.14005 - We agree with the proposed text as is. If there is a justified need to amend ICAO Annex 10 a proposal should be forwarded to ICAO for an amendment to that annex, alternatively Doc 7030 (EUR SUPPS) should be amended.</p>	



response *Noted*

comment 313 comment by: *French Civil Aviation Authority (DGAC)*

French DGAC comment (DTA - DSNA - DSAC)

We support the transposition in SERA of the conditions for VFR access above FL195 and above FL285. The wording of regulation 730/2006 is a bit confusing on this matter.

The classification of airspace above FL195 in class C should not be transposed and should remain in 730/2006.

In summary, SERA could state :

- VFR normally limited to FL195 max
- special autorisation is required above FL195
- VFR flights above FL285 are conducted in reserved airspace volumes

ERNIP Part 1 (june 2012) is interesting on this matter:

"Building on article 4, in addition to establishing Class C airspace as the ATS Airspace Class to be applied throughout European airspace above FL 195, it is necessary to introduce harmonised rules for access to this airspace by GAT traffic that may seek to fly en-route under VFR. Having regards to safety and airspace capacity considerations, and to the fact that there is almost no requirement for en-route GAT VFR flight above FL 195, the following general rule has been formulated:

En-route GAT VFR flights above FL 195 are not allowed.

However, there are various types of "special" GAT flight that will have to be accommodated; accordingly the general rule is amplified thus:

- GAT VFR flights above FL 195 and up to and including FL285 are authorised only in:
 - > An airspace reservation [Temporary Segregated Airspace (TSA) or its equivalent] or
 - > In accordance with specific arrangements agreed by the appropriate ATS authority
- GAT VFR flights above FL 285, within RVSM airspace, must be contained within:
 - > An airspace reservation (TSA or its equivalent)

response *Noted*

comment 322 comment by: *French Civil Aviation Authority (DGAC)*

French DGAC comment (DTA - DSNA - DSAC)

We totally support the proposal to allow the omission of the ground station call sign, when no ambiguity is possible and when efficiency requires so.

response *Noted*



comment	355	comment by: NUAC
	<p>The Agency is seeking the opinion of stakeholders and Member States whether modifying the ICAO definition by including explicitly personnel such as rescue and firefighting in the definition of 'safety-sensitive personnel' will improve the clarity of the relevant provision i.e. SERA.2020.</p> <p>NUAC think that All personnel working with safety related parts in aviation shall comply to the rule, including rescue and firefighting.</p>	
response	Noted	
comment	356	comment by: NUAC
	<p>The Agency is seeking the opinion of stakeholders and Member States whether the relevant provisions of Commission Regulation (EC) No 730/2006 should be transposed in SERA in order to improve the readability of the regulatory provisions with respect to access of VFR flights to levels above FL 195.</p> <p>NUAC think it's a good to implement EU 730/2006 in SERA to improve readability.</p>	
response	Noted	
comment	357	comment by: NUAC
	<p>Through this NPA and the present section, the Agency is seeking the opinion of stakeholders and Member States on the validity of the approach proposed for SERA.13010.</p> <p>NUAC thinks that If a safety assesement is carried out, and approved by competent authority, it would be sufficient with verification per ATS-system.</p> <p>If this also is a question of exclusion of pilot level information at communication change-over within the ATS-system, this is wanted if safety assesement is done and approved.</p>	
response	Noted	
comment	358	comment by: NUAC
	<p>The Agency is seeking the opinion of the stakeholders on whether they consider, from the safety point of view, that the ICAO voice communication message category naming and radiotelephony order is appropriate and should be kept identical in SERA or if it should rather be modified and in which way</p> <p>NUAC thinks that the item "Communications relating to direction finding" can be excluded and involved in "Flight safety messages".</p>	
response	Noted	
comment	359	comment by: NUAC
	<p>However, a national difference was notified which allows, for the establishment of radiotelephony communications and for busy ATC under certain circumstances, that the answering ground station omits its own call sign. Views of stakeholders are also sought on</p>	



this specific point.

NUAC thinks that the ground stations answer, at establishment of communication, can include own call sign in order to confirm for the pilot that he/she is on the correct frequency. However, for ATC with normally high traffic load, exemption of own call sign should be an alternative.

response	<i>Noted</i>
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Noted

comment

360

comment by: *NUAC*

On SERA.14095 b) and c), an existing notified difference by one European State has been considered interesting for SERA and the opinion of stakeholders is expected on the option to add ‘the number of passengers on board’ to the list of elements associated to a distress or urgency call.

NUAc thinks:

First: Assume the information will help rescue team. In that case the figure of passengers is not important, it's the total persons on board that is essential. Second: This information can be included in "any other useful information" (SERA 14095 c 1 ii F). The action "any other information" can also be added to SERA 14095 b 1 ii as F).

response

Partially accepted

A GM to the proposed SERA14095 provision, reflecting your proposal, will be developed.

comment

377

comment by: *Fédération Française Aéronautique*

The Agency is seeking the opinion of stakeholders and Member States whether the definition of 'mountainous area' should be at the level of IR or it should be done in AMC/GM.

La Fédération Française Aéronautique propose que la définition figure dans les AMC/GM.

response

Noted

comment

401

comment by: *UK CAA*

Page No: 12 of 170

Paragraph No: 2.4.1 (a) Proposed amendments coming from the relevant material from ICAO Annex 10 and ICAO Documents - Definitions: 'mountainous area'

Comment:

The UK CAA notes references or allusions to ‘mountainous areas’ in ICAO Annexes 2, 3 and 11, and Docs 4444 (PAN-ATM) and 8168 (PANS OPS), although the only definition can be found in PANS-OPS Vol II. Use of the term ‘mountainous terrain’ is noted in PANS-OPS but not defined; it appears to refer to specific terrain in the context of procedures and their design, whilst ‘mountainous areas’ is used in a more generic area (as in common understanding of the word) context.

Use of the term 'mountainous area' would therefore appear appropriate in the context of the proposed SERA changes, and affords alignment with ICAO in this respect. That said, the UK CAA is of the view that the values referred to in the proposed definition should be for guidance only. What constitutes a 'mountainous area' should be determined at national or



local level. The State or ATS provider should be able to define any formal requirements as appropriate mitigation in accordance with a local assessment, as rigid application of the proposed criteria may impose otherwise avoidable constraints upon aircraft operations. For example, for all IFR flights and night VFR, an obstacle 7.9 km away from the intended route of an aircraft would require said aircraft to be flown at a level at least 2000 ft above the highest obstacle located within 8 km of its estimated position. This may not be possible due to airspace constraints, or aircraft performance limitations that preclude compliance with published procedures (e.g. SIDs). Such an approach does not affect the continued application of Minimum Safe Altitudes.

Justification:

Minimised impact on aircraft operations.

Proposed Text:**“Article 2**

95a ‘mountainous area’ is an area of changing terrain profile where the changes of terrain elevation exceed values determined by the Competent Authority.

GM1 Article 2 (95a)

A ‘mountainous area’ may be considered to be an area of changing terrain profile where changes of terrain elevation exceed 900 m (3 000 ft) within a distance of 18.5 km (10.0 NM).”

response *Partially accepted*

The proposed definition will be added to Article 2, and the proposed GM will be suggested as an AMC or GM but it is considered more appropriate to be associated with SERA5005 and SERA.5015.

comment 402

comment by: UK CAA

Page No: 12 of 170

Paragraph No: 2.4.1 (a) Proposed amendments coming from the relevant material from ICAO Annex 10 and ICAO Documents - Definitions: ‘safety-sensitive personnel’

Comment: The UK CAA supports the proposed expansion of exemplar ‘safety-sensitive personnel’ to include those not currently included in Article 2 (116) as it provides clarity as to which categories of personnel may be classified as such. However the list may now be interpreted as inclusive (which it is not), and the additional personnel referred to in Guidance Material.

Justification:

Clarification.

Consistency with other elements of Article 2.

Proposed Text:

“116. ‘safety-sensitive personnel’ mean persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers;

GM1 Article 2(116) Safety-Sensitive Personnel’

‘Safety-sensitive personnel’ may also include aerodrome operations personnel, rescue and firefighting personnel, aerodrome maintenance personnel and other personnel allowed unescorted access on the movement area.”

response *Noted*



The proposal is noted, however the definition as proposed explicitly states that the list is not exhaustive .

comment

403

comment by: UK CAA

Page No: 13 of 170

Paragraph No: 2.4.1(b) Proposed amendments coming from the relevant material from ICAO Annex 10 and ICAO Documents

Comment: SERA 5005(d) already reflects some of 730/2006 and 730/2006 has more detail if required by the State or ATS provider. So it not clear which parts of 730/2006 the Agency wishes to further transpose into 923/2012 and what purpose it would serve to duplicate the EU regulations in this way.

response

Noted

comment

404

comment by: UK CAA

Page No: 16 of 170

Paragraph No: 2.4.1(l) Proposed amendments coming from the relevant material from ICAO Annex 10 and ICAO Documents

Comment:

Mode C information is assumed to be validated if the Mode A code is part of a code allocation plan and has been validated by a previous unit. Verification of the level information is carried out instinctively on first contact with a new unit as this information is provided by the pilot but this should not normally be required. Verification is also carried out instinctively by controllers within the same unit on receipt of pilot level information on channel changeover. Therefore the use of the same ATS system by different ATS units would have little impact on the requirement for verification because the requirements for the pilot to report level information on channel changeover remains the same. UK CAA would still support the requirement for the pilot to report level information on channel changeover as for safety assurance it provides a very useful confirmation of expected level, displayed level and where Mode S downloaded information is provided, a check on pilot intent.

response

Noted

comment

405

comment by: UK CAA

Page No: 17 of 170

Paragraph No: 2.4.1(m) Proposed amendments coming from the relevant material from ICAO Annex 10 and ICAO Documents

Comment:

The current rules do not recognise the modern European communication environment. Except for busy units which have made a case to their national regulator to omit their callsign on first contact, it is necessary for an ATS unit to use its callsign in response to a pilot who has changed channel from a previous ATS unit. As much as anything else this confirms for the pilot that he/she has contacted the correct unit. Thereafter for channel changeover by the pilot within the same ATS unit, the next sector/position should not have to identify itself again but may respond with a new clearance or instruction or simply Roger. EASA is



response	requested to assess the current Annex 10 provision on this issue for its continued relevance in European airspace.
response	<i>Noted</i>
comment	453 comment by: EUROCONTROL
	Page 13 on Commission regulation (EC) No 730/2006 Supported: EUROCONTROL/MUAC confirms that the transposition to SERA indeed provides for better readability.
response	<i>Noted</i>
comment	505 comment by: DFS Deutsche Flugsicherung GmbH
	EN page 12 (a) first box "mountainous area" This definition should be inserted at the level of AMC of SERA 5005.
response	<i>Noted</i>
comment	509 comment by: DFS Deutsche Flugsicherung GmbH
	EN SERA.14005 No change to ICAO Annex 10 is required.
response	<i>Noted</i>
comment	519 comment by: German NSA
	<u>"Mountainous area"</u> This definition should be inserted at the level of AMC.
response	<i>Noted</i>
comment	521 comment by: German NSA
	<u>SERA.2020</u> If the definition of "safety-sensitive personnel" is modified by listing further personnel, ATSEPs should be included as well.
response	<i>Noted</i>
comment	522 comment by: German NSA
	<u>SERA.5005 (e)</u> From an operational point of view SERA.5005(e) it is fine like this. We recommend to adopt



response	the current regulation (EG 730/2006, Art. 4). <i>Noted</i>
comment	<div>524 comment by: German NSA</div> <div><u>SERA.13010</u></div> <p>The technical point of view seems to be logical. In advanced ATS systems in Germany verification of mode C information is not a one-time-task to officially certify the accuracy of the systems. Mode C is permanently monitored and – in case there is a discrepancy – this is immediately confirmed/corrected between controller and pilot, and unsolvable discrepancies are always coordinated downstream. ICAO PANS-ATM 8.5.5.1.2 is still valid for environments where mode C information is not monitored permanently or where it is not displayed on the radar screen.</p> <p>We recommend to review this part.</p>
response	<i>Noted</i>
comment	<div>525 comment by: German NSA</div> <div><u>Voice communications procedures:</u></div> <p>We suggest to build an European Radio Telephony Working Group to establish up-to-date standards and necessary changes (even out of lessons disseminations). For the time being the current ICAO procedures are to be used.</p>
response	<i>Noted</i>
comment	<div>526 comment by: German NSA</div> <div><u>Transmitting techniques:</u></div> <p>Due to possible overreach of signals (see examples of misleading communications of FRA and BRU) the naming of the ground station should remain.</p>
response	<i>Noted</i>
comment	<div>528 comment by: German NSA</div> <div><u>SERA.14095 (b), (c):</u></div> <p>It would be an overload for the flight crew as they have to take more actions in finding out. To get this information as well as fuel on board and dangerous cargo is a standard procedure of ATC units and will be asked anyhow.</p>
response	<i>Noted</i>
comment	<div>544 comment by: Finnish Transport Safety Agency (NSA)</div> <p>Regarding the request for opinion in SERA.14055 - Finnish Transport Safety Agency are in</p>



favour of the possibility to omit the call sign of the answering ground station under certain circumstances. In this case what is meant by "busy", the "certain circumstances", as well as who is considered to be empowered to make the decision regarding implementation of the procedure need to be further defined, potentially in an AMC/GM.

response *Noted*

comment 548

comment by: AESA / DSANA

COMMENT	JUSTIFICATION
The Agency is seeking the opinion of stakeholders and Member States whether the definition of 'mountainous area' should be at the level of IR or it should be done in AMC/GM.	We support the inclusion of the definition of 'mountainous area' at the level of IR in order to ensure a harmonised and common definition for this term.

response *Noted*

comment 549

comment by: AESA / DSANA

COMMENT	JUSTIFICATION
The Agency is seeking the opinion of stakeholders and Member States whether the relevant provisions of Commission Regulation (EC) No 730/2006 should be transposed in SERA in order to improve the readability of the regulatory provisions with respect to access of VFR flights to levels above FL 195.	We would support the transposition of the relevant provisions of Commission Regulation (EC) No 730/2006 into SERA provided that this is linked to the amendment/repealing of those relevant provisions of Commission Regulation (EC) No 730/2006 in order to avoid duplication of regulations.

response *Noted*

comment 552

comment by: AESA / DSANA

COMMENT	JUSTIFICATION
The Agency is seeking the opinion of stakeholders and Member States whether modifying the ICAO definition by including explicitly personnel such as rescue and firefighting in the definition of 'safety-sensitive personnel' will improve the clarity of the relevant provision i.e. SERA.2020.	We fully support the modification of the ICAO definition as suggested by EASA. This is consistent with the requirement ADR.OR.C.045 of regulation (EU) No 139/2014 .



response *Noted*

comment 553

comment by: AESA / DSANA

COMMENT	JUSTIFICATION
Through this NPA and the present section, the Agency is seeking the opinion of stakeholders and Member States on the validity of the approach proposed for SERA.13010.	We support the approach proposed by EASA.

response *Noted*

comment 554

comment by: AESA / DSANA

COMMENT	JUSTIFICATION
On SERA.14095 b) and c), an existing notified difference by one European State has been considered interesting for SERA and the opinion of stakeholders is expected on the option to add 'the number of passengers on board' to the list of elements associated to a distress or urgency call.	We support the approach proposed by EASA as this would be quite helpful for the SAR and RFFS in the process of evaluating the resources needed to attend the distress or urgency call.

response *Noted*

comment 572

comment by: Finnish Transport Safety Agency (NSA)

SERA.14095 (b) (ii) and the request for opinion - Finnish Transport Safety Agency supports the addition of this information. However, the text should read "the number of persons on board" rather than passengers since it is the number of persons on board which is of importance for rescue personnel.

During one Finnish SIA investigation it was found that the information regarding number of persons on board would have been of use for the rescue personnel when they plan the rescue mission. Therefore this information should be added in the list of mandatory elements.

response *Partially accepted*

A GM to the proposed SERA14095 provision, reflecting your proposal, will be developed



comment	<p>621</p> <p>comment by: <i>French Civil Aviation Authority (DGAC)</i></p> <p>French DGAC comment (DTA - DSNA - DSAC)</p> <p>- We are not sure there is a real need for an IR SERA/PANS-OPS convergence on this matter : the consideration of the mountainous nature of a region does not have the same objective in a PANS-OPS perspective (procedure designers) and in a SERA persepective (pilots).</p> <p>- "95a 'mountainous area' is an area of changing terrain profile where the changes of terrain elevation exceed 900 m (3 000 ft) within a distance of 18.5 km (10.0 NM)."</p> <p>The PANS-OPS definition may be adequate for IFR procedure designers, but not for pilots, who will be unable, with such a sophisticated definition, to assess whether they are flying through a mountainous area. Therefore the only practical way of applying the definition is for the States to publish the said areas. In the French rules of the air, a mountainous area is an area where terrain rises over 5 000 ft - this definition lacks precision but is simple.</p> <p>- For these reasons, we favour the introduction of elements related to a definition of "mountainous area" in AMC / GM, but not at IR level.</p>
response	<p><i>Noted</i></p>
comment	<p>624</p> <p>comment by: <i>European Transport Workers Federation - ETF</i></p> <p>ETF is concerned by the use of the phrase safety-sensitive personnel, it is a new phrase used by the Agency without a clear definition and in addition to safety-related and safety-critical. How is it consistent with/how does it compliment the other phrases ?</p>
response	<p><i>Noted</i></p> <p>The terms 'safety-critical' and 'safety-related' used in the text of the Basic Regulation (Regulation (EC) No 216/2008) are mainly related to equipment, systems and constituents. The commented definition is related to personnel.</p>
comment	<p>625</p> <p>comment by: <i>European Transport Workers Federation - ETF</i></p> <p>ETF is of the opinion that this omission has to be limited to the use of the ground callsign after the first contact only.</p>
response	<p><i>Noted</i></p>
comment	<p>626</p> <p>comment by: <i>European Transport Workers Federation - ETF</i></p> <p>ETF is in favour of the Agency's proposal.</p>
response	<p><i>Noted</i></p>



comment	633	comment by: <i>René Meier, Europe Air Sports</i>
	<p>2.4.1(l) page 16/170, question box in the upper third part of the page SERA.13010 We support in principle the proposal for a less demanding provision. The question we have: How do pilots become aware of being in contact, or not, with a new ATS system? Rationale We favour simple and identical rules harmonised across Europe.</p>	
response	<i>Noted</i>	
comment	634	comment by: <i>René Meier, Europe Air Sports</i>
	<p>2.4.1.(m) page 17/170 SERA.14055 When communication is well established and no risk of misunderstandings or interruptions exist this is acceptable to us. Rationale: Such a measure reduces R/T traffic.</p>	
response	<i>Noted</i>	
comment	650	comment by: <i>NATS National Air Traffic Services Limited</i>
	<p>Page No: 12 Paragraph No: 2.4.1 (a) The Agency is seeking the opinion of stakeholders and Member States whether the definition of ‘mountainous area’ should be at the level of IR or it should be done in AMC/GM. <u>NATS Comment:</u> The definition of mountainous areas should be AMC/GM not IR material. The State or ATS provider in accordance with a local assessment should be able to define any formal requirements as appropriate mitigation. <u>Justification:</u> For instance, for night VFR, there might be an obstacle 7.9 km away from the intended route and this would require 2,000ft MOC. This might not be possible due to airspace constraints.</p>	
response	<i>Noted</i>	
comment	651	comment by: <i>NATS National Air Traffic Services Limited</i>
	<p>Page No: 12 Paragraph No: 2.4.1 (a) The Agency is seeking the opinion of stakeholders and Member States whether modifying the ICAO definition by including explicitly personnel such as rescue and fire fighting in the definition of ‘safety-sensitive personnel’ will improve the clarity of the relevant provision i.e. SERA.2020. <u>NATS Comment:</u> It is not clear that the provision will be clarified any further by this addition. We believe it is already clear. <u>Justification:</u> The proposal captures a group of airport personnel, within a set of rules of the air, which are currently not captured. It is the justification for this and how it improves the safety of aerodrome operations, which needs to be better articulated.</p>	



response *Noted*

comment 652 *comment by: NATS National Air Traffic Services Limited*

Page No: 13 Paragraph No: 2.4.1 (b) The Agency is seeking the opinion of stakeholders and Member States whether the relevant provisions of Commission Regulation (EC) No 730/2006 should be transposed in SERA in order to improve the readability of the regulatory provisions with respect to access of VFR flights to levels above FL 195.

NATS Comment: SERA 5005 (d) already reflects some of 730/2006 which has more detail if required by the State or ATS provider. So it not clear which parts of 730/2006 the Agency wishes to further transpose into 923/2012 and what purpose it would serve to duplicate the EU regulations in this way.

Justification: Clarification sought.

response *Noted*

comment 653 *comment by: NATS National Air Traffic Services Limited*

Page No: 16 Paragraph No: 2.4.1 (l) Through this NPA and the present section, the Agency is seeking the opinion of stakeholders and Member States on the validity of the approach proposed for SERA.13010.

NATS Comment: Mode C information is assumed to be validated if the Mode A code is part of a code allocation plan and has been validated by a previous unit. Verification of the level information is carried out instinctively on first contact with a new unit as this information is provided by the pilot but this should not normally be required. Verification is also carried out instinctively by controllers within the same unit on receipt of pilot level information on channel changeover. Therefore the use of the same ATS system by different ATS units would have little impact on the requirement for verification because the requirements for the pilot to report level information on channel changeover remains the same. NATS would still support the requirement for the pilot to report level information on channel changeover as for safety assurance it provides a very useful confirmation of expected level, displayed level and where Mode S downloaded information is provided, a check on pilot intent.

response *Noted*

comment 654 *comment by: NATS National Air Traffic Services Limited*

Page No: 17 Paragraph No: 2.4.1 (m) However, a national difference was notified which allows, for the establishment of radiotelephony communications and for busy ATC under certain circumstances, that the answering ground station omits its own call sign. Views of stakeholders are also sought on this specific point.

NATS Comment: The current rules do not recognise the modern European communication environment. Except for busy units which have made a case to their national regulator to omit their callsign on first contact, it is necessary for an ATS unit to use its callsign in response to a pilot who has changed channel from a previous ATS unit. As much as anything else this confirms for the pilot that he/she has contacted the correct unit. Thereafter for channel changeover by the pilot within the same ATS unit, the next sector/position should not have to identify itself again but may respond with a new clearance or instruction or



response	<p>simply Roger. EASA is requested to assess the current Annex 10 provision on this issue for its continued relevance in European airspace.</p> <p><i>Noted</i></p>
comment	<p>655 comment by: <i>NATS National Air Traffic Services Limited</i></p> <p>Page No: 18 Paragraph No: 2.4.1 (m) On SERA.14095 b) and c), an existing notified difference by one European State has been considered interesting for SERA and the opinion of stakeholders is expected on the option to add 'the number of passengers on board' to the list of elements associated to a distress or urgency call.</p> <p><u>NATS Comment:</u> NATS does not instruct its controllers to ask for the number of passengers on board as this information can be obtained from other sources. If this information is supplied by the pilot then it may be used. However if this information is inserted in the emergency message and the pilot does not provide it for any reason, then ATC must not be required to ask the pilot.</p> <p><u>Justification:</u> If ATC can acquire this information from other sources, is there a need to make this a requirement on the pilot, particularly considering the high cockpit workload at these times.</p>
response	<p><i>Noted</i></p>

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.2. Proposed amendments to apply the rule to aerodrome operators and personnel working on the operation and maintenance of the aerodrome infrastructure and in particular on the manoeuvring area

p. 18

comment	<p>59 comment by: <i>René Meier, Europe Air Sports</i></p> <p>2.4.2 page 18/170 SERA.2001</p> <p>We support the alignment with ICAO Annex 14 provisions pertaining to "closed runways or taxiways"</p> <p>Rationale: We support the above.mentioned provisions for consistency reasons. Using different colours for runways and taxiways in use, not in use respectively, will be a very expensive solution and minimize confusion risk.</p>
response	<p><i>Noted</i></p>
comment	<p>529 comment by: <i>German NSA</i></p> <p><u>SERA.3210 (d), (2), (3):</u> A measure for this particular situation should be inserted, eventually at the level of AMC e.g. radio clearance when ensured by A-SMR. Additionally we see the need to clarify the event of unserviceable stop bars (e.g. through the use of Follow-me cars).</p>



response

Noted

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.3. Need to clarify paragraph SERA.3210(d)(3) so as to implement measures for preventing runway incursion

p. 18-19

comment

53

comment by: *Isavia ltd.*

In 2.4.3. on page 19 the Agency asks for stakeholders view on whether, in the cases where stop bar lights can not be switched off, it should be permitted to cross the illuminated stop bars with only a clearance radio from the aerodrome control tower.

Comment:

Isavia opposes this change as it might cause a safety risk. If the stop lights are faulty they should be fixed as soon as possible and in the mean time measures like sending out a "follow me" should be applied. Changing to a less stringent rule might cause confusion and be an incentive to delay repair.

response

Noted

comment

60

comment by: *René Meier, Europe Air Sports*

2.4.3

Question block

page 19/170

SERA.3210(d)(3)

We disagree with those who ask for exemptions in such a case.

Rationale:

Accepting compromises here we inevitable create dangerous situations. "Red" means "Stop", absolutely. Fail-safe installations are the solution.

response

Noted

comment

92

comment by: *BALPA*

Boxed question. BALPA agrees to the suggestion that additional text to cover cases where the stop bar lights cannot be switched off could be inserted. However, it should be made clear that this can only occur when the pilots have stated the position of the aircraft and this has been verified by the controller. This is to avoid an increased risk of runway incursion.

response

Noted

comment

142

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)***2.4.3 page 19**

An AMC should be developed for unusual situations such as when stop bars are out of



response	<p>service. This should be considered as a contingency situation and an AMC should include methods on how to overcome such a situation.</p> <p><i>Noted</i></p>
comment	<p>171 comment by: <i>LFV Sweden</i></p> <p>LFV support the proposed improvement of SERA.3210 to allow TWR clear an aircraft to cross an illuminated stop-bar which cannot be switched of. This will improve the control of aircraft on the manoeuvring area e.g. aircraft can avoid unnecessary stops that will reduce fuel consumption with some benefits to the environment, marshall/follow me vehicles as used today are not needed which will reduce the risk of potential incidents.</p>
response	<p><i>Noted</i></p>
comment	<p>186 comment by: <i>ENAV</i></p> <p><i>"The adopted SERA.3210(d)(2) and (3) provisions presented in the draft IR of the present NPA are transposed from ICAO Annex 2 (3.2.2.7.2 and 3.2.2.7.3) without any change to the original meaning. This was considered to be the appropriate transposition for SERA on the basis that the rule should cover the general case and not the details of specific contingency measures for which a specific safety assessment is necessary. Another opinion has emerged which proposes to insert additional text to cover the cases where the stop bar lights cannot be switched off, with the intention to permit crossing the illuminated stop bars with only a clearance by radio from the aerodrome control tower. The Agency is seeking the views of stakeholders on the relevance of such insertion."</i></p> <p>ENAV supports the insertion of additional text to allow for local instructions to include procedures for managing surface traffic in case of technical failures, where stop bars cannot be switched off.</p>
response	<p><i>Noted</i></p>
comment	<p>205 comment by: <i>CAA-NL</i></p> <p>Question page 19 on SERA.3210</p> <p>The starting point should be that for crossing a stopbar it should be switched off. A physical/active switch off is a safety measure. Making it possible to cross illuminated stop bars, even with a clearance, can be qualified as a degradation of the ATM system for which contingency measures should be taken. It should only be made possible under specific circumstances and if it is preceded by a safety assessment.</p>
response	<p><i>Noted</i></p>
comment	<p>250 comment by: <i>ENAIRE</i></p> <p>Due to the potential, but highly relevant, consequences of crossing red lights, even in a</p>



contingency case, the case should be analyzed and regulated within SERA. What we do not fully agree with is the statement that a normal ATC clearance should be enough to cross the red bar. In the case of a contingency, where the bar cannot be switched off, special RTF phraseology should be defined and the contingency situation should be clearly stated.

response *Noted*

comment 290 comment by: *Malta Air Traffic Controllers' Association*

There are two types of stop bar lights: always on ones, and switchable ones. Whatever the type, when they are on, they should NEVER EVER be crossed.

If they can't be switched off, it's whether because there is work in progress behind, or because of a failure. In case of failure, the stop bars should automatically be shut down and additional information should be included in NOTAM/ATIS. The malfunctioning of the stop bars causes a degradation of the service provision

Amended text :
*An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may **only** proceed further ~~in accordance with (2)~~ when the lights are switched off **and an explicit clearance has been issued by the aerodrome control tower.***

response *Noted*

comment 309 comment by: *Danish Transport Authority*

SERA.3210:
 The situation where the stop bar lights cannot be switched off shall be regarded as a contingency situation and an AMC should include methods on how to overcome such a situation.

response *Noted*

comment 311 comment by: *French Civil Aviation Authority (DGAC)*

French DGAC comment (DTA - DSNA - DSAC)

Stop bars
 We favour the first proposal : the rule should cover only the general case. Issues related to contingency or failure have to be addressed by local procedures, which content depends on the specific and local organisation and aerodrome equipment.

Referring to a clearance from the aerodrome control tower would put the possibility of derogation and all the responsibility on the aerodrome controller. Now the management of stop bar failures should be described in local procedures.



response

Noted

comment

349

comment by: ANA Luxembourg

We agree with this proposition to insert additional text to cover the cases where the stop bar lights cannot be switched off, with the intention to permit crossing the illuminated stop bars with only a clearance by radio from the aerodrome control tower.

response

Noted

comment

406

comment by: UK CAA

Page No: 18 of 170

Paragraph No: 2.4.3. Need to Clarify Para SERA.3210(d)(3) so as to Implement Measures Preventing Runway Incursion.

Comment: The UK CAA is of the view that those cases where the stop bar lights cannot be switched off are akin to the circumstances at SERA.3210(d)(2) and as such do not warrant additional regulation. The circumstances can be addressed by Guidance Material.

Justification:

Additional regulation is not necessary, suitable Acceptable Means of Compliance appears more appropriate.

Flexibility in aerodrome operations.

Proposed Text:

"AMC1 SERA.3210(d)(3)Right-of-way

An aircraft taxiing on the manoeuvring area stopping and holding at lighted stop bars that may not be switched on or off, or may be unserviceable and failed to 'on' (i.e. red), may proceed further in accordance when an explicit clearance to cross the lighted stop bar has been issued by the aerodrome control tower."

response

Noted

comment

556

comment by: IATA (Dragos Munteanu)

IATA considers the need for the Agency to maintain the ICAO provision without introducing text for the situations when the stop bars cannot be switched off. In case of local problems (such as a stop bar which can not be switched off), this should be covered by a local procedure for the particular case but not through a general European rule deviating from ICAO.

response

Noted

comment

557

comment by: AESA / DSANA

COMMENT

JUSTIFICATION



	<p>The adopted SERA.3210(d)(2) and (3) provisions presented in the draft IR of the present NPA are transposed from ICAO Annex 2 (3.2.2.7.2 and 3.2.2.7.3) without any change to the original meaning. This was considered to be the appropriate transposition for SERA on the basis that the rule should cover the general case and not the details of specific contingency measures for which a specific safety assessment is necessary. Another opinion has emerged which proposes to insert additional text to cover the cases where the stop bar lights cannot be switched off, with the intention to permit crossing the illuminated stop bars with only a clearance by radio from the aerodrome control tower. The Agency is seeking the views of stakeholders on the relevance of such insertion.</p>	<p><u>We do not support</u> the insertion of this additional text as this implies a decrease in the level of safety related to runway incursions. Stop bars are required by ICAO Annex 14 as a barrier to increase the level of safety related to runway incursions based on a particular concept of aerodrome operations of which the stop bars are but a part. The insertion of this additional text without considering its effect on the whole safety system would go against this concept of operations, concept of operations that we fully support.</p>
response	Noted	
comment	576	comment by: Finnish Transport Safety Agency (NSA)
	Finnish Transport Safety Agency supports the insertion of text to cover the cases where stop bar lights cannot be switched off.	
response	Noted	
comment	585	comment by: DFS Deutsche Flugsicherung GmbH
	<p>A measure for this particular situation should be inserted, eventually at the level of AMC. E.g. radio clearance when ensured by A-SMR.</p> <p>Additionally we see the need to clarify the event of unserviceable stop bars (e.g. through the use of Follow-me cars)</p>	
response	Noted	
comment	608	comment by: Camille Goureau (ATCEUC)
	<p>SNCTA agrees with EASA : the text must remain as it is.</p> <p>There is no need to introduce a procedure for very rare events.</p>	
response	Noted	
comment	627	comment by: European Transport Workers Federation - ETF



response	<p>ETF is in favour of the Agency's proposal.</p> <p><i>Noted</i></p>
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comment	<p>644 comment by: <i>European Cockpit Association</i></p>
	<p><u>Crossing of Red Stop Bars - amendment to SERA 3210 (d) (2), introducing a contingency procedure</u></p> <p>Reference: Explanatory Note, Section 2.4.3. - Explanation regarding the - missing? - clarity of existing (SERA A/B) provision SERA.3210(d)(2) and (3)</p> <p>ECA believes that the verbatim transposition from ICAO Annex 2 (3.2.2.7.2 and 3.2.2.7.3) without any change to the original meaning should be retained.</p> <p>ECA agrees that the rule should cover the general case and not the details of specific contingency measures for which a specific safety assessment is necessary. Any procedure in the ground rule to permit crossing the illuminated stop bars with only a clearance by radio from the aerodrome control tower would undermine the intention of the ICAO provisions to establish a fail-safe - double - requirement for runway entry. If just an ATC clearance would be accepted to allow crossing the lighted red bars, these would lose their function completely.</p>
response	<p><i>Noted</i></p>

comment	<p>656 comment by: <i>NATS National Air Traffic Services Limited</i></p>
	<p>Page No: 19 Paragraph No: 2.4.3 The adopted SERA.3210 (d)(2) and (3) provisions presented in the draft IR of the present NPA are transposed from ICAO Annex 2 (3.2.2.7.2 and 3.2.2.7.3) without any change to the original meaning. This was considered to be the appropriate transposition for SERA on the basis that the rule should cover the general case and not the details of specific contingency measures for which a specific safety assessment is necessary. Another opinion has emerged which proposes to insert additional text to cover the cases where the stop bar lights cannot be switched off, with the intention to permit crossing the illuminated stop bars with only a clearance by radio from the aerodrome control tower. The Agency is seeking the views of stakeholders on the relevance of such insertion.</p> <p><u>NATS Comment:</u> The UK allows the crossing of red stop bars under very specific contingency conditions. NATS would support additional procedures in 3210 that would address this issue.</p> <p><u>Justification:</u> Flexibility in aerodrome operations.</p>
response	<p><i>Noted</i></p>

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.4. Proposed amendments to align the type of lights to be used on balloons with the air operations requirements

p. 19

comment	<p>61 comment by: <i>René Meier, Europe Air Sports</i></p>
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response	<p>2.4.4. page 19/170 Lights to be used on balloons We agree with the proposed amendment. Rationale: As you mention it: The detection of a balloon by other VFR traffic...is much more important than estimating its trajectory.</p>
	<i>Noted</i>

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.7. Proposed amendment of Appendix 4

p. 21

comment	<p>54</p> <p>In 2.4.7. on page 21 the Agency asks whether the proposed amendment of Annex 4 brings more clarity to the rule. Comment: Isavia is of the opinion that the proposed amendment brings more clarity and agrees with the proposal.</p>	comment by: <i>Isavia Ltd.</i>
response	<i>Noted</i>	
comment	<p>62</p> <p>2.4.7. Proposed amendment page 21/170 We support the proposed amendment of Appendix 4 to reflect that ATC services are provided to all flights in class C and D airspace. We suppose there will be no charging users for using this service on VFR flights en-route. The proposed amendment does bring more clarity to the rule text. Rationale: Consistency Additional comment: The aim of this provision will not be clear to non-native speakers, there are too many "should" incorporated.</p>	comment by: <i>René Meier, Europe Air Sports</i>
response	<i>Noted</i>	
comment	<p>83</p> <p>Norwegian CAA consider that the amendment brings more clarity to the rules.</p>	comment by: <i>CAA-Norway</i>
response	<i>Noted</i>	
comment	<p>94</p>	comment by: <i>BALPA</i>



response	<p>BALPA agree with the boxed statement that the proposed amendment of Annex 4 does improve clarity.</p> <p><i>Noted</i></p>
comment	<p>143 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>2.4.7 page 21 This must be Appendix 4 not Annex 4. We cannot accept the change we think it should be in accordance with Annex 11. The proposed text is more confusing than clarifying.</p>
response	<p><i>Partially accepted</i></p> <p>Editorial 'Appendix 4 instead of Annex 4': accepted — the comment is correct. More clarity: not accepted. The table presents the provisions in SERA.6001 in a more readable and user-friendly way.</p>
comment	<p>172 comment by: <i>LFV Sweden</i></p> <p>LFV support the proposed amendment of Annex 4. It clarifies.</p>
response	<p><i>Noted</i></p>
comment	<p>187 comment by: <i>ENAV</i></p> <p><i>"The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Annex 4 brings more clarity of the rule."</i></p> <p>Following the proposed amendment for VFR in class C, ENAV suggests to delete item 1) Air traffic control service for separation from IFR in the "Service provided" column, as the provision of separation is dealt with in a dedicated column.</p>
response	<p><i>Noted</i></p> <p>In principle, your comment is correct. However, it was noticed that some stakeholders tend to interpret wrongly ATC and ensuring separation, and, hence, it is preferred to keep the Appendix consistent with the ICAO's.</p>
comment	<p>206 comment by: <i>CAA-NL</i></p> <p>Question page 21 on proposed amendment to Annex 4. We agree.</p>



response

Noted

comment

251

comment by: *ENAIRE*

With the proposed amendment of Appendix 4 the definition is now perfectly clear.

response

Noted

comment

293

comment by: *Malta Air Traffic Controllers' Association*

Yes, the proposed amendment of Annex 4 is clearer like this.

response

Noted

comment

310

comment by: *Danish Transport Authority*

SERA.6001:
We accept the proposed text in the IR.

response

Noted

comment

312

comment by: *French Civil Aviation Authority (DGAC)*

French DGAC comment (DTA - DSNA - DSAC)

We support the rationale and agree with the proposal to amend appendix 4.

response

Noted

comment

361

comment by: *NUAC*

The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Annex 4 brings more clarity of the rule.
NUAC thinks that the proposed amendment brings more clarity of the rule.

response

Noted

comment

407

comment by: *UK CAA*

Page No: 21 of 170

Paragraph No: 2.4.7. Proposed Amendment of Appendix 4

Comment:

1) The UK CAA supports the proposed changes to Appendix 4 but notes that the necessary associated revisions to SERA.6001 are not reflected in the proposed amendments in NPA Section 3, but do appear in NPA Section 6 (page 95 of 170).



	<p>The UK CAA assumes that the refinement will not preclude the application of specific, promulgated rules to be applied when notified airspace structures such as TRAs and TSAs above FL195 are activated.</p> <p>2) There appears to be an inconsistency in the use of the word 'Appendix' in the text and 'Annex' in the question.</p> <p>Justification: Clarification.</p>				
response	<p><i>Partially accepted</i></p> <p>1 Noted — It is not clear from your comment what should be changed in SERA.6001. If it is understood correctly, the text of SERA.6001 already states that '...all flights are provided with air traffic control service'. No impact foreseen on TSA/TRA type of airspace terminology.</p> <p>2 Accepted</p>				
comment	<p>456 comment by: EUROCONTROL</p> <p>Page 21 on proposed amendment of Annex 4</p> <p>EUROCONTROL makes the following comments:</p> <ul style="list-style-type: none"> - Reference to Annex 4 in the NPA question should be corrected into a reference to Appendix 4. - The proposed amendment is agreed as it improves clarity. 				
response	<p><i>Accepted</i></p>				
comment	<p>530 comment by: German NSA</p> <p><u>Appendix 4:</u></p> <p>Yes, the proposed amendment of Annex 4 brings more clarity to the rule.</p>				
response	<p><i>Noted</i></p>				
comment	<p>558 comment by: AESA / DSANA</p> <table border="1" data-bbox="363 1523 1481 1724"> <thead> <tr> <th data-bbox="363 1523 1053 1568">COMMENT</th><th data-bbox="1053 1523 1481 1568">JUSTIFICATION</th></tr> </thead> <tbody> <tr> <td data-bbox="363 1568 1053 1724">The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Appendix 4 (not Annex 4 as stated in the question box) brings more clarity of the rule.</td><td data-bbox="1053 1568 1481 1724">We agree that the proposed amendment of Appendix 4 seems to bring more clarity to the rule.</td></tr> </tbody> </table>	COMMENT	JUSTIFICATION	The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Appendix 4 (not Annex 4 as stated in the question box) brings more clarity of the rule.	We agree that the proposed amendment of Appendix 4 seems to bring more clarity to the rule.
COMMENT	JUSTIFICATION				
The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Appendix 4 (not Annex 4 as stated in the question box) brings more clarity of the rule.	We agree that the proposed amendment of Appendix 4 seems to bring more clarity to the rule.				
response	<p><i>Noted</i></p>				
comment	<p>578 comment by: Finnish Transport Safety Agency (NSA)</p>				



response	Finnish Transport Safety Agency supports the proposed amendment as a clarifying text.
	<i>Noted</i>
comment	628 comment by: <i>European Transport Workers Federation - ETF</i> ETF is in favour of the Agency's proposal.
response	<i>Noted</i>
comment	657 comment by: <i>NATS National Air Traffic Services Limited</i> Page No: 21 Paragraph No: 2.4.7 The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Annex 4 brings more clarity of the rule. <u>NATS Comment:</u> NATS supports the proposed amendment to Appendix 4 to include the reference to air traffic control service to VFR flights in Class C & D airspace.
response	<i>Noted</i>

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.8. Proposed content amending the Supplement (differences between SERA and ICAO, as agreed at European level)

p. 21-22

comment	55 comment by: <i>Isavia Ltd.</i> In 2.4.8. on page 22 the Agency asks whether stakeholders agree with an amendment with regard to the use of term "super" being implemented although it has not yet been integrated into the ICAO annexes. Comment: Isavia agrees with the proposed amendment since it is already commonly used.
response	<i>Noted</i>
comment	86 comment by: <i>CAA-Norway</i> Norwegian CAA support the introduction of "Super", but it should not be up to the competent authority to identify the relevant aircraft, but rather as promulgated from ICAO or EASA.
response	<i>Noted</i>
comment	95 comment by: <i>BALPA</i> BALPA agrees that the use of the term "super" should be implemented even before the ICAO Annexes are changed.



response	Noted	
comment	111	comment by: DFS Deutsche Flugsicherung GmbH
	Page 22 box on question term "super": DFS supports the implementation of the term "super", including the adequate separation minima.	
response	Noted	
comment	144	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	2.4.8 page 22 We accept the term “super”.	
response	Noted	
comment	173	comment by: LFV Sweden
	LFV support the proposed implementation of 'Super' (as described in the ICAO State Letter of 8 july 2008).We do not see any reason to await a change in ICAO Annexes.	
response	Noted	
comment	188	comment by: ENAV
	<i>"The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term 'super' shall be implemented even before the relevant change in ICAO Annexes."</i>	
	ENAV support implementing 'super'	
response	Noted	
comment	207	comment by: CAA-NL
	Question page 22 on 'super' We agree.	
response	Noted	
comment	252	comment by: ENAIRE
	The term "super" should be included due to the fact that there are different separations for	



response	the "J" wake turbulence category and, thus, it has to be clearly differentiated from the "H" category wherever it is possible.
	<i>Noted</i>
comment	301 comment by: <i>Malta Air Traffic Controllers' Association</i>
	The use of the term "super" should be implemented before the relevant change in ICAO Annexes.
response	<i>Noted</i>
comment	302 comment by: <i>Malta Air Traffic Controllers' Association</i>
	The use of the term "super" should be implemented before the relevant change in ICAO Annexes.
response	<i>Noted</i>
comment	306 comment by: <i>Danish Transport Authority</i>
	<p>We support to delete the difference A2-06 and to subsequently modify difference A2-04.</p> <p>As for difference A10-01 (page 65 in the NPA), we support in principle the text as proposed, however we strongly recommend that EASA/EU put forward a proposal for amendment to ICAO Annex 10, Vol. II, in line with the proposal, should there be a general acceptance of the proposed text amongst the EU memberstates.</p> <p>2.4.8 - SERA.14065 & SERA.14090:</p> <p>We do not agree with the proposal to use the term "Super". We assume that national regulations and procedures have already been implemented based on the ICAO State letter from 2008. We suggest therefore to await the outcome of the ICAO process.</p>
response	<p><i>Partially accepted</i></p> <p>Difference A2-04 will be removed</p> <p>As for A10-01, the proposal to ICAO is in progress.</p> <p>There are global ICAO provisions requiring the pilots to indicate the 'Heavy' category, and it is considered that the indication of 'Super' does not add to the RTF.</p>
comment	362 comment by: <i>NUAC</i>



response	<p>The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term 'super' shall be implemented even before the relevant change in ICAO Annexes.</p> <p>NUAC recommend the term "super" to be used. This will high light for the controller that special separation might be needed.</p> <p><i>Noted</i></p>
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comment	<p>531 comment by: German NSA</p> <p><u>SERA.14065 and 14090:</u></p> <p>As "super" is already used (by A388 only) in R/T and internationally known to airports dealing with such aircraft, it is absolutely necessary to implement this into SERA even ICAO Annexes are not yet amended. Therefore an unique usage of the wording "super" and "heavy" is recommended.</p> <p>response <i>Noted</i></p>
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comment	<p>559 comment by: AESA / DSANA</p> <table border="1" data-bbox="363 1010 1481 1290"> <thead> <tr> <th data-bbox="363 1010 975 1059">COMMENT</th><th data-bbox="975 1010 1481 1059">JUSTIFICATION</th></tr> </thead> <tbody> <tr> <td data-bbox="363 1059 975 1290"> <p>The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term 'super' shall be implemented even before the relevant change in ICAO Annexes.</p> </td><td data-bbox="975 1059 1481 1290"> <p>We agree with the implementation of the proposed amendment with regard to the use of term 'super' even before the relevant change in ICAO Annexes. The existing ICAO State Letter should be enough to support this implementation.</p> </td></tr> </tbody> </table> <p>response <i>Noted</i></p>	COMMENT	JUSTIFICATION	<p>The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term 'super' shall be implemented even before the relevant change in ICAO Annexes.</p>	<p>We agree with the implementation of the proposed amendment with regard to the use of term 'super' even before the relevant change in ICAO Annexes. The existing ICAO State Letter should be enough to support this implementation.</p>
COMMENT	JUSTIFICATION				
<p>The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term 'super' shall be implemented even before the relevant change in ICAO Annexes.</p>	<p>We agree with the implementation of the proposed amendment with regard to the use of term 'super' even before the relevant change in ICAO Annexes. The existing ICAO State Letter should be enough to support this implementation.</p>				

comment	<p>579 comment by: Finnish Transport Safety Agency (NSA)</p> <p>Finnish Transport Safety Agency supports the addition of term "super" already before changes in ICAO Annexes.</p> <p>response <i>Noted</i></p>
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comment	<p>629 comment by: European Transport Workers Federation - ETF</p> <p>ETF is in favour of the Agency's proposal.</p> <p>response <i>Noted</i></p>
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comment	635	comment by: René Meier, Europe Air Sports
	<p>2.4.8. Proposed amendment</p> <p>page 22/170 Question box</p> <p>SERA.14065, SERA.14090</p> <p>We do not have an opinion on the proposed amendments with regards to the use of the term "super" describing a wake turbulence classification.</p> <p>Rationale:</p> <p>It is important for ATC staff, not for our community.</p>	
response	Noted	

comment	658	comment by: NATS National Air Traffic Services Limited
	<p>Page No: 22 Paragraph No: 2.4.8 The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment with regard to the use of term 'super' shall be implemented even before the relevant change in ICAO Annexes.</p> <p><u>NATS Comment:</u> EASA is requested to provide the EASA rational, not the ICAO rationale, why Super and Heavy are required in initial RTF transmissions. Within Europe FDP systems contain the wake turbulence categories for each aircraft and this allows controllers to undertake their wake turbulence spacing responsibilities. The value of this information in an RTF exchange is not understood. The argument that it is also for the benefit of other airspace users' situational awareness is thin as it is debatable whether the position of a Heavy/Super would be readily identifiable to other aircraft simply by hearing it check in on a frequency. It simply adds unnecessary RTF transmissions. If it's important for other airspace users, why is there not a requirement for every aircraft to indicate its wake turbulence category.</p> <p><u>Justification:</u> RTF Reduction.</p>	
response	<p>Not accepted</p> <p>There are global ICAO provisions requiring the pilots to indicate the 'Heavy' category, and it is considered that the indication of 'Super' does not add to the RTF.</p>	

3. Proposed amendments — Draft Opinion — Article 1

p. 23

comment	253	comment by: ENAIRE
	Does Article 1 (3) clearly include AFIS-O or isn't it affected? Apron management services providers may be included.	
response	<p>Noted</p> <p>AFIS-O are considered to be within an ANSP.</p>	

comment	560	comment by: AESA / DSANA
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	COMMENT	JUSTIFICATION
	<p>We request clarification of the scope of the regulation in relation to the aerodromes that are affected by this NPA.</p> <p>We suggest that this be in line with the scope of regulation (EC) No 216/2008.</p>	<p>The definition of '<i>aerodrome</i>' included in the regulation is too broad and applies to the totality of the Spanish aerodromes (more than 100).</p>
response	<p><i>Noted</i></p> <p>The dual legal basis of SERA (i.e. Regulations (EC) Nos 551/2004 and 216/2008) should be noted. Provisions with high importance for safety such as those in Chapter 2 'Avoidance of collisions' should be applied everywhere.</p>	

3. Proposed amendments — Draft Opinion — Article 2

p. 23-24

comment	<p>9 comment by: AFSBw Capt Traurig</p>
	<p>(c) <i>Precision approach</i> (PA) procedure means an instrument approach procedure using precision lateral and vertical guidance with minima as determined by the category of operation based on navigation systems (ILS, MLS, GLS and SBAS Cat I) designed for 3D instrument approach operations Type A or B; As military providers are using a precision approach radar system, which is no navigation system, the cancelation of the above shon definition will not cover anymore this system, ich is still an precision approach.</p>
response	<p><i>Noted</i></p> <p>The proposed amendment to SERA is derived from a State letter of ICAO reflecting amendments to Annex 2, which are now agreed on and will be applicable as from November 2014. In the new definition, ICAO has linked a precision approach with the navigation system used, for which PAR is not considered. State aircraft operations using PAR down to less than 250ft should be conducted under OAT national regulations.</p>
comment	<p>22 comment by: AEA</p> <p>With regard to safety-sensitive personnel, the AEA requests EASA to stick to the ICAO</p>



response	definition
	<i>Noted</i>
comment	<p>31 comment by: MOT Austria</p> <p>Page No: 23 -90b Comment: NSA Austria is unaware of the term "instrument approach Type A". Justification: No definition was found.</p>
response	<p><i>Noted</i></p> <p>Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS (Doc 8168), applicable as from November 2014.</p>
comment	<p>32 comment by: MOT Austria</p> <div style="border: 1px solid black; padding: 5px;"> <p>Page No: 24 -90c Comment: NSA Austria is unaware of a definition of a "SBAS Cat 1 approach". Justification: No definition was found.</p> </div>
response	<p><i>Noted</i></p> <p>Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS (Doc 8168), applicable as from November 2014.</p>
comment	<p>63 comment by: René Meier, Europe Air Sports</p> <p>Article 2 89a, 90 page 23/170 Please define what "Type A" and "Type B" exactly is. Rationale: The designation "Type A" and "Type B" is not clear to us.</p>
response	<p><i>Noted</i></p> <p>Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS (Doc 8168), applicable as from November 2014.</p>



comment	91	comment by: CAA-Norway
	See our comment on the missing definition on high terrain.	
response	Noted	
comment	174	comment by: skyguide Corporate Regulation Management
	<p>116. : <i>The agency is seeking the opinion of stakeholders and Member states whether modifying the ICAO definition by including explicitly personel such as rescue and firefighting in the definition of "safety-sensitive personel" will improve the clarity of the relevant provision i.e. SERA.2020.</i></p> <p><i>The definition is outside the scope of EASA BR216 which speaks of safety related and safety critical. We would welcome alignment and correlation in terminology and definitions of scope for the said safety personnel in order to ensure clarity and consistency in the application of all the regulations. EASA could take this opportunity to align and/or correlate these definitions with the ICAO framework.</i></p>	
response	<p>Noted</p> <p>The terms 'safety related' and 'safety critical' in the Basic Regulation are related to equipment, systems and constituents. In the proposed definition, which is based on the existing ICAO definition, those terms refer to personnel.</p>	
comment	175	comment by: LFV Sweden
	<p>LFV support the proposal with following improvement, e.g. adding the following categories to the list of of 'safety-sensitive personnel':</p> <ul style="list-style-type: none"> - air traffic control assistants, and - afis-personnel 	
response	<p>Noted</p> <p>It should be noted that the definition is not exhaustive as it contains the indication 'but not limited to', and all types of personnel do not necessarily need to be mentioned in the definition.</p>	
comment	208	comment by: CAA-NL
	<p>Article 2.90</p> <p>Definition 90: it is not clear what type A and B are.</p>	
response	<p>Noted</p> <p>Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS</p>	



(Doc 8168), applicable as from November 2014.

comment

209

comment by: CAA-NL

Article 2.116 Definitions

Definition 116: please change the text into: “(...) who might endanger aviation safety when performing duties that are safety sensitive”.

Rationale:

The new version of article 2.116 seems to be somewhat too broad and prescriptive.

It should rather be tailored to situations that occur in practice. This should be elaborated in the safety management systems of ANSPs and aerodromes.

response

Noted

comment

270

comment by: HungaroControl

For clarity reasons definition or reference of Type A and B is needed.

response

Noted

Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS (Doc 8168), applicable as from November 2014.

comment

343

comment by: Polish NSA

include into the scope of „safety-sensitive personnel”:

1. flight information service officer (FISO) and AFISO as well, as they take active part in air traffic services provided to aviation, GAT specially, irrespective of the fact that FISO/AFISO does not issue clearance/instruction.

CNS maintenance personnel – because “aerodrome maintenance personnel” does not have to include CNS, i.e. CNS is more specific and their misconduct may directly affect the safety of flight ops.

response

Noted

It should be noted that the definition is not exhaustive as it contains the indication ‘but not limited to’, and all types of personnel do not necessarily need to be mentioned in the definition.

comment

378

comment by: Fédération Française Aéronautique

Définitions

95a ‘mountainous area’ is an area of changing terrain profile where the changes of terrain elevation exceed 900 m (3 000 ft) within a distance of 18.5 km (10.0 NM).

Cette définition pose problème dans le cadre de son application au SERA 5005 C3 (IV). Si une telle règle est applicable par un concepteur de procédure pour une zone bien précise,



	ce ne sera pas le cas pour un pilote en vol dans la phase en-route. Nous proposons la définition suivante pour la région montagneuse : une région dont l'altitude est supérieure à 5000 ft AMSL.
response	Noted
comment	409 comment by: UK CAA
	<p>Page No: 23 of 170</p> <p>Paragraph No: Article 2 (90) 'instrument approach procedure (IAP)'.</p> <p>Comment: Whilst the CAA accepts the proposed amendments, it is of the view that the Agency should consider the need to define the instrument approach operation types or at least consider explanations of both as Guidance Material.</p> <p>Justification: Contextualisation and clarification.</p>
response	<p>Noted</p> <p>Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS (Doc 8168), applicable as from November 2014.</p>
comment	410 comment by: UK CAA
	<p>Page No: 24 of 170</p> <p>Paragraph No: Article 2 (94a) 'minimum fuel'.</p> <p>Comment: The ICAO origins of the proposed definition are understood, however there is a supporting note that should be considered as Guidance Material.</p> <p>Justification: Contextualisation and clarification.</p> <p>Proposed Text:</p> <p>"GM1 Article 2(94a) 'Minimum fuel'</p> <p>This is not an emergency situation but merely indicates that an emergency situation is possible, should any undue delay occur."</p>
response	<p>Partially accepted</p> <p>The intention is to include this text as GM, but it is considered more appropriate to be associated with SERA.11012 on the same subject.</p>
comment	412 comment by: UK CAA
	<p>Page No: 24 of 170</p> <p>Paragraph No: Article 2 (95a) 'mountainous area'</p> <p>Comment:</p> <p>The UK CAA notes references or allusions to 'mountainous areas' in ICAO Annexes 2, 3 and 11, and Docs 4444 (PAN-ATM) and 8168 (PANS OPS), although the only definition can be found in PANS-OPS Vol II. Use of the term of 'mountainous terrain' is noted in PANS-OPS but not defined; it appears to refer to specific terrain in the context of procedures and their</p>



response	<p>design, whilst 'mountainous areas' is used in a more generic area (as in common understanding of the word) context.</p> <p>Application of the term 'mountainous area' would therefore appear appropriate in the context of the proposed SERA changes, and affords alignment with ICAO in this respect. It is essential that there is consistency across all affected EU documents. Ideally, any definition must be incorporated at regulation level, not in AMC or GM.</p> <p>This also further supports the idea of an EASA 'lexicon' – an Agency equivalent to ICAO Doc 9713 that will ensure consistency in the use of definitions and abbreviations throughout EU aviation regulatory material..</p> <p>Justification: Consistency with ICAO and within EU regulation.</p> <p><i>Accepted</i></p> <p>Please refer also to the response to comment 401.</p>
comment	<p>413 comment by: UK CAA</p> <p>Page No: 24 of 170</p> <p>Paragraph No: Article 2 (116) 'safety-sensitive personnel'</p> <p>Comment: The UK CAA supports the proposed expansion of exemplar 'safety-sensitive personnel' to include those not currently included in Article 2 (116) as it provides clarity as to which categories of personnel may be classified as such. However the list may now be interpreted as inclusive (which it is not), and the additional personnel referred to in Guidance Material.</p> <p>Justification: Clarification. Consistency with other elements of Article 2.</p> <p>Proposed Text: "116. 'safety-sensitive personnel' mean persons who might endanger aviation safety if they perform their duties and functions improperly including, but not limited to, crew members, aircraft maintenance personnel and air traffic controllers;</p> <p>GM1 Article 2(116) Safety-Sensitive Personnel' 'Safety-sensitive personnel' may also include aerodrome operations personnel, rescue and firefighting personnel, aerodrome maintenance personnel and other personnel allowed unescorted access on the movement area."</p>
response	<p><i>Not accepted</i></p> <p>Please refer also to the response to comment 402.</p>
comment	<p>532 comment by: German NSA</p> <p><u>Article 2, No. 90: "instrument approach procedure":</u> 3D approaches are defined, however Type A and B are not defined in this article and nowhere else within SERA.</p>



response

Noted

Instrument approach Type A and Type B are described in Amendment 5 to ICAO PANS-OPS (Doc 8168), applicable as from November 2014.

comment

534

comment by: *German NSA*

Article 2, No. 116: "safety-sensitive-personnel":

If the definition of "safety-sensitive personnel" is modified by listing further personnel, ATSEPs should be included as an example as well.

response

Noted

It should be noted that the definition is not exhaustive as it contains the indication 'but not limited to', and all types of personnel do not necessarily need to be mentioned in the definition.

comment

538

comment by: *IATA (Dragos Munteanu)*

With regard to safety-sensitive personnel, IATA considers the ICAO definition as comprehensive.

response

Noted

comment

561

comment by: *AESA / DSANA***COMMENT**

We would welcome the inclusion of a definition for aerodrome operator.

We suggest that this be in line with the scope of **regulation (EC) No 216/2008**.

JUSTIFICATION

This would ensure homogeneity and proper articulation of the EASA regulatory system.

response

Noted

The term 'operator' is defined in Article 3 of Regulation (EC)No 216/2008.

comment

586

comment by: *DFS Deutsche Flugsicherung GmbH*

response	<p>Definitions 89a) and 90 Already implemented by ICAO Amendment.</p> <p><i>Noted</i></p>
comment	<p>587 comment by: DFS Deutsche Flugsicherung GmbH</p> <p>Definition 95 a) This definition should be inserted at the level of AMC of SERA 5005.</p>
response	<p><i>Partially accepted</i></p> <p>Please refer to the response to comment 401.</p>
comment	<p>599 comment by: USCA</p> <div style="border: 1px solid black; padding: 5px;"> <p>We think this definition is better at IR level. However, we don't understand the need to replace “mountainous terrain” with “mountainous area”. Actually, in cockpits the term "terrain" is the one used, for example, to warn of ground proximity</p> </div>
response	<p><i>Noted</i></p>
comment	<p>622 comment by: USCA</p> <p>116. Safety sensitive personnel This definition is not in the Basic Regulation. It is hard to understand that list without knowing the concept behind. We also need to have more harmonization with ICAO</p>
response	<p><i>Noted</i></p>
comment	<p>645 comment by: European Cockpit Association</p> <p><u>Definitions</u> <u>89a</u> <u>and</u> <u>90</u></p> <p>Editorial: The new ICAO instrument approach operation classifications are introduced as additional definition 89a. It is suggested to introduce these as 90a rather, as they are clearly linked to the procedure classifications contained in existing definition 90 as proposed for amendment. The text itself is supported by ECA.</p> <p><u>Definition</u> <u>95a</u></p> <p>ECA supports the inclusion of the proposed definition, based on the ICAO definition, in the IR. [Point of view was requested in the EN, NPA page 12]</p>



response

ECA would also like to already point out that Guidance Material to this Definition may be appropriate to explain that higher elevations alone - without the currently defined slope characteristics - may warrant to observe the related consequences. It is suggested that GM states that also any terrain with elevation exceeding 2000 metres (6500 feet) AMSL may be considered mountainous.

Noted

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 2

p. 24

comment

254

comment by: *ENAIRE*

Does Article 1 (3) clearly include AFIS-O or isn't it affected? Apron management services providers may be included.

response

Noted

AFIS-O are considered to be within an ANSP.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 3

p. 24

comment

5

comment by: *LHR Airports Limited*

Page 24 paragraph 116 . LHR Airports limited agrees with the inclusion of Rescue and Fire Fighting personnel in the definition of safety-sensitive personnel.

response

Noted

comment

145

comment by: *Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)*

Article 2 definition 95a page 24

The definition of mountainous area says “within a distance of 10 NM”; this implies that if the aircraft is within 10 NM of a mountain of 3 000 ft or higher it shall be 2000 ft above that obstacle (mountain). This contradicts the writing in 5015 (b) 1. which states “2 000 ft above the highest obstacle within 8 km”.

response

Noted

The definition of ‘mountainous terrain’ is independent from the provisions related to minimum flight altitude in IFR.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 3 — SERA.3210 Right-of-way

p. 25



comment	<p>27</p> <p>comment by: AEA</p> <p>AEA requests EASA to stick to ICAO. Moreover, a red (illuminated) stop bar should never be crossed. In case of local problems (such as a stop bar which can not be switched off), this should be covered by a local procedure for the particular case but not through a general European rule deviating from ICAO.</p>
response	<p>Noted</p>
comment	<p>112</p> <p>comment by: DFS Deutsche Flugsicherung GmbH</p> <p>A measure for this particular situation should be inserted, eventually at the level of AMC. E.g. radio clearance when ensured by A-SMR. Additionally we see the need to clarify the event of unserviceable stop bars (e.g. through the use of Follow-me cars)</p>
response	<p>Noted</p>
comment	<p>328</p> <p>comment by: ATCEUC - Air Traffic Controllers European Unions Coordination</p> <p>There are two types of stop bar lights: always on ones, and switchable ones. Whatever the type, when they are on, they should NEVER EVER be crossed.</p> <p>If they can't be switched off, it's whether because there is work in progress behind, or because of a failure. In case of failure, the stop bars should automatically be shut down and additional information should be included in NOTAM/ATIS. The malfunctioning of the stop bars causes a degradation of the service provision.</p> <p>PROPOSAL to clarify the text: SERA.3210(d)(3) <i>An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may <u>only</u> proceed further in accordance with (2) when the lights are switched off <u>and an explicit clearance has been issued by the aerodrome control tower.</u></i></p>
response	<p>Noted</p>
comment	<p>473</p> <p>comment by: SINCTA - Portuguese Air Traffic Controllers' Union</p> <p>SERA.3210(d)(3)</p> <p>Whatever the type, When stop bar lights are on, they should never be crossed. If they can't be switched off, it's whether because there is work in progress behind, or because of a failure. In case of failure, the stop bars should automatically be shut down and additional information should be included in NOTAM/ATIS. The malfunctioning of the stop bars causes a degradation of the service provision.</p> <p>TEXT PROPOSAL:</p>



response *An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may **only** proceed further ~~in accordance with (2)~~ when the lights are switched off **and an explicit clearance has been issued by the aerodrome control tower.***

response *Noted*

comment 487 comment by: SwissATCA

Proposed change to 3):

*An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may **only** proceed further ~~in accordance with (2)~~ when the lights are switched off **and an explicit clearance has been issued by the aerodrome control tower.***

There are two types of stop bar lights: always on ones, and switchable ones. Whatever the type, when they are on, they should NEVER EVER be crossed.

If they can't be switched off, it's whether because there is work in progress behind, or because of a failure. In case of failure, the stop bars should automatically be shut down and additional information should be included in NOTAM/ATIS. The malfunctioning of the stop bars causes a degradation of the service provision.

response *Noted*

comment 598 comment by: USCA

☐ SERA.3210(d)(2) and (3)

There are two types of stop bar lights: always on ones, and switchable ones. Whatever the type, when they are on, they should NEVER be crossed.

If they can't be switched off, it's either because there is work in progress or because there is a failure or malfunction. In this case the stop bars should automatically be turned off and additional information should be included in NOTAM/ATIS.

USCA proposes the following modification

*3) An aircraft taxiing on the manoeuvring area shall stop and hold at all lighted stop bars and may **only** proceed further ~~in accordance with (2)~~ when the lights are switched off **and an explicit clearance has been issued by the aerodrome control tower.***

response *Noted*

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 3 — SERA.3215 Lights to be displayed by aircraft

p. 25

comment 66

comment by: René Meier, Europe Air Sports



SERA.3215
(2) except for balloons...
page 25/170
The proposal is accepted by the ballooning community.
Rationale:
It is a reasonable provision, operationally proven.

response *Noted*

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 5 — SERA.5001 VMC visibility and distance from clouds

p. 25-26

comment 1 comment by: *VAGUE*

SERA-5001: I don't agree with the proposal to remove flights when visibility is below 800m for helicopters IN SPECIAL CASES for protection of human life.
Under special conditions, crew training ,equipment, helicopters are able to fly with less than 800m of visibility.

response *Not accepted*

The flexibility was intended for exceptional cases which are better and completely covered by Article 4 which was not included in the initial proposal.

comment 2 comment by: *VAGUE*

SERA-5005: I don't agree with the proposal to remove flights when visibility is below 800m for helicopters IN SPECIAL CASES for protection of human life.
Under special conditions, crew training ,equipment, helicopters are able to fly with less than 800m of visibility.
Chapter 3) (iv) and ') mustn't be removed.

response *Not accepted*

The flexibility was intended for exceptional cases which are better and completely covered by Article 4 which was not included in the initial proposal.

comment 10 comment by: *AFSBw Capt Traurig*

b) HELICOPTERS may be permitted to operate *in less than 1 500 m* but not less than 800 m flight visibility, if manoeuvred at a speed that will give adequate opportunity to observe other traffic or any obstacles in time to avoid collision. ~~Flight visibilities lower than 800 m may be permitted for special cases, such as medical flights, search and rescue operations and fire fighting.~~

If this change take place, many special missions, especially those missions for Rescue Helicopters can not be flown anymore.



response

Not accepted

Two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under its Article 4.

comment

67

comment by: *René Meier, Europe Air Sports*

SERA.5001 VMC Visibility and distance from clouds
page 26/170

Note b) in the table presented: We would like the last sentence remaining in place!

Rationale:

There always is a PiC on board a helicopter. As he/she is responsible for the aircraft he/she shall decide what is appropriate, a provision never replaces common sense.

response

Not accepted

The flexibility was intended for exceptional cases which are better and completely covered by Article 4 which was not included in the initial proposal.

comment

113

comment by: *DFS Deutsche Flugsicherung GmbH*

Please clarify whether the deletion is in context with Article 4. If this is not the case, we do not support deletion as such permissions are needed in Germany.

response

Not accepted

Two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under its Article 4.

comment

255

comment by: *ENAIRE*

Ok if the case of an exemption letter for special operations remains still open.

response

Not accepted

Two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility



of exemption from SERA under its Article 4.

comment

345

comment by: Polish NSA

1. 1. Shouldn't this decision be left at competent authority's discretion?
2. 2. If deletion of that provision is sustained, does SERA art 4 "Exemptions for special operations" still apply?

response

Not accepted

Two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under its Article 4.

comment

414

comment by: UK CAA

Page No: 26 of 170

Paragraph No: Table S5-1 (Visibility and distance from cloud minima)

Comment:

The UK CAA accepts the rationale for the removal of the last sentence of the text included in table S5-1 (Visibility and distance from cloud minima), but would wish to see the removed text retained as Guidance Material to aid understanding of Article 4.

Justification: Understanding of the Regulation

Proposed Text:

"GM1 SERA.5001 VMC visibility and distance from clouds Table S5-1 * (b)**

Flight visibilities lower than 800 m may be permitted for special cases, such as medical flights, search and rescue operations and fire-fighting. "

response

Not accepted

Two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under its Article 4.

The Agency is of the opinion that the proposed GM is already covered by SERA Article 4, however, such a GM might be considered in the forthcoming AMC/GM NPA.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 5 — SERA.5005 Visual Flight Rules

p. 26-27

comment

3

comment by: VAGUE

SERA-5010: In special cases for human life safety, helicopters may be allowed to fly below Special VFR conditions. Don't suppress "Except when permitted fire fighting".

response

Not accepted



Two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under its Article 4.

comment

68

comment by: *René Meier, Europe Air Sports*

SERA.5005 Visual Flight Rules
page 26/170

The visual flight rules as proposed in are a safety risk in mountain areas with valleys and their aerodromes a high elevations like Reichenbach, Samedan, Zweisimmen and others. They provoke a concentration of all sorts of VFR traffic within a narrow altitude band. The proposed situation will lead to a very narrow safety margin considering the minimum required flight altitude and the minimum separation from clouds. A 2000 ft or 2500 ft altitude band is much safer.

Ratioale:

In an alpine environment with narrow valleys this provisions leads to a concentration of all flying activities in a narrow altitude band. This fact will increase collision risk and provoke unsafe situations.

response

Noted

The comment is not clear enough but, if it is correctly understood, it is relevant to already adopted provisions and not to the proposal in the NPA.

comment

176

comment by: *LFV Sweden*

LFV support the proposed extension of SERA.5015 (c)(3).

response

Noted

comment

210

comment by: *CAA-NL*

SERA.5005(e)

Please describe what is meant by 'restricted airspace'.

response

Noted

The term 'restricted airspace' refers to 'airspace restriction' as defined in FUA Regulation (EC) No 2150/2005 .

comment

329

comment by: *ATCEUC - Air Traffic Controllers European Unions Coordination*

SERA.5005

The definition should be at IR level but we don't see any improvement in changing the term "mountainous terrain" to "mountainous area."

In cockpit "terrain" is used to warn crews from ground proximity.



response

Noted

comment

330

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination

SERA.5005(e)

For a matter of readability we believe the regulation 730/2006 should be transposed into SERA.

response

Noted

comment

379

comment by: Fédération Française Aéronautique

SERA. 5005 C (1) : le terme "vicinity" est utilisé ici comme dans plusieurs autres passages sans qu'une définition précise soit donnée, ouvrant la porte à de nombreuses interprétations. Il conviendrait donc d'en définir le sens.

response

Noted

The term 'vicinity' has been used for many years as it cannot be associated with universal fixed numerical values depending, inter alia, on aircraft type. This is linked to the specific use of this term and the necessary flexibility so implied. Please refer also to SERA Article 2, Definition 9.

comment

415

comment by: UK CAA

Page No: 26 of 170**Paragraph No:** SERA.5005(c)(3)(iv)**Comment**

In referring to various flexibilities within Regulation (EU) 923 of 2012, NPA paragraph 2.4.6. 'Proposed amendments for helicopter operations' (page 20 of 170) states that 'some of these.....have been superseded by evolutions which appeared at a later stage in the process of adoption of the SERA IR Regulation (specific reference is made to the minimum visibility for helicopter flying VFR at night, which was possible down to 3 km, based on the airspace classification toolbox recommendations), but there appears to be no detailed explanation as to what these 'evolutions' are and how they have led the Agency to conclude that deletion of SERA.5005(c)(3)(iv) is necessary. Therefore justification for the subsequent change proposals is missing.

Justification: Inadequate justification for the removal of current SERA text.**Proposed Text:** Retain current SERA text.

response

Not accepted

The justification is that this possibility for competent authorities to authorise flights at less than 800 m had been introduced when no other flexibility existed in order to not completely forbid such exceptional operations if deemed necessary and acceptably safe by the competent authority. However, during the adoption process, Article 4 has been introduced



in SERA at the request of the SSC, and it covers fully and satisfactorily such cases. Therefore, it has been considered preferable to keep all exceptional situations under the article designed for special exemptions.

comment 416 comment by: UK CAA

Page No: 27 of 170

Paragraph No: Proposed SERA.5005(c)(3)(iv) (current SERA.5005(c)(3)(v))

Comment: Minor grammatical error noted.

Justification: Correction of minor grammatical error.

Proposed Text:

“(iv) for mountainous ~~terrain~~ **areas**, higher VMC visibility and distance from cloud minima may be prescribed by the competent authority;”

response

Accepted

The text will be amended accordingly.

comment 417 comment by: UK CAA

Page No: 27 of 170

Paragraph No: SERA.5005(c)(4) Visual flight rules

Comment: The UK CAA accepts the rationale for the removal of SERA.5005(c)(4), but would wish to see the removed text retained as Guidance Material to aid understanding of Article 4.

Justification: Understanding of the Regulation

Proposed Text:

“GM1 SERA.5005(c) Visual flight rules

Ceiling, visibility and distance from cloud minima lower than those specified in SERA.5005(c)(3) may be permitted for helicopters in special cases, such as medical flights, search and rescue operations and fire-fighting.”

response

Partially accepted

After the deletion of SERA.5005(c)(4), the possibility of exemption to SERA remains under Article 4. The Agency is of the opinion that the proposed GM is already covered by SERA Article 4, however, such a GM might be considered in the forthcoming AMC/GM NPA.

comment 460 comment by: EUROCONTROL

Page 27 - SERA 5005 Visual Flight Rules (e)

EUROCONTROL/MUAC finds that, in this context, what is meant by the term ‘restricted airspace’ is not clear. Clarification / definition is therefore required.

response

Noted



The term 'restricted airspace' refers to 'airspace restriction' as defined in Regulation (EC) No 2150/2005.

comment 474 comment by: *SINCTA - Portuguese Air Traffic Controllers' Union*
SERA.5005

The definition should be at IR level but we don't see any improvement in changing the term "mountainous terrain" to "mountainous area".

response
Noted

comment 475 comment by: *SINCTA - Portuguese Air Traffic Controllers' Union*
SERA.5005(e)

For a matter of readability we believe the regulation 730/2006 should be transposed into SERA.

response
Noted

comment 488 comment by: *SwissATCA*
The definition should be at IR level but we don't see any improvement in changing the term "mountainous terrain" to "mountainous area".

In cockpit "terrain" is used to warn crews from ground proximity.

5005(e): For a matter of readability we believe the regulation 730/2006 should be transposed into SERA.

response
Noted

comment 506 comment by: *Federal Office of Civil Aviation FOCA*
SERA.5005 par. e:

The depiction of all relevant rules by the same regulation ensures a better and comprehensive overview. We generally support the coherent transposition of all provisions related to the rules of the air into SERA provided that it is made sure that by each transposition the original purpose and meaning of the provision remains unchanged. In this specific case we do not identify any security hazard.

response
Noted

comment 588 comment by: *DFS Deutsche Flugsicherung GmbH*



response	(c) Is the intention that a FPL for VFRN shall be filed acc. SERA 4005 or is this to be specified?	
	<p><i>Noted</i></p> <p>A flight plan shall be submitted for night VFR flights that will leave the vicinity of the aerodrome.</p>	
comment	589	comment by: DFS Deutsche Flugsicherung GmbH
response	(e) We recommend to adopt the current regulation (EG 730/2006, Art. 4).	
	<i>Noted</i>	
comment	600	comment by: USCA
response	<div>SERA.5005(e)</div> For a matter of readability we believe the regulation 730/2006 should be transposed into SERA.	
	<i>Noted</i>	
comment	611	comment by: BCAA
response	Deleting this § (c) (4) will have impact on heli medical flights, heli Search and rescue operations etc. This change has impact on special operations which are sometimes state responsibilities and that are there to save lives.	
	<p><i>Noted</i></p> <p>After the deletion of the sentence, two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under Article 4.</p>	

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 5 — SERA.5010 Special VFR in control zones

p. 27

comment	11	comment by: AFSBw Capt Traurig
(4) ceiling, visibility and distance from cloud minima lower than those specified in (3) may be permitted for helicopters in special cases, such as medical flights, search and rescue		



	<p>operations and fire-fighting. see comment before</p>
response	<p><i>Noted</i></p> <p>After the deletion of the sentence, two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under Article 4.</p>
comment	<p>12 comment by: AFSBw Capt Traurig</p>
	<p>SERA.5010 Special VFR in control zones</p> <p>Special VFR flights may be authorised to operate within a control zone, subject to an ATC clearance. Except when permitted by the competent authority for helicopters in special cases such as medical flights, search and rescue operations and fire-fighting, The following additional conditions shall be applied: see comment as before regarding SAR and Police missions.</p>
response	<p><i>Noted</i></p> <p>After the deletion of the sentence, two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under Article 4.</p>
comment	<p>256 comment by: ENAIRE</p>
	<p>Does this include the case of departing traffic from an aerodrome? If yes, who gives service to the SVFR just after departure, the approach or the tower controllers? We could have the case of an IFR under the responsibility of tower, needing separation with a SVFR and, in this case, tower controllers cannot give visual separation (SVFR conditions) and approach neither (one of the traffics is already under tower responsibility). It should be clarified if APP clearance is requested or not.</p>
response	<p><i>Noted</i></p>
comment	<p>372 comment by: ANA Luxembourg</p>
	<p>We would like to keep this flexibility to provide exemption for helicopters special cases flights.</p>
response	<p><i>Noted</i></p> <p>After the deletion of the sentence, two options would remain available for rescue flights. The one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under Article 4.</p>



comment	<p>418</p> <p>comment by: UK CAA</p> <p>Page No: 27 of 170</p> <p>Paragraph No: SERA.5010 Special VFR in Control Zones.</p> <p>Comment: The UK CAA accepts the rationale for the removal of SERA.5010, but would wish to see a form of the removed text retained as Guidance Material to aid understanding of Article 4.</p> <p>Justification: Understanding of the Regulation</p> <p>Proposed Text:</p> <p>“GM1 SERA.5010 Special VFR in Control Zones</p> <p>Ceiling, visibility and distance from cloud minima lower than those specified in SERA.5010 may be permitted for helicopters in special cases, such as medical flights, search and rescue operations and fire-fighting.”</p>
response	<p><i>Partially accepted</i></p> <p>After the deletion of the selected words in SERA.5010(c)(4), the possibility of exemption from SERA remains under Article 4. The Agency is of the opinion that the proposed GM is already covered by SERA, Article 4, however, such a GM might be considered in the forthcoming AMC/GM NPA.</p>
comment	<p>612</p> <p>comment by: BCAA</p> <p>same comment as for SERA 5005.</p>
response	<p><i>Noted</i></p> <p>After the deletion of the sentence, two options would remain available for rescue flights. He one is to conduct such flights in Operational Air Traffic under national regulations, and the other one is to use the possibility of exemption from SERA under Article 4.</p>
comment	<p>636</p> <p>comment by: René Meier, Europe Air Sports</p> <p>SERA.5010 Special VFR in control zones</p> <p>Page 27/170</p> <p>Wer propose to allow the "clear of clouds" rule for VFR operations in CTR.</p> <p>Rationale:</p> <p>Our proposal is based on experiences made in Switzerland and in Germany.</p>
response	<p><i>Not accepted</i></p> <p>The comment is not understood. In SERA.5010 (a)(1) a ‘clear of cloud’ provision is included for special VFRs.</p>



3. Proposed amendments — Draft Opinion — ANNEX — SECTION 5 — SERA.5015 Instrument Flight Rules (IFR) - Rules Applicable to All IFR Flights

p. 27

comment	93	comment by: CAA-Norway
	<p>SERA.5015(c)(3)</p> <p>The paragraph is not complete without the standardized phraseology also for ATC. We propose to add PANS-ATM 4.8.2</p>	
response	<p><i>Partially accepted</i></p> <p>The proposed insertion will be proposed as GM to SERA.5015.</p>	
comment	122	comment by: skyguide Corporate Regulation Management
	<p>Change from IFR flight to VFR flight shall only be acceptable...</p> <p>ICAO uses term “change ... is only acceptable...”, while EASA transposes it into “change ... shall only be acceptable...” With this transposition, EASA implies that some entity (e.g. ATC unit) has the authority (by accepting or not accepting) over pilot’s decision to change flight rules. This is, in turn, in direct contradiction with the rest of the paragraph, which clearly states that ATS unit is there only to acknowledge this change, and has no approving or instructing authority over it.</p> <p>Skyguide suggests either to revert to original ICAO text, or to change the structure of the sentence to make an explicit obligation on the pilot to inform ATS unit when cancelling FPL.</p>	
response	<p><i>Not accepted</i></p> <p>It is not implied that an ATC unit has the authority to accept a request to change from IFR to VFR; rather, the only acceptable means for the pilot to convey the message that he wishes to change the flight plan to VFR is by saying the words ‘CANCELLING MY IFR FLIGHT PLAN’.</p>	
comment	146	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	<p>SERA.5015 (c) (3)</p> <p>Instrument Flight Rules (IFR) – page 27</p> <p>The last sentence in the paragraph stating “No invitation...”it is a bit unclear. It needs to be clarified by whom.</p>	
response	<p><i>Accepted</i></p> <p>SERA.5015(c)(3): Change from IFR flight to VFR flight shall only be acceptable when a message initiated by the pilot-in-command containing the specific expression ‘CANCELLING MY IFR FLIGHT’, together with the changes, if any, to be made to the current flight plan, is received by an air traffic services (ATS) unit. No invitation to change from IFR flight to VFR flight shall be made by ATS either directly or by inference.</p>	



comment	<p>216</p> <p>comment by: CAA-NL</p> <p>SERA.5015(c) Please replace 'pilot in command' by 'cockpit crew member'. Rationale: Why would only the PIC be allowed to issue the message? Who will issue the message should depend on the factual division of tasks within the cockpit.</p>
response	<p><i>Not accepted</i></p> <p>The rationale was to use a wording which would be as faithful as possible to ICAO in order to avoid confusion. In this specific case, the principle is that such action(s) would be taken under the responsibility of the pilot-in-command. This pilot-in-command responsibility also applies in (c)(1) to 'aircraft electing to'.</p>
comment	<p>344</p> <p>comment by: French Civil Aviation Authority (DGAC)</p> <p>French DGAC comment (DTA - DSNA - DSAC)</p> <p>Based on experience, the ICAO expression "CANCELLING MY IFR FLIGHT" is systematically shortened by pilots to the expression "CANCELLING IFR", simple, clear and unambiguous.</p> <p>We believe "CANCELLING IFR" would be more appropriate.</p>
response	<p><i>Not accepted</i></p> <p>The Agency does not agree with the proposal to diverge from ICAO phraseology requirements for such an important message which should be standard globally.</p>
comment	<p>419</p> <p>comment by: UK CAA</p> <p>Page No: 27 of 170 Paragraph No: New paragraph to be inserted at page 27- SERA.6001 Classification of airspace Comment: The UK CAA supports the proposed changes to Appendix 4 but notes that the necessary associated revisions to SERA.6001 are not reflected in the proposed amendments in NPA Section 3. The appropriate text does appear in NPA Section 6 on page 95 of 170. The UK CAA assumes that the refinement will not preclude the application of specific, promulgated rules to be applied when notified airspace structures such as TRAs and TSAs above FL195 are activated. Justification: Clarity of proposed rule changes.</p>
response	<p><i>Noted</i></p> <p>The text of SERA.6001 already states that '...all flights are provided with air traffic control</p>



service' — No impact foreseen on TSA/TRA type of airspace terminology.

comment	507	comment by: <i>Federal Office of Civil Aviation FOCA</i>
	<p>SERA.5015 par. c subpar. 3: This is not a literal transposition of ICAO PANS-ATM §4.8.1 and no explanation was found about the slight modification. Therefore, FOCA suggests to stick to the original text "is only acceptable" instead of "shall only be acceptable".</p>	
response	<p><i>Not accepted</i></p> <p>The verb 'shall' is to be used in IRs. The Agency believes that this does not change the intent of the provision.</p>	
comment	637	comment by: <i>René Meier, Europe Air Sports</i>
	<p>SERA.5015 IFR Page 27/170 Concerning the expression to be used for cancelling an IFR flight plan we recommend to stick to ICAO phraseology. Rationale: Safety considerations.</p>	
response	<p><i>Accepted</i></p>	

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 7 — SERA.7002 Collision hazard information when ATS based on surveillance are provided

p. 27-28

comment	114	comment by: <i>DFS Deutsche Flugsicherung GmbH</i>
	<p>Further AMC/GM is required to clarify the term "whenever practicable".</p>	
response	<p><i>Accepted</i></p> <p>It is considered that the existing GM covers the concern (GM to SERA.9005(b)(2) adopted by EASA decision 2013/013/R of 17 July 2013).</p>	
comment	123	comment by: <i>skyguide Corporate Regulation Management</i>
	<p>Collision hazard information when ATS based on surveillance are provided <i>Skyguide finds:</i></p> <ul style="list-style-type: none"> • <i>modification of ICAO source wording unjustified;</i> • <i>not clear why collision avoidance is taken only in the context of radar procedures (identified flight);</i> • <i>PANS-ATM § only partially transposed (not even all "shall" requirements of §8.8.2,</i> 	



	<p><i>e.g. §8.8.2.4.1);</i></p> <ul style="list-style-type: none"> • <i>why there isn't a link with essential traffic information which is part of the same "problem group"</i> <p><i>EASA is invited to re-consider the usefulness of partial transposition of this requirement into SERA.</i></p>
response	<p><i>Partially accepted</i></p> <p>There is a minor editorial change as compared to PANS-ATM where the text now refers to the pilot, whilst PANS-ATM makes reference to 'the controlled flight'. The change was made for the provision to be understandable without ambiguity.</p> <p>Due to their nature, the other provisions of PANS-ATM 8.8.2 are considered to be more appropriate for AMC/GM.</p>
comment	<p>217 comment by: CAA-NL</p> <p>SERA.7002 Please consider introducing the text of PANS ATM 8.8.2.4.1. Rationale: The current text of SERA.7002 is derived from PANS OPS 8.8.2. However, the text of PANS ATM 8.8.2.4.1, although quite essential, is missing.</p>
response	<p><i>Partially accepted</i></p> <p>There is a minor editorial change as compared to PANS-ATM where the text now refers to the pilot, whilst PANS-ATM makes reference to 'the controlled flight'. The change was made for the provision to be understandable without ambiguity.</p> <p>Due to their nature, the other provisions of PANS-ATM 8.8.2, which were not proposed for transposition in SERA, are considered to be more appropriate for AMC/GM.</p>
comment	<p>257 comment by: ENAIRE</p> <p>It should be clarified in case of ATS services that provide radar assistance (TWRs authorized).</p>
response	<p><i>Noted</i></p> <p>The Agency believes that such cases are covered by the provision since it is about identified controlled flights.</p>
comment	<p>295 comment by: Malta Air Traffic Controllers' Association</p> <p>The current text doesn't seem clear enough. The requirement should be for the air traffic controller to inform the pilot</p> <p>Suggest :</p>



a) When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the **air traffic controller** ~~pilot of the controlled flight~~ shall, whenever practicable:

(1) ~~be informed~~ **inform the pilot** of the unknown aircraft, and if ~~the pilot so requests~~ **requested** or if the situation so warrants ~~in the opinion of the controller~~, **suggest** avoiding action ~~shall be suggested~~; and

(2) ~~be notified~~ **notify the pilot** when the conflict no longer exists.

response

Not accepted

The Agency believes that the ICAO wording does not have any ambiguity and shall not be rephrased.

comment

314

comment by: French Civil Aviation Authority (DGAC)

French DGAC comment (DTA - DSNA - DSAC)

A GM explaining what is exactly "unknown aircraft" may be useful, in order to clarify its link with the notion of "unidentified aircraft".

At present in France a circular explains that an aircraft is "known" when its position in 3 dimensions is known (this information can for example be made available by the use of surveillance means or by the vocal transmission by the pilot). Hence an unknown aircraft is an aircraft whose precise 3D localisation is not known, for example altitude is missing.

In the present context what is meant by "unknown aircraft" should be explained. The ability by the controller to provide an avoiding action implies that the "unknown aircraft" position is known by the controller.

In case altitude is not known, subsequent action should be left to the controller's decision (very slow target unlikely to fly at very high altitude, false primary target, etc.).

response

Partially accepted

The proposal made was considered for the development of AMC or GM, but the drafting group considered that given the specificity of the subject and the absence of an ICAO definition using the dictionary meaning was the most appropriate option.

comment

332

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination



	<p>SERA.7002</p> <p>The current text doesn't seem clear enough. The requirement should be for the air traffic controller to inform the pilot.</p> <p>PROPOSAL:</p> <p><i>a) When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the <u>air traffic controller</u> pilot of the controlled flight shall, whenever practicable:</i></p> <p><i>(1) be informed inform the pilot of the unknown aircraft, and if the pilot so requests requested or if the situation so warrants in the opinion of the controller, suggest avoiding action shall be suggested; and</i></p> <p><i>(2) be notified notify the pilot when the conflict no longer exists.</i></p>
response	<p><i>Not accepted</i></p> <p>The Agency believes that the ICAO wording does not have any ambiguity and shall not be rephrased.</p>
comment	<p>374 comment by: <i>LFV Sweden</i></p> <p>LFV support the transposition of ICAO PANS-ATM 8.8.2 into SERA</p>
response	<p><i>Noted</i></p>
comment	<p>420 comment by: <i>UK CAA</i></p> <p>Page No: 28 of 170 Paragraph No: SERA.7002 Collision Hazard Information when ATS Based on Surveillance are Provided Comment: The UK CAA does not object in principle to the adoption of the proposed text but requires clarification on the transposition of ICAO PANS-ATM 8.8.2 into SERA.7002. PANS-ATM 8.8.2 differentiates between the provision of collision hazard information to aircraft operating inside controlled airspace and to aircraft operating in accordance with the IFR outside controlled airspace; however, SERA.7002 does not provide this differentiation and simply states that it is for all controlled flights (and therefore is derived solely from paragraph 8.8.2.1). It is not clear from the NPA as to whether the remaining PANS-OPS 8.8.2 text will be adopted as AMC and/or Guidance material. ICAO defines a controlled flight as one that is subject to an air traffic control clearance and thus does not differentiate between airspace classification. By implication, the proposed text in SERA.7002 would then apply equally inside and outside controlled airspace to all aircraft. In addition, the proposed text does not discriminate sufficiently between IFR and VFR operations within Class A-E airspace. In these respects the proposed transposition of PANS-ATM text is incomplete and inadequate. The UK CAA is of the view that a clear statement from the Agency that SERA.7002 will be</p>



supported by Acceptable Means of Compliance or Guidance Material derived from the text at PANS-ATM 8.8.2.2 and 8.8.2.3 is necessary.

Justification:

Clarification and completeness of ATC and pilot responsibilities.

Lack of clarity regarding the possible future status of text at ICAO PANS-OPS paragraph 8.8.2.2 and 8.8.2.3.

Proposed Text:

“SERA.7002 Collision hazard information when ATS based on surveillance are provided

(a) When an identified controlled flight operating within controlled airspace is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the pilot of the controlled flight shall, whenever practicable:

(1) be informed of the unknown aircraft in accordance with the requirements for the airspace classification and flight rules as contained in SERA Appendix 4.

(2) be notified when the conflict no longer exists.

(b) Pilots of VFR flights must ensure that compliance with traffic avoidance advice is safe with respect to their responsibilities for avoiding terrain/obstacles and for maintaining VMC.”

response

Partially accepted

Due to their nature, the other provisions of PANS-ATM 8.8.2, which were not proposed for transposition in SERA, are considered to be more appropriate for AMC/GM.

comment

477

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.7002

The current text doesn't seem clear enough. The requirement should be for the air traffic controller to inform the pilot.

TEXT PROPOSAL:

a) When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the air traffic controller ~~pilot of the controlled flight~~ shall, whenever practicable:

*(1) ~~be informed~~ **inform the pilot** of the unknown aircraft, and if ~~the pilot so requests~~ **requested** or if the situation so warrants in the ~~opinion of the controller~~, **suggest** avoiding action ~~shall be suggested~~; and*

*(2) ~~be notified~~ **notify the pilot** when the conflict no longer exists.*

response

Not accepted

The Agency believes that the ICAO wording does not have any ambiguity and shall not be rephrased.



comment	<p>489 comment by: SwissATCA</p> <p>The current text doesn't seem clear enough. The requirement should be for the air traffic controller to inform the pilot.</p> <p>Proposed change:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p><i>a) When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the air traffic controller pilot of the controlled flight shall, whenever practicable:</i></p> <p><i>(1) be informed inform the pilot of the unknown aircraft, and if the pilot so requests requested or if the situation so warrants in the opinion of the controller, suggest avoiding action shall be suggested; and</i></p> <p><i>(2) be notified notify the pilot when the conflict no longer exists.</i></p> </div>
response	<p><i>Not accepted</i></p> <p>The Agency believes that the ICAO wording does not have any ambiguity and shall not be rephrased.</p>
comment	<p>512 comment by: Federal Office of Civil Aviation FOCA</p> <p>SERA.7002: This is a partial transposition of the corresponding ICAO section. Furthermore, paragraph (a) (1) was reformulated without a clear substantiation. FOCA suggests to stick to the original text if there is no justified reason not to do so.</p>
response	<p><i>Partially accepted</i></p> <p>Due to their nature, the other provisions of PANS-ATM 8.8.2, which were not proposed for transposition in SERA, are considered to be more appropriate for AMC/GM.</p>
comment	<p>603 comment by: USCA</p> <p>It should be clearer that it is the ATCO who has to inform the pilot</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p><i>a) When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the air traffic controller pilot of the controlled flight shall, whenever practicable:</i></p> <p><i>(1) be informed inform the pilot of the unknown aircraft, and if the pilot so requests requested or if the situation so warrants in the opinion of the controller, suggest avoiding action shall be suggested; and</i></p> <p><i>(2) be notified notify the pilot when the conflict no longer exists</i></p> </div>



response

Not accepted

The Agency believes that the ICAO wording does not have any ambiguity and shall not be rephrased.

comment

638

comment by: *René Meier, Europe Air Sports*

SERA.7002 Collision hazard information

page 28/170

We fully support the drafted text.

Rationale:

Safety considerations.

response

Noted

comment

646

comment by: *European Cockpit Association*

ECA supports the inclusion of the proposed provision, based on ICAO PANS-ATM 8.8.2, in the IR.

While the reference here is clearly and correctly to an "identified controlled flight", ATS based on surveillance also includes services to uncontrolled flight, when identified, and ICAO PANS-ATM 8.11.1 in consequence addresses the same scenario for FIS:

The information presented on a situation display may be used to provide identified aircraft with information regarding any aircraft observed to be on a conflicting path with the identified aircraft and suggestions or advice regarding avoiding action.

As the different language and weight of the ICAO provision is well noted, ECA would like to take the opportunity to already propose the quoted text as AMC to SERA.7002.

response

Partially accepted

The use of surveillance systems to provide collision hazard information outside controlled airspace will be considered for GM to SERA.7002 using the text of PANS-ATM 8.11.1 as proposed in the comment.

comment

659

comment by: *NATS National Air Traffic Services Limited***Page No: 28 Paragraph No: SERA 7002**

	<p><u>NATS Comment:</u> Not enough discrimination between the types of controlled flight. A VFR flight in Class D would be a controlled flight but according to UK regulation, traffic information and not avoiding action is provided. Further in SERA Appendix 4, the service provided to IFR flights in Class E includes traffic information but not avoiding action.</p> <p><u>Justification:</u> The provision of avoiding action for VFR flights could lead to new hazards with respect to terrain/obstacle clearance and maintenance of VMC</p> <p><u>Proposed Text:</u> When an identified controlled flight is observed to be on a conflicting path with an unknown aircraft deemed to constitute a collision hazard, the pilot of the controlled flight shall, whenever practicable</p> <p>(1) be informed of the unknown aircraft in accordance with the requirements for the airspace classification and flight rules as contained in SERA Appendix 4.</p> <p>(2) be notified when the conflict no longer exists.</p> <p>AMC to SERA 7002 (1) When a controller provides traffic avoidance advice, pilots of VFR flights must ensure that compliance with such a manoeuvre is safe with respect to their responsibilities for avoiding terrain/obstacles and for maintaining VMC.</p>
response	<p><i>Not accepted</i></p> <p>The original text from PANS-ATM transposed in SERA.7002 is considered to be correct.</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 8 — SERA.8012 Application of wake turbulence separation

p. 28

comment	<p>20</p> <p>comment by: AFSBw Capt Traurig</p>
	<p>SERA.8012 Application of wake turbulence separation</p> <p>(a) Wake turbulence separation shall be applied to aircraft in the approach and departure phases of flight in the following circumstances:</p> <p>(1) an aircraft is operating directly behind another aircraft at the same altitude or less than 300 m (1 000 ft) below; or</p> <p>(2) both aircraft are using the same runway, or parallel runways separated by less than 760 m (2 500 ft); or</p> <p>(3) an aircraft is crossing behind another aircraft, at the same altitude or less than 300 m (1 000 ft) below.</p> <p>As we know, within the airspace of Europe, we have different definitions for the approach and departure phase, so we need a clarifying definition of the approach and departure phase. Where does the approach phase starts and where does the departure phase will end. (Level or point / Fix)</p>
response	<p><i>Noted</i></p> <p>The question as to when the departure phase ends and the approach phase starts is a long-standing question and will be considered in due course when there is a common agreement globally.</p>
comment	<p>33</p> <p>comment by: MOT Austria</p>



response	<p>Page No: 28 -8012</p> <p>Comment: NSA Austria proposes to insert the separation minima already defined in ICAO Doc 4444 para 8.7.3.4.</p> <p>Justification: The proposed text of the NPA origins from para 8.7.3.4.1; the separation minima applied should be standardised.</p>
	<p><i>Not accepted</i></p> <p>ICAO Doc 4444 8.7.3.4 describes only the distance-based type of separations. It was decided that separation values were not relevant to the rules of the air and that they rather belong to the scope of Part ATS.</p>
comment	<p>115 comment by: DFS Deutsche Flugsicherung GmbH</p> <p>Further AMC/GM is required to clarify the terms "approach- and departure phases".</p>
response	<p><i>Noted</i></p> <p>The question as to when the departure phase ends and the approach phase starts is a long-standing question and will be considered in due course when there is a common agreement globally.</p>
comment	<p>124 comment by: skyguide Corporate Regulation Management</p> <p>Application of wake turbulence separation</p> <p><i>It is a safety hazard to take the WTS procedures only for radar environment and transpose them into SERA in a broader context as this may imply that other WTS procedures from PANS-ATM (e.g. for TWR) do not apply.</i></p> <p><i>EASA is invited to re-consider the usefulness of partial transposition of this requirement into SERA.</i></p>
response	<p><i>Not accepted</i></p> <p>It was decided that separations would be described in Part ATS</p>
comment	<p>218 comment by: CAA-NL</p> <p>SERA.8012</p> <p>Please consider introducing the table from Doc 4444 –including the ‘super’ category- with the concrete separation minima.</p> <p>Rationale:</p> <p>Separation minima are crucial for aviation safety. However, the current text of SERA.8012 does not even give a requirement to establish principles for the application of wake turbulence separation. Furthermore, the separation criteria are one of the issues that call for a harmonized application throughout Europe.</p>



response

Not accepted

ICAO Doc 4444 8.7.3.4 describes only the distance-based type of separations. It was decided that separation values were not relevant to the rules of the air and that they rather belong to the scope of Part ATS.

comment

220

comment by: *LFV Sweden*

SERA.8012

LFV support the proposed amendment.

SERA.8015

LFV support the proposed amendment

response

Noted

comment

258

comment by: *ENAIRE*

Why just in those cases? En-route traffics are also subject to wake turbulence separation.

response

Not accepted

Although it is agreed that en route traffic is subject to wake turbulence, it was decided to use the ICAO criteria to maintain a harmonised approach to wake turbulence separation. This could be changed pending the outcome of ongoing work on the subject in ICAO.

comment

271

comment by: *HungaroControl*

Definition of approach and departure phases is needed.

response

Noted

The question as to when the departure phase ends and the approach phase starts is a long-standing question and will be considered in due course when there is a common agreement globally.

comment

346

comment by: *French Civil Aviation Authority (DGAC)*

French DGAC comment (DTA - DSNA - DSAC)

A light A/C crossing a A388 5 Nm behind in the en route phase is going to face a serious problem!

Proposal :

SERA.8012 Application of wake turbulence separation



	(a) Wake turbulence separation shall be applied to aircraft in the approach and departure phases of flight in the following circumstances:
response	<p><i>Not accepted</i></p> <p>Although it is agreed that en route traffic is subject to wake turbulence, it was decided to use the ICAO criteria to maintain a harmonised approach to wake turbulence separation. This could be changed pending the outcome of ongoing work on the subject.</p>
comment	<p>517 comment by: <i>Federal Office of Civil Aviation FOCA</i></p> <p>This is a partial transposition of ICAO's provision on wake turbulence separation. According to SERA C's explanatory notes [2.4.1 (e)], "the circumstances where wake turbulence separation must be applied are considered relevant for rules of the air". Additionally to PANS-ATM 8.7.3.4.1, we recommend also to consider § 8.5.</p>
response	<p><i>Not accepted</i></p> <p>It was decided that separations would be described in Part ATS</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 8 — SERA.8015 Air traffic control clearances

p. 28-31

comment	<p>34 comment by: <i>MOT Austria</i></p> <p>Page No: 28 -8015b</p> <p>Comment: NSA Austria proposes to replace para (2) by: "The pilot -in-command of an aircraft shall inform ATC if he is unable to execute an air traffic control clearance. In such cases ATC SHALL issue an amended clearance.</p> <p>Justification: The used phrase allows negotiation on clearances for various reasons. A restriction for operational causes seems adequate.</p>
response	<p><i>Not accepted</i></p> <p>The provision as written allows for other circumstances than those where the aircraft is unable to execute a clearance and should therefore remain as it is. In cases where a pilot is unable to execute a clearance, the phrase 'UNABLE' should be used.</p>
comment	<p>35 comment by: <i>MOT Austria</i></p> <p>Page No: 29 -8015 e (1)</p> <p>Comment: NSA Austria proposes to delete para (e) (1) and renumber the following paragraphs.</p> <p>Justification: It is unclear why the exact nature of a change requested from the aircrew shall be repeated in the following clearance.</p>



response

Not accepted

The proposal would break the consistency among the elements of transposed provisions and consistency with PANS-ATM 4.5.7.4.1

comment

36

comment by: *MOT Austria*

Page No: 29 -8015 e (general)

Comment: NSA Austria proposes to include DOC 4444 para 4.5.7.4.3.

Justification: It is considered very important for a flight crew and FMS-calculations at what position the previously filed routing will be rejoined.

response

Not accepted

This provision will be considered for Part ATS, and paragraph 4.5.7.4.3 of PANS-ATM will be used for GM to SERA.8015(e).

comment

116

comment by: *DFS Deutsche Flugsicherung GmbH*

(a) (1) We recommend the use of the unique term "ATC clearance".

response

Not accepted

No justification to alter consistency with ICAO text — it should be noted that, for convenience, the term 'air traffic control clearance' is frequently abbreviated to 'clearance' when used in appropriate contexts. This is also in accordance with ICAO.

comment

117

comment by: *DFS Deutsche Flugsicherung GmbH*

(e) (1) Further AMC/GM is required to clarify the different use of term "nature of the change" if requested by the pilot or by ATC.

response

Noted

Development of GM will be considered.

comment

118

comment by: *DFS Deutsche Flugsicherung GmbH*

(f) (3) what is the meaning of "directed transmission" ?

response

Noted

It means 'in a transmission directed to that particular aircraft' (in opposition, for example, to ATIS or to broadcast directed to several aircraft at the same time).



comment	<p>119 comment by: DFS Deutsche Flugsicherung GmbH</p> <p>(1) (iv) The read-back of the transition level is not required when the transition level is broadcasted (on ATIS) and ATIS is confirmed. We recommend to adopt the chapter accordingly.</p>
response	<p><i>Not accepted</i></p> <p>It should be noted that this paragraph is part of SERA Part B and, therefore, already adopted. Furthermore, the requirement to read back the transition level, also when it is broadcast on ATIS, is also a requirement in accordance with ICAO Annex 11, 3.7.3.1 c). PANS-ATM 4.5.7.5.1 (c) also requires transition levels to be read back in all circumstances.</p>
comment	<p>125 comment by: skyguide Corporate Regulation Management</p> <p>Clearance related to altimetry 8015 (f) : <i>Corresponding PANS-ATM requirements are derived from ICAO Annex 2 rule of the air related to expression of cruising levels.</i> <i>For consistency, the same should be done in SERA. Requirements related to cruising levels are defined in SERA 3110, therefore new requirements of SERA.8015 f should not overlap with these.</i> <i>EASA is invited to consolidate the content of existing SERA.3110 and proposed new content of SERA.8015 f to make one consistent set of requirements.</i></p>
response	<p><i>Not accepted</i></p> <p>The scope of SERA.8015 (f) is clearly wider and not limited to cruising levels only. The specific link between altimetry and the clearances justifies that these provisions are placed in the Section related to clearances. It should be considered as complementary to the general case of cruising levels described in SERA.3110.</p>
comment	<p>259 comment by: ENAIRE</p> <p>Regarding SERA.8015 (f) (2), why not specify that it has to be given in the first communication of the ATC frequency where the descent to altitudes will be given?</p>
response	<p><i>Not accepted</i></p> <p>Consistency with PANS-ATM (4.10.4.3)</p>
comment	<p>260 comment by: ENAIRE</p> <p>Regarding SERA.8015 (f) (3), directed transmission does not include ATIS. Sure about this? In section h) below the option is considered.</p>



response

Noted

SERA.8015(f)(3) requires that the QNH is transmitted in at least one directed transmission, whereas SERA.8015(h)(1)(iv) is about the mandatory read-back of the transition levels.

comment

261

comment by: *ENAIRE*

Regarding SERA.8015 (g), it would be clearer saying: "only will be used when..."

response

Not accepted

Consistency with PANS-ATM in a safety critical provision.

comment

272

comment by: *HungaroControl**SERA.8015 (e) (1)*

'Nature of the change' should be defined for clarity reasons. Is there any difference between the nature and the reason of a change?

response

Not accepted

The 'nature of the change' replies to the question 'what' whereas the reason for a change replies to the question 'why'. Development of GM will be considered.

comment

296

comment by: *Malta Air Traffic Controllers' Association*

The current text is not clear. The traffic should be known to the air traffic controller and the clearances should be issued giving time for the pilot to comply

suggest:

(a) Air traffic control clearances shall be based solely on the requirements for providing air traffic control service.

~~{2}~~ (1) ATC units shall issue ~~such~~ ATC clearances as are necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.

~~(1)~~ (2) Clearances shall be ~~issued solely for expediting and separating air traffic and are~~ based on **the air traffic controller's** known traffic conditions which affect safety in aircraft operation. Such **known** traffic conditions include not only aircraft in the air and on the manoeuvring area over which control is being exercised, but also any vehicular traffic or other obstructions not permanently installed on the manoeuvring area in use.

(3) ATC clearances shall be issued **in time** ~~early enough to ensure that they are transmitted to the aircraft in sufficient time for it~~ **the pilot** to comply with them



response

Not accepted

Consistency with PANS-ATM and insufficient justification for changing the wording. The text as proposed in the NPA is based on ICAO PANS-ATM 4.5.1.1 and is considered to be adequate.

comment

297

comment by: *Malta Air Traffic Controllers' Association*

In some cases, a clearance doesn't need to include a clearance limit

suggest :

(d) Contents of clearances

An air traffic control clearance shall indicate:

(1) aircraft identification as shown in the flight plan;

(2) clearance
limit, when
needed;

response

Not accepted

The original content of SERA.8015(d) is directly transposed from a Standard of ICAO Annex 11 since global harmonised implementation is considered important.

comment

323

comment by: *Danish Transport Authority*

SERA.8015:

We agree with the proposed inclusions of 3 (i) and (ii).

With reference to Regulation 255/2010 and ICAO Doc 7030 (EUR SUPPS), we suggest furthermore to include one additional item in the contents of clearances. The rationale for our proposal is to have a uniform application of the requirement in Regulation 255/2010, Art. 6 (6) a. and Doc 7030, Ch. 8.4.1 to include an ATFM departure slot as part of the ATC clearance.

We propose therefore to include a new item 5) *ATFM departure slot, if applicable* - which in turn will lead to a renumbering of the subsequent item.

response

Not accepted

The proposal is reasonable, however, the current text of SERA.8015(d)(5) indicates ‘any necessary instruction or information’ which is considered sufficient in this case.

comment	<p>333 comment by: ATCEUC - Air Traffic Controllers European Unions Coordination</p> <p>SERA.8015</p> <p>The current text is not clear. The traffic should be known to the air traffic controller and the clearances should be issued giving time for the pilot to comply.</p> <p>PROPOSAL:</p> <p><i>(a) Air traffic control clearances shall be based solely on the requirements for providing air traffic control service.</i></p> <p>(2) (1) ATC units shall issue such ATC clearances as are necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.</p> <p>(1) (2) Clearances shall be issued solely for expediting and separating air traffic and are based on the air traffic controller's known traffic conditions which affect safety in aircraft operation. Such known traffic conditions include not only aircraft in the air and on the manoeuvring area over which control is being exercised, but also any vehicular traffic or other obstructions not permanently installed on the manoeuvring area in use.</p> <p>(3) ATC clearances shall be issued in time early enough to ensure that they are transmitted to the aircraft in sufficient time for it the pilot to comply with them.</p>
response	<p><i>Not accepted</i></p> <p>Consistency with PANS-ATM and insufficient justification for changing the wording. The text as proposed in the NPA is based on ICAO PANS-ATM 4.5.1.1 and is considered to be adequate.</p>

comment	<p>334 comment by: ATCEUC - Air Traffic Controllers European Unions Coordination</p> <p>SERA.8015(d)(2)</p> <p>In some cases, a clearance doesn't need to include a clearance limit.</p> <p>PROPOSAL:</p> <p><i>(d) Contents of clearances</i></p> <p><i>An air traffic control clearance shall indicate:</i></p> <p><i>4) (1) aircraft identification as shown in the flight plan;</i></p> <p><i>(2) clearance limit, when needed;</i></p>
response	<p><i>Not accepted</i></p> <p>The original content of SERA.8015(d) is directly transposed from a Standard of ICAO Annex 11 since global harmonised implementation is considered important.</p>



comment	<p>347</p> <p>comment by: French Civil Aviation Authority (DGAC)</p> <p>French DGAC comment (DTA - DSNA - DSAC)</p> <p><u>SERA.8015 (f) (1)</u> The situation can exist outside TMA's, for cruising altitude if TA is high enough (ex 18000 ft). A general statement would be more appropriate.</p> <p>Proposal : "For flights in the vicinity of A/D and within terminal controlled areas where a transition altitude is determined the vertical position..."</p> <p><u>SERA.8015 (f) (3)</u> Subsequent modification needed to take into account an en-route context/ <u>SERA.8015 (g) (1)</u> Proposal to use the term "callsign" instead of "identification".</p>
response	<p><i>Partially accepted</i></p> <p>The text will be amended to reflect the comment provided on SERA.8015(f)(1) and (g)(i)</p> <p>(f) Clearance related to altimetry (i) For flights in the vicinity of aerodromes and within terminal control areas where a transition altitude is established, the vertical position of aircraft shall, except as provided for in (v) below, be expressed in terms of altitudes at or below the transition altitude and in terms of flight levels at or above the transition level. While passing through the transition layer, vertical position shall be expressed in terms of flight levels when climbing and in terms of altitudes when descending.</p> <p>(g) Conditional clearances Conditional phrases, such as 'behind landing aircraft' or 'after departing aircraft', shall not be used for movements affecting the active runway(s), except when the aircraft or vehicles concerned are seen by the appropriate controller and pilot. The aircraft or vehicle causing the condition in the clearance issued shall be the first aircraft/vehicle to pass in front of the other aircraft concerned. In all cases, a conditional clearance shall be given in the following order and consist of:</p> <p>(i) identification a callsign; (ii) the condition; (iii) the clearance; and (iv) a brief reiteration of the condition.</p>
comment	<p>421</p> <p>comment by: UK CAA</p> <p>Page No: 28 of 170 Paragraph No: SERA.8015(a)(1) and (2) Comment: Text stating that clearances shall be issued solely for expediting and separating air traffic and that clearances are necessary to prevent collisions could be interpreted as meaning that where a clearance is provided to VFR flights in Class C and D airspace, these</p>



	<p>aircraft are being provided with a separation service that prevent collisions from other IFR or VFR flights in accordance with the airspace classification.</p> <p>Justification: Guidance Material is required to clarify that clearances to VFR flights in controlled airspace do not imply any form of separation.</p> <p>Proposed Text:</p> <p>“GM SERA.8015(a)(1) Air traffic control clearances</p> <p>GM SERA.8015(a)(2) Air traffic control clearances</p> <p>Clearances to VFR flights in Class C and D do not imply any form of separation between:</p> <p>(a) In Class C – VFR aircraft.</p> <p>(b) In Class D – IFR and VFR aircraft.”</p>
response	<p><i>Accepted</i></p> <p>GM will be developed to reflect the comment.</p>

comment	<p>422</p> <p>comment by: UK CAA</p> <p>Page No: 29 of 170</p> <p>Paragraph No: SERA.8015(f)(2) Air traffic control clearances</p> <p>Comment: In busy TMAs it is not appropriate to pass the Transition Level to pilots during descent because of RTF workload issues with transmission, readback and hearback, and in order to comply with established best practices for passing instructions with ATC levels in them. The Transition Level forms part of the arrival ATIS so pilots can acquire this information from another source. The text as proposed is not a full transposition of the source PANS-ATM text, and the NPA does not suggest what form of Guidance Material may be derived from it. Therefore context is lost and the NPA is, in this respect, deficient.</p> <p>Justification:</p> <p>ATC strive to implement defensive ATM techniques that help prevent inadvertent level busts. Providing pilots with cleared levels and information on other levels is empirically proven to result in mistakes and some pilots will take the Transition Level as the cleared level. The NPA has lost context in the manner described above and requires either amended rule text or appropriate Guidance Material.</p> <p>Proposed Text:</p> <p>Either:</p> <p>“SERA.8015 Air traffic control clearances</p> <p>(f) Clearance related to altimetry</p> <p>(2) The flight crew shall be provided by voice communications, ATIS broadcast or data link with the transition level in due time prior to reaching it during descent.”</p> <p>Or</p> <p>“GM SERA.8015(f)(2) Air traffic control clearances</p> <p>This may be accomplished by voice communications, ATIS broadcast or data link.”</p>
response	<p><i>Accepted</i></p> <p>GM will be developed to reflect the comment.</p>

comment	<p>423</p> <p>comment by: UK CAA</p>
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Page No: 30 of 170

Paragraph No: SERA.8015(g) Air traffic control clearances

Comment: The text at SERA.8015(g) refers specifically to conditional clearances as used on an aerodrome and is accepted as good practice. However conditional clearances are used in all phases of flight and the content and order as stated would also have to apply. Additional text applicable to aircraft in flight appears necessary. If incorporated, SERA.8015(g) needs to be retitled to make explicit application, a new SERA.8015(h) inserted and subsequent sub-paragraphs renumbered.

Justification: Need for equivalent text applicable to aircraft in flight.

Proposed Text:

“(g) Conditional clearances to aircraft on the ground

...

(h) Conditional clearances to aircraft in flight

Conditional phrases may be passed to aircraft in flight. In all cases a conditional clearance shall be given in the following order and consist of:

- (i) identification;
- (ii) the condition;
- (iii) the clearance.”

response

Not accepted

The Agency does not believe that a conditional clearance in flight should be used in SERA.

comment

478

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.8015

The current text is not clear. The traffic should be known to the air traffic controller and the clearances should be issued giving time for the pilot to comply.

(a) Air traffic control clearances shall be based solely on the requirements for providing air traffic control service.

~~— (2) (1) ATC units shall issue such ATC clearances as are necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.~~

~~— (1) (2) Clearances shall be issued solely for expediting and separating air traffic and are based on~~ **the air traffic controller's** ~~known traffic conditions which affect safety in aircraft operation. Such~~ **known** ~~traffic conditions include not only aircraft in the air and on the manoeuvring area over which control is being exercised, but also any vehicular traffic or other obstructions not permanently installed on the manoeuvring area in use.~~

TEXT PROPOSAL:

~~(3) ATC clearances shall be issued in time early enough to ensure that they are transmitted to the aircraft in sufficient time for it~~ **the pilot** ~~to comply with them.~~

response

Not accepted



Consistency with PANS-ATM and insufficient justification for changing the wording. The text as proposed in the NPA is based on ICAO PANS-ATM 4.5.1.1 and is considered to be adequate.

comment

479

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.8015(d)(2)

In some cases, a clearance doesn't need to include a clearance limit.

TEXT PROPOSAL

(d) Contents of clearances

An air traffic control clearance shall indicate:

4. (1) aircraft identification as shown in the flight plan;

*(2) clearance limit, **when needed**;*

response

Not accepted

The original content of SERA.8015(d) is directly transposed from a Standard of ICAO Annex 11 since global harmonised implementation is considered important.

comment

490

comment by: SwissATCA

The current text is not clear. The traffic should be known to the air traffic controller and the clearances should be issued giving time for the pilot to comply.

Proposed change:



(a) Air traffic control clearances shall be based solely on the requirements for providing air traffic control service.

~~(2)~~ (1) ATC units shall issue ~~such~~ ATC clearances as are necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.

~~(1)~~ (2) Clearances shall be ~~issued solely for expediting and separating air traffic and are~~ based on **the air traffic controller's** known traffic conditions which affect safety in aircraft operation. Such **known** traffic conditions include not only aircraft in the air and on the manoeuvring area over which control is being exercised, but also any vehicular traffic or other obstructions not permanently installed on the manoeuvring area in use.

(3) ATC clearances shall be issued **in time** ~~early enough to ensure that they are transmitted to the aircraft in sufficient time for it~~ **the pilot** to comply with them

response

Not accepted

Consistency with PANS-ATM and insufficient justification for changing the wording. The text as proposed in the NPA is based on ICAO PANS-ATM 4.5.1.1 and is considered to be adequate.

comment

491

comment by: SwissATCA

8015(d)(2): In some cases, a clearance doesn't need to include a clearance limit.

Proposed change:

(d) Contents of clearances
An air traffic control clearance shall indicate:
4. (1) aircraft identification as shown in the flight plan;
(2) clearance limit, **when needed**;

response

Not accepted

The original content of SERA.8015(d) is directly transposed from a Standard of ICAO Annex 11 since global harmonised implementation is considered important.

comment

604

comment by: USCA

The current text is not clear. The traffic should be **known** to the air traffic controller and the clearances should be issued giving time for the pilot to comply



response

(a) Air traffic control clearances shall be based solely on the requirements for providing air traffic control service.

~~(2) (1) ATC units shall issue such ATC clearances as are necessary to prevent collisions and to expedite and maintain an orderly flow of air traffic.~~

~~(1) (2) Clearances shall be issued solely for expediting and separating air traffic and are based on the air traffic controller's known traffic conditions which affect safety in aircraft operation. Such known traffic conditions include not only aircraft in the air and on the manoeuvring area over which control is being exercised, but also any vehicular traffic or other obstructions not permanently installed on the manoeuvring area in use.~~

(3) ATC clearances shall be issued **in time** ~~early enough to ensure that they are transmitted to the aircraft in sufficient time for it~~ **the pilot** to comply with them

Not accepted

Consistency with PANS-ATM and insufficient justification for changing the wording. The text as proposed in the NPA is based on ICAO PANS-ATM 4.5.1.1 and is considered to be adequate.

comment

605

comment by: USCA

SERA.8015(d)(2)

(d) Contents of clearances

An air traffic control clearance shall indicate:

4) (1) aircraft identification as shown in the flight plan;

(2) clearance limit, **when needed**;

Not all clearances need a clearance limit.

response

Not accepted

The original content of SERA.8015(d) is directly transposed from a Standard of ICAO Annex 11 since global harmonised implementation is considered important.

comment

660

comment by: NATS National Air Traffic Services Limited



response	<p>Page No: 28 Paragraph No: SERA 8015 (a)(1)+(2)</p> <p><u>NATS Comment:</u> Where it states that clearances shall be issued solely for expediting and separating air traffic and that clearances are necessary to prevent collisions, it can be interpreted that where a clearance is provided to VFR flights in Class C/D/E airspace as appropriate, these aircraft are being provided with a separation service that prevent collisions from other IFR or VFR flights in accordance with the airspace classification.</p> <p><u>Justification:</u> Existing ICAO text does provide enough distinction between “separating traffic” and “separation provision” when applied to all flights that may receive an ATC service and an ATC clearance.</p> <p><u>Proposed Text:</u> AMC/GM to clarify that clearances to VFR flights in controlled airspace do not imply any form of separation.</p> <p><i>Accepted</i></p> <p>GM reflecting the comment will be developed.</p>
comment	<p>661 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 28 Paragraph No: SERA 8015 (a)(3)</p> <p><u>Comment:</u> ATC clearances are issued to pilots and not aircraft.</p> <p><u>Proposed Text:</u> Change aircraft to pilot.</p>
response	<p><i>Not accepted</i></p> <p>Consistency with ICAO terminology.</p>
comment	<p>662 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 30 Paragraph No: SERA 8015 (f)(2)</p> <p><u>NATS Comment:</u> In busy TMAs it is not appropriate to pass the Transition Level to pilots during descent because of RTF workload issues with transmission, readback and hearback, and in order to comply with established best practices for passing instructions with ATC levels in them. The Transition Level forms part of the arrival ATIS so pilots can acquire this information from another source.</p> <p><u>Justification:</u> ATC strive to implement defensive ATM techniques that help prevent inadvertent level busts. Providing pilots with cleared levels and information on other levels is empirically proven to result in mistakes and some pilots will take the Transition Level as the cleared level.</p> <p><u>Proposed Text:</u> AMC/GM to alleviate the requirement for the passing of the Transition Level via RTF if this information is available on the arrival ATIS.</p>
response	<p><i>Accepted</i></p> <p>GM will be developed to reflect the comment.</p>



comment	<p>663</p> <p>comment by: <i>NATS National Air Traffic Services Limited</i></p> <p>Page No: 30 Paragraph No: SERA 8015 (g)(4)</p> <p><u>NATS Comment:</u> The text in (g) appears to specifically refer to conditional clearances as used on an aerodrome and (4) is accepted as good practice. However conditional clearances are used in all phases of flight and the content and order as stated would also have to apply. To have to re-iterate the condition in all cases would cause unnecessary increase in RTF workload e.g. “ABC123, after leaving PAMPUS, fly radar heading 240 degrees, after leaving PAMPUS”.</p> <p><u>Justification:</u> Unnecessary extra RTF transmissions in certain phases of flight.</p> <p><u>Proposed Text:</u> Either</p> <ul style="list-style-type: none"> • Amend (4) to read “for aerodrome operations only, brief reiteration of the condition”, • AMC/GM to scope the requirement in (4) to aerodrome operations only.
response	<p><i>Not accepted</i></p> <p>The Agency does not believe that a conditional clearance in flight should be used in SERA. The example provided in your comment is considered to be only a clearance specifying when the actions shall be initiated by the pilot. Clearance is considered to be conditional when other aircraft or vehicles are involved and constitute part of the condition.</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 8 — SERA.8020 Adherence to flight plan	p. 31-32
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comment	<p>221</p> <p>comment by: <i>LFV Sweden</i></p> <p>LFV support the proposed amendment in order to be compliant with ICAO Annex 2.</p>
response	<p><i>Noted</i></p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 8 — SERA.8025 Position Reports	p. 32
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comment	<p>126</p> <p>comment by: <i>skyguide Corporate Regulation Management</i></p> <p>Position Reports, bullet 2</p> <p><i>To improve understanding, skyguide suggests putting “unless automated position reporting is in effect” at the beginning of the sentence, to read: “Unless automated position reporting is in effect, when a controlled flight has been exempted from the requirement to report over compulsory reporting points...”</i></p>
response	<p><i>Not accepted</i></p>



Various drafting options have been envisaged and the proposed one was retained as being the most consensual.

comment	222	comment by: <i>LFV Sweden</i>
	LFV support proposed amendment.	
response	<i>Noted</i>	

comment	363	comment by: <i>NUAC</i>
	<p>The regulations could be handled the other way around. Omit position reports can be arranged as a general exemption valid generally throughout European Airspace. Above a specific level? Proposal: "Position reports is exempted in EUR airspace above FLxxx unless required by the competent authority or by the appropriate air traffic services unit under conditions specified by that authority." "Controlled flights/pilots shall (only) resume voice or CPDLC position reporting: (i) when so instructed; (ii) when advised that the ATS surveillance service has been terminated; or (iii) when advised that ATS surveillance identification is lost unless automated position reporting is in effect. (3) The format of position reports shall be in accordance with Appendix 5."</p>	
response	<p><i>Not accepted</i></p> <p>Insufficient justification for modifying the existing situation based on ICAO requirements. An amendment to the ICAO Regional procedures could be considered in due course.</p>	

comment	647	comment by: <i>European Cockpit Association</i>
	<p>Editorial: The term "automated position report" may need clarification, in particular, as being used as an antonym for CPDLC position reporting. It is proposed to include the example as contained in the ICAO source provision: "... unless automated position reporting (<u>e.g. ADS-C</u>) is in effect.</p>	
response	<p><i>Accepted</i></p> <p>Such clarification is envisaged to be inserted in the form of GM to SERA.8025(a)(2).</p>	

comment	96	comment by: <i>CAA-Norway</i>
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	<p>SERA.10001(b) The paragraph states that the aircraft “shall report”. What is the obligation on ATS in the absence of such a report? The IR or the GM must state that the absence of such a report to ATS do not lead the ATS into the “Uncertainty Phase”.</p>
response	<p><i>Not accepted</i></p> <p>The conditions leading to an ‘uncertainty phase’ are wider than only the absence of position reporting. These conditions should be established taking account of, i.e., the available surveillance systems and the local conditions. The absence of such a report would make ATS start efforts to contact the aircraft on frequencies most likely used by the pilot, including 121,5MHz. Failure to contact the pilot could lead to any kind of measures, including the declaration of an uncertainty phase. Guidance Material to reflect this will be considered.</p>
comment	<p>97 comment by: CAA-Norway</p> <p>SERA.10001 Applicaton (b) Norwegian CAA propose to change from "shall report" to "should report". This imply that the procedure will be an option for the pilot rather than a leagely binding requirement.</p>
response	<p><i>Not accepted</i></p> <p>The text of this provision starts with ‘when so prescribed by the competent authority’. This offers the necessary flexibility in the national airspace.</p>
comment	<p>127 comment by: skyguide Corporate Regulation Management</p> <p>New bullet b <i>This is a misinterpretation of the influence of P-ATM 9.2.1.1 (the preceding paragraph), which does not apply to P-ATM 9.2.1.2 in this way. Meaning that, in ICAO, this is universally applicable, and is not left to the discretion of the ATS Authority. Making a universally applicable procedure subject to potentially divergent decisions of individual competent authorities does not serve the original objectives of SERA, that is, enabling standardized rules of the air and, thus, FABs.</i></p> <p>New bullet c <i>GM required covering the explanations provided in the ICAO source.</i></p>
response	<p><i>Partially accepted</i></p> <p>Bullet b — the text was adapted to reflect some national differences existing in States where the size of the airspace does not allow the implementation of the 20 to 40 minutes. Nevertheless, the text will be improved taking account of the comment as follows:</p> <p>(b) Unless otherwise When so prescribed by the competent authority, aircraft equipped with suitable two-way radio-communications shall report during the period twenty to forty minutes following the time of last contact, whatever the purpose of such contact, merely to indicate that the flight is progressing according to plan, such report to comprise</p>



	<p>identification of the aircraft and the words 'Operations normal'. Bullet c — GM is envisaged as requested in the comment.</p>	
comment	<p>223</p> <p>SERA.10001</p> <p>LFV support proposed amendment.</p> <p>SERA.11001 & 11005</p> <p>LFV support proposed reorganization.</p>	comment by: <i>LFV Sweden</i>
response	<p><i>Noted</i></p>	
comment	<p>273</p> <p><i>The provisions of SERA.10001 (b) do not comply with the title of Section 10: Alerting service, because they prescribe reporting obligation. If the aim of reporting is the provision of alerting service, this should be added to SERA.10001 (b). If the aim of reporting is the provision of alerting service, other situations should be prescribed in Section 10 in which alerting service is provided. HungaroControl finds the period of 20 to 40 minutes too wide. Does this provision authorise the competent authority to specify the period within the limits of 20 and 40 minutes (e.g. 25 minutes)?</i></p>	comment by: <i>HungaroControl</i>
response	<p><i>Partially accepted</i></p> <p>Bullet b — the text was adapted to reflect some national differences existing in States where the size of the airspace does not allow the implementation of the 20 to 40 minutes. Nevertheless, the text will be improved taking account of the comment as follows:</p> <p>(b) Unless otherwise When so prescribed by the competent authority, aircraft equipped with suitable two-way radio-communications shall report during the period twenty to forty minutes following the time of last contact, whatever the purpose of such contact, merely to indicate that the flight is progressing according to plan, such report to comprise identification of the aircraft and the words 'Operations normal'. Bullet c — GM is envisaged as requested in the comment.</p>	
comment	<p>364</p> <p>(b) and (c) will increase communication load at sectors providing ATS, especially in those providing ATS in C and G airspace, which is common in Sweden. As long as no flight information sectors/positions are established, radio communication reports every 20-40 minutes is not wanted. "When so prescribed by the competent authority" is the correct move, and (b) and (c) should be guidance material.</p>	comment by: <i>NUAC</i>
response	<p><i>Partially accepted</i></p>	



Bullet b — the text was adapted to reflect some national differences existing in States where the size of the airspace does not allow the implementation of the 20 to 40 minutes. Nevertheless, the text will be improved taking account of the comment as follows:

(b) **Unless otherwise** ~~When so~~ prescribed by the competent authority, aircraft equipped with suitable two-way radio-communications shall report during the period twenty to forty minutes following the time of last contact, whatever the purpose of such contact, merely to indicate that the flight is progressing according to plan, such report to comprise identification of the aircraft and the words 'Operations normal'.

Bullet c — GM is envisaged as requested in the comment.

comment

523

comment by: *Federal Office of Civil Aviation FOCA*

SERA.10001 par. b: According to ICAO, aircraft which are equipped accordingly, shall report each 20-40 min following the previous contact. We suggest to stick to the original requirement by introducing the possibility for competent authorities to prescribe a different requirement. Text proposal: "unless otherwise prescribed by the CA" instead of "when so prescribed by the CA".

response

Accepted

Bullet b — the text was adapted to reflect some national differences existing in States where the size of the airspace does not allow the implementation of the 20 to 40 minutes. Nevertheless, the text will be improved taking account of the comment as follows:

(b) **Unless otherwise** ~~When so~~ prescribed by the competent authority, aircraft equipped with suitable two-way radio-communications shall report during the period twenty to forty minutes following the time of last contact, whatever the purpose of such contact, merely to indicate that the flight is progressing according to plan, such report to comprise identification of the aircraft and the words 'Operations normal'.

comment

562

comment by: *AESA / DSANA***COMMENT**

It would be more suitable starting the phrase by "*when so specified by the appropriate ATS unit*". Therefore, the following is proposed: "*(b) When so specified by the appropriate ATS unit, aircraft equipped with suitable two-way radio-communications shall report during the period 20 to 40 minutes following the time of last contact, whatever the purpose of such contact, merely to indicate that the flight is progressing according to plan. Such a report has to comprise identification of the aircraft and the words 'Operations normal'.*"

JUSTIFICATION

As it is stated in **PANS-ATM (ICAO Doc 4444)**, these considerations are more related to procedures of the air traffic services and operations issues. In fact, that kind of reports may also depend upon the specific airspace volumes considered and the features of each one of them, along with the air traffic conditions and circumstances.



response

Not accepted

This is not considered to be a rule that should be implemented by the ATS unit but is clearly a case for the competent authority.

comment

590

comment by: *DFS Deutsche Flugsicherung GmbH*

(b) is not applicable for Germany.

response

Noted

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 11 — SERA.11001 Unlawful interference General

p. 33-34

comment

128

comment by: *skyguide Corporate Regulation Management***General**

~~(b) Subsequent ATC actions will be based on the intentions of the pilot, the overall air traffic situation and the real time dynamics of the contingency.~~

The added text at (b) is:

- of questionable relevance (original 7030 text comes from the RVSM loss of nav. performance context – this context is lost here entirely); and
- of questionable usefulness (isn't this what ATC is all about, anyway).

Skyguide suggests to consider this bullet redundant in this context.

response

Noted

comment

224

comment by: *LFV Sweden*

LFV support the proposed change.

response

Noted

comment

424

comment by: *UK CAA*

Page No: 33 of 170

Paragraph No: SERA.11005 (a) Unlawful interference

Comment: Should start 'The Pilot in Command of....



	<p>Justification: Aircraft are inanimate objects and cannot carry out orders/instructions. The proposed revision aligns text with SERA.11005 (b).</p> <p>Proposed Text: "SERA.11005 Unlawful interference (a) The pilot of an aircraft which is being subjected to unlawful interference shall endeavour to set the....."</p>
response	<p><i>Not accepted</i></p> <p>The text has been retained for consistency with the ICAO wording. Although the comment is fully understood and to some extent supported, it is considered that the logic of the ICAO text is sufficiently understandable. Additionally, applying such drafting principle would lead to replacing the term 'aircraft' in many other instances where it could be more difficult.</p>
comment	<p>591 comment by: DFS Deutsche Flugsicherung GmbH</p> <p>(b) This sentence is an extract of ICAO Doc 7030 9.5.1.2 (loss of vertical separation) and does not fit into this chapter. We recommend to review this sentence. Note: The wordings "Contingency" and "Emergency" are differently defined.</p>
response	<p><i>Not accepted</i></p> <p>The provision has been included in the Section 'General' which is valid for all cases, including degraded aircraft performance. It is believed that the principle stated in (b) is not contradictory to good practices in all situations under Section 11.</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 11 — SERA.11010 ~~In-flight contingencies~~ Strayed or unidentified aircraft

p. 34-35

comment	<p>225 comment by: LFV Sweden</p> <p>LFV support the proposed renaming.</p>
response	<p><i>Noted</i></p>
comment	<p>425 comment by: UK CAA</p> <p>Page No: 34 of 170 Paragraph No: SERA.11010 (a) (3) (i) Comment: Use of the abbreviation 'ATS' is inappropriate Justification: In the context in which 'ATS' appears here, the phrase 'air traffic services unit' would align better with the sense required and use in the subject text, and would then align with SERA.11010(a)(3)(ii). Proposed Text: "(3) When the aircraft's position is established, the air traffic services unit shall: (i) advise the aircraft of its position and corrective action to be taken. This advice shall be</p>



response

immediately provided **when the air traffic services** unit is aware that there is a possibility of interception or other hazard to the safety of the aircraft; and”

Partially accepted

The abbreviation ATS is spelled out earlier (Article 2 Definition 32) in the text and SERA.11010 will be amended as follows:

(3) When the aircraft’s position is established, the air traffic services unit shall:

(i) advise the aircraft of its position and corrective action to be taken. This advice shall be immediately provided when **the ATS unit** is aware that there is a possibility of interception or other hazard to the safety of the aircraft; and

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 11 — **SERA.11012 Minimum Fuel and Fuel Emergency**

p. 35

comment

147

comment by: *Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)*

SERA.11012

We suggest that ~~and Fuel Emergency~~ in the heading is deleted, the concept is not used in the text and there is no definition for Fuel Emergency. Alternatively insert a new definition.

response

Not accepted

comment

151

comment by: *skyguide Corporate Regulation Management*

Minimum Fuel and Fuel Emergency

Guidance material (as provided in ICAO P-ATM) is critical for correct reading of these requirements.

In the context of dense European continental airspace & relatively small and complex sectors, this procedure needs further specification – e.g. to what extent are controllers expected / required to seek for data on anticipated / actual delay?

response

Accepted

GM based on PANS-ATM 15.5.4.1 is envisaged for SERA.11012.

comment

226

comment by: *LFV Sweden*

LFV support the proposed amendment.

response

Noted

comment

305

comment by: *Danish Transport Authority*



	We suggest that "and Fuel Emergency" in the heading is deleted - the concept is not used in the text and there is no definition for Fuel Emergency. Alternatively a new definition is required.
response	<p><i>Not accepted</i></p> <p>The heading is similar to that of PANS-ATM 15.5.4 which itself refers to ICAO Annex 10 which was used for SERA.11012 b) (describing an emergency situation).</p>

comment	<p>426</p> <p style="text-align: right;">comment by: UK CAA</p>
	<p>Page No: 35 of 170</p> <p>Paragraph No: SERA.11012 Minimum Fuel and Fuel Emergency.</p> <p>Comment:</p> <p>The UK CAA supports adoption of both terms and notes the proposed addition of the definition of 'minimum fuel' to Article 2. The UK CAA assumes the note to the original PANS-ATM text will be adopted as Guidance Material.</p> <p>Given that the term 'fuel emergency' is not defined, and is indeed not referred to in SERA.11012 text, the UK CAA recommends revision of the title of the paragraph to read 'SERA.11012 Minimum Fuel'.</p> <p>Within PANS-OPS the term 'fuel emergency' is used only in the title of, plus Note 2 to, paragraph 15.5.4; it is not defined in that document. The term does not appear in ICAO Annex 10.</p> <p>The UK CAA notes that the proposed title of SERA.11012 reverses the order of the words in the PANS-ATM title, rendering the term 'fuel emergency' secondary in nature. The secondary status plus rare use in source ICAO documents and lack of definition underscores the UK CAA view that the term be removed from the title of SERA.11012.</p> <p>Justification: Clarity of text</p> <p>Proposed Text:</p> <p>Amend title to read "SERA.11012 Minimum Fuel"</p>
response	<p><i>Not accepted</i></p> <p>The heading is similar to that of PANS-ATM 15.5.4 which itself refers to ICAO Annex 10 which was used for SERA.11012 b) (describing an emergency situation).</p>

comment	<p>610</p> <p style="text-align: right;">comment by: Camille Goureau (ATCEUC)</p>
	<p>SNCTA proposes GM : when reporting a state of minimum fuel, the pilot may if able, also informs ATC of envisaged remaining endurance.</p>
response	<p><i>Noted</i></p>

comment	<p>620</p> <p style="text-align: right;">comment by: USCA</p>
	<p>Whereas for Fuel Emergency it is clearly stated that the remaining estimated endurance is approximately 30' (Amendment 36 to ICAO Annex 6 Part I: "Declare a fuel emergency when</p>



response

the calculated fuel on landing at the nearest suitable aerodrome, where a safe landing can be made, will be less than the planned final reserve fuel"), when a pilot declares Minimum Fuel the air traffic controller has no way to know if that means 40' or 90' of endurance, which is something that really can make a difference.

We suggest, therefore, that the pilots are encouraged, when declaring Minimum Fuel, to specify how much time they estimate they have left.

An example of phraseology could be "Iberia 3202 on minimum fuel, 45' remaining"

Not accepted

The intention is well understood, however, the justification is insufficient and a safety assessment of such (new) requirement is missing.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 11 — SERA.11013 Degraded aircraft performance

p. 35-36

comment

37

comment by: MOT Austria

Page No: 35 -11013c

Comment: NSA Austria proposes to delete para (c) (1) and renumber the following.

Justification: Austria is of the opinion that the vertical navigation performance requirements are already covered under SERA.11013 (a).

response

Not accepted

The text of SERA.11013 (a) is very general and the safety critical nature of RVSM operations is considered to constitute sufficient justification for SERA.11013 (c) to be retained.

comment

76

comment by: René Meier, Europe Air Sports

SERA.11013 Degraded aircraft performance

p 35/170

Question: Why in (a) "...the flight crew shall advise..." is used, in (b) and (c), however "...the pilot..."?

(Interestingly, in 11014 (a) we read of "...pilots...")

We recommend to clarify this provision.

Rationale:

The text has to be clear and free of any ambiguity.

response

Noted

The reason is that two different source documents were used (PANS-ATM and Doc 7030). The justification for the text and the different words is that, as a drafting principle, the original ICAO text was always retained when no strong reason required to change it.



comment	152	comment by: skyguide Corporate Regulation Management
	<p>Degraded aircraft performance <i>This procedure is taken from Doc. 7030, but has significant safety issue. Skyguide has taken the initiative to suggest amending the Doc. 7030 through NM (APDSG and NETOPS). Details of the issue are elaborated in APDSG WP62.09 and WP63.03 (available at One Sky Online). Current PfA (Proposal for Amendment) for Doc. 7030 should be in communication between EUROCONTROL and ICAO EUR Office.</i> <i>EASA is invited to consult the content of the PfA and the associated rationale, before deciding on the content of this provision.</i></p> <p>Degraded aircraft performance (5) severe turbulence - not forecast <i>In Europe, flow management measures are, normally, not coordinated between the ACCs, but at the network level.</i></p>	
response	Noted	
comment	227	comment by: LFV Sweden
	LFV support the proposed amendment.	
response	Noted	
comment	382	comment by: Fédération Française Aéronautique
	<p>L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise. Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.</p>	
response	<p>Noted</p> <p>It is recommended that the FFA contacts the DGAC Point of Contact on the subject of the translation of this IR into national languages.</p>	
comment	427	comment by: UK CAA
	<p>Page No: 35 of 170 Paragraph No: SERA.11013(c) Degraded aircraft performance Comment: There is no requirement for an aircraft to deviate from the ATC assigned level due to a failure of its vertical navigation performance. The ICAO source material for most of SERA.11013(c) is Doc 7030 and this provision is currently being reviewed by NETOPS APDSG for its current applicability. Justification: This is not an emergency situation requiring the pilot to act before notifying ATC. ATC will provide the means to maintain the appropriate separation, which depending on the traffic situation at the time, could be for the aircraft to maintain its current level. Proposed Text: UK CAA suggests that SERA.11013(c) is not to be included in SERA Part C until revisions to Doc 7030 have been approved. Otherwise EU and ICAO provisions on the same topic will be contradictory.</p>	



response

Noted

The validity of the comment is recognised. However, the proposal it refers to is at a very early stage of the adoption process, therefore, it is suggested that the developments associated with this proposal will be closely monitored and a decision will be made accordingly.

comment

428

comment by: UK CAA

Page No: 35 of 170**Paragraph No:** SERA.11013 (c)

Comment: Whilst noting the earlier UK comment the acronym 'RVSM' is introduced without explanation. Explanation as proposed below will obviate the need to explain the acronym later in the document.

Justification: Precise text.**Proposed Text:****"SERA.11013 Degraded aircraft performance**

(c) Loss of vertical navigation performance required for reduced vertical separation minimum (RVSM) airspace"

response

Accepted

The text of SERA.11013(c) will be amended as follows:

(c) Loss of vertical navigation performance required for **reduced vertical separation minimum (RVSM) airspace**

comment

429

comment by: UK CAA

Page No: 35 of 170**Paragraph No:** SERA.11013 (c)(2)

Comment: Introduction of the acronym 'RVSM' at SERA.11013(c) obviates the need to explain the acronym in this paragraph.

Justification: Precise text.**Proposed Text:****"SERA.11013(c)(2) Degraded aircraft performance**

(2) During operations in or vertical transit through RVSM airspace with aircraft not approved for RVSM operations, pilots shall report non-approved status as follows: "

response

Accepted

The text will be amended to reflect the comment as follows:

(2) During operations in or vertical transit through ~~reduced vertical separation minimum~~ {RVSM} airspace with aircraft not approved for RVSM operations, pilots shall report non-approved status as follows:

(i) at initial call on any channel within RVSM airspace;

(ii) in all requests for level changes; and



(iii) in all read-backs of level clearances.

comment

430

comment by: UK CAA

Page No: 36 of 170

Paragraph No: SERA.11013 (c)(4)(ii)

Comment: The UK CAA considers the proposed text to be unduly restrictive. When an aircraft can be accommodated safely within RVSM airspace without any degradation to safety or to efficiency of operations it should be allowed to remain within RVSM airspace. Instead the objective should be to continue providing services to non-RVSM aircraft where possible, i.e. when prevailing traffic conditions permit, for example in low-density airspace at any given time (such as at night when any need to increase separation between aircraft or require affected aircraft to leave RVSM airspace may be diminished). A degree of tactical flexibility and judgement on the part of the ANSP and/or individual ATCO is warranted - if the ability to maintain 2000' is available then the aircraft should remain in the RVSM airspace. In addition, it will always be incumbent upon the ANSP/ATCO to determine the feasibility and appropriateness of instructing an aircraft to leave RVSM airspace under the circumstances described; traffic density and complexity of airspace beneath RVSM airspace may preclude such a course of action.

Justification: More efficient method of applying the regulation without compromising safety.

Proposed Text:

SERA.11013(c)(4)(ii) Degraded aircraft performance

ATC shall take action immediately to provide a minimum vertical separation of 600 m (2 000 ft) or an appropriate horizontal separation from all other aircraft concerned that are operating in RVSM airspace. An aircraft rendered non-RVSM-approved shall normally be cleared out of RVSM airspace by ATC unless traffic conditions allow the provision of 2000ft separation without detriment to the safety of operation and efficiency of the RVSM airspace.

response

Not accepted

The current text already describes these options and provides flexibility through the terms 'normally' and 'when it is possible'.

comment

527

comment by: Federal Office of Civil Aviation FOCA

FOCA suggests to take the existing amendment proposal of ICAO Doc 7030 into account (in particular APDSG WP62.09 and 63.03).

response

Noted

comment

592

comment by: DFS Deutsche Flugsicherung GmbH

(5) We recommend to mention the possibilities of additional measures before the suspension of RVSM due to the forecast of severe turbulence. For example by the implementation of traffic regulations. (e.g. at the level of AMC/GM)

response

Noted



It is believed that the current text is compatible with the comment provided ('...ATC shall determine whether RVSM should be suspended...'). Nevertheless, the comment is taken into account and AMC or GM will be considered to address the case.

comment

664

comment by: NATS National Air Traffic Services Limited

Page No: 35 Paragraph No: SERA 11013 (c)

NATS Comment: There is no requirement for an aircraft to deviate from the ATC assigned level due to a failure of its vertical navigation performance.

Justification: This is not an emergency situation requiring the pilot to act before notifying ATC. ATC will provide the means to maintain the appropriate separation, which depending on the traffic situation at the time, could be for the aircraft to maintain its current level. The ICAO source material for most of (c) is Doc 7030 and this provision is currently being reviewed by Eurocontrol NETOPS APDSG for its current applicability.

Proposed Text: (c) is not included in SERA Part C until revisions to Doc 7030 have been approved. Otherwise the European and ICAO provisions on the same topic will be contradictory.

response

Noted

The validity of the comment is recognised. However, the proposal it refers to is at a very early stage of the adoption process, therefore, it is suggested that the developments associated with this proposal will be closely monitored and a decision will be made accordingly.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 11 — SERA.11014 ACAS resolution advisory (RA)

p. 36-37

comment

6

comment by: new European Helicopter Association (EHA)

We would like to suggest to replace the word aeroplane with aircraft.

response

Accepted

The text is amended as follows:

SERA.11014 ACAS resolution advisory (RA)

(a) In the event of an RA, pilots shall:

(1) respond immediately by following the RA as indicated unless doing so would jeopardise the safety of the ~~aeroplane~~ aircraft;

comment

148

comment by: Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)

SERA 11014

Will the EU 1332/2011 be changed and coordinated with SERA Part C when it is adopted.



response

Noted

It is considered that SERA is the appropriate Regulation for the mentioned provisions. Regulation (EU) No 1332/2011 and SERA will be amended accordingly.

comment

153

comment by: *skyguide Corporate Regulation Management***ACAS resolution advisory (RA)**

EUROCONTROL APDSG has developed a PfA for PANS-ATM. Current PfA (Proposal for Amendment) for PANS-ATM should be in communication between EUROCONTROL and ICAO Secretariat.

EASA is advised to consult with EUROCONTROL on the content of the last proposed wording, as current wording leaves quite some room for ambiguity (e.g. the meaning of departure from a clearance)

response

Not accepted

comment

228

comment by: *LFV Sweden*

LFV support the proposed amendment.

response

Noted

comment

365

comment by: *NUAC*

Text for ACAS RA is appreciated improvements.

response

Noted

comment

431

comment by: *UK CAA*

Page No: 36 of 170

Paragraph No: SERA.11014 ACAS resolution advisory (RA)

Comment: The PANS-ATM/OPS provisions related to ACAS were reviewed by NETOPS APDSG and proposals for amendment are currently being reviewed by AAB.

Justification: The current provisions do not clearly identify the scope of other affected aircraft; also pilot actions in respect of notifying ATC are not given a high enough priority.

Proposed Text: UK CAA suggest that SERA.11014 is not to be included in SERA Part C until revisions to PANS-ATM/OPS have been approved. Otherwise the EU and ICAO provisions on the same topic will be contradictory.

response

Not accepted

This question was addressed by APDSG and NETOPS in 2013 but discussions were not conclusive, and it was decided to keep the provisions proposed in SERA Part C as they are



presented in the NPA (ICAO compliant). SERA will be revised as soon as the ICAO source material will be amended.

comment

432

comment by: UK CAA

Page No: 37 of 170**Paragraph No:** SERA.11014 ACAS resolution advisory (RA)**Comment:**

The term 'Air Traffic Control' is explained. The term first appears in the extant Article 2 (60) entry ('controller-pilot data link communications (CPDLC)' mean a means of communication between controller and pilot, using data link for ATC communications;) but is surprisingly not already explained in Regulation 923 of 2012.

This also further supports the idea of an EASA 'lexicon' – an Agency equivalent to ICAO Doc 9713 that will ensure consistency in the use of definitions and abbreviations throughout EU aviation regulatory material.

Justification: Explanation of terminology/need for additional definition.**Proposed Text:****"Article 2**

60. 'controller-pilot data link communications (CPDLC)' mean a means of communication between controller and pilot, using data link for air traffic control (ATC) communications;"

response

Partially accepted

The term was first mentioned in Article 2 (28) 'Air Traffic Control clearance' in Regulation (EU) No 923/2012. The acronym 'ATC' will be inserted into the definition.

comment

648

comment by: European Cockpit Association

ECA expresses its support to include the ICAO PANS-OPS provisions regarding actions to be followed in case of an ACAS RA.

response

Noted

comment

665

comment by: NATS National Air Traffic Services Limited

Page No: 36 Paragraph No: SERA 11014

NATS Comment: The PANS-ATM/OPS provisions related to ACAS were reviewed by Eurocontrol NETOPS APDSG and proposals for amendment are currently being reviewed by AAB.

Justification: The current provisions do not clearly identify the scope of other affected aircraft and pilot actions in respect of notifying ATC are not given a high enough priority.

Proposed Text: 11014 is not included in SERA Part C until revisions to PANS-ATM/OPS have been approved. Otherwise the European and ICAO provisions on the same topic will be contradictory.



response

Not accepted

This question was addressed by APDSG and NETOPS in 2013 but discussions were not conclusive, and it was decided to keep the provisions proposed in SERA Part C as they are presented in the NPA (ICAO compliant). SERA will be revised as soon as the ICAO source material will be amended.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 12 — SERA.12005 Special aircraft observations

p. 37-38

comment

13

comment by: AFSBw Capt Traurig

SERA.12005 Special aircraft observations

(a) Special observations shall be made and reported by all aircraft whenever the following conditions are encountered or observed:

- (1) moderate or severe turbulence; or
- (2) moderate or severe icing; or
- (3) severe mountain wave; or

(4) thunderstorms, without hail, that are obscured, embedded, widespread or in squall lines; or

(5) thunderstorms, with hail, that are obscured, embedded, widespread or in squall lines; or

(6) heavy dust storm or heavy sandstorm; or

It seems to be senseless to state in one sentence an affirmation and in the next sentence a negation. It might lead to misunderstandings.

Recommendation:

.....

4) thunderstorms, that are obscured, embedded, widespread or in squall lines (the report shall indicate weather the TS is with or without hail); or

(5) heavy dust storm or heavy sandstorm; or

(6) volcanic ash cloud; or

(7) pre-eruption volcanic activity or a volcanic eruption.

response

Noted

No change envisaged to this ICAO provision being applicable worldwide.

comment

78

comment by: René Meier, Europe Air Sports

SERA.12005 (c) Special aircraft observations

page 38/170

Question: Thinking of "...all aircraft..." What about availability of such forms onboard sailplanes and balloons?

Any information relevant to the safety of other aircraft should be transmitted as quickly and as simply as possible. Filling-in forms should be done on-ground, not on the flight deck, at least not on the flight deck of light aircraft flown by one pilot only.



response	<p>Rationale: For the sake of safety of others an instant transmission may be required, our community will undoubtedly do what can be done, the simpler the solution proposed the safer such information transmission will be.</p> <p><i>Noted</i></p>
comment	<p>375 comment by: <i>LFV Sweden</i></p> <p>LFV have no comments on SERA.12005 (c)</p>
response	<p><i>Noted</i></p>
comment	<p>433 comment by: <i>UK CAA</i></p> <p>Page No: 37 of 170 Paragraph No: SERA 12005(c) Special aircraft observations Comment: The requirement for pilot reporting of special aircraft observations using Model AIREP form could have a negative impact on frequency occupancy in busy environments. Justification: Depending on the length of report and its content, a pilot may unnecessarily occupy the main frequency for a long time, preventing ATC from managing more time-critical events. Proposed Text: The development of suitable AMC/GM to enable the reporting to ATC to be done on an alternative frequency.</p>
response	<p><i>Accepted</i></p> <p>AMC and/or GM will be developed to cover the concern expressed in the comment.</p>
comment	<p>666 comment by: <i>NATS National Air Traffic Services Limited</i></p> <p>Page No: 38 Paragraph No: SERA 12005 (c) <u>NATS Comment:</u> The requirement for pilot reporting of special aircraft observations using Model AIREP form could have a negative impact on frequency occupancy in busy environments. <u>Justification:</u> Depending on the length of report and its content, a pilot may unnecessarily occupy the main frequency for a long time, preventing ATC from managing more time critical events. <u>Proposed Text:</u> AMC/GM to enable the reporting to ATC to be done on an alternative frequency.</p>
response	<p><i>Accepted</i></p> <p>AMC and/or GM will be developed to cover the concern expressed in the comment.</p>



3. Proposed amendments — Draft Opinion — ANNEX — SECTION 12 — SERA.12020 Exchange of air-reports

p. 38

comment	366	comment by: NUAC
	AMC-GM is recommended	
response	Accepted	
	AMC to SERA.12020 will be proposed.	

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 13 — SERA.13001 Operation of SSR transponder

p. 38

comment	4	comment by: George Knight
	<p>SERA.13001 Operation of SSR transponder</p> <p>a) a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside airspace where secondary surveillance radar (SSR) is used for ATS purposes.</p> <p>b) Pilots shall not operate the IDENT feature unless requested by ATC.</p> <p>This proposed rule creates major issues for pilots of sailplanes equipped with transponders for the reasons given below. It will also discourage sailplane pilots from fitting transponders, where they are able to do so, for use when flying in areas where their use outweighs the disadvantage of using excessive battery power.</p> <p>Most sailplanes derive their power from a single 12 volt, 7 Ampere hour, lead-acid gel battery. This single battery has to power, typically:</p> <ul style="list-style-type: none"> · An electric variometer with audible indications via a loudspeaker. · A FLARM Traffic and Collision Warning system. · A GPS-based navigation system/flight-computer. · An air-band radio transceiver. <p>All except the last are specifically designed for sailplane use and have very low power consumption. The radios normally have low power consumption except when transmitting – which is relatively infrequent.</p> <p>Although the rated capacity of the battery is quoted at 7 A/h – this assumes a 20 hour discharge from a brand-new battery at 20°C. Since a sailplane's soaring day will be less than half the 20 hours; the battery will usually be part way through its life; and the temperature at altitude may be significantly lower than the 20°C quoted then the battery capacity available to the pilot during a soaring flight is often only half of the rated capacity – perhaps only 3 or 4 A/h.</p> <p>The result is that the single battery will be able to provide enough power to drive all the above instruments for a complete soaring day – but unable to support an additional heavy load, such as a transponder, other than for relatively short periods.</p> <p>Now even a low-power transponder consumes a relatively large amount of power when in use. For example a particularly efficient TRIG TT21 Mode 'S' transponder will consume at least 320 milliamps when using a 12 volt supply. With a dedicated battery as above, with an available capacity of say 3.5 A/h, the transponder could in theory run for about ten hours.</p>	



	<p>However, when also carrying the load from the standard instruments listed above there is no doubt that having the transponder on and transponding all the time will result in a flat battery before the flight has ended.</p> <p>Having a flat battery reduces safety on a cross country flight:</p> <ul style="list-style-type: none"> · Instead of knowing if the sailplane is in rising or sinking air from the audio vario' – which facilitates the pilots lookout – he will have to fall back to a 'mechanical' vario' which will require him to fly head-down much more. · He will be reduced to map and dead-reckoning navigation – increasing risk of airspace violations and also impacting lookout. · He will no longer be able to communicate. <p>So why not add another battery? Many sailplanes do not have anywhere to install additional batteries. Batteries installed post-manufacture will have to be installed near the C of G which limits options. If there is room for an additional battery then the mass will have a significant impact on the mass and balance chart for the sailplane and, being part of the non-lifting mass, will, in many cases, reduce the maximum weight of pilot that can be carried. For these reasons a significant number of sailplanes cannot add batteries.</p>
response	<p><i>Partially accepted</i></p> <p>The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:</p> <p>SERA.13001 Operation of SSR transponder</p> <p>(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.</p> <p>(b) Pilots shall not operate the IDENT feature unless requested by ATSC.</p> <p>(c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.</p>
comment	<p>98 comment by: CAA-Norway</p> <p>SERA.13001(b)</p> <p>Surveillance is not only used by ATC and ATCOs but also in the FIS and AFIS. We propose to change from "ATC" to "ATS". Reference is made to several other parts of Section 13 where ATS and not ATC are used.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly as follows:</p> <p>SERA.13001 Operation of SSR transponder</p> <p>(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.</p> <p>(b) Pilots shall not operate the IDENT feature unless requested by ATSC.</p>
comment	<p>229 comment by: LfV Sweden</p> <p>LfV support the proposed new section 13 to be added in SERA.</p>



response

Noted

comment

233

comment by: Peter Platzer

This rule was taken from Pans-OPS which is related to IFR traffic.

This rule needs to be adopted for all kinds of VFR traffic which need to operate under the rules of air.

Compared with ICAO provisions Annex 6 contains the following wording:

6.19 Aeroplanes required to be equipped with a pressure-altitude reporting transponder

All aeroplanes shall be equipped with a pressure-altitude reporting transponder which operates in accordance with the relevant provisions of Annex 10, Volume IV.

Note.— This provision is intended to improve the effective- ness of air traffic services as well as airborne collision avoidance systems.

ICAO defines aeroplanes which excludes gliders, paragliders, hang gliders and balloons.

Not all aircraft without an engine and a generator are able to operate the transponder during the whole flight.

It also does not make sense to generate too much transponder signals where IFR traffic is covered by D airspace.

This is the reason why Germany has the rule aeroplanes shall operate transponders above 5000ft MSL but at least 3500ft GND.

Many other countries like Austria, Switzerland and Czech have similar regulations.

This rule also has a big impact on airspace design in low density areas around regional airports.

Airspace is essential for thermal related airports which only operates in good weather conditions.

This issue was also discussed in the Thematic ATM/ANS meeting on SERA implementation on 27th of February 2014, unfortunately with no answer so far.

The German approach and rule seems to fit to a wider range of countries in the European Union.

The wording should be changed in the following way.

SERA.13001 Operation of SSR transponder

(a) When an aeroplane or helicopter carries a serviceable transponder, the pilot shall operate the transponder at all altitudes above 5000ft MSL but at least 3500 ft GND, regardless of whether the aeroplane or helicopter is within or outside airspace where secondary surveillance radar (SSR) is used for ATS purposes.

response

Partially accepted

The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:

SERA.13001 Operation of SSR transponder



- (a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.
- (b) Pilots shall not operate the IDENT feature unless requested by ATSC.
- (c) Except for flight airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

234

comment by: *Austrian Aero-Club*

We feel the suggested rule may decrease the level of safety. There are two aspects to take into account:

1. Aircraft using "batteries" to operate electric equipment cannot do use all equipment during the whole flight - electric power is limited and these aircraft are not designed (sometimes also not approved) to carry huge batteries.
2. As the capability of radar equipment may be limited, too many irrelevant targets will appear when many gliders and/or balloons fly as well as lots of IFR traffic - ATC shall only see relevant targets.

Therefor we recommend a wording similar to common practice in several member states:

(a) When an **engine driven** aircraft carries a serviceable transponder, the pilot shall operate the transponder **while flying at or above xxxx ft AMSL but at least xxxx ft AGL, whichever is higher**, regardless of whether the aircraft is within or outside airspace where secondary surveillance radar (SSR) is used for ATS purposes.

Rationale:

"Engine driven" shall include all aircraft with generator output power, wherefore an exemption for balloons, hang gliders, paragliders and sailplanes would be implemented.

"xxxx AMSL / xxxx AGL" would exclude all movements not of interest for ATC.

response

Partially accepted

The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:

SERA.13001 Operation of SSR transponder

- (a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.
- (b) Pilots shall not operate the IDENT feature unless requested by ATSC.
- (c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

269

comment by: *European Private Helicopter Alliance*

ATC will sometimes request that a transponder be turned off for several reasons, e.g. screen clutter. Thus the rule should allow for this.

Some aircraft using battery power need to turn off their transponder (whilst outside controlled airspace) to conserve battery power. The rule should allow for this.

Aircraft may have a servicable transponder, but other aircraft equipment might fail, e.g. the



generator, or battery, so the rule must allow the transponder to be turned off for safety reasons.

We therefore suggest the following text:

(a) When an aircraft carries a servicable transponder, unless otherwise instructed by ATC, the pilot should operate the transponder, unless aircraft safety considerations, conservation of battery power or faulty aircraft equipment make deactivation prudent. It shall be the Pilot in Command's decision.

response

Partially accepted

The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:

SERA.13001 Operation of SSR transponder

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.

(b) Pilots shall not operate the IDENT feature unless requested by ATSC.

(c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

288

comment by: *British Gliding Association*

13001 will result in a situation where operators of sailplanes equipped with transponders that are incapable of generating electrical power will be faced with a choice of removing their transponders or not flying.

Transponder equipage outside controlled airspace is an interesting and understandably sensitive issue. Commercial Air Transport and Air Traffic Service Providers who between them want to 'own' the airspace and develop a 100% known environment to maximise their profitable activities are clearly keen to encourage transponder equipage. Of course the safety case for a fully known environment does not exist and it would be entirely disproportionate to mandate equipage.

The evolution of avionics, the deployment of ADS-B and experience of FLARM deployment in Europe suggests that in due course the voluntary equipage of some kind of affordable low power device that adds value to the end user who pays for the device will further enhance the reasonable level risk of operating in uncontrolled airspace in specific areas where electronic conspicuity may be necessary.

Until that development occurs, the available transponder equipment a. uses a significant amount of electrical power and drains batteries if operated throughout a typically long flight and b. potentially benefits others but adds no value to an equipped sailplane operating outside controlled airspace. The available battery capacity in sailplanes cannot support an additional heavy load such as a permanently active transponder. Sailplane owners are fully aware of battery limitations.

In the event of SERA 13001 becoming a requirement, owners will be forced to remove



response

transponders from sailplanes thus excluding them from controlled airspace and TMZ's that they would otherwise be able to access. The proposal is disproportionate and flawed.

The BGA proposes that SERA13001 is removed from the regulation.

Partially accepted

The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:

SERA.13001 Operation of SSR transponder

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.

(b) Pilots shall not operate the IDENT feature unless requested by ATSC.

(c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

350

comment by: French Civil Aviation Authority (DGAC)

French DGAC comment (DTA - DSNA - DSAC)

- For non engine powered aircraft such as gliders or balloons the autonomy of the battery could be a problem. That's why it is not mandatory for them outside controlled airspace in French regulations

- Without altitude report, TCAS cannot issue RAs, issue numerous unwanted TAs and ATCOs cannot give appropriate avoiding actions.

Proposal :

"When an **motorized** aircraft carries a serviceable transponder **with altitude report**, ..."

response

Partially accepted

The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:

SERA.13001 Operation of SSR transponder

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.

(b) Pilots shall not operate the IDENT feature unless requested by ATSC.

(c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

434

comment by: UK CAA

Page No: 38 of 170



Paragraph No: SERA.13001(a) Operation of SSR Transponder**Comment:**

The UK CAA is of the view that the proposed text will present an unintended consequence to the operation of transponder-equipped aircraft that are incapable of generating electrical power. Current transponder equipment uses significant amounts of electrical power and drains batteries if operated throughout a typically long flight. For example, available battery capacity in sailplanes cannot support an additional heavy load such as a permanently active transponder. Operators of affected aircraft will then be faced with a choice of either removing their transponders or not flying. The former option negates the anticipated/perceived electronic conspicuity benefits of the proposal, the latter presents an unacceptably adverse impact upon a large and active sector of the aviation community.

Until affordable low power devices become available, the expectation that all transponder-equipped aircraft shall operate transponders at all time is unrealistic.

Justification: Operators of affected aircraft will be faced with a choice of either removing their transponders or not flying. The former option negates the anticipated/perceived electronic conspicuity benefits of the proposal, the latter presents an unacceptably adverse impact upon a large and active sector of the aviation community.

Proposed Text:**SERA.13001 Operation of SSR transponder**

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight when the aircraft is within airspace where SSR is used for ATS purposes.

GM SERA.13001(a) Operation of SSR transponder

When an aircraft carries a serviceable transponder, the pilot should operate the transponder at all times during flight, regardless of whether the aircraft is within or outside airspace where SSR is used for ATS purposes.

response

Partially accepted

The text of the IR will be amended to reflect the situation of non-powered aircraft as follows:

SERA.13001 Operation of SSR transponder

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a secondary surveillance radar (SSR) is used for ATS purposes.

(b) Pilots shall not operate the IDENT feature unless requested by ATIS.

(c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

435

comment by: UK CAA

Page No: 38 of 170

Paragraph No: SERA.13001(a) Operation of SSR Transponder

Comment: SSR need not be written in full as the acronym is introduced at Article 2.

Justification: More concise text.

Proposed Text: "When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside airspace where SSR is used for ATS purposes."



response

Accepted

The text will be modified to reflect the comment:

SERA.13001 Operation of SSR transponder

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside the airspace where a ~~secondary surveillance radar~~ (SSR) is used for ATS purposes.

(b) Pilots shall not operate the IDENT feature unless requested by ATSC.

(c) Except for flight in airspace designated by the competent authority for mandatory operation of transponder, non-powered aircraft are exempted from the requirement to operate the transponder at all times.

comment

436

comment by: UK CAA

Page No: 38 of 170

Paragraph No: SERA.13001(a) Operation of SSR Transponder

Comment:

Transponder Mandatory Zones (airspaces of defined dimensions wherein the carriage and operation of pressure-altitude reporting transponders is mandatory) were introduced into EU law by Regulation 923 of 2012. The addition of the text derived from PANS-OPS is likely to confuse pilots as to what transponder carriage and operation requirements in non-TMZ airspace are, in that it mandates transponder operation in **all** airspace.

Although the UK CAA supports the **principle** that all aircraft equipped with transponders **should** operate them and acknowledges the benefits of enhanced electronic conspicuity, it is of the opinion that that this regulation would prove unenforceable within airspace where the carriage and operation of a transponder is not mandatory.

Therefore the UK CAA would fully support amended text which mandated the operation of transponders where SSR is used for ATS purposes, and supporting guidance material recommending the use of transponders in all airspace.

Justification:

Unenforceable requirement likely to cause confusion amongst pilots in the context of TMZ and non-TMZ airspace.

Need for clarity on where the requirement can be enforced.

Recommendation to operate in all airspace to enhance electronic conspicuity.

Proposed Text:**"SERA.13001 Operation of SSR transponder**

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight when the aircraft is within airspace where SSR is used for ATS purposes.

GM SERA.13001(a) Operation of SSR transponder

When an aircraft carries a serviceable transponder, the pilot should operate the transponder at all times during flight, regardless of whether the aircraft is within or outside airspace where SSR is used for ATS purposes."

response

Not accepted

TMZ requires that all aircraft entering the TMZ operate a transponder whereas SERA.13001 requires that all aircraft carrying an operational transponder make use of it. These two



requirements are different. It is not clearly understood why this provision would 'prove unenforceable within airspace where the carriage and operation of a transponder is not mandatory'. The requirement to operate a transponder at all times is justified by the availability of ACAS.

Please refer also to the response to comment 4.

comment

437

comment by: UK CAA

Page No: 38 of 170

Paragraph No: SERA.13001(b) Operation of SSR Transponder

Comment: The IDENT feature may be used to help with radio failure and other emergency situations. The ability to operate the feature should not be inhibited to only "unless ATC initiated".

Justification: There needs to be an element of pilot discretion when using this feature as it has benefits in unusual situations where it is not possible for ATC to direct at all times.

Proposed Text:

Either:

Revision to (a): "Except when deemed appropriate as a communication aid during unusual events such as emergencies, pilots with a serviceable transponder shall not operate the IDENT feature unless requested by ATC".

Or

"AMC/GM to advise pilots and ATC that the feature may be used as a communication aid during unusual events such as emergencies."

response

Not accepted

Usage of IDENT without request from the ATC is not seen as having any benefits, especially as the ATC would not understand the intention and meaning of such usage. Other codes are available to draw the attention of the ATC in any specific situation (7500, 7600, 7700).

comment

438

comment by: UK CAA

Page No: 38 of 170

Paragraph No: SERA.13001 Operation of SSR Transponder

Comment: Guidance Material is required to explain the requirement for SSR operation within formations.

Justification: Following formation join-up, not all aircraft in the formation should squawk in order to avoid garbling and to reduce difficulty in reading/interpreting overlapping SSR information.

Proposed Text:

"GM1 SERA.13001 Operation of SSR Transponder

Pilots of aircraft engaged in formation join-ups should continue to operate the transponder until established in formation. Once established in formation, all except the lead aircraft should be instructed to squawk standby.

GM2 SERA.13001 Operation of SSR Transponder

If a formation extends for 3 nm or more, the last aircraft should also squawk. For large stream formations, pilots of intermediate aircraft should be instructed to operate the transponder as appropriate. "



response

Partially accepted

The concern expressed is understood, the text of the GM will be considered in due time to take account of it.

comment

545

comment by: *Airport Zurich*

a) This article should be extended as follows: When prescribed by competent authority and published in AIP, pilot shall operate transponder in addition during taxing on the movement area of aerodromes.

response

Not accepted

Nothing in the rule prevents the usage of a transponder on the ground, and this may be subject to local additional instructions (e.g. under SERA Article 8) and does not require any extension to the whole SES region.

comment

593

comment by: *DFS Deutsche Flugsicherung GmbH*

We recommend to adopt the following: "...at all times during flight **and ground operations...**" nevertheless it should be considered that some ATS systems are limited according to the processing of the amount of transponder information (track data) received from aircraft in flight.

response

Not accepted

Nothing in the rule prevents the usage of a transponder on the ground and this may be subject to local additional instructions (e.g. under SERA Article 8) and does not require any extension to the whole SES region.

comment

667

comment by: *NATS National Air Traffic Services Limited*

Page No: 38 Paragraph No: SERA 13001 (a)

NATS Comment: NATS fully supports the proposed legislation.

Justification: Greater conspicuity and creation of more known environment.

response

Noted

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 13 — SERA.13005 SSR transponder Mode A code setting

p. 38-39

comment

18

comment by: *Loganair Limited*

SERA.13005 SSR Transponder Mode A Code setting and SERA.13010 Pressure Altitude Information

Whilst technically correct, these two rules are a source of potential confusion to pilots. Aircraft transponders generally have only two settings in addition to the ACAS settings. The first is Mode A or Altitude Reporting OFF, the second is Mode C or altitude reporting ON or XPNDR, depending on the make transponder.

The interpretation made by most pilots to this regulation when asked to squawk A7500/A7600/A7700 or "operate the transponder Mode A 7000" would be to turn the altitude reporting off. This clearly is not the intention of the regulation.

In uncontrolled class G airspace this is clearly undesirable as it would render ACAS systems ineffective.

The regulation needs to be re-written in a clear and unambiguous manner, that will be understood by all pilots when operating the equipment and ATS when issuing instructions to aircraft. It is suggested that the leading "A" be removed to avoid the ambiguity ie

SERA.13001 Operation of SSR transponder

(a) When an aircraft carries a serviceable transponder, the pilot shall operate the transponder at all times during flight, regardless of whether the aircraft is within or outside airspace where secondary surveillance radar (SSR) is used for ATS purposes.

(b) Pilots shall not operate the IDENT feature unless requested by ATC.

SERA.13005 SSR transponder Mode A code setting

(a) To indicate that it is in a specific contingency situation, the pilot of an aircraft equipped with SSR shall:

(1) select Code A7700 to indicate a state of emergency unless ATC has previously directed the pilot to operate the transponder on a specified code. In the latter case, a pilot may nevertheless select Code A7700 whenever there is a specific reason to believe that this would be the best course of action;

(2) select Code A7600 to indicate a state of radio-communication failure;

(3) attempt to select Code A7500 to indicate a state of unlawful interference. If circumstances so warrant, Code A7700 shall be used instead.

(b) Except in cases described in SERA.13005 (a) above, the pilot shall:

(1) operate the transponder and select Mode A codes as directed by the ATS unit with which contact is being made; or

(2) operate the transponder ~~Mode A~~ Code 7000 with altitude reporting when not receiving ATS service in order to improve detection of suitably equipped aircraft in areas specified by the competent authority; or

(3) in absence of ATS directions, operate the transponder ~~Mode A~~ codes as prescribed by the competent authority.

(c) When it is observed that the ~~Mode A transponder~~ code shown on the situation display is different to what has been assigned to the aircraft:

(1) the pilot shall be requested to confirm the code selected and, if the situation warrants, to reselect the correct code;

(2) if the discrepancy between assigned and displayed ~~Mode A~~ codes still persists, the pilot may be requested to stop the operation of the aircraft's transponder. The next control position and any other affected unit using SSR in the provision of ATS shall be informed accordingly.

SERA.13010 Pressure altitude derived information

(a) When the aircraft carries serviceable Mode C equipment, the pilot shall continuously operate this mode unless otherwise dictated by ATC.

(b) Unless otherwise prescribed by the competent authority, verification of the pressure altitude derived level information displayed to the controller shall be effected at least once



response

by each suitably equipped ATC unit on initial contact with the aircraft concerned or, if this is not feasible, as soon as possible thereafter

Partially accepted

The wording of SERA.13005 will be amended to reflect the comment by indicating the use of code 2000 included in the rule as follows:

SERA.13005 SSR transponder Mode A code setting

(a) To indicate that it is in a specific contingency situation, the pilot of an aircraft equipped with SSR shall:

(1) Select **code** A7700 to indicate a state of emergency unless ATC has previously directed the pilot to operate the transponder on a specified code. In the latter case, a pilot may nevertheless select **code** A7700 whenever there is a specific reason to believe that this would be the best course of action;

(2) Select **code** A7600 to indicate a state of radio-communication failure;

(3) Attempt to select **code** A7500 to indicate a state of unlawful interference. If circumstances so warrant, **code** A7700 should be used instead.

(b) Except in cases described in SERA.13005 (a) above, the pilot shall:

(1) ~~Operate the transponder and Select Mode A codes as directed~~ **instructed** by the ATS unit ~~with which the contact is being made; or~~

(2) In the absence of ATS instructions related to code setting, select code 2000 or other code as prescribed by the competent authority; or

(3) ~~When not receiving air traffic services, select code~~ **Operate the transponder Mode A Code 7000** ~~when not receiving ATS service~~ in order to improve the detection of suitably equipped aircraft, unless otherwise prescribed in areas specified by the competent authority.

~~(4) In absence of ATS directions, operate the transponder Mode A codes as prescribed by the competent authority.~~

(c) When it is observed that the ~~Mode A~~ code shown on the situation display is different to what has been assigned to the aircraft,

(1) the pilot shall be requested to confirm the code selected and, if the situation warrants, to reselect the correct code;

(2) if the discrepancy between assigned and displayed ~~Mode A~~ codes still persists, the pilot may be requested to stop the operation of the aircraft's transponder. The next control position and any other affected unit using an SSR in the provision of ATS shall be notified accordingly.

comment

57

comment by: Isavia Ltd.

SECTION 13

Use of SSR transponders Comment

...

SERA.13005 SSR transponder Mode A code setting

Comment:

The article suggests that in cases where they are not otherwise instructed by air traffic service, pilots shall operate the transponder mode A code 7000. Isavia is of the opinion that current ICAO suggested rule, which state the use of Mode A 2000 code in these situations, should be kept. That is as said in line with ICAO rules and it is preferable to keep that standard. Furthermore Isavia is concerned that the use of Mode A 7000 code in these cases might lead to a mistake when setting the transponder, giving false warnings on emergency.



	<u>radio-communication failure or unlawful interference (7700, 7600, 7500).</u>
response	<p><i>Partially accepted</i></p> <p>The wording of SERA.13005 will be amended to reflect the comment by indicating the use of code 2000 included in the rule as shown in the response to comment 18.</p>

comment	<p>274</p> <p style="text-align: right;">comment by: HungaroControl</p> <p><i>(b) Except in cases described in SERA.13005 (a) above, the pilot shall: SERA.13005 shall be deleted as it refers to the same subsection.</i></p>
response	<p><i>Accepted</i></p> <p>The text will be amended as follows:</p> <p>SERA.13005 SSR transponder Mode A code setting</p> <p>(a) To indicate that it is in a specific contingency situation the pilot of an aircraft equipped with SSR shall:</p> <p>(1) Select code A7700 to indicate a state of emergency unless ATC has previously directed the pilot to operate the transponder on a specified code. In the latter case, a pilot may nevertheless select code A7700 whenever there is a specific reason to believe that this would be the best course of action;</p> <p>(2) Select code A7600 to indicate a state of radio-communication failure;</p> <p>(3) Attempt to select code A7500 to indicate a state of unlawful interference. If circumstances so warrant, code A7700 should be used instead.</p> <p>(b) Except in cases described in SERA.13005 (a) above, the pilot shall:</p> <p>(1) Operate the transponder and Select Mode A codes as directed instructed by the ATS unit with which the contact is being made; or</p> <p>(2) In the absence of ATS instructions related to code setting, select code 2000 or other code as prescribed by the competent authority; or</p> <p>(3) When not receiving ATS air traffic services, select code Operate the transponder Mode A Code 7000 when not receiving ATS service in order to improve the detection of suitably equipped aircraft, unless otherwise prescribed in areas specified by the competent authority.</p> <p>or</p> <p>(4) In absence of ATS directions, operate the transponder Mode A codes as prescribed e the competent authority.</p> <p>(c) When it is observed that the Mode A code shown on the situation display is different to what has been assigned to the aircraft,</p> <p>(1) the pilot shall be requested to confirm the code selected and, if the situation warrants, to reselect the correct code;</p> <p>(2) if the discrepancy between assigned and displayed Mode A codes still persists, the pilot may be requested to stop the operation of the aircraft's transponder. The next control position and any other affected unit using an SSR in the provision of ATS shall be notified accordingly.</p>

comment	<p>351</p> <p style="text-align: right;">comment by: French Civil Aviation Authority (DGAC)</p>
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	<p>French DGAC comment (DTA - DSNA - DSAC)</p> <p>As emergency refers to both situations urgency or distress, it may be useful to mention them, for better clarity.</p> <p>Proposal : "Select code A7700 to indicate a state of emergency (distress or urgency), unless ATC..."</p>				
response	<p><i>Not accepted</i></p> <p>The selection of emergency code should be uniform worldwide and the relevant ICAO provision is proposed for transposition without change.</p>				
comment	<p>535 comment by: German NSA</p> <p><u>SERA.13005 (b) (2):</u> The wording needs to be changed, either to "ATS" or to "air traffic services" and not "ATS service".</p>				
response	<p><i>Accepted</i></p> <p>The text will be amended:</p> <p>(b) Except in cases described in SERA.13005 (a) above, the pilot shall:</p> <p>(1) Operate the transponder and Select Mode A codes as directed instructed by the ATS unit with which the contact is being made; or</p> <p>(2) In the absence of ATS instructions related to code setting, select code 2000 or other code as prescribed by the competent authority; or</p> <p>(3) When not receiving ATS air traffic services, select code Operate the transponder Mode A Code 7000 when not receiving ATS service in order to improve the detection of suitably equipped aircraft unless otherwise prescribed in areas specified by the competent authority. or</p>				
comment	<p>563 comment by: AESA / DSANA</p> <table border="1"> <thead> <tr> <th>COMMENT</th><th>JUSTIFICATION</th></tr> </thead> <tbody> <tr> <td> <p>The following text may be more suitable: "(b) Except in cases described in SERA.13005 (a) above, the pilot shall: (1) Operate the transponder and select Mode A codes as directed by the ATS unit with which contact is being made; or (2) Operate the transponder Mode A Code 7000 when not receiving ATS service in order to improve detection of suitably equipped aircraft in areas specified by the competent authority, unless otherwise instructed by the ATS unit; or</p> </td><td> <p>This is in accordance with ICAO EUR Doc 023 (Paragraph 4.2.1 on Special purpose codes), which states that: "Series 20 Code 2000 shall be used by flight crews in the absence of any Air Traffic Control (ATC) instructions or regional agreements unless the conditions for the use of codes: 7000, 7500, 7600 and 7700 apply."</p> </td></tr> </tbody> </table>	COMMENT	JUSTIFICATION	<p>The following text may be more suitable: "(b) Except in cases described in SERA.13005 (a) above, the pilot shall: (1) Operate the transponder and select Mode A codes as directed by the ATS unit with which contact is being made; or (2) Operate the transponder Mode A Code 7000 when not receiving ATS service in order to improve detection of suitably equipped aircraft in areas specified by the competent authority, unless otherwise instructed by the ATS unit; or</p>	<p>This is in accordance with ICAO EUR Doc 023 (Paragraph 4.2.1 on Special purpose codes), which states that: "Series 20 Code 2000 shall be used by flight crews in the absence of any Air Traffic Control (ATC) instructions or regional agreements unless the conditions for the use of codes: 7000, 7500, 7600 and 7700 apply."</p>
COMMENT	JUSTIFICATION				
<p>The following text may be more suitable: "(b) Except in cases described in SERA.13005 (a) above, the pilot shall: (1) Operate the transponder and select Mode A codes as directed by the ATS unit with which contact is being made; or (2) Operate the transponder Mode A Code 7000 when not receiving ATS service in order to improve detection of suitably equipped aircraft in areas specified by the competent authority, unless otherwise instructed by the ATS unit; or</p>	<p>This is in accordance with ICAO EUR Doc 023 (Paragraph 4.2.1 on Special purpose codes), which states that: "Series 20 Code 2000 shall be used by flight crews in the absence of any Air Traffic Control (ATC) instructions or regional agreements unless the conditions for the use of codes: 7000, 7500, 7600 and 7700 apply."</p>				



	<p>(3) In absence of ATS directions, operate the transponder Mode A Code 2000 or as otherwise prescribed by the competent authority, unless the conditions for use of codes: 7000, 7500, 7600 or 7700 apply."</p>	
response	<p><i>Partially accepted</i></p> <p>The wording of SERA.13005 will be amended to reflect the comment by indicating the use of code 2000 included in the rule as shown in the response to comment 18.</p>	
comment	<p>594</p> <p>comment by: <i>DFS Deutsche Flugsicherung GmbH</i></p> <p>We recommend to review (a). Note: The wordings "Contingency" and "Emergency" are differently defined. What is most appropriate?</p>	
response	<p><i>Noted</i></p> <p>It is considered that the situations described under SERA.13005 (a)(1)(2)(3) are specific cases of contingency situations.</p>	
comment	<p>639</p> <p>comment by: <i>René Meier, Europe Air Sports</i></p> <p>SERA.13005 SSR transponder Mode A code setting page 39/170 (b)(3) We recommend replacing ""...ATS directions" by "...ATS instructions". Rationale: "instructions" fit better than "directions".</p>	
response	<p><i>Accepted</i></p> <p>The text will be amended as shown in the response to comment 18.</p>	
comment	<p>668</p> <p>comment by: <i>NATS National Air Traffic Services Limited</i></p> <p>Page No: 39 Paragraph No: SERA 13005 (b)(2) <u>NATS Comment:</u> Mode A 7000 is the general conspicuity code which is not linked to any</p>	



response	<p>specific area of operation. Not clear why its operation in these areas has to be specified by competent authority</p> <p><u>Justification:</u> The UK does not specify these areas.</p> <p><u>Proposed Text:</u> “operate the transponder Mode A Code 7000 when not receiving an ATS in order to improve detection of suitably equipped aircraft. Competent Authorities may specify the areas where such operation is not required.</p> <p><i>Partially accepted</i></p> <p>The text will be amended to reflect the comment as shown in the response to comment 18.</p>
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comment	<p>687 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 38 Paragraph No: SERA 13001 (b)</p> <p><u>NATS Comment:</u> IDENT feature may be used to help with radio failure and other emergency situations. The ability to operate the feature should not be inhibited in this way.</p> <p><u>Justification:</u> There needs to be an element of pilot discretion when using this feature as it has benefits in unusual situations where it is not possible for ATC to direct at all times.</p> <p><u>Proposed Text:</u> Either:</p> <ul style="list-style-type: none"> • Revision to (a): “Except when deemed appropriate as a communication aid during unusual events such as emergencies, pilots with shall not operate the IDENT feature unless requested by ATC”. • AMC/GM to advise pilots and ATC that the feature may be used as a communication aid during unusual events such as emergencies.
response	<p><i>Not accepted</i></p> <p>Usage of IDENT without request from the ATC is not seen as having any benefits, especially as the ATC would not understand the intention and meaning of such usage. Other codes are available to draw the attention of the ATC in any specific situation (7500, 7600, 7700).</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 13 — SERA.13010 Pressure altitude derived information

p. 39

comment	<p>23 comment by: AEA</p> <p>The AEA supports the EASA proposal to introduce a possibility to the Competent Authority to allow for an alternative means to verify the pressure altitude derived information by each suitably equipped ATC unit. This is in line with the latest technological developments.</p>
response	<p><i>Noted</i></p>
comment	<p>81 comment by: René Meier, Europe Air Sports</p> <p>SERA.13010 Pressure altitude...</p>



	<p>page 39/170</p> <p>(a)</p> <p>"...unless otherwise dictated...": Please replace "dictated" by ""requested" or "asked for" or "instructed".</p> <p>Rationale:</p> <p>A more user-friendly term will not do harm to the operations and not decrease safety, we think.</p>
response	<p><i>Not accepted</i></p> <p>ICAO text 'dictated' has a stronger meaning than 'asked' or 'requested'. In that way, consistency with ICAO is also preserved.</p>
comment	<p>99 comment by: CAA-Norway</p>
	<p>SERA.13010(a)</p> <p>Surveillance is not only used by ATC and ATCOs but also in the FIS and AFIS. We propose to change from "ATC" to "ATS". Reference is made to several other parts of Section 13 where ATS and not ATC are used</p> <p>SERA.13010(b)</p> <p>Surveillance is not only used by ATC and ATCOs but also in the FIS and AFIS. We propose to change from "controller" to "ATS" and from "ATC" to "ATS". Reference is made to several other parts of Section 13 where ATS and not ATC are used.</p>
response	<p><i>Not accepted</i></p> <p>SERA.13010 (a) — such an instruction is related to ATC.</p> <p>SERA.13010 (b) — consistency with ICAO text.</p>
comment	<p>154 comment by: skyguide Corporate Regulation Management</p>
	<p>Pressure altitude derived information</p> <p>(b) <i>In ICAO, this is universally applicable, while SERA states "unless otherwise prescribed by the competent authority". Firstly, it's question what is the room foreseen for the competent authority to prescribe otherwise and, secondly, what is achieved with this flexibility?</i></p>
response	<p><i>Noted</i></p> <p>Explanations are provided in Section 2.4.1 (I), on page 15 of the NPA.</p>
comment	<p>211 comment by: DFS Deutsche Flugsicherung GmbH</p>
	<p>In advanced ATS systems verification of mode C information is not a one-time-task to officially certify the accuracy of the systems. Mode C is permanently monitored and – in case there is a discrepancy – this is immediately confirmed/corrected between controller and pilot, and unsolvable discrepancies are always coordinated downstream. ICAO PANS-ATM</p>



response	<p>8.5.5.1.2 is still valid for environments where mode C information is not monitored permanently or where it is not displayed on the radar screen. We recommend to review this part.</p> <p><i>Noted</i></p>
comment	<p>275 comment by: <i>HungaroControl</i></p> <p>SERA.13010 (b) <i>The flexibility does not impair the high and uniform level of safety.</i></p>
response	<p><i>Noted</i></p>
comment	<p>317 comment by: <i>Danish Transport Authority</i></p> <p>SERA.13010: Further to our comments under Open issues, table 1 on page 10, "Issue Flexibility 02", we propose a new point c). With reference to Regulation 1207/2011, the rationale for our proposal is to ensure seamless operations and interoperability by using new technological developments within an uninterrupted surveillance chain as operated by ANSPs in a FAB or similar arrangement. We propose a new point c) as follows: "If prescribed by the competent authority, the verification of the pressure altitude derived level information may be omitted by ATC-units using ATS surveillance systems within an uninterrupted surveillance chain." Specifically to SERA.13010 (a): We acknowledge that the text as proposed is copied from ICAO PANS-OPS. We propose however that the word "dictated" is replaced by the word "instructed". This would be consistent with definition 29, air traffic control instruction of Regulation 923/2012.</p>
response	<p><i>Not accepted</i></p> <p>Insufficient information on the meaning of 'uninterrupted surveillance chain'. As for the second point, for consistency with the ICAO text, it was adopted as a principle that the ICAO text would always be retained unless a sound legal or safety justification would require otherwise.</p>
comment	<p>533 comment by: <i>Federal Office of Civil Aviation FOCA</i></p> <p>FOCA suggests to transpose the ICAO formulation and remove the flexibility. The original ICAO text leaves room by using the formulation "at least" to verify the information if necessary, on a case-by-case basis.</p>
response	<p><i>Noted</i></p>
comment	<p>569 comment by: <i>IATA (Dragos Munteanu)</i></p>



response	The AEA supports the EASA proposal to introduce a possibility for the Competent Authority to allow for an alternative means to verify the pressure altitude derived information by each suitably equipped ATC unit.
	<i>Noted</i>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 13 — SERA.13015 SSR transponder Mode S aircraft identification setting

p. 39

comment	100	comment by: CAA-Norway
	<p>SERA.13015(c) Surveillance is not only used by ATC and ATCOs but also in the FIS and AFIS. We propose to change from “the controller” to “ATS”. Reference is made to several other parts of Section 13 where ATS and not ATC are used.</p>	
response	<p><i>Not accepted</i></p> <p>Such instruction is related to ATC.</p>	
comment	212	comment by: DFS Deutsche Flugsicherung GmbH
	<p>Reference should be made to the use of the MSCC as an indication that the identification of radar targets is made by means of Mode S identification. AMC/GM suggested.</p>	
response	<p><i>Noted</i></p> <p>AMC/GM will be considered.</p>	
comment	367	comment by: NUAC
	<p>This should be AMC-GM as not all ANSP use Mode S</p>	
response	<p><i>Not accepted</i></p> <p>The provision is selective and addresses cases ‘whenever it is observed’, which implies that mode S equipment is available.</p>	



comment	380	comment by: <i>Fédération Française Aéronautique</i>
	<p>SERA. 13015 SSR transponder Mode S :un paragraphe devrait mentionner que si l'équipement Mode S ne permet pas de changer le « flight aircraft », il faut porter la lettre « P » dans la case 10b du plan de vol et inscrire le « aircraft registration » en case 7 à l'image du SERA.13020 où il est inscrit la façon de remplir le plan de vol en cas de panne SSR (paragraphe b (2)).</p>	
response	<p><i>Not accepted</i></p> <p>Not appropriate to the provision.</p>	

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 13 — SERA.13020 SSR transponder failure when the carriage of a functioning transponder is mandatory

p. 40

comment	155	comment by: <i>skyguide Corporate Regulation Management</i>
	<p>SSR transponder failure when the carriage of a functioning transponder is mandatory (a) Why PANS-OPS procedure is transposed here, instead of the more appropriate and more elaborate PANS-ATM, §8.8.3.3</p>	
response	<p><i>Noted</i></p> <p>The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.</p>	
comment	276	comment by: <i>HungaroControl</i>
	<p><i>Are Member States authorised to prescribe more restrictive provisions for safety reasons? (i. e. the prohibition of departure or entering the airspace.)</i></p>	
response	<p><i>Noted</i></p> <p>Transitional and additional measures at national level shall be taken in accordance with Article 8 of SERA.</p>	
comment	298	comment by: <i>Malta Air Traffic Controllers' Association</i>
	<p>ICAO PANS-ATM (8.8.3.3.1 and 8.8.3.3.2) is clearer giving some details on how to proceed with these flights. The term “shall attempt” may have different interpretations, so it would be better to specify what it means through an AMC</p> <p><u>AMC to SERA.13020 (a)</u> <u>In certain traffic situations, either in terminal areas or en-route, continuation of the</u></p>	



flight may not be possible. When failure is detected at any time during the flight, the aircraft may then be required to return to the departure aerodrome or to land at the nearest suitable aerodrome acceptable to the operator concerned and to ATC.

AMC to SERA.13020 (b) When granting clearance to an aircraft with a transponder failure before departure, ATC should take into consideration the existing or anticipated traffic situation and may have to modify the time of departure, flight level or route of the intended flight. Subsequent modifications may become necessary during the course of the flight

response

Noted

The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.

comment

315

comment by: French Civil Aviation Authority (DGAC)

French DGAC comment (DTA - DSNA - DSAC)

We propose the following amendment :

"In case of a transponder failure after departure, ATC units shall attempt to provide for continuation of the flight to the destination aerodrome in accordance with the flight plan. Pilots may, however, expect to comply with specific restrictions, including diversion to the nearest suitable airfield."

response

Partially accepted

The proposed insertion will be addressed by GM to SERA.13020.

comment

335

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination

SERA.13020

ICAO PANS-ATM (8.8.3.3.1 and 8.8.3.3.2) is clearer giving some details on how to proceed with these flights. The term "shall attempt" may have different interpretations, so it would be better to specify what it means through an AMC.

PROPOSAL:

AMC to SERA.13020 (a)

In certain traffic situations, either in terminal areas or en-route, continuation of the flight may not be possible. When failure is detected at any time during the flight, the aircraft



may then be required to return to the departure aerodrome or to land at the nearest suitable aerodrome acceptable to the operator concerned and to ATC.

AMC to SERA.13020 (b)

When granting clearance to an aircraft with a transponder failure before departure, ATC should take into consideration the existing or anticipated traffic situation and may have to modify the time of departure, flight level or route of the intended flight. Subsequent modifications may become necessary during the course of the flight.

response

Noted

The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.

comment

439

comment by: UK CAA

Page No: 40 of 170

Paragraph No: SERA.13020(a) SSR transponder failure when the carriage of a functioning transponder is mandatory

Comment: Loss of transponder information is not acceptable for long flights crossing international borders.

Justification:

The text as proposed places an unrealistic expectation on controllers to require them to arrange for the flight to continue when ATC agencies downstream may refuse to accept the traffic. Further in the light of modern security concerns, a flight not displaying any cooperative information may give rise to premature military action.

Further guidance should be provided to ATC, such as the time of day of the failure, the length of the route, domestic/oceanic, number of ATS agencies involved. Pilots of aircraft engaged in formation join-ups should continue to operate the transponder until established in formation. Once established in formation, all except the lead aircraft should be instructed to squawk standby.

Proposed Text:

“SERA.13020 SSR transponder failure when the carriage of a functioning transponder is mandatory

(a) In case of a transponder failure after departure, ATC units shall attempt to provide continuation of the flight to the destination aerodrome in accordance with the flight plan, **only after having first assessed the likelihood of the aircraft being accepted by ATS units along the route.** Pilots **shall**, however expect to comply with specific restrictions”.

response

Noted

The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.



comment

440

comment by: UK CAA

Page No: 40 of 170**Paragraph No:** SERA.13020(b) Operation of SSR Transponder**Comment:**

The proposed text only addresses the immediate departure and the process for obtaining some form of exemption. The provision is missing any form of requirement for the equipment to be repaired prior to the next flight as per EU Regulation 1207/2011 Article 4 (4). In addition, there is no link to Master Minimum Equipment List (MMEL) or Minimum Equipment List (MEL) requirements.

Note that the cross-reference in the NPA should read PANS-OPS Part I, Section 3, Ch 1, 1.7.2.

Justification: An aircraft with an unserviceable transponder may continue to fly indefinitely providing ATC is notified and the flight plan amended.

Proposed Text: AMC/GM to reflect requirements in 1207/2011, MMELs and MELs

response

Partially accepted

AMC/GM will be considered to cover the concern and, if needed, proper references to other Regulations will be provided. The reference to the source material will be amended to read PANS-OPS, Volume I, Part III, Section 3, Chapter 1.7.2.

comment

480

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.13020

ICAO PANS-ATM (8.8.3.3.1 and 8.8.3.3.2) is clearer giving some details on how to proceed with these flights. The term "shall attempt" may have different interpretations, so it would be better to specify what it means through an AMC.

TEXT PROPOSAL:

AMC to SERA.13020 (a)

In certain traffic situations, either in terminal areas or en-route, continuation of the flight may not be possible. When failure is detected at any time during the flight, the aircraft may then be required to return to the departure aerodrome or to land at the nearest suitable aerodrome acceptable to the operator concerned and to ATC.

AMC to SERA.13020 (b)

When granting clearance to an aircraft with a transponder failure before departure, ATC should take into consideration the existing or anticipated traffic situation and may have to modify the time of departure, flight level or route of the intended flight. Subsequent modifications may become necessary during the course of the flight

response

Noted

The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.



comment	<p>492 comment by: SwissATCA</p> <p>ICAO PANS-ATM (8.8.3.3.1 and 8.8.3.3.2) is clearer giving some details on how to proceed with these flights. The term “shall attempt” may have different interpretations, so it would be better to specify what it means through an AMC.</p> <p>Proposed change:</p> <p><u>AMC to SERA.13020 (a)</u> <u>In certain traffic situations, either in terminal areas or en-route, continuation of the flight may not be possible. When failure is detected at any time during the flight, the aircraft may then be required to return to the departure aerodrome or to land at the nearest suitable aerodrome acceptable to the operator concerned and to ATC.</u></p> <p><u>AMC to SERA.13020 (b)</u> <u>When granting clearance to an aircraft with a transponder failure before departure, ATC should take into consideration the existing or anticipated traffic situation and may have to modify the time of departure, flight level or route of the intended flight. Subsequent modifications may become necessary during the course of the flight.</u></p>
response	<p><i>Noted</i></p> <p>The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.</p>
comment	<p>536 comment by: Federal Office of Civil Aviation FOCA</p> <p>SERA.13020 par. b: Article 14 of Regulation (EU) 1207/2011 does not provide any exemptions from Mode S ELS (Part A of Annex II of the aforementioned regulation).</p>
response	<p><i>Noted</i></p>
comment	<p>607 comment by: USCA</p> <p>ICAO PANS-ATM (8.8.3.3.1 and 8.8.3.3.2) is clearer giving some details on how to proceed with these flights. The term “shall attempt” may have different interpretations, so it would be better to specify what it means through an AMC.</p> <p><u>AMC to SERA.13020 (a)</u> <u>In certain traffic situations, either in terminal areas or en-route, continuation of the flight may not be possible. When failure is detected at any time during the flight, the aircraft may then be required to return to the departure aerodrome or to land at the nearest suitable aerodrome acceptable to the operator concerned and to ATC.</u></p> <p><u>AMC to SERA.13020 (b)</u> <u>When granting clearance to an aircraft with a transponder failure before departure, ATC should take into consideration the existing or anticipated traffic situation and may have to modify the time of departure, flight level or route of the intended flight. Subsequent modifications may become necessary during the course of the flight</u></p>



response

Noted

The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.

comment

669

comment by: *NATS National Air Traffic Services Limited***Page No: 40 Paragraph No: SERA 13020 (a)**

NATS Comment: Loss of transponder information is not acceptable for long flights crossing international borders.

Justification: It is putting an unrealistic expectation on controllers to require them to arrange for the flight to continue when ATC agencies downstream may refuse to accept the traffic. EASA text has not transposed PANS-ATM text which contains necessary exceptions to this rule. Further in the light of modern security concerns, a flight not displaying any cooperative information may give rise to premature military action.

Proposed Text: Transpose whole of PANS-ATM 8.8.3.3 AMC/GM. Further guidance should be provided to ATC, such as the time of day of the failure, the length of the route, domestic/oceanic, number of ATS agencies involved.

response

Noted

The suggestion to incorporate 8.8.3.3.1 and 8.8.3.3.2 is supported. It is the intention of the drafting group to accommodate the referenced paragraphs in the context of providing AMC/GM to SERA.13020.

comment

670

comment by: *NATS National Air Traffic Services Limited***Page No: 40 Paragraph No: SERA 13020 (b)**

NATS Comment: Current provision only addresses the immediate departure and the process for obtaining some form of tactical exemption. But the provision is missing any form of requirement on the pilot to fix the transponder before the next flight as per EU Regulation 1207/2011 SPI IR Article 4 (4).

Justification: As it stands an aircraft with an unserviceable transponder may continue to fly indefinitely providing ATC is notified and the flight plan amended.

Proposed Text: AMC/GM to reference requirements in 1207/2011

response

Partially accepted

AMC/GM will be considered to cover the concern.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14001 General

p. 40

comment

157

comment by: skyguide Corporate Regulation Management

Voice communication procedures

- general comment -

Skyguide would encourage EASA to reconsider the entire concept of the new Section to SERA. In today's draft, it represents only partial transposition of the provisions/requirements from Annex 10 Volume 2 Chapter 5. It is difficult to define any proper criterion upon which some ICAO provisions are left out, as well as any future possible placement for these provisions. Namely, it is difficult to imagine that so many requirements in the "Communication" chapter of ICAO Annex 10 are not "collective action", when "two" parties are normally needed for successful communication. It further raises the question of the status of those requirements left out of Section 14?

Finally, if the reason for leaving part of these requirements out was in an intention to place them into another regulation (e.g. Part ATS), that would introduce enormous complexity in establishing the coherent set of communication requirements and procedures.

EASA is invited to consider different regulatory approach to this issue, namely, to:

- *either place only the high-level communication requirements into SERA, and take other, more practical communication standards into an AMC type of document; or*
- *develop an entirely independent Implementing Rule that would be focused solely on the aeronautical telecommunication aspects, and kept separate from the IR on rules of the air, and that on provision of ATS.*

Further detailed comments are in support of this general comment. Referenced paragraphs are all from ICAO Annex 10, Vol. II.

14001 General

The § 5.1.2; 5.1.3; 5.1.4 from ICAO Annex 10 Volume 2 §5.1 about responsibilities for establishing communication and rules for making test calls are NOT put into Section 14. Aren't they applicable both to pilots and ATCOs?

At the same time, further down in SERA14065: PANS procedures for "radio check" are brought into Section 14.

With this, an ICAO "standard" for radio check is not transposed, but the "procedure" which describes how to fulfil the standard is transposed.

Provision 5.1.7 from ICAO Annex 10 Volume 2 about inter-pilot communication on ATS frequency which requires prior approval by ATS unit, is left out. Isn't this requirement which concerns both parties (pilots and ATCOs)?

response

Noted

The provisions mentioned were not considered essential with regard to the objectives of the SERA mandate.

comment

230

comment by: LFV Sweden

LFV support the proposal to implement the new section 14 and we prefer to keep it identical



response	<p>to ICAO provisions.</p> <p><i>Noted</i></p>				
comment	<p>321 comment by: <i>French Civil Aviation Authority (DGAC)</i></p> <p>French DGAC comment (DTA - DSNA - DSAC)</p> <p>We consider that the radiotelephony and phraseology proposals contained in this NPA are only applicable to the use of the English language. The transposition of the SERA C provisions in the other European languages will have to be conducted by State experts for each European language. For example, a group should be established for French speaking States.</p>				
response	<p><i>Noted</i></p>				
comment	<p>537 comment by: <i>Federal Office of Civil Aviation FOCA</i></p> <p>Paragraphs 5.1.2; 5.1.3; 5.1.4 from ICAO Annex 10 Volume 2 §5.1 about responsibilities for establishing communication and rules for making test calls are not transposed into Section 14. Are they not applicable to pilots and ATCOs alike?</p> <p>At the same time, further below in SERA14065: PANS procedures for "radio check" are transposed into Section 14.</p> <p>By doing so, an ICAO "standard" for radio check has been left out, however the "procedure" which describes how to fulfil the standard is transposed.</p> <p>Provision 5.1.7 from ICAO Annex 10 Volume 2 about inter-pilot communication on ATS frequency which requires prior approval by ATS unit, is left out. We believe this requirement may concern pilots and ATCOs alike.</p>				
response	<p><i>Noted</i></p> <p>The provisions mentioned were not considered essential with regard to the objectives of the SERA mandate.</p>				
comment	<p>564 comment by: <i>AESA / DSANA</i></p> <table border="1" data-bbox="363 1594 1481 1937"> <thead> <tr> <th data-bbox="363 1594 949 1646">COMMENT</th><th data-bbox="949 1594 1481 1646">JUSTIFICATION</th></tr> </thead> <tbody> <tr> <td data-bbox="363 1646 949 1937"> <p>Further to definition in article 2.15 'aeronautical station' of regulation (EU) No 923/2012, it would be advisable to clarify if by 'station' it is implied <u>that the station is manned</u> or that it can just refer to the communication system(s).</p> </td><td data-bbox="949 1646 1481 1937"> <p>In order to ensure that this does not pose additional certification requirements on communication systems further to those established under regulation (EU) No 1035/2011 and NPA 2013-08. NOTE: this comment has been made by the CNS section in charge of voice communications systems and services.</p> </td></tr> </tbody> </table>	COMMENT	JUSTIFICATION	<p>Further to definition in article 2.15 'aeronautical station' of regulation (EU) No 923/2012, it would be advisable to clarify if by 'station' it is implied <u>that the station is manned</u> or that it can just refer to the communication system(s).</p>	<p>In order to ensure that this does not pose additional certification requirements on communication systems further to those established under regulation (EU) No 1035/2011 and NPA 2013-08. NOTE: this comment has been made by the CNS section in charge of voice communications systems and services.</p>
COMMENT	JUSTIFICATION				
<p>Further to definition in article 2.15 'aeronautical station' of regulation (EU) No 923/2012, it would be advisable to clarify if by 'station' it is implied <u>that the station is manned</u> or that it can just refer to the communication system(s).</p>	<p>In order to ensure that this does not pose additional certification requirements on communication systems further to those established under regulation (EU) No 1035/2011 and NPA 2013-08. NOTE: this comment has been made by the CNS section in charge of voice communications systems and services.</p>				



response

Noted

It shall be assumed that the 'aeronautical station' used in the context of voice communication procedures is manned — possible development of GM will be considered.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14005 Categories of messages

p. 40

comment

24

comment by: AEA

AEA urges EASA to stick to the ICAO Voice Communication Message Category Naming and Radiotelephony Order. Any changes to ICAO procedures (where justified) should be discussed and agreed at ICAO level but not through European regional differences.

response

Noted

comment

277

comment by: HungaroControl

HungaroControl finds the voice communication message category naming and radiotelephony order correct.

response

Noted

comment

278

comment by: HungaroControl

After presenting the message categories the specific provisions of each category should be prescribed in the order of Table S14-1 or at least a reference to the related part of SERA or ICAO documents should be added to each category.

response

Not accepted

The comment was not understood.

comment

299

comment by: Malta Air Traffic Controllers' Association

We could add a (g) category for "courtesy messages". For example: diplomatic message, relay from company operations, ...
The voice category message order, as defined in ICAO annex 10 V2 chapter 5.1.8, is not



	<p>current neither adapted to safety for ATC, ie the message “request QDM” has a higher priority than “turn left heading xxx°” or “G..CD RWY 27 cleared for take off” has the same priority than the message “G..CD leave control zone via November”. That is the reason why</p> <div> <div> <i>Distress calls, distress messages and distress traffic</i> <i>Urgency messages, including messages preceded by the medical transport signal</i> <i>Communications relating to direction finding</i> <i>Flight safety messages</i> <i>Meteorological messages</i> <i>Flight regularity messages</i> <u><i>Courtesy messages</i></u> </div> <div> member states notified differences </div> </div>
response	<p><i>Not accepted</i></p> <p>Insufficient justification and consistency with ICAO — additionally, courtesy messages should be discouraged in ATC communications.</p>
comment	<p>316 comment by: <i>French Civil Aviation Authority (DGAC)</i></p> <p>French DGAC comment (DTA - DSNA - DSAC)</p> <p>The specific order may be discussed : the position of item c) and d) in table S14-1 may be inverted.</p> <p>However, in the real world, each particular situation is assessed by the ATS agent, resulting in a sensible message order adapted to the particular situation, and which may differ from ICAO or SERA provisions.</p>
response	<p><i>Noted</i></p>
comment	<p>336 comment by: <i>ATCEUC - Air Traffic Controllers European Unions Coordination</i></p> <p>SERA.14005</p> <p>We could add a (g) category for “courtesy messages”. For example: diplomatic message, relay from company operations, ...</p> <p>The voice category message order, as defined in ICAO annex 10 V2 chapter 5.1.8, is not current neither adapted to safety for ATC, ie the message “request QDM” has a higher priority than “turn left heading xxx°” or “G..CD RWY 27 cleared for take off” has the same</p>



priority than the message “G..CD leave control zone via November”. That is the reason why member states notified differences.

PROPOSAL:

- a) *Distress calls, distress messages and distress traffic*
- b) *Urgency messages, including messages preceded by the medical transport signal*
- c) *Communications relating to direction finding*
- d) *Flight safety messages*
- e) *Meteorological messages*
- f) *Flight regularity messages*
- g) *Courtesy messages***

response

Not accepted

Insufficient justification and consistency with ICAO — additionally, courtesy messages should be discouraged in ATC communications.

comment

441

comment by: UK CAA

Page No: 40 of 170

Paragraph No: SERA.14005 ‘Categories of messages’

Comment:

The Agency seeks stakeholder opinion on whether they consider, from the safety point of view, that the ICAO voice communication message category naming and radiotelephony order is appropriate and should be kept identical in SERA or if it should rather be modified and in which way.

The UK CAA believes it is not possible to provide meaningful comment (other than to advocate adoption of the proposed text in accordance with the SERA harmonisation principles) as the Agency does not provide any detail on the ‘several national notified differences [existing] in Europe’ referred to in the NPA, nor does it propose how a harmonised modification could be achieved, or when this could be done.

Any modification would appear to run counter to the SERA ethos of supporting harmonised convergence with ICAO. That said, the UK specifies additional categories through CAP413 (but has not filed a Difference against Annex 10) and seeks clarification as to whether individual States may specify further categories through national AIPs as long as they are of a lower priority than those stipulated at SERA.14005.

Justification: Clarification.

response

Noted

Specifying further categories of a lower priority than those stipulated in SERA.14005 may be possible to the extent that none of them contradicts the current content of SERA and is in accordance with Article 8 of said Regulation.

comment

481

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.14005



	<p>We could add a (g) category for “courtesy messages”. For example: diplomatic message, relay from company operations...</p> <p>The voice category message order, as defined in ICAO annex 10 V2 chapter 5.1.8, is not current neither adapted to safety for ATC, ie the message “request QDM” has a higher priority than “turn left heading xxx°” or “G..CD RWY 27 cleared for take off” has the same priority than the message “G..CD leave control zone via November”. That is the reason why member states notified differences...</p> <p>TEXT PROPOSAL: <u>(g) Courtesy messages</u></p>
response	<p><i>Not accepted</i></p> <p>Insufficient justification and consistency with ICAO — additionally, courtesy messages should be discouraged in ATC communications.</p>
comment	<p>493 comment by: SwissATCA</p> <p>We could add a (g) category for “courtesy messages”. For example: diplomatic message, relay from company operations, ...</p> <p>The voice category message order, as defined in ICAO annex 10 V2 chapter 5.1.8, is not current neither adapted to safety for ATC, ie the message “request QDM” has a higher priority than “turn left heading xxx°” or “G..CD RWY 27 cleared for take off” has the same priority than the message “G..CD leave control zone via November”. That is the reason why member states notified differences.</p>
response	<p><i>Not accepted</i></p> <p>Insufficient justification and consistency with ICAO — additionally, courtesy messages should be discouraged in ATC communications.</p>
comment	<p>570 comment by: IATA (Dragos Munteanu)</p> <p>IATA invites EASA not to deviate from the ICAO Voice Communication Message Category Naming and Radiotelephony Order. Any changes to ICAO procedures (where justified) should be discussed and agreed at ICAO level but not through European regional differences.</p>
response	<p><i>Noted</i></p>
comment	<p>613 comment by: USCA</p> <p>The message order, as defined in ICAO annex 10 V2 chapter 5.1.8, <u>is not updated nor adapted to safety for ATC</u>, ie the message “request QDM” has a higher priority than “turn left heading xxx°” or “G..CD RWY 27 cleared for take off” has the same priority than the message “G..CD leave control zone via November”.</p>



response

Noted

comment

614

comment by: USCA

We propose an additional category of messages for those transmissions that are not included in any of the previous:

(a) Distress calls, distress messages and distress traffic

(b) Urgency messages, including messages preceded by the medical transport signal

(c) Communications relating to direction finding

(d) Flight safety messages

(e) Meteorological messages

(f) Flight regularity messages

g) Other messages

response

Not accepted

Insufficient justification and consistency with ICAO — additionally, courtesy messages should be discouraged in ATC communications.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14010 Flight safety messages

p. 40-41

comment

442

comment by: UK CAA

Page No: 40 of 170

Paragraph No: SERA.14010 'Flight safety messages'

Comment: The UK CAA supports this proposal.

Justification: Standardisation.

response

Noted

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14015 Language to be used

p. 41

comment

21

comment by: AEA

The AEA view is that for safety reasons the use of English language should be applicable to all aerodromes with international traffic irrespective of the number of movements.



response

Noted

comment

38

comment by: MOT Austria

Page No: 41-14015

Comment: NSA Austria suggests to rephrase SERA 14015 para (b): Air-Ground-Communication shall be conducted in the English language at all stations serving designated aerodromes and routes used by international air services; in cases of emergency another language may be used if requested by the aircraft concerned and is adequate to improve the communication.

Justification: As explained in the accompanied explanatory note to the NPA language issues are of big influence in incidents. Only in emergency situations it could help - especially local crews to change to their mother tongue, if it is an acceptable language to the ground station too.

response

Noted

comment

279

comment by: HungaroControl

(b) The English language shall be available, on request from any aircraft, used at all stations on the ground serving designated aerodromes and routes used by international air services. For safety reasons HungaroControl proposes the exclusive use of English language.

response

Noted

comment

318

comment by: French Civil Aviation Authority (DGAC)

French DGAC comment (DTA - DSNA - DSAC)

The question to require the use of the English language at Paris CDG airport and associated TMA has been explored for more than one year now, in a special study group. At present, the group has not yet concluded the study, as it is a very complex subject.

Related issues include :

- requirement of the english language for all the manoeuvring area actors does not seem realistic, and would potentially rise safety issues if these actors do not master this language.
- Paris TMA allow access to a lot of secondary aerodromes, where not all pilots are English speakers. IFR pilot ratings do not include English capability.

We therefore oppose to the proposal to require to use the English language at aerodromes with international traffic of more than 50 000 commercial instrument flight rules movements a year.

The november 2012 SRC third recommandation, adopted by PC38, is a incentive for an in depth study, not for unconditionnal change :
 "States to progress their considerations regarding extending the use of English at airports and relevant surrounding airspace sectors with international traffic of more than 50,000



response	commercial IFR movements a year, with a view to improving safety in this field." <i>Noted</i>
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comment	373 We agree with this statement.	comment by: ANA Luxembourg
response	<i>Noted</i>	

comment	<p>443</p> <p>comment by: UK CAA</p> <p>Page No: 41 of 170 Paragraph No: SERA.14015 Language to be used Comment: UK CAA suggests that English should always be used to increase and improve situational awareness for all aircrew, and to that end the UK CAA advocates extending SERA.14015 to require the use of the English language at aerodromes with international traffic of more than 50 000 commercial IFR movements a year. Whilst an extension to all airfields that accept International Flights, rather than those with international traffic of more than 50 000 commercial IFR movements a year, should be considered, it is acknowledged that alignment within SERA to the proposal to be made to EUROCONTROL Provisional Council would render any change SERA Part C proposals more acceptable to Member States. The UK CAA supports the proposal for Guidance Material within SERA.14015 concerning the use of the term ‘designated aerodromes’. That said, Guidance Material on its own appears an inadequate means of addressing the issues highlighted at page 7 of 170 of the NPA, and text that captures the aerodromes in question is suggested below. Justification: Maintenance and enhancement of safety by improving the situational awareness of pilots and controllers through the consistent use of one language, thus enabling them to understand the conversations from all other pilots and controllers. Alignment with the proposal to be made to EUROCONTROL Provisional Council for endorsement to recommend Member States to consider the extension of the use of the English language by qualified pilots on some critical frequencies at aerodromes with international traffic of more than 50 000 commercial Instrument Flight Rules (IFR) movements a year is considered necessary. Proposed Text: “SERA.14015 Language to be used (a) The air-ground radiotelephony communications shall be conducted in the English language at aerodromes with more than 50 000 commercial Instrument Flight Rules (IFR) movements a year, or in all other cases the language normally used by the station on the ground. (b) The English language shall be available, on request from any aircraft, at all stations on the ground serving designated aerodromes and routes used by international air services. (c) The languages available at a given station on the ground shall form part of the Aeronautical Information Publications and other published aeronautical information concerning such facilities.”</p>	
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response

Noted

comment

539

comment by: *Federal Office of Civil Aviation FOCA*

FOCA suggests to transpose the respective ICAO requirements without any change of wording.

response

Noted

comment

565

comment by: *AESA / DSANA***COMMENT**

We understand that '*station*' refers to '*aeronautical station*' as defined in **article 2** and that this has no effect on communications with aircraft within the aerodrome.

JUSTIFICATION

This is related to the question of **section 2.1** of the **Explanatory Note** on this same requirement **SERA.14015**.

response

Not accepted

'Aeronautical station' refers to stations on the ground whereas 'station' may be either an aeronautical station or aircraft.

comment

571

comment by: *IATA (Dragos Munteanu)*

The IATA view is that for safety reasons the use of English language should be applicable to all aerodromes with international traffic irrespective of the number of movements.

response

Noted

comment

640

comment by: *René Meier, Europe Air Sports*

SERA.14015 Language to be used
page 41/70

We agree with the proposed wording of this provision, we reject the more prescriptive wording proposed in the explanatory note. Please refer to our above-mentioned comment.

Rationale:

Language training is a key to safety, even for native speakers. To know what languages may be used/are available is relevant to safety.



response *Noted*

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14020 Word spelling in radiotelephony

p. 41

comment 444

comment by: UK CAA

Page No: 41 of 170

Paragraph No: SERA.14020 'Word spelling in radiotelephony'

Comment: The UK CAA supports this proposal.

Justification: Standardisation.

response *Noted*

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14025 Principles governing the identification of ATS routes other than standard departure and arrival routes

p. 42

comment 14

comment by: AFSBw Capt Traurig

SERA.14025 Principles governing the identification of ATS routes other than standard departure and arrival routes

(a) Use of ATS route designators in communications

(1) In voice communications, the basic letter of a designator shall be spoken in accordance with the spelling alphabet as defined in table S14-2.

(2) Where the prefixes K, U or S are used, they shall, in voice communications, be spoken as follows:

K — KOPTER

U — UPPER

S — SUPERSONIC

(b) The word 'kopter' shall be pronounced as in the word 'helicopter' and the words 'upper' and 'supersonic' as in the English language.

As also military aircraft are flying and under the control of the same ATC unit which are controlling civil GAT aircraft, the term supersonic in communication may result in misleading or misunderstandings and could be understood as clearance for a **supersonic flight!!!!**

response *Noted*

comment 160

comment by: skyguide Corporate Regulation Management

Principles governing the identification of ATS routes other than standard departure and arrival



	<p><i>Why §4.1 from Appendix 2 in Annex 11 about significant points is omitted? It is inconsistent to regulate pronunciation of ATS routes and omit Significant points.</i></p>
response	<p><i>Not accepted</i></p> <p>The description of the pronunciation of significant points in communication was not seen as essential to be included in the Implementing Rule. GM will be provided to cover the concern.</p>
comment	<p>368 comment by: NUAC</p> <p>AC-GM is recommended</p>
response	<p><i>Noted</i></p> <p>AMC/GM foreseen.</p>
comment	<p>541 comment by: Federal Office of Civil Aviation FOCA</p> <p>FOCA does not see the grounds why §4.1 in Appendix 2 of Annex 11 about significant points has been omitted. It is inconsistent to regulate pronunciation of ATS routes and omit "significant points".</p>
response	<p><i>Not accepted</i></p> <p>The description of the pronunciation of significant points in communication was not seen as essential to be included in the Implementing Rule. GM will be provided to cover the concern. Please refer also to the response to comment 160.</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14035 Transmission of numbers in radiotelephony

p. 42-43

comment	<p>102 comment by: CAA-Norway</p> <p>SERA.14035(a)(1) SERA allows for an extended use of “hundred” and “thousand”. This is highly appreciated, but we suggest extending it to also comprise Heading and Wind Direction and Speed. We have used it for several years and we cannot see the rationale for excluding them.</p>
response	<p><i>Not accepted</i></p> <p>The proposed SERA.14035 is based on the proposal made by EUROCONTROL to ICAO for the improvement of Annex 10, Volume II. This proposal was the result of works including assessments, a safety argument, a human factor study and consultations, where the elements proposed in the comment above were not retained.</p>



comment	262	comment by: ENAIRE
	Regarding SERA.14035 (a) (3), both? In which order, first with each digit and then, using the "hundred format"? e.g.: Climb flight level one zero zero, one hundred.	
response	Noted	
comment	320	comment by: French Civil Aviation Authority (DGAC)
	French DGAC comment (DTA - DSNA - DSAC)	
	French rules for French phraseology are quite different. This can be justified because a different language can lead to different confusion cases, so to different rules. We wish to be allowed with the other French speaking countries to determine these rules.	
	National authorities should be able to establish differences in thier national language, when it has been proven they do not create ambiguity (e.g. Point (5) use of DECIMAL).	
response	Noted	
	When specific languages are used, it will be taken into account in order to avoid counterproductive provisions.	
comment	445	comment by: UK CAA
	<p>Page No: 42 of 170</p> <p>Paragraph No: SERA.14035 Transmission of numbers in radiotelephony</p> <p>Comment: The UK CAA supports this proposal with one reservation. SERA explicitly provides for the use of 'Ten', 'Eleven' and 'Twelve' for passing traffic information and the UK CAA believes that their use could be extended to the transmission of heights and altitudes. New text is proposed to be introduced as SERA.14035 (a) (1) (ii). The existing text at SERA.14035 (a) (1) (ii) and (iii) would require thus re-numbering.</p> <p>Justification: Through the provision of TEN, ELEVEN and TWELVE in relation to the passing of traffic information, SERA has demonstrated that there are no human factors issues of concern related to their use. UK CAA believes that there is a sound case for extending the use of TEN, ELEVEN and TWELVE to instructions related to heights and altitudes in terms of both their ease of pronunciation and their ease of perception by personnel on the ground and in the air.</p> <p>Proposed Text:</p> <p>"SERA.14035 Transmission of numbers in radiotelephony</p> <p>(a) Transmission of numbers</p> <p>(1) All numbers used in the transmission of aircraft call sign, headings, runway, wind direction and speed shall be transmitted by pronouncing each digit separately.</p> <p>(i) Flight levels shall be transmitted by pronouncing each digit separately except for the case of flight levels in whole hundreds.</p> <p>(ii) Altitudes and Heights shall be transmitted by pronouncing each digit in the number of hundreds or thousands followed by the word HUNDRED or THOUSAND as appropriate,</p>	



except for the case of 10, 11 and 12 000 feet which shall be transmitted as TEN, ELEVEN and TWELVE THOUSAND.

(iii) The altimeter setting shall be transmitted by pronouncing each digit separately except for the case of a setting of 1 000 hPa which shall be transmitted as ONE THOUSAND.

(iv) All numbers used in the transmission of transponder codes shall be transmitted by pronouncing each digit separately except that, when the transponder codes contain whole thousands only, the information shall be transmitted by pronouncing the digit in the number of thousands followed by the word THOUSAND."

response

Not accepted

The proposed SERA.14035 is based on the proposal made by EUROCONTROL to ICAO for the improvement of Annex 10 Vol II. This proposal was the result of works including assessments, a safety argument, a human factor study and consultations, where the elements proposed in the comment above were not retained. Additional robust justification would be needed to further consider such extension.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14040 Pronunciation of numbers

p. 43

comment

161

comment by: skyguide Corporate Regulation Management

Pronunciation of numbers

Procedure for pronunciation of numbers is transposed, but § 5.2.1.4.2.1 provision for verification of the received numbers is left out.

response

Not accepted

Paragraph 5.2.1.4.2.1 does not deviate from normal radio-communication procedures and was not selected for transposition. Requirements for read-backs are contained in SERA.8015. It was not considered necessary to include the paragraph as an IR.

comment

446

comment by: UK CAA

Page No: 43 of 170

Paragraph No: SERA.14040 Pronunciation of numbers

Comment: The UK CAA supports this proposal with one reservation. SERA explicitly provides for the use of 'TEN', 'ELEVEN' and 'TWELVE' for passing traffic information, and proposes that this be incorporated within Table S14-3 to ensure that these numbers are pronounced in a standard manner. UK CAA believes that there is an associated requirement to add a note below this table to the effect that the use of these numbers would only be suitable for use in the provision of traffic information and in instructions regarding heights and altitudes.

Justification: Through the provision of TEN, ELEVEN and TWELVE in relation to the passing of traffic information, SERA has demonstrated that there are no human factors issues of concern related to their use.

Proposed Text:

"SERA.14040 Pronunciation of numbers



	<p>(a) When the language used for communication is English, numbers shall be transmitted using the pronunciation shown in table S14-3:</p> <p>10 – TEN</p> <p>11 – ELEVEN</p> <p>12 – TWELF.</p> <p>(a) The use of 'TEN', 'ELEVEN' and 'TWELVE' shall be limited to the provision of traffic information and to instructions regarding heights and altitudes. "</p>
response	<p><i>Not accepted</i></p> <p>Insufficient justification and consistency with ICAO.</p>
comment	<p>543 comment by: <i>Federal Office of Civil Aviation FOCA</i></p> <p>SERA.14040: Procedure for pronunciation of numbers is transposed, but § 5.2.1.4.2.1 provision for verification of the received numbers has been left out.</p>
response	<p><i>Not accepted</i></p> <p>Paragraph 5.2.1.4.2.1 does not deviate from normal radio-communication procedures and was not selected for transposition. Requirements for read-backs are contained in SERA.8015. It was not considered necessary to include the above-mentioned paragraph as an IR.</p>

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14045 Transmitting technique

p. 43-44

comment	<p>39 comment by: <i>MOT Austria</i></p> <p>Page No: 43-14045</p> <p>Comment: NSA Austria suggests to insert the composition of R/T messages according to ICAO Annex 10 para 5.2.1.6.1.</p> <p>Justification: The composition of messages in R/T should be standardises (addressee, originator, text) for optimum readability.</p>
response	<p><i>Partially accepted</i></p> <p>The text of SERA.14055 will be amended to reflect the comment.</p>
comment	<p>85 comment by: <i>BALPA</i></p> <p>Table S14-4. The term "Break Break" to indicate sepaeration of messages could be confused by a formation of aircraft and could be taken as an instruction to suddenly break out of formation. There should therefore be a note indicating that ATC should use this term with caution.</p> <p>"Standby". The definition should include that no onward clearance is to be assumed.</p> <p>There is no definition of "Climb" & "Descend" in the table - there should be.</p>



response

Not accepted

Any change to widely adopted ICAO material would require robust justification and assessment — 'break' is a long-standing term and used globally to indicate a break between messages. The term 'stand-by' can be used in other circumstances than the suggested ones. GM to these terms will be proposed. There is no need to define 'climb' or 'descend' which are both used in their dictionary meaning.

comment

162

comment by: skyguide Corporate Regulation Management

Transmitting technique

The total of six procedures and recommendations for transmitting technique in §5.2.1.5 in Annex 10 Vol.2 are not mentioned in Section 14. Neither the plan to make GM for those provisions is mentioned.

Without those six items SERA.14045, is not much about "transmitting technique".

response

Not accepted

The relevant Section of ICAO Annex 10, Volume II was reviewed one more time by the drafting group and no other provision was retained for transposition into SERA.

comment

280

comment by: HungaroControl

The provision should not be modified.

response

Noted

comment

353

comment by: French Civil Aviation Authority (DGAC)

French DGAC comment (DTA - DSAC - DSNA)

Usage of "CLEARED" :

In France usage of expression "CLEARED", on TWR frequencies, is restricted : it can only be used for take off, landing or touch and go clearances. This rule has a safety objective : avoid potential clearance confusion in a very sensitive context.

Could this be inserted in part C or in a GM?

In France this national rule will continue to be applied by ATS units.

response

Noted

Utilisation of the option described is not envisaged in SERA Part C. Application of national, transitional and additional measures shall be undertaken in accordance with SERA Article 8.



comment	574	comment by: <i>Federal Office of Civil Aviation FOCA</i>
	SERA.14045: The total of six procedures and recommendations for transmitting technique in §5.2.1.5 in Annex 10 Vol.2 are not transposed in Section 14, neither the plan to make GM for those provisions. FOCA suggests to transpose those requirements accordingly.	
response	<p><i>Not accepted</i></p> <p>The relevant Section of ICAO Annex 10, Volume II was reviewed one more time by the drafting group and no other provision was retained for transposition into SERA.</p>	

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14050 Radiotelephony call signs for aircraft

p. 44

comment	40	comment by: <i>MOT Austria</i>
	<p>Page No: 44-14050 a</p> <p>Comment: NSA Austria proposes to replace the phrase (...) "aircraft operator" by "aircraft operating agency".</p> <p>Justification: ICAO Annex 10 para 5.2.1.7.2.1 only uses the phrase mentioned.</p>	
response	<p><i>Not accepted</i></p> <p>The term 'aircraft operator' was introduced for consistency with the EU Regulations and definitions (e.g. Regulation (EC) 216/2008, Article 3, h)).</p>	
comment	369	comment by: <i>NUAC</i>
	(b) Type c) seems as unnecessary	
response	<p><i>Not accepted</i></p> <p>Lack of justification.</p>	
comment	391	comment by: <i>French Civil Aviation Authority (DGAC)</i>
	<p>French DGAC comment (DTA - DSNA - DSAC)</p> <p><u>Proposal:</u></p> <p>"SERA.14050 Radiotelephony call signs for aircraft</p> <p>(a) Full call signs</p> <p>An aircraft radiotelephony call sign shall be one of the following types:</p> <p>(1) Type a) — the characters corresponding to the registration marking of the aircraft; or</p> <p>(2) Type b) — the telephony designator of the aircraft operator, followed by the last four characters of the registration marking of the aircraft;</p> <p>(3) Type c) — the telephony designator of the aircraft operator, followed by the flight</p>	



identification.

(4) Type d) – the name of the aircraft manufacturer or the aircraft type followed by the registration marking of the aircraft

(5) Type e) – the name of the mission followed by the flight identification

(b) Abbreviated call signs

The aircraft radiotelephony call signs shown in (a), with the exception of Type c), may be abbreviated in the circumstances prescribed in SERA.14065(d)(1). Abbreviated call signs shall be in the following form:

(1) Type a) — the first character of the registration and at least the last two characters of the call sign;

(2) Type b) — the telephony designator of the aircraft operator, followed by at least the last two characters of the call sign registration marking of the aircraft;

(3) Type c) — ~~no abbreviated form.~~ When the last two characters of the flight identification are letters of alphabet, the telephony designator of the aircraft operator, followed by the last two characters of the flight identification;

(4) Type d) - the name of the aircraft manufacturer or the aircraft type followed by the last two characters of the registration marking of the aircraft."

Rationale:

- (a) (1) Type a): if it is full call sign, no abbreviation is logical. As regard to the 2.4.1 (m) explanatory note, the added value as compared to full call sign type a) is that the proposed call signs allows ATCO's to add the telephony designator of aircraft operator.

- (a) (4) Type d): type of aircraft or name of manufacturer can be useful to indicate an unusual A/C, with unusual performance (EX: an A388 diverted to its alternate A/D).

- (a) (5) Type e): a designation via a mission name can be useful for a state aircraft operating whole or part of the flight GAT (IFR or VFR) : for example in France "POLMAR XX" for mission of surveillance of sea pollutions, "SAMU XX" for medical flights, etc.

- (b) (2) abbreviated type b): editorial proposal, no operational consequence.

- (b) (3) abbreviated type c): call sign stand for identification. This type of abbreviated call signs is very widely used in France, and very useful. For example, we have in France flight ID's like AF345KZ, which are abbreviated in AF-KZ. During many years, this kind of call signs has proven safe and efficient. On radar screens, only AF-KZ appears, which allows for a clearer view on traffic situation (less characters on screen), and the detailed identification of the flight can be displayed on request by ATCO.

- (b) (4) abbreviated type d) : logical.

response

Partially accepted

Type b) not accepted — insufficient justification;

Type d) partially accepted — note 1 to ICAO Annex 10 5.2.1.7.2.1.1 will be proposed as GM as a complement to Type a);

Type c) abbreviated — not accepted — insufficient justification;

Type e) not accepted — lack of justification for not using one of the existing call signs — State aircraft missions in GAT may be accommodated under Article 4 if required.

comment 448

comment by: UK CAA



response	<p>Page No: 44 of 170</p> <p>Paragraph No: SERA.14050 Radiotelephony callsigns for aircraft</p> <p>Comment: Annex 10 provisions allow for use of aircraft types in full or abbreviated callsigns. Agency proposals need to be checked for consistency with Annex 10 as well as DOC 9432 2.7.2.</p> <p>Justification: Standardisation and harmonisation of ICAO and European provisions.</p> <p><i>Noted</i></p> <p>Annex 10 — Notes will be considered for GM. No other discrepancy identified.</p>
comment	<p>540 comment by: <i>Finnish Transport Safety Agency (NSA)</i></p> <p>Here it should be possible to also use the aircraft manufacturer or the aircraft model as a prefix, in accordance with Annex 10 Volume II 5.2.1.7.2.1.1 Note 1: "<i>Note 1. — The name of the aircraft manufacturer or of the aircraft model may be used as a radiotelephony prefix to the Type a) call sign (see Table 5-1).</i>"</p> <p>In addition, Finnish Transport Safety Agency would also like to propose that for ultralight aircraft a prefix "ULTRA" could be used to denote the aircraft type. This is also useful information for other pilots and has been found to be a good practice for increasing situational awareness.</p>
response	<p><i>Partially accepted</i></p> <p>Note 1 will be used for GM to SERA.14050 — the proposal of 'ultra' would require further evaluation including safety assessment and could be subsequently considered for future amendments.</p>
comment	<p>671 comment by: <i>NATS National Air Traffic Services Limited</i></p> <p>Page No: 44 Paragraph No: SERA 14050</p> <p><u>NATS Comment:</u> Annex 10 provisions allow for use of aircraft types in full or abbreviated callsigns. EASA proposals need to be checked for consistency with Annex 10 as well as DOC 9432 2.7.2.</p> <p><u>Justification:</u> Harmonisation of ICAO and European provisions.</p> <p>Proposed Text:</p>
response	<p><i>Noted</i></p> <p>Annex 10 — Notes will be considered for GM. No other discrepancy identified.</p> <p>Please refer to the response to comment 448.</p>



comment	25	comment by: AEA
	AEA agrees with EASA's proposal to stick to ICAO radiotelephony procedures.	
response	Noted	
comment	179	comment by: ENAV
	<p>The wording of SERA.14055 (b) appears incorrect.</p> <p>SERA.14050 (a), which is referenced to in (1) as a calling procedure, is not. The corresponding paragraph in ICAO Annex 10 refers to Table 5-2, which indeed depicts calling procedures. Therefore, while a reply procedure is established in (2), there is no procedure for the initial call. We suggest to amend (1) as follows:</p> <p><i>(1) Full radiotelephony call signs shall always be used when establishing communication. The calling procedure of an aircraft establishing communication shall be in accordance with SERA.14050(a). When establishing communication, aircraft shall start their call by the designation of the station called, followed by the designation of the station calling.</i></p>	
response	<p>Accepted</p> <p>The text of SERA.14055 a) will be improved to reflect the comment:</p> <p>SERA.14055 (b)(1):</p> <p>Full radiotelephony call signs shall always be used when establishing communication. The calling procedure of an aircraft establishing communication shall be in accordance with SERA.14050(a). When establishing communication, aircraft shall start their call by the designation of the station being called, followed by the designation of the station calling.</p>	
comment	231	comment by: LFV Sweden
	LFV support the existing provision. Omitting the ground stations call sign for establishment of radio communications could impair flight safety.	
response	Noted	
comment	281	comment by: HungaroControl
	<p>SERA.14055 (b) (1)</p> <p><i>According to HungaroControl omitting the ground station call sign for the establishment of radio communications will not improve but degrade the level of safety. For this reason the initial call should contain ground station call sign.</i></p>	
response	Noted	
comment	337	comment by: ATCEUC - Air Traffic Controllers European Unions Coordination
	SERA.14055	



response

At the first contact both call signs (station calling and station answering) shall be used for improved situation awareness. After the establishment of radio communications it may be possible to omit the ground station call sign.

If a unit is too busy to use its own call sign, regulatory measures should have been taken beforehand. Other measures may be taken for the sake of an optimum frequency usage.

Noted

comment

449

comment by: UK CAA

Page No: 45 of 170**Paragraph No:** SERA.14055(b)(2) 'Radiotelephony procedures'**Comment:** The UK CAA fully supports this proposal.**Justification:** Standardisation.

response

Noted

comment

482

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.14055

At the first contact both call signs (station calling and station answering) shall be used for improved situation awareness. After the establishment of radio communications it may be possible to omit the ground station call sign. But only the ground station can omit its identification, while the aircraft will keep the identification mandatory.

response

Noted

comment

494

comment by: SwissATCA

At the first contact both call signs (station calling and station answering) shall be used for improved situation awareness. After the establishment of radio communications it may be possible to omit the ground station call sign.

If a unit is too busy to use its own call sign, regulatory measures should have been taken beforehand. Other measures may be taken for the sake of an optimum frequency usage.

response

Noted

comment

542

comment by: Finnish Transport Safety Agency (NSA)

In point SERA.14055 a) "air traffic control" should be replaced with "air traffic service". Also units providing AFIS should be empowered to change call signs when so required.



response	<p><i>Not accepted</i></p> <p>Insufficient justification. SERA's intent is not to change the different air traffic services. Such a possibility could be considered during the drafting of Part ATS.</p>	
comment	573	comment by: IATA (Dragos Munteanu)
	IATA agrees with EASA's proposal not to deviate from the ICAO radiotelephony procedures.	
response	<p><i>Noted</i></p>	
comment	615	comment by: USCA
	<p>At the first contact both call signs (station calling and station answering) shall be used for improved situation awareness. After the establishment of radio communications it may be possible to omit the ground station call sign.</p> <p>If a unit is too busy to use its own call sign, regulatory measures should have been taken beforehand. Other measures may be taken for the sake of an optimum frequency usage</p>	
response	<p><i>Noted</i></p>	
comment	642	comment by: René Meier, Europe Air Sports
	<p>SERA.14055 Radiotelephony procedures page 44/170</p> <p>We recommend to modify section (a) as follows:</p> <p>"(a)(1) An aircraft shall not change the type of its radiotelephony call sign during flight, except temporarily as instructed by an ATS unit when necessary."</p> <p>"(a)(2) Except for safety reasons no transmission shall be directed to an aircraft during take-off, during the last part of the final approach or during the landing roll."</p> <p>Rationale: Accuracy and clarity.</p>	
response	<p><i>Not accepted</i></p> <p>Insufficient justification. Changes 'for clarity' are normally not adopted unless supported by robust justification.</p> <p>Please refer also to the response to comment 542.</p>	
comment	672	comment by: NATS National Air Traffic Services Limited



Page No: 45 Paragraph No: SERA 14055 (b)(2)

NATS Comment: In European airspace there should be no requirement for the receiving sector/position in the same ATS unit to have to use its callsign in response to a channel changeover from a pilot.

Justification: Busy units may make a case to their Regulator to omit their callsign on first contact. For other units, the callsign on first contact is necessary but thereafter the sector/position may issue a new clearance/instruction without having to use its callsign, or just say "Roger".

response

Noted
3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14060 Transfer of VHF communications

p. 45

comment

41

comment by: *MOT Austria*

Page No: 45-14060 a

Comment: NSA Austria proposes to delete the second sentence of para (a).**Justification:** An aircraft shouldn't change frequency without advice from the respective ground station.

response

Not accepted

Consistency with the ICAO text.

comment

213

comment by: *DFS Deutsche Flugsicherung GmbH*

(b)

Recommendation: instead of "prescribed by ANSP..." it should be "the competent authority". One ANSP can not prescribe such procedures for other ANSP providing ATC service in the same country.

response

Partially accepted

The text of SERA.14060 will be amended to reflect the concern by adding 'and approved by the competent authority':

SERA.14060 Transfer of VHF communications

(a) An aircraft shall be advised by the appropriate ATS unit to transfer from one radio frequency to another in accordance with agreed procedures. In the absence of such advice, the aircraft shall notify the ATS unit before such a transfer takes place.

(b) When establishing initial contact on, or when leaving, a VHF frequency, an aircraft shall transmit such information as may be prescribed by the ANSP responsible for the provisions of services and approved by the competent authority.

comment

450

comment by: *UK CAA*

	<p>Page No: 45 of 170</p> <p>Paragraph No: SERA.14060(b) Transfer of VHF communications</p> <p>Comment: The prescription should be the responsibility of the Competent Authority rather than that of the ANSP. The Competent Authority will be a position to stipulate a requirement to be applied to all ANSPs within its area of responsibility, or as many ANSPs it deems appropriate.</p> <p>Justification: Clarification and appropriate level of responsibility.</p>
response	<p><i>Partially accepted</i></p> <p>It is considered that such required information may vary from one place to another, therefore, in this case, the ANSP concerned is considered to be the 'appropriate authority'. However, the addition of 'and approved by the competent authority' is acceptable, and the text will be amended accordingly:</p> <p>SERA.14060 Transfer of VHF communications</p> <p>(a) An aircraft shall be advised by the appropriate ATS unit to transfer from one radio frequency to another in accordance with agreed procedures. In the absence of such advice, the aircraft shall notify the ATS unit before such a transfer takes place.</p> <p>(b) When establishing initial contact on, or when leaving, a VHF frequency, an aircraft shall transmit such information as may be prescribed by the ANSP responsible for the provisions of services and approved by the competent authority.</p>
comment	<p>550 comment by: <i>Airport Zurich</i></p> <p>a) This article should be extended as follows: When explicitly so prescribed by competent authority and published on AIP, pilots shall transfer automatically to another radio frequency even without prior notification to the respective ATS units.</p>
response	<p><i>Not accepted</i></p> <p>Consistency with ICAO and lack of sufficient justification.</p>
comment	<p>551 comment by: <i>Finnish Transport Safety Agency (NSA)</i></p> <p>SERA.14060 a) - here it should be prescribed that the aircraft may not leave the frequency without ATS unit permission, in the case that ATS unit does not advice the aircraft to transfer from one radio frequency to another.</p> <p>Especially for controlled flights it is not acceptable that the aircraft could decide to when transfer of communication takes place. The current text could be interpreted in this manner and therefore a more detailed prescription should be added.</p>
response	<p><i>Not accepted</i></p> <p>The current text is consistent with ICAO and it is considered that the point raised in the comment is covered by the second sentence in the aforementioned provision.</p>



3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14065
Radiotelephony procedures for air-ground voice communication channel changeover

p. 45-46

comment	29	comment by: AEA
	<p>The AEA supports the introduction of the term 'super' to reflect the classification which may be applied to some aircraft in the 'heavy' category for wake turbulence. This situation is to a certain extent already in place today.</p> <p>The AEA also urges EASA to push ICAO to integrate its State Letter of 8th July 2008 into the ICAO Annexes.</p>	
response	Noted	
comment	103	comment by: CAA-Norway
	<p>SERA.14065(a) and (a)(1)</p> <p>It does not seem consistent that (a) refers to the call to an ATC unit and (1) refers to an ATS unit. We propose to change (a) from ATC to ATS.</p> <p>SERA.14065(a)(2)</p> <p>We support the introduction of “Super”, but it should not be up to the competent authority to identify the relevant aircraft, but rather as promulgated from ICAO or EASA.</p>	
response	<p><i>Partially accepted</i></p> <p>In SERA.14065 ATC will be replaced by ATS. Please refer also to the response to comment 214.</p> <p>SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover</p> <p>(a) Unless otherwise prescribed by the ANSP responsible for the provisions of services and approved by the competent authority, the initial call to an ATS unit after a change of air-ground voice communication channel shall contain the following elements:</p> <p>(...)</p> <p>(5) additional elements, as required by the ANSP responsible for the provisions of services and approved by the competent authority.</p> <p>(c) Initial call to aerodrome control tower:</p> <p>For aircraft being provided with aerodrome control service, the initial call shall contain:</p> <p>(1) designation of the ATS unit being called;</p> <p>(2) call sign and, for aircraft in the heavy wake turbulence category, the word ‘Heavy’ or the word ‘Super’ if that aircraft has been so identified by the competent authority;</p> <p>(3) position; and</p> <p>(4) additional elements, as required by the appropriate ANSP responsible for the provision of services and approved by the competent authority.</p> <p>As for the second part of the comment, see response to comment 163.</p>	
comment	163	comment by: skyguide Corporate Regulation Management
	<p>Radiotelephony procedures for air-ground voice communication channel changeover</p> <p><i>Provision states that the aircraft shall be reported as ‘Heavy’ or ‘Super’ if that aircraft has</i></p>	



	<p><i>been so identified by the competent authority. Question remains – which competent authority, the one for airworthiness, or the one for ATM?</i></p> <p><i>Further, and more importantly, how does this contribute to the standardization of the rules of the air? Can it happen that a new type of aircraft is designated as “heavy” by one competent authority, and as “super” by another one?</i></p>
response	<p><i>Noted</i></p> <p>The comment is understood, however, the proposed text remains in line with ICAO. The use of ‘Super’ was included in a State letter from the ICAO Regional Office and as such does not have the status of ICAO SARPS or Procedures; therefore, it was agreed that, for the time being, it would be within the purview of the competent authority to designate aircraft ‘super’ until this designation enters ICAO provisions. The definition of ‘competent authority’ is provided in SERA Article 2, 55.</p>
comment	<p>214 comment by: DFS Deutsche Flugsicherung GmbH</p> <p>Recommendation: instead of "prescribed by ANSP..." it should be "the competent authority". One ANSP can not prescribe such procedures for other ANSP providing ATC service in the same country.</p>
response	<p><i>Partially accepted</i></p> <p>The text of SERA.14065 will be amended to reflect the concern by adding ‘and approved by the competent authority’.</p> <p>SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover</p> <p>(a) Unless otherwise prescribed by the ANSP responsible for the provisions of services and approved by the competent authority, the initial call to an ATSC unit after a change of air-ground voice communication channel shall contain the following elements:</p> <p>(...)</p> <p>(5) additional elements, as required by the ANSP responsible for the provisions of services and approved by the competent authority.</p> <p>(c) Initial call to aerodrome control tower:</p> <p>For aircraft being provided with aerodrome control service, the initial call shall contain:</p> <p>(1) designation of the ATS unit being called;</p> <p>(2) call sign and, for aircraft in the heavy wake turbulence category, the word ‘Heavy’ or the word ‘Super’ if that aircraft has been so identified by the competent authority;</p> <p>(3) position; and</p> <p>(4) additional elements, as required by the appropriate ANSP responsible for the provisions of services and approved by the competent authority.</p>
comment	<p>263 comment by: ENAIRE</p> <p>Regarding SERA.14065 (c), in case it is a helicopter, it is also very useful and helps ATC to improve situational awareness, specially in radar environment, if the traffic call sign is followed by the word "helicopter".</p>



response

Noted

Such an element may be part of further radio-communication exchanges between ATC and aircraft.

comment

282

comment by: HungaroControl

(a) Unless otherwise prescribed by the ANSP responsible for the provisions of services, the initial call to an ATC unit after a change of air-ground voice communication channel shall contain the following elements:

(4) speed and heading, if assigned by ATC; and

For safety reasons the initial call should contain heading if it is assigned by ATC, because it is as important information as speed.

response

Noted

Such an element may be part of further radio-communication exchanges between ATC and aircraft (e.g. SERA.14065(a)(5)), and the ANSP retains the possibility to adopt other arrangements.

comment

338

comment by: ATCEUC - Air Traffic Controllers European Unions Coordination

The use of the term “super” should be implemented before the relevant change in ICAO Annexes.

response

Noted

comment

370

comment by: NUAC

d) (2) is not used, and seems out of date

response

Noted

comment

452

comment by: UK CAA

Page No: 45 of 170

Paragraph No: SERA.14065(a) Radiotelephony procedures for air-ground voice communication channel changeover

Comment:

SERA.14065(a) states that, ‘[unless] otherwise prescribed by the ANSP responsible for the provisions of services, the initial call to an ATC unit after a change of air-ground voice communication channel shall contain the following elements’. SERA.14065(a) goes on to refer to ‘additional elements, as required by the ANSP responsible for the provisions of services.’

The prescription should be the responsibility of the Competent Authority rather than that of the ANSP. The Competent Authority will be a position to stipulate a requirement to be



response

applied to all ANSPs within its area of responsibility, or as many ANSPs it deems appropriate.
Justification: Clarification and appropriate level of responsibility.

Partially accepted

It is considered that such required information may vary from one place to another, therefore, in this case, the ANSP concerned is considered to be the 'appropriate authority'. However, the addition of 'and approved by the competent authority' is acceptable, and the text will be amended accordingly:

SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover

(a) Unless otherwise prescribed by the ANSP responsible for the provisions of services and approved by the competent authority, the initial call to an ATSC unit after a change of air-ground voice communication channel shall contain the following elements:

(...)

(5) additional elements, as required by the ANSP responsible for the provisions of services and approved by the competent authority.

(c) Initial call to aerodrome control tower:

For aircraft being provided with aerodrome control service, the initial call shall contain:

(1) designation of the ATS unit being called;

(2) call sign and, for aircraft in the heavy wake turbulence category, the word 'Heavy' or the word 'Super' if that aircraft has been so identified by the competent authority;

(3) position; and

(4) additional elements, as required by the appropriate ANSP responsible for the provision of services and approved by the competent authority.

comment

454

comment by: UK CAA

Page No: 45 of 170

Paragraph No: SERA.14065(c)(2) Radiotelephony procedures for air-ground voice communication channel changeover

Comment:

Note that, within Europe, FDP systems contain the wake turbulence categories for each aircraft and this allows controllers to undertake their wake turbulence spacing responsibilities. So the value of this information in an RTF exchange is not understood. The argument that it is also for the benefit of other airspace users' situational awareness is thin as it is debatable whether the position of a Heavy/Super would be readily identifiable to other aircraft simply by hearing it check in on a frequency. It simply adds unnecessary RTF verbiage. And if it's important for other airspace users, why is there not a requirement for every aircraft to indicate its wake turbulence category?

Justification: Clarification.

response

Noted

comment

455

comment by: UK CAA

Page No: 45 of 170

Paragraph No: SERA.14065(c) Radiotelephony procedures for air-ground voice



	<p>communication channel changeover</p> <p>Comment: It is not clear if the initial call to the aerodrome tower is from the stand, the final approach or from outside the zone. Is a position report required in all three instances? Also not clear why the ANSP rather than the Competent Authority may prescribe otherwise for initial call to ATC after a change in communications in (a).</p> <p>Justification: Clarification.</p>
response	<p><i>Partially accepted</i></p> <p>It is considered that such required information may vary from one place to another, therefore, in this case, the ANSP concerned is considered to be the 'appropriate authority'. However, the addition of 'and approved by the competent authority' is acceptable, and the text will be amended accordingly.</p> <p>Please refer also to the responses to comments 213, 214 and 452.</p>
comment	<p>457 comment by: UK CAA</p> <p>Page No: 45 of 170</p> <p>Paragraph No: SERA.14065(d)(2) and (3) Radiotelephony procedures for air-ground voice communication channel changeover</p> <p>Comment: Para 2 allows for continuous two-way communication to proceed without further identification. Para 3 does not allow this if there are mandatory read-back of information/instructions included in the conversation. Clarification is required.</p> <p>Justification: Clarification.</p> <p>Proposed Text:</p> <p>Either:</p> <p>Combine paragraphs: (2) When issuing ATC clearances and reading back such clearances controllers and pilots shall always add the call sign of the aircraft to which the clearance applies. For other than those occasions, continuous two-way communications after contact has been established may be permitted without further identification or call until termination of the contact.</p> <p>Or</p> <p>Provide guidance to identify occasions where omitting callsigns is acceptable i.e. conversational exchanges</p>
response	<p><i>Accepted</i></p> <p>The text will be amended to reflect the comment:</p> <p>SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover</p> <p>(...)</p> <p>(2) In order to avoid any possible confusion, When issuing ATC clearances and reading back such clearances, controllers and pilots shall always add the call sign of the aircraft to which the clearance applies. For other than those occasions, After contact has been established, continuous two-way communication after contact has been established shall be permitted without further identification or call until termination of the contact.</p> <p>(3) In order to avoid any possible confusion, when issuing ATC clearances and reading back such clearances, controllers and pilots shall always add the call sign of the aircraft to which</p>



~~the clearance applies.~~

comment	483	comment by: <i>SINCTA - Portuguese Air Traffic Controllers' Union</i>
	SERA.14065 The use of the term “super” should be implemented before the relevant change in ICAO Annexes.	
response	<i>Noted</i>	

comment	495	comment by: <i>SwissATCA</i>
	The use of the term “super” should be implemented before the relevant change in ICAO Annexes.	
response	<i>Noted</i>	

comment	566	comment by: <i>Finnish Transport Safety Agency (NSA)</i>
	SERA.14065 a) here the "ATC unit" should be changed to "ATS unit" since the listed information is also of use for f.ex. AFIS units.	
response	<i>Accepted</i>	
	Please refer to the response to comment 103.	

comment	575	comment by: <i>IATA (Dragos Munteanu)</i>
	IATA supports the introduction of the term 'super' to reflect the classification which may be applied to some aircraft in the 'heavy' category for wake turbulence. This situation is to a certain extent already in place today. IATA also invites EASA to coordinate with ICAO to integrate its State Letter of 8th July 2008 into the ICAO Annexes.	
response	<i>Noted</i>	

comment	580	comment by: <i>Federal Office of Civil Aviation FOCA</i>
	SERA.14065 par. a subpar. 2: The provision sets forth that the aircraft shall be reported as "Heavy" or "Super" if that aircraft has been identified so by the competent authority. The question remains which competent authority is determining, the one for airworthiness, or the one for ATM - please specify accordingly. Further, and more importantly, how does this contribute to the standardization of the rules of the air? Is it possible that a new type of aircraft is designated as "heavy" by one competent authority, and as “super” by another one? FOCA agrees to the use of the terms "Heavy and Super".	



response

Noted

The comment is understood, however, the text proposed remains in line with ICAO — the definition of competent authority is provided in SERA Article 2, 55.

Please refer also to the response to comment 163.

comment

616

comment by: USCA

The use of the term “super” should be implemented before the relevant change in ICAO Annexes.

response

Noted

comment

673

comment by: NATS National Air Traffic Services Limited

Page No: 45 Paragraph No: SERA 14065 (a)(2) & (c)(2)

NATS Comment: Unclear why Heavy and Super have to be included in communication changeover.

Justification: ATC is aware of the wake turbulence category for each aircraft type so the value of this information in an RTF exchange is not understood. ATC is responsible for applying wake turbulence spacing so other pilots do not need to know what category an aircraft is. Also it is debatable whether for situational awareness purposes, the position of a Heavy/Super would be readily identifiable to other aircraft simply by hearing it check in on a frequency. It unnecessarily adds to the RTF workload.

Proposed Text: Remove requirement within Europe.

response

Not accepted

Such requirement is considered to be implemented globally.

comment

674

comment by: NATS National Air Traffic Services Limited

Page No: 45 Paragraph No: SERA 14065 (c)(3)

NATS Comment: It is not clear if the initial call to the aerodrome tower is from the stand, the final approach or from outside the zone. Is a position report required in all three instances? Also not clear why the competent authority may prescribe otherwise for initial call to ATC after a change in communications in (a) but not in (c).

Justification: Clarification required.

response

Noted

Neither ICAO nor the proposed transposition makes difference from where the initial call to the aerodrome tower is made. The position report should be applicable in all instances.

It was not considered necessary to make the provision in (c) as complex as in (a) for the above-mentioned reason — no difference if the call is made from the stand, the final approach or from outside the zone.

comment

675

comment by: NATS National Air Traffic Services Limited

Page No: 46 Paragraph No: SERA 14065 (d)(2)&(3)

NATS Comment: (d)(2) allows for continuous two-way communication to proceed without further identification. (d)(3) does not allow this if there are mandatory read-back of information/instructions included in the conversation.

Justification: Confusion on the basic requirement.

Proposed Text: Either:

- Combine paragraphs: (d)(2) When issuing ATC clearances and reading back such clearances controllers and pilots shall always add the call sign of the aircraft to which the clearance applies. For other than those occasions, continuous two-way communications after contact has been made established may be permitted without further identification or call until termination of the contact.
- AMC/GM to identify occasions where omitting callsigns is acceptable i.e. conversational exchanges.

response

Accepted

The text will be amended to reflect the comment:

SERA.14065 Radiotelephony procedures for air-ground voice communication channel changeover

(...)

(2) ~~In order to avoid any possible confusion,~~ When issuing ATC clearances and reading back such clearances, controllers and pilots shall always add the call sign of the aircraft to which the clearance applies. For other than those occasions, ~~After contact has been established,~~ continuous two-way communication ~~after contact has been established~~ shall be permitted without further identification or call until termination of the contact.

(3) ~~In order to avoid any possible confusion, when issuing ATC clearances and reading back such clearances, controllers and pilots shall always add the call sign of the aircraft to which the clearance applies.~~

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14070 Test procedures

p. 46

comment

408

comment by: French Civil Aviation Authority (DGAC)

French DGAC comment (DTA - DSNA - DSAC)

The need for a test can be for the ground station or the aircraft.



	<p><u>Proposal:</u> insert a symetrical text, for a test initiated by a ground station, with the following adaptations:</p> <p>SERA.14070 (a) (2) the identification of the station calling</p> <p>SERA.14070 (b) (1) the identification of the station waiting for the answer (2) the identification of the station replying</p>
response	<p><i>Partially accepted</i></p> <p>SERA.14070 will be amended to read:</p> <p>(a) The form of test transmissions shall be as follows: (1) the identification of the station being called; (2) the aircraft identification of the station calling; (3) the words 'RADIO CHECK'; (4) the frequency being used.</p> <p>(b) The reply to a test transmission shall be as follows: (1) the identification of the station requesting the test aircraft; (2) the identification of the aeronautical station replying; (3) information regarding the readability of the aircraft station requesting the test transmission.</p>

comment	<p>458</p> <p>comment by: UK CAA</p> <p>Page No: 46 of 170 Paragraph No: SERA.14070(a) and (b) Test procedures Comment: These two paragraphs highlight the procedure for the pilot to initiate and check the quality of the RTF. Justification: In practice ATC also initiate checks using the same methodology. Proposed Text: Amend to include the ability for ATC to initiate the check.</p>
response	<p><i>Accepted</i></p> <p>SERA.14070 will be amended to read:</p> <p>(a) The form of test transmissions shall be as follows: (1) the identification of the station being called; (2) the aircraft identification of the station calling; (3) the words 'RADIO CHECK'; (4) the frequency being used.</p> <p>(b) The reply to a test transmission shall be as follows: (1) the identification of the station requesting the test aircraft; (2) the identification of the aeronautical station replying; (3) information regarding the readability of the aircraft station requesting the test transmission.</p>



comment	567	comment by: Finnish Transport Safety Agency (NSA)
	Possible consistency issue: here the word "shall" is used in all points but in Appendix I (page 145) the word "should" is used in point c).	
response	<p><i>Accepted</i></p> <p>The text in the NPA is correct, and your comment is valid for the Appendix with the cross reference.</p>	

comment	676	comment by: NATS National Air Traffic Services Limited
	<p>Page No: 46 Paragraph No: SERA 14070 (a)&(b)</p> <p><u>NATS Comment:</u> These two paragraphs highlight the procedure for the pilot to initiate and check the quality of the RTF.</p> <p><u>Justification:</u> In practice ATC also initiate checks using the same methodology.</p> <p><u>Proposed Text:</u> Amend to include the ability for ATC to initiate the check.</p>	
response	<p><i>Accepted</i></p> <p>SERA.14070 will be amended to read:</p> <p>(a) The form of test transmissions shall be as follows:</p> <ol style="list-style-type: none"> (1) the identification of the station being called; (2) the aircraft identification of the station calling; (3) the words 'RADIO CHECK'; (4) the frequency being used. <p>(b) The reply to a test transmission shall be as follows:</p> <ol style="list-style-type: none"> (1) the identification of the station requesting the test aircraft; (2) the identification of the aeronautical station replying; (3) information regarding the readability of the aircraft station requesting the test transmission. 	

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14075 Exchange of communications

p. 46-47

comment	42	comment by: MOT Austria
	<p>Page No: 46 - 14075</p> <p>Comment: NSA Austria proposes to change the order of Para (b) and (c).</p> <p>Justification: It appears the more logical order as the end of conversation would be the last part.</p>	
response	<p><i>Not accepted</i></p> <p>Ideally, there should be no corrections and repetitions — that is why the transposition also</p>	



follows the ICAO logic where the provisions for correction are added at the end.

comment

411

comment by: *French Civil Aviation Authority (DGAC)*

French DGAC comment (DTA - DSNA - DSAC)

SERA.14070 (d)

"NEGATIVE" is stronger than "NEGATIVE I SAY AGAIN" and seems clear enough and shorter.

response

Not accepted

Consistency with ICAO and following the logic that if the read-back is incorrect, it must be corrected by repeating the message preceded by 'NEGATIVE I SAY AGAIN'.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14080 Communications watch/Hours of service

p. 47

comment

264

comment by: *ENAIRE*

Regarding SERA.14080 (b), shouldn't 243,00MHz be stated here too, no matter if it's a MIL frequency? In fact, it is monitored wherever it is installed.

response

Not accepted

SERA is applicable to GAT and based on ICAO which does not refer to 243 MHz.

comment

303

comment by: *Malta Air Traffic Controllers' Association*

Due to safety reasons, VHF emergency frequency watch should be continuous by aircraft and aeronautical stations

suggest:

(a) During flight, aircraft shall maintain watch ~~as required by the competent authority~~ and shall not cease watch, except for reasons of safety, without informing the ATS unit concerned

response

Not accepted

SERA.14080 describes a general case, and radio contact is required only where it has been so defined by the competent authority.

Please refer also to the response to comment 264.

comment

340

comment by: *ATCEUC - Air Traffic Controllers European Unions Coordination*

response

Due to safety reasons, VHF emergency frequency watch should be continuous by aircraft and aeronautical stations.

Not accepted

SERA.14080 describes a general case, and radio contact is required only where it has been so defined by the competent authority.

Please refer also to the response to comment 264.

comment

484

comment by: SINCTA - Portuguese Air Traffic Controllers' Union

SERA.14080

Due to safety reasons, VHF emergency frequency watch should be continuous.

TEXT PROPOSAL:

(a) During flight, aircraft shall maintain watch ~~as required by the competent authority~~ and shall not cease watch, except for reasons of safety, without informing the ATS unit concerned

response

Not accepted

SERA.14080 describes a general case, and radio contact is required only where it has been so defined by the competent authority.

Please refer also to the response to comment 264.

comment

497

comment by: SwissATCA

Due to safety reasons, VHF emergency frequency watch should be continuous by aircraft and aeronautical stations.

Proposed change:

a) During flight, aircraft shall maintain watch ~~as required by the competent authority~~ and shall not cease watch, except for reasons of safety, without informing the ATS unit concerned

response

Not accepted

SERA.14080 describes a general case, and radio contact is required only where it has been so defined by the competent authority.

Please refer also to the response to comment 264.

comment

499

comment by: CAA-NL

SERA.14080(b)

Please add the following sentence:

'Based on a safety case, the competent authority may approve the centralisation of the listening watch by an ATS Provider. In such a case, all stations concerned shall be informed'.



Rationale for centralising the listening watch on VHF emergency channel 121.5 MHz:

The required continuous listening watch at all aeronautical stations is perceived to be challenging. This is explained by the following.

Operational analysis has shown that the use of the emergency channels (121.5 MHz and 243 MHz) within the European airspace have an important but limited functionality. This is partially due to the almost complete coverage by normal ATC frequencies within the European Airspace.

In addition, during peak-hours, the communication density and operational complexity of the main airports / control centres, especially in terminal control areas, is getting to such a high level that distractions of controllers need to be minimized as much as possible. Distraction due to non-essential communication on the emergency channel is regularly perceived as an unacceptable interruption of the controllers' operation. As such ANSPs are aiming to centralise the listening watch in order to reduce distraction at critical working positions. This would be a win-win situation as it improves the listening watch while at the same time improving safety at other positions. The drawback of this solution is a potential increase in reaction times on calls on 121.5 MHz when the listening controller needs to harmonize with other controllers. As a result aircrew should be informed if for example ATC towers are not directly receiving 121.5 MHz calls. The consequence of a potential increase in reaction time is perceived to be minimal since almost all time-critical emergencies within the European airspace are handled on the actual frequencies in use.

response

Not accepted

No national differences on this subject were notified to ICAO by a European State. Introducing such a difference at EU level would require a comprehensive safety assessment.

comment

618

comment by: USCA

Both aircraft and aeronautical stations should be continuously on the watch of the VHF emergency frequency

(a) During flight, aircraft shall maintain watch as required by the competent authority and shall not cease watch, except for reasons of safety, without informing the ATS unit concerned

response

Not accepted

SERA.14080 describes a general case, and radio contact is required only where it has been so defined by the competent authority.

Please refer also to the response to comment 264.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14085 Voice communications failure

p. 47-48

comment

164

comment by: skyguide Corporate Regulation Management

Voice communications failure

§5.2.2.7.2.4 in Annex10 Vol.2 about blind transmission of the clearance to the aircraft is left out from Section 14.



response

Noted

The referred provision of Annex 10 is related to oceanic operations in HF and is not relevant to SES operations.

comment

265

comment by: *ENAIRE*

Regarding SERA.14085 (a) (3) (i), may not be easy for the pilot to determine this failure.

response

Noted

comment

371

comment by: *NUAC*

Good to keep the paragraph for better understanding

response

Noted

comment

459

comment by: *UK CAA*

Page No: 47 of 170

Paragraph No: SERA.14085 Voice communications failure

Comment:

RCF provisions are being reviewed by ICAO. These Annex 10 procedures should not be included in Part C until the amended procedures have been agreed. See SERA.8035.

Justification: Current SERA.8035 already references the requirement for States to comply with the current RCF procedures as a result of consultation during the legislative process for SERA Parts A & B. It was recognised then that it would be premature for SERA to transpose the current ICAO provisions and therefore the same argument should apply for the Part C proposals.

Proposed Text: Do not incorporate proposed SERA.14085 and amend SERA.8035 as appropriate to reflect revised ICAO RCF procedures.

response

Partially accepted

The text will be amended to reflect the comment.

The amended text includes only those parts of ICAO provisions which are unlikely to be changed on the basis of the ongoing RCF work.

SERA.14085 Voice communications failure Use of Blind Transmission

(a) ~~Air ground~~

~~(1) When an aircraft fails to establish contact with the appropriate ATS unit on the designated channel, attempt to establish contact on the previous channel used and, if not channel, it shall successful, or on another channel appropriate to the route, and fails. If these attempts fail, the aircraft shall attempt to establish communication with the appropriate ATS unit, other ATS unit, or other aircraft using all available means, and advise the ATS unit that contact on the assigned channel could not be established. In addition, an aircraft operating within a network shall monitor the appropriate VHF channel for calls from~~



nearby aircraft.

~~(2) If the attempts specified under (a) (1) fail, the aircraft shall transmit its message twice on the designated channel(s), preceded by the phrase 'TRANSMITTING BLIND' and, if necessary, include the addressee(s) for whom the message is intended.~~

~~(b)~~

~~(3) Receiver failure~~

~~(i) When an aircraft is unable to establish communication due to receiver failure, it shall transmit reports at the scheduled times, or positions, on the channel in use, preceded by the phrase 'TRANSMITTING BLIND DUE TO RECEIVER FAILURE'. The aircraft shall:~~

~~(1) transmit the intended message, following this followed by a complete repetition;~~

~~(2) During this procedure, the aircraft shall also advise the time of its next intended transmission;~~

~~(ii) An~~

~~(3) aircraft which is when provided with air traffic control or advisory service, shall, in addition to complying with (a) (3) (i), transmit information regarding the intention of the pilot-in-command with respect to the continuation of the flight of the aircraft.~~

~~(iii) When an aircraft is unable to establish communication due to airborne equipment failure it shall, when so equipped, select the appropriate SSR code to indicate radio failure.~~

SERA.14087 Use of relay communication technique

~~(b) Ground to air~~

~~(a) (1) When an ATS unit has been unable to establish contact with an aircraft after calls on frequencies on which the aircraft is believed to be listening, it shall:~~

~~(1)(i) request other ATS units to render assistance by calling the aircraft and relaying traffic, if necessary;~~

~~(2)(ii) request aircraft on the route to attempt to establish communication with the aircraft and relay traffic, if necessary.~~

~~(b)(2) The provisions of (b) (1) (a) shall also be applied:~~

~~(1)(i) at request of the air traffic services unit concerned;~~

~~(2)(ii) when an expected communication from an aircraft has not been received within a time period such that the occurrence of a communication failure is suspected.~~

Please refer also to the response to comment 568

comment

568

comment by: Finnish Transport Safety Agency (NSA)

SERA.14085 (a) (3) (ii) - here instead of "air traffic control or advisory service", "Air traffic service" should be used in order to include also AFIS.

response

Accepted

SERA.14085 Voice communications failure Use of Blind Transmission

~~(a) Air-ground~~

~~(1) When an aircraft fails to establish contact with the appropriate ATS unit on the designated channel, attempt to establish contact on the previous channel used and, if not channel, it shall successful, or on another channel appropriate to the route, and fails. If these attempts fail, the aircraft shall attempt to establish communication with the appropriate ATS unit, other ATS unit, or other aircraft using all available means, and advise the ATS unit that contact on the assigned channel could not be established. In addition, an aircraft operating within a network shall monitor the appropriate VHF channel for calls from nearby aircraft.~~



~~(2) If the attempts specified under (a) (1) fail, the aircraft shall transmit its message twice on the designated channel(s), preceded by the phrase 'TRANSMITTING BLIND' and, if necessary, include the addressee(s) for whom the message is intended.~~

~~(b)~~

~~(3) Receiver failure~~

~~(i) When an aircraft is unable to establish communication due to receiver failure, it shall transmit reports at the scheduled times, or positions, on the channel in use, preceded by the phrase 'TRANSMITTING BLIND DUE TO RECEIVER FAILURE'. The aircraft shall:~~

~~(1) transmit the intended message, following this followed by a complete repetition;~~

~~(2) During this procedure, the aircraft shall also advise the time of its next intended transmission;~~

~~(ii) An~~

~~(3) aircraft which is when provided with air traffic control or advisory service, shall, in addition to complying with (a) (3) (i), transmit information regarding the intention of the pilot-in-command with respect to the continuation of the flight of the aircraft.~~

~~(iii) When an aircraft is unable to establish communication due to airborne equipment failure it shall, when so equipped, select the appropriate SSR code to indicate radio failure.~~

SERA.14087 Use of relay communication technique

~~(b) Ground to air~~

~~(a) (1) When an ATS unit has been unable to establish contact with an aircraft after calls on frequencies on which the aircraft is believed to be listening, it shall:~~

~~(1)(i) request other ATS units to render assistance by calling the aircraft and relaying traffic, if necessary;~~

~~(2)(ii) request aircraft on the route to attempt to establish communication with the aircraft and relay traffic, if necessary.~~

~~(b)(2) The provisions of (b) (1) (a) shall also be applied:~~

~~(1)(i) at request of the air traffic services unit concerned;~~

~~(2)(ii) when an expected communication from an aircraft has not been received within a time period such that the occurrence of a communication failure is suspected.~~

Please refer also to the response to comment 459

comment

581

comment by: *Federal Office of Civil Aviation FOCA*

SERA.14085 par. a subpar. 2: §5.2.2.7.2.4 in Annex 10 Volume 2 about blind transmission of the clearance to the aircraft needs to be considered in Section 14.

response

Noted

The referred provision of Annex 10 is related to oceanic operations in HF and is not relevant to SES operations.

Please refer to the response to comment 164.

comment

677

comment by: *NATS National Air Traffic Services Limited*

Page No: 47 Paragraph No: SERA 14085

NATS Comment: RCF provisions are being reviewed by ICAO. These Annex 10 procedures should not be included in Part C until the amended procedures have been agreed.

Justification: Current SERA 8025 already references the requirement for States to comply



response

with the current RFC procedures as a result of consultation during the legislative process for SERA Parts A & B. It was recognised then that it would be premature for SERA to transpose the current ICAO provisions and therefore the same argument should apply for the Part C proposals.

Proposed Text: Remove 14085 and amend 723/2012 with revised ICAO RCF procedures.

Partially accepted

The text will be amended to reflect the comment.

The amended text includes only those parts of ICAO provisions which are unlikely to be changed on the basis of the ongoing RCF work.

SERA.14085 ~~Voice communications failure~~ Use of Blind Transmission

(a) ~~Air-ground~~

~~(1) When an aircraft fails to establish contact with the appropriate ATS unit on the designated channel, attempt to establish contact on the previous channel used and, if not successful, or on another channel appropriate to the route, and fails. If these attempts fail, the aircraft shall attempt to establish communication with the appropriate ATS unit, other ATS unit, or other aircraft using all available means, and advise the ATS unit that contact on the assigned channel could not be established. In addition, an aircraft operating within a network shall monitor the appropriate VHF channel for calls from nearby aircraft.~~

~~(2) If the attempts specified under (a) (1) fail, the aircraft shall transmit its message twice on the designated channel(s), preceded by the phrase 'TRANSMITTING BLIND' and, if necessary, include the addressee(s) for whom the message is intended.~~

(b)

~~(3) Receiver failure~~

~~(i) When an aircraft is unable to establish communication due to receiver failure, it shall transmit reports at the scheduled times, or positions, on the channel in use, preceded by the phrase 'TRANSMITTING BLIND DUE TO RECEIVER FAILURE'. The aircraft shall:~~

~~(1) transmit the intended message, following this followed by a complete repetition;~~

~~(2) During this procedure, the aircraft shall also advise the time of its next intended transmission;~~

~~(ii) An~~

~~(3) aircraft which is when provided with air traffic control or advisory service, shall, in addition to complying with (a) (3) (i), transmit information regarding the intention of the pilot-in-command with respect to the continuation of the flight of the aircraft.~~

~~(iii) When an aircraft is unable to establish communication due to airborne equipment failure it shall, when so equipped, select the appropriate SSR code to indicate radio failure.~~

SERA.14087 Use of relay communication technique

~~(b) Ground-to-air~~

~~(a) (1) When an ATS unit has been unable to establish contact with an aircraft after calls on frequencies on which the aircraft is believed to be listening, it shall:~~

~~(1)(i) request other ATS units to render assistance by calling the aircraft and relaying traffic, if necessary;~~

~~(2)(ii) request aircraft on the route to attempt to establish communication with the aircraft and relay traffic, if necessary.~~

~~(b)(2) The provisions of (b) (1) (a) shall also be applied:~~

~~(1)(i) at request of the air traffic services unit concerned;~~

~~(2)(ii) when an expected communication from an aircraft has not been received within a time~~



period such that the occurrence of a communication failure is suspected.
Please refer also to the response to comment 568

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14090 Specific communications procedures

p. 48-49

comment	28	comment by: AEA
	<p>The AEA supports the introduction of the term 'super' to reflect the classification which may be applied to some aircraft in the 'heavy' category for wake turbulence. This situation is to a certain extent already in place today.</p> <p>The AEA also urges EASA to push ICAO to integrate its State Letter of 8th July 2008 into the ICAO Annexes.</p>	
response	Noted	
comment	104	comment by: CAA-Norway
	<p>SERA.14090(c)(2)</p> <p>We support the introduction of “Super”, but it should not be up to the competent authority to identify the relevant aircraft, but rather as promulgated from ICAO or EASA.</p>	
response	Noted	
comment	165	comment by: skyguide Corporate Regulation Management
	<p>Specific communications procedures</p> <p>14090</p> <p><i>Firstly, it's difficult to understand the title. What constitutes a "specific" communication – is it something outside of nominal mode of operations, or is it something not very frequent... What is a reason to select these five items to be here in Section 14 and other similar provision in Section 10 e.g. reporting of not approved for RVSM operations by pilot and ATC acknowledgement is missing in Section 14. Please see PANS-ATM 12.2.4; 12.2.5.</i></p> <p>14090 (b) : Air Traffic Advisory Services “...shall use the word ‘advise’ or ‘suggest’...”</p> <p><i>It PANS-ATM 9.1.4.1.3, this provision is not a "shall", but a plain statement. Using “shall” in this context is disproportionate and inappropriate.</i></p> <p>14090 (c) : Requirements for use of words “heavy” and “super” are duplication of the provisions of SERA.14065.</p>	
response	<p>Noted</p> <p>PANS-ATM 12.2.4 and 12.2.5 are transposed in SERA.11013, (c), (2) and (3). Regarding SERA.14090, (b), it should be noted that in IRs, the operative verb ‘shall’ is to be used.</p> <p>Regarding SERA.14090, (c), it should be noted that SERA.14065 only covers frequency changeover whilst this paragraph is general.</p>	



comment	215	comment by: DFS Deutsche Flugsicherung GmbH
	An unique usage of the wording "super" and "heavy" is recommended.	
response	Noted	
comment	283	comment by: HungaroControl
	(c) Indication of heavy wake turbulence category (1) For aircraft in the heavy wake turbulence category the word 'Heavy' shall be included immediately after the aircraft call sign in the initial radiotelephony contact between such aircraft and ATS units. (2) For specific aircraft in the heavy wake turbulence category, as identified by the competent authority, the word 'Super' shall be included immediately after the aircraft call sign in the initial radiotelephony contact between such aircraft and ATS units. Already prescribed in SERA.14065 (a) (2) and (c) (2) thus SERA.14090 (c) is redundant.	
response	Not accepted SERA.14065, (a), (2) and (c), (2) and SERA.14090, (c) are complementary to each other rather than a duplication of one another.	
comment	324	comment by: French Civil Aviation Authority (DGAC)
	French DGAC comment (DTA - DSNA - DSAC) We support the introduction of SERA.14090 (d), which will standardise and improve the quality of communications between pilots and controllers.	
response	Noted	
comment	339	comment by: ATCEUC - Air Traffic Controllers European Unions Coordination
	The use of the term "super" should be implemented before the relevant change in ICAO Annexes.	
response	Noted	
comment	461	comment by: UK CAA
	Page No: 48/49 of 170 Paragraph No: SERA.14090(c)(2) Specific communications procedures Comment: The UK CAA has already adopted the term 'SUPER' with regards to wake turbulence categorisation. Note that, within Europe, FDP systems contain the wake turbulence categories for each aircraft and this allows controllers to undertake their wake turbulence spacing	



response	<p>responsibilities. So the value of this information in an RTF exchange is not understood. The argument that it is also for the benefit of other airspace users' situational awareness is thin as it is debatable whether the position of a Heavy/Super would be readily identifiable to other aircraft simply by hearing it check in on a frequency. It simply adds unnecessary RTF verbiage. And if it's important for other airspace users, why is there not a requirement for every aircraft to indicate its wake turbulence category?</p> <p><i>Noted</i></p> <p>The intention is to keep the provision consistent with ICAO.</p>
comment	<p>496 comment by: <i>SwissATCA</i></p> <p>The use of the term "super" should be implemented before the relevant change in ICAO Annexes.</p>
response	<p><i>Noted</i></p>
comment	<p>583 comment by: <i>IATA (Dragos Munteanu)</i></p> <p>IATA supports the introduction of the term 'super' to reflect the classification which may be applied to some aircraft in the 'heavy' category for wake turbulence. This situation is to a certain extent already in place today.</p> <p>IATA also invites EASA to coordinate with ICAO to integrate its State Letter of 8th July 2008 into the ICAO Annexes.</p>
response	<p><i>Noted</i></p>
comment	<p>601 comment by: <i>Airport Zurich</i></p> <p>a) Communication between Aerodrome Control Tower and vehicles at Zurich Airport is conducted on a separate non-airband radio frequency with a specific phraseology in German language. This mean of communication is very well established at Zurich Airport and shall remain unchanged in order not to unnecessarily congest control frequency and due to the inability of most ground service personnel to speak English. In addition, the use of additional frequencies in the airband can be avoided.</p>
response	<p><i>Noted</i></p>
comment	<p>617 comment by: <i>USCA</i></p> <p>The use of the term "super" should be implemented before the relevant change in ICAO Annexes.</p>



response

Noted

comment

678

comment by: *NATS National Air Traffic Services Limited***Page No: 49 Paragraph No: SERA 14090 (c)(1)+(2)**

NATS Comment: Unclear why Heavy and Super have to be included in specific communication procedures.

Justification: ATC is aware of the wake turbulence category for each aircraft type so the value of this information in an RTF exchange is not understood. ATC is responsible for applying wake turbulence spacing so other pilots do not need to know what category an aircraft is. Also it is debatable whether for situational awareness purposes, the position of a Heavy/Super would be readily identifiable to other aircraft simply by hearing it check in on a frequency. It unnecessarily adds to the RTF workload.

Proposed Text: Remove requirement within Europe.

response

Noted

Please refer also to the response to comment 461.

3. Proposed amendments — Draft Opinion — ANNEX — SECTION 14 — SERA.14095 Distress and urgency radiotelephony communication procedures

p. 49-52

comment

26

comment by: *AEA*

The AEA strongly objects to suggestions made by one Member State to add 'the number of passengers on board' to the list of elements associated to a distress or urgency call. In case of an emergency, the crew needs to focus on essential safety tasks to prevent a (fatal) accident. Moreover, the number of passengers on-board is already available through other means as result of boarding procedures.

response

Noted

comment

232

comment by: *LFV Sweden*

LFV support the proposed amendment. Adding PoB as proposed would improve rescue operations at an early stage.

response

Noted

comment

266

comment by: *ENAIRE*

response	Regarding SERA.14095 (b) (4), appropriateness of maintaining the distress traffic alone in one frequency shall be evaluated by ATS personnel.
	<i>Noted</i>
comment	284 comment by: HungaroControl
	SERA.14095 (b) and (c) <i>Number of persons should not be added neither to distress nor to urgency communication. The ATCO will ask for this information or the pilot-in-command will notify it as soon as possible at a distress/urgency situation.</i>
response	<i>Noted</i>
comment	285 comment by: HungaroControl
	(c) Radiotelephony urgency communications (1) Action by the aircraft reporting an urgency condition except as indicated in (c)(4) <i>In addition to being preceded by the radiotelephony urgency signal PAN PAN in accordance with (a)(2), preferably spoken three times and each word of the group pronounced as the French word 'panne', the urgency message to be sent by an aircraft reporting an urgency condition shall</i> <i>Description of pronunciation does not present added value.</i>
response	<i>Not accepted</i> Consistency with ICAO text.
comment	286 comment by: HungaroControl
	(4) (ii) For the purpose of announcing and identifying aircraft used for medical transports, a transmission of the radiotelephony urgency signal PAN PAN, preferably spoken three times, and each word of the group pronounced as the French word 'panne' , shall be followed by the radiotelephony signal for medical transports MAY-DEE-CAL, pronounced as in the French 'médical' . The use of the signals described above indicates that the message which follows concerns a protected medical transport. <i>Panne: Description of pronunciation does not present added value.</i> <i>Médical: Medical transport radiotelephony signal 'MAY-DEE-CAL' already implies the pronunciation of the word 'medical', the further explanation and reference to French does not present added value.</i>
response	<i>Not accepted</i> Consistency with ICAO text.
comment	341 comment by: ATCEUC - Air Traffic Controllers European Unions Coordination



response	<p>Priority should be given to the nature of the distress/urgency condition and to the intention of the pilot in command. The number of persons on board and the endurance should be the second priority because in distress situations, messages should be kept short.</p> <p><i>Noted</i></p>
comment	<p>462 comment by: UK CAA</p> <p>Page No: 49 of 170 Paragraph No: SERA.14095(a)(5) Distress and urgency radiotelephony communication procedures Comment: The use of the frequency on which the traffic was initiated is not always possible due to the nature of the emergency; it may have to be called on another frequency (possibly 243.0 MHz or 121.5 MHz). Justification: The nature of the emergency may warrant eventual use of a discrete frequency, particularly where the in-use frequency is busy. Context is lost as the note to the source ICAO text is not mentioned, nor is any indication given of it being adopted in due course as Guidance Material. Proposed Text: “SERA.14095(b)(1) Distress and urgency radiotelephony communication procedures (i) be on the air-ground frequency in use at the time or a published emergency frequency; GM SERA.14095(b)(1) Distress and urgency radiotelephony communication procedures 121.5 MHz or alternative available VHF or HF frequencies may be used as appropriate.”</p>
response	<p><i>Not accepted</i></p> <p>Insufficient justification for diversion from ICAO. It should be noted that in SERA.14095(a)(5), it is explicitly expressed that the distress traffic shall ‘normally’ be maintained on the frequency on which such traffic was initiated. Furthermore, it is clearly indicated that the ‘traffic can be transferred to another frequency if better assistance then can be provided’. As regards the proposal for amendment, it is not considered appropriate to leave the frequency used at the time to make the initial MAYDAY call on another frequency. Only after directions of an ATS unit, would the aircraft change the frequency. Furthermore, this IR is based on global provisions contained in ICAO Annex 10 Volume II, and it is not advisable to make a change which would necessitate a difference from ICAO.</p> <p>Guidance Material to SERA.14095(b)(1) is being prepared.</p>
comment	<p>463 comment by: UK CAA</p> <p>Page No: 50/51 of 170 Paragraph No: SERA.14095(b)(1)(i) Distress and urgency radiotelephony communication procedures Comment: This is not always possible due to the nature of the emergency; it may have to be called on another frequency (possibly 243.0 MHz or 121.5 MHz). Justification: The nature of the emergency may warrant eventual use of a discrete frequency, particularly where the in-use frequency is busy. Proposed Text: “SERA.14095(b)(1) Distress and urgency radiotelephony communication procedures</p>



response	<p>(i) be on the air-ground frequency in use at the time or a published emergency frequency; GM SERA.14095(b)(1) Distress and urgency radiotelephony communication procedures 121.5 MHz or alternative available VHF or HF frequencies may be used as appropriate.”</p> <p><i>Not accepted</i></p> <p>GM will be considered as suggested.</p> <p>Please refer to the response to comment 462.</p>
comment	<p>464 comment by: UK CAA</p>
response	<p>Page No: 51 of 170 Paragraph No: SERA.14095(c)(1)(i) Distress and urgency radiotelephony communication procedures Comment: It is not always possible to use the air-ground frequency in use at the time due to the nature of the emergency; it may have to be called on another frequency (possibly 243.0 MHz or 121.5 MHz). Justification: The nature of the emergency may warrant a quite or discrete frequency, particularly where the in use frequency is busy. Proposed Text: “SERA.14095(c)(1) Distress and urgency radiotelephony communication procedures (i) be on the air-ground frequency in use at the time or a published emergency frequency;”</p> <p><i>Not accepted</i></p> <p>GM will be considered as suggested.</p> <p>Please refer to the response to comment 462.</p>
comment	<p>466 comment by: UK CAA</p>
	<p>Page No: 51 of 170 Paragraph No: SERA.14095(c) Distress and urgency radiotelephony communication procedures Comment: The UK CAA fully supports the incorporation of the number of passengers on board to the list of elements associated with a distress call. The UK CAA does not support the addition of this information to the list of elements associated with an urgency call. An urgency call may be made on behalf of another aircraft, or may relate to the sighting of an emergency on the ground and thus the number of persons on board the reporting aircraft has no relevance to the incident. The UK CAA believes that it would be more appropriate to incorporate this information, where relevant, into the ‘any other useful information’ field contained at SERA.14095(c)(1)(ii)(F) by means of appropriate Guidance Material. Justification: An urgency call may be made on behalf of another aircraft, or may relate to the sighting of an emergency on the ground and thus the number of persons on board the reporting aircraft has no relevance to the incident. Proposed Text: “GM SERA.14095(c)(1)(ii)(F) Distress and urgency radiotelephony communication</p>



response	<p>procedures</p> <p>Any other useful information may consist of information such as (but not limited to) remaining aircraft endurance, number of persons on board, aircraft colour/markings, survival aids, etc.”</p>	
	<p><i>Accepted</i></p> <p>The proposed GM will be considered for publication in the relevant NPA.</p>	
comment	485	comment by: <i>SINCTA - Portuguese Air Traffic Controllers' Union</i>
	<p>SERA.14095</p> <p>Priority should be given to the nature of the distress/urgency condition and to the intention of the pilot in command. The number of persons on board and the endurance should be the second priority because in distress situations, messages should be kept short.</p>	
response	<p><i>Noted</i></p>	
comment	498	comment by: <i>SwissATCA</i>
	<p>(b) and (c):</p> <p>Priority should be given to the nature of the distress/urgency condition and to the intention of the pilot in command. The number of persons on board and the endurance should be the second priority because in distress situations, messages should be kept short.</p>	
response	<p><i>Noted</i></p>	
comment	582	comment by: <i>Federal Office of Civil Aviation FOCA</i>
	<p>SERA.14095: Number of persons on board shall be added to the elements to be transmitted during radiotelephony procedures for distress communications in order to facilitate planning for assistance/first aid/emergency procedures if need may be.</p>	
response	<p><i>Noted</i></p>	
comment	606	comment by: <i>IATA (Dragos Munteanu)</i>
	<p>IATA considers that in the event of a distress or urgency the flight crew has to be allowed to dedicate their workload towards the successful handling of the special situation on board. Depending on the level of the workload the flightcrew might not be in the position to communicate various types of information including the number of the passengers onboard.</p>	
response	<p><i>Noted</i></p>	



comment	619	comment by: USCA
	Priority should be given to the nature of the distress/urgency condition and to the intention of the pilot in command. The number of persons on board and the endurance should be the second priority because in distress situations messages should be kept short	
response	Noted	
comment	679	comment by: NATS National Air Traffic Services Limited
	Page No: 49 Paragraph No: SERA 14095 (a)(5) <u>NATS Comment:</u> This is an unnecessary statement. <u>Justification:</u> Controllers would only ever transfer an emergency aircraft if a more appropriate service was available on another frequency, and then only after asking the pilot. <u>Proposed Text:</u> AMC/GM but not binding material.	
response	Not accepted Insufficient justification for diversion from ICAO.	

3. Proposed amendments — Draft Opinion — Appendix 1

p. 53

comment	149	comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)
	Appendix 1 Figure A1-6 as only for taxiway the marking for closed runway is missing, see regulation CS-ADR –DSN Book 1 page 153.	
response	Noted The graphic, which indeed resembles the closed taxiway marking, does not have any associated dimensions, as the underlying idea is to make readers understand the meaning of the term ‘crosses’ used in the text. Thus, the intent is not the same as of the relevant provisions of ICAO Annex 14, which are transposed in the mentioned CS, where the markings used for closed taxiway and runway have different sizes and appear in their dimensions, as they are meant to be used for design purposes.	
comment	158	comment by: LFV Sweden
	LFV support proposed amendment.	
response	Noted	



3. Proposed amendments — Draft Opinion — Appendix 4

p. 54-56

comment	150	comment by: <i>LFV Sweden</i>
	LFV support the propopsed amendment. It clarifies!	
response	<i>Noted</i>	
comment	267	comment by: <i>ENAIRE</i>
	Regarding class A, separation shall be explicitly included here and below, down to C airspace (IFR).	
response	<i>Not accepted</i> Consistency with ICAO. The Appendix intends to provide a summary and should remain simple and concise; details are available in SERA.6001.	
comment	331	comment by: <i>ATCEUC - Air Traffic Controllers European Unions Coordination</i>
	Proposed amendment of Appendix 4 brings more clarity to the rule.	
response	<i>Noted</i>	
comment	381	comment by: <i>Fédération Française Aéronautique</i>
	Amendement de l'appendice 4 Le SERA 8005 b) prévoit une séparation entre trafics en VFR spécial. Dans l'appendice 4 du SERA, il n'y a aucune référence au VFR spécial.	
response	<i>Noted</i> Appendix 4 presents the general conditions associated with the classes of airspace. Special VFR is a specific clearance, which not only depends on the class of airspace, and is described separately.	
comment	383	comment by: <i>Fédération Française Aéronautique</i>
	L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise. Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.	
response	<i>Noted</i>	



comment	384	comment by: <i>Fédération Française Aéronautique</i>
	<p>L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise.</p> <p>Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.</p>	
response	Noted	

comment	385	comment by: <i>Fédération Française Aéronautique</i>
	<p>L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise.</p> <p>Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.</p>	
response	Noted	

comment	386	comment by: <i>Fédération Française Aéronautique</i>
	<p>L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise.</p> <p>Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.</p>	
response	Noted	

comment	467	comment by: <i>UK CAA</i>
	<p>Page No: 54 of 170</p> <p>Paragraph No: Appendix 4 ATS airspace classes — services provided and flight requirements</p> <p>Comment: The UK CAA supports the proposed changes to Appendix 4.</p> <p>Justification: Clarification.</p>	
response	Noted	

comment	476	comment by: <i>SINCTA - Portuguese Air Traffic Controllers' Union</i>
	<p>Appendix 4</p> <p>The proposed changes make it clear.</p>	
response	Noted	

comment	584	comment by: <i>Federal Office of Civil Aviation FOCA</i>
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response	ICAO Annex 11, Appendix 4 shall be transposed without any potentially misleading modifications. If necessary, an amendment of SERA.6001 should be considered.
	<p><i>Not accepted</i></p> <p>The table presents the provisions of SERA.6001 in a more readable and user-friendly way.</p>

comment	602	comment by: USCA
	<p>"The Agency is seeking the opinion of the stakeholders on whether they consider that the proposed amendment of Annex 4 brings more clarity of the rule." USCA thinks that it is clearer like this</p>	
response	<p><i>Noted</i></p>	

comment	609	comment by: Camille Goureau (ATCEUC)
	<p>SNCTA proposes to change the « Speed limitation » for classes A, B and C from « not applicable » to « 250kts IAS below 3050m (10.000 ft) AMSL.</p> <p>Proposal is to have 250 kts for IFR flights below flight level 100 by default in all airspaces for safety reasons.</p> <p>And if you want to derogate, for example to permit high speed approach, it can be possible after a safety assessment and specify it on charts (SID and STAR).</p>	
response	<p><i>Not accepted</i></p> <p>Insufficient justification for diversion from ICAO — The reason for speed limitation in some airspace classes is that, in those cases, separation is not provided. Flights in airspace Classes A and B are all separated; hence, no speed limitation exists. In airspace Class C, IFR flights are separated from VFR flights, and there is no need for a speed limitation whilst for VFR flights in Class C, no separation is provided and, consequently, a speed limitation is to be applied to VFR flights.</p>	

3. Proposed amendments — Draft Opinion — Appendix 5 — A. Reporting instructions

p. 57

comment	595	comment by: DFS Deutsche Flugsicherung GmbH
	<p>In the table ALT is missing. We recommend to review the table and its source.</p>	
response	<p><i>Noted</i></p>	



The table has been copied from ICAO PANS-ATM, Appendix 1. In Section 1, Item 4, 'Level' is indicated and is to be expressed as flight level or a number of meters or feet (i.e. altitude).

**3. Proposed amendments — Draft Opinion — Appendix 5 — A. Reporting instructions — 2.
Detailed reporting instructions**

p. 58-60

comment	219	comment by: CAA-NL
	<p>Appendix 5, B, Section 1 (p. 58). Please replace 'Annex 10, Volume II, Chapter 5' by 'SERA.14050'. Rationale: Transposition has taken place now.</p>	
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly:</p> <p>Section 1 Item 1 — AIRCRAFT IDENTIFICATION. Report the aircraft radiotelephony call sign as prescribed in <u>SERA.14050</u> Annex 10, Volume II, Chapter 5.</p>	
comment	287	comment by: HungaroControl
	<p><i>Item 1 — AIRCRAFT IDENTIFICATION. Report the aircraft radiotelephony call sign as prescribed in <u>Annex 10, Volume II, Chapter 5</u> SERA.14050.</i> <i>The provision should refer to SERA not to ICAO Annex for consistency reasons.</i></p>	
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly:</p> <p>Section 1 Item 1 — AIRCRAFT IDENTIFICATION. Report the aircraft radiotelephony call sign as prescribed in <u>SERA.14050</u> Annex 10, Volume II, Chapter 5.</p>	
comment	680	comment by: NATS National Air Traffic Services Limited
	<p>Page No: 60 Paragraph No: Appendix 5 2.2 <u>NATS Comment:</u> Who are the ATS authorities referred to – the competent authority or the ATS provider?</p>	
response	<p><i>Accepted</i></p> <p>Text amended as follows:</p> <p>2.2 Information recorded on the volcanic activity reporting form (Model VAR) is not for transmission by RTF but, on arrival at an aerodrome, is to be delivered without delay to the</p>	



aerodrome meteorological office by the operator or a flight crew member. If such an office is not easily accessible, the completed form shall be delivered in accordance with local arrangements made between the meteorological and air traffic services providers, ATS authorities and the aircraft operator.

comment

681

comment by: NATS National Air Traffic Services Limited

Page No: 60 & 62 Paragraph No: Appendix 5 2.2 & 4.2.1

NATS Comment: Inconsistent requirements concerning who is responsible for agreeing local arrangements.

Justification: 2.2 states that in some circumstances the Model VAR form should be delivered by the operator in accordance with local arrangements made between the met authority, ATS authorities and the operator. In 4.2.1. delivery of the form is in accordance with local arrangements agreed between the operator and the met authority.

response

Accepted

Text amended as follows:

42-2.1 On arrival of a flight at an aerodrome, the completed report of volcanic activity shall be delivered, without delay, to the aerodrome meteorological office by the aircraft operator or a flight crew member or, if such office is not easily accessible to arriving flight crew members, the completed form shall be dealt with in accordance with local arrangements made between the meteorological and air traffic services providers authority, and the aircraft operator.

3. Proposed amendments — Draft Opinion — Appendix 5 — B. Special air-report of volcanic activity form (Model VAR)

p. 63-66

comment

84

comment by: René Meier, Europe Air Sports

VOLCANIC ACTIVITY REPORT

page 63/170

Remark: The VAR Model is not represented electronically.

response

Noted

comment

88

comment by: René Meier, Europe Air Sports

Difference A2-04

page 64/170

Remark:

both "any flight..." sentences show a space, one between "unless....otherwise", the second one between "if...leaving". This probably should be corrected.

response

Noted



comment	268	comment by: <i>ENAIRE</i>
	Regarding SERA.14035 (a) (3): Besides (the whole number and each digit separately).	
response	<p><i>Not accepted</i></p> <p>The proposal would change the meaning of the provision.</p>	

4. Regulatory Impact Assessment (RIA) — 4.1. Issues to be addressed — 4.1.3. How could the issue/problem evolve?

p. 67-68

comment	682	comment by: <i>NATS National Air Traffic Services Limited</i>
	<p>Page No: 67 & 71 Paragraph No: 4.1.3 & 4.5.1</p> <p><u>NATS Comment:</u> Option 0 has flawed assumption that implementation by States of current ICAO provisions that would complement the SERA material, would be inadequate. Justification: There is no quantitative evidence that safety levels would be reduced as a result of not implementing the SERA Part C provisions. Where existing ICAO provisions are already implemented, it is accepted by EASA that these are acceptably safe.</p>	
response	<i>Noted</i>	

4. Regulatory Impact Assessment (RIA) — 4.4. Methodology and data — 4.4.2. Criteria for the impact analysis

p. 69-70

comment	90	comment by: <i>René Meier, Europe Air Sports</i>
	<p>4.4.2. Criteria for the impact assessment</p> <p>Table 2</p> <p>page 70/170</p> <p>Remark:</p> <p>Proportionality: Thank you you for mentioning "General Aviation" and "Busness Aviation". Reading the texts, however, we did not find any reference to these two forms of activity. We think in many cases sports and leisure flight should clearly be separated from e.g. flights undertaken with more performing turbo-props or jet aircraft.</p> <p>Proposal:</p> <p>GM on what should be considered being General Aviation and Business Aviation operations including types of aircraft lists would be helpful. We would assist the Agency in the preparatory work.</p>	
response	<p><i>Noted</i></p> <p>‘Rules of the air’ should be applicable to all flights within the scope of SERA. The Agency does not see how such a GM would support the implementation of SERA.</p>	



6. Appendices — 6.1. Appendix I — Table presenting the Annex to the SERA IR Regulation with the existing adopted provisions and the content of ‘SERA Part C’ and reference to the sources of the proposed provisions	p. 75-154
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comment	7	comment by: <i>new European Helicopter Association (EHA)</i>
	We would like to suggest to replace the word aeroplane with aircraft.	
response	<p><i>Accepted</i></p> <p>Please refer to comment No 6.</p>	
comment	8	comment by: <i>ATC Humberside</i>
	<p>Reference submission of a Flight Plan Para b1 and b6:</p> <p>Does this mean every General Aviation aircraft is to submit a flight Plan? Even if flying in the visual circuit?</p> <p>The UK MATS Part 1 states -</p> <p>Air Traffic Control Service. A service provided for the purpose of preventing collisions between aircraft, and on the manoeuvring area between aircraft and obstructions; and expediting and maintaining an orderly flow of traffic. (EC923/2012)</p> <p>Aircraft that speak to ATS units are being provided with an Air Traffic Control Service.</p> <p>If pilots are to file a flight plan it may deter them from speaking to an ATS unit i.e. not file a flight plan. Which, for units in Class G airspace with several minor airfields within a 25nm radius will result in more conflictors contributing to an unsafe environment when vectoring passenger carrying aircraft to final approach.</p>	
response	<p><i>Noted</i></p> <p>No modification of SERA.4001 is proposed, which is not a subject of the present consultation — Flight plans may also be abbreviated and submitted in flight.</p>	
comment	89	comment by: <i>BALPA</i>
	BALPA agrees that the "number of passengers on board" should be added to the list of elements associated to a distress or urgency call.	
response	<i>Noted</i>	
comment	294	comment by: <i>Malta Air Traffic Controllers' Association</i>
	We would like to see the speed limitation extended to all classes of airspace bellow 10.000'	
response	<i>Not accepted</i>	



Insufficient justification for diversion from ICAO.

comment

387

comment by: *Fédération Française Aéronautique*

L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise.

Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.

response

Noted

comment

388

comment by: *Fédération Française Aéronautique*

L'expression "traffic information" est utilisées dans plusieurs règles en langue anglaise.

Il faudrait que la traduction française soit "information de trafic" et non "information de circulation" comme cela est fait par ailleurs.

response

Noted

comment

465

comment by: *EUROCONTROL*

Page 135 - SERA Section 14 Voice communication procedure

EUROCONTROL/MUAC confirms that the inclusion of some standard phraseology is much appreciated and will contribute to higher safety standards through improved harmonisation.

response

Noted

comment

468

comment by: *UK CAA*

Page No: 75-170

Paragraph No: NPA Section 6

Comment: The UK CAA has only commented on the content of this section of the NPA where proposed changes do not appear in NPA Section 3.

Justification: Reduction in duplication.

response

Noted

comment

469

comment by: *UK CAA*

Page No: 86

Paragraph No: SERA.4001(c) Submission of a Flight Plan

Comment:

SERA.4001(c) requires a flight plan to be submitted, before departure, to an air traffic services reporting office or, during flight, transmitted to the appropriate air traffic services



unit or air-ground control radio station, unless arrangements have been made for submission of repetitive flight plans. The CAA notes that air traffic services reporting offices may not be established in all Member States, therefore other acceptable means of submitting flight plans are necessary in order to ensure compliance with the regulation. The UK CAA is of the view that these requirements need not be written into the regulation, rather they form Acceptable Means of Compliance

Justification:

More flexible flight planning requirements established (or clarified) through AMC, thus not requiring changes to the SERA regulation.

Proposed Text:

“AMC1 SERA.4001(c) Submission of a Flight Plan

If a flight plan is to be submitted before departure and an air traffic services reporting office is not established, it is the responsibility of the aircraft operator and/or the pilot-in-command to ensure submission by one of the following methods:

- i) Direct to IFPS via AFTN link.
- ii) Through the ATSU at the departure aerodrome using the FPL form.
- iii) Where available, internet-based services established for use by approved account holders.
- iv) Via the Parent AFTN Unit using a written or typed fax submission for onward transmission over AFTN.”

response

Accepted

The comment will be covered by the development of appropriate AMC.

comment

470

comment by: UK CAA

Page No: 95 of 170

Paragraph No: SERA.6001 Classification of airspace

Comment: The UK CAA supports the proposed changes, and assumes that the refinement will not preclude the application of specific, promulgated rules to be applied when notified airspace structures such as TRAs and TSAs above FL195 are activated.

Justification: Clarity of proposed rule changes.

response

Noted

There is no intent to preclude the application of specific rules in TRAs and TSAs.

comment

502

comment by: schultz

SERA.6005 (b) (1)

Dear Ladies and Gentlemen,

We have today received the information that the comment period for the amendment (NPA 2014 /05) is active.

We are unsure if the comments should have exclusively reference to the changes in the Amendment.



	<p>Our proposal is the introduction of a general transponder mandatory for VFR night flights.</p> <p>We would like to submit, if necessary, a compilation of reasons to do so. We can also send to you one request for transponder mandatory for VFR night flights, made for the German government in 2004 (this request was too much ahead of its time).</p> <p>Our main interest in this implementation is in addition to increasing the objective safety of aviation, the contact point of aviation and wind turbines.</p> <p>The transponder mandatory for VFR night flights is the requirement for an on-demand night marking of obstacles/ wind turbines.</p> <p>We would be grateful if our proposal might be considered despite the lack of form.</p> <p>Gerd Lanthan GmbH & Co. Möller KG gerd.moeller@lanthan.eu</p>
response	<p><i>Noted</i></p> <p>The proposal is considered to be reasonable, however, it is considered that the rule already provides tools for the competent authority to set requirements for mandatory transponder carriage, e.g. by establishing Transponder Mandatory Zones (TMZ).</p>
comment	<p>630 comment by: <i>The Finnish Aeronautical Association</i></p> <p>On SERA.14050 b)</p> <p>The proposed text introduces an increased risk for confusion in the recognition of microlight airplanes (registration sign format OH-U123), gliders (OH-123) and autogyros (OH-G123) using the same aerodrome. The probability of the same last two characters occurring in two nearby aircraft's registration signs is significant, especially as there are fewer digits (0-9) than letters (A-Z). We therefore propose that the national practice for call sign disambiguation may continue. In Finland this is done as follows: gliders are abbreviated "O-123", microlights "U-123" and autogyros "G-123". This scheme has the added safety benefit that other traffic can easily make out the aircraft category of the caller.</p> <p>The option of using full call signs is not tenable at busy airports and uncontrolled aerodromes. Abbreviated call signs must be allowed to be used at uncontrolled aerodromes, but SERA.14065 does not cover this case. This is a second reason why we propose that national abbreviation/disambiguation practices may continue.</p>
response	<p><i>Not accepted</i></p> <p>One of the main goals of the SERA rule is harmonisation and, hence, it is not considered appropriate that the abbreviated call signs vary from country to country.</p>
comment	<p>631 comment by: <i>The Finnish Aeronautical Association</i></p> <p>On SERA.14055 a),</p> <p>we agree this is a preferred situation, but a recommendation would be better than an outright ban. Experience has shown that late landing clearances are mostly no problem for VFR light aircraft, especially if ATC has pre-warned that a late clearance is coming. Controlled</p>



response

aerodromes mostly have very long runways for light aircraft, therefore the pilot has ample time to handle ATC communications. An outright ban as proposed is likely to cause an increased number of go-arounds etc. for other aircraft, which may have a negative safety impact.

Noted

It is assumed that the rule refers to transmissions of general nature from which the clearance to land may be excluded for safety reasons — nevertheless, late clearance to land should not become the normal practice as prolonged aircraft evolution close to the ground means higher hazard.

6. Appendices — 6.2. Appendix II — Extract of EUROCONTROL safety impact assessment

p. 155-170

comment

471

comment by: UK CAA

Page No: 165 of 170

Paragraph No: 6.2.7.2

Comment:

UK CAA requests clarification on the following points:

In what way will the Human Factors aspects of Safety Assumptions 1 & 2 be addressed outside SERA Part C?

Why is this out of scope of an activity to introduce new ATM procedures and if it is out of scope, who will be carrying out this assessment on a centralised basis to ensure a consistent capture of any associated hazards?

Justification: Clarification.

response

Noted

The scope of SERA is not to address the training and qualification aspects of the different ATM actors which are addressed in other EASA or national Regulations. However, adherence to SERA Part C provisions is a key element associated with Human Factor/Performance aspects. Because it is not within the scope of SERA Part C to address the training and the qualification aspects associated with the different actors, these aspects have been captured through safety assumptions associated with the different actors in order to reinforce the importance of adhering properly to the relevant ATM procedures relative to the 'Rules of the Air'.

comment

472

comment by: UK CAA

Page No: 166 of 170

Paragraph No: 6.2.8

Comment:

It is stated that most SERA requirements are considered safety requirements because they mitigate a pre-existing risk.

It has not been explained what are the existing inherent risks that require SERA applicability to be extended to aerodrome operations personnel, rescue and fire fighting personnel,



	<p>aerodrome maintenance personnel and other personnel allowed unescorted access on the movement area, other than risks associated with deliberate and wilful dangerous actions by these personnel.</p> <p>Justification: Clarification.</p>
response	<p><i>Noted</i></p> <p>This Appendix (safety impact assessment) is relative to safety, therefore, security aspects are not addressed. For the safety aspect at the aerodromes and on the ground, the main inherent aviation risks are runway collision, taxiway collision and runway excursion. When considering these risks and the scope of SERA Part C, the voice communication procedures (establishment, phraseology,...) are the key provisions to be respected by the ground personnel/vehicles requiring to move on the aerodrome movement area.</p>
comment	<p>683 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 164 Paragraph No: 6.2.6.2</p> <p><u>NATS Comment:</u> There is recognition that the IR should define and establish a maintenance mechanism to ensure 723/2012 is consistent with changes to ICAO. States were promised this during the SERA Parts A & B consultation and as yet we have not seen anything meaningful proposed by Commission/EASA.</p>
response	<p><i>Noted</i></p>
comment	<p>684 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 165 Paragraph No: 6.2.7.2</p> <p><u>NATS Comment:</u> In what way will the Human Factors aspects of Safety Assumptions 1 & 2 be addressed outside SERA Part C? Why is it out of scope of an activity to introduce new ATM procedures and if it is out of scope, who will be carrying out this assessment on a centralised basis to ensure a consistent capture of any associated hazards.</p>
response	<p><i>Noted</i></p> <p>The scope of SERA is not to address the training and qualification aspects of the different ATM actors which are addressed in other EASA or national Regulations. However adherence to SERA Part C provisions is a key element associated with Human Factor/Performance aspects. Because it is not within the scope of SERA Part C to address the training and the qualification aspects associated with the different actors, these aspects have been captured through safety assumptions associated with the different actors in order to reinforce the importance of adhering properly to the relevant ATM procedures relative to the 'Rules of the Air'.</p>
comment	<p>685 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 166 Paragraph No: 6.2.8</p> <p><u>NATS Comment:</u> It states that most SERA requirements are considered safety requirements</p>



response	<p>because they mitigate a pre-existing risk. It has not been explained what are the existing inherent risks that require SERA applicability to be extended to aerodrome operations personnel, rescue and fire fighting personnel, aerodrome maintenance personnel and other personnel allowed unescorted access on the movement area, other than risks associated with deliberate and wilful dangerous actions by these personnel.</p> <p><i>Noted</i></p> <p>This Appendix (safety impact assessment) is relative to safety, therefore, security aspects are not addressed. For the safety aspect at the aerodromes and on the ground, the main inherent aviation risks are runway collision, taxiway collision and runway excursion. When considering these risks and the scope of SERA Part C, the voice communication procedures (establishment, phraseology,...) are the key provisions to be respected by the ground personnel/vehicles requiring to move on the aerodrome movement area. It should be also noted that one SERA drafting principle was to include ICAO provisions which require 'collective action' and, in this way, ground personnel other than ATCO naturally enters into the scope of the Regulation.</p>
comment	<p>686 comment by: NATS National Air Traffic Services Limited</p> <p>Page No: 158 Paragraph No: 6.2.2.5</p> <p><u>NATS Comment:</u> SERA Spec 1 states that SERA Part C is limited to ATM procedures for ANS relative to "rules of the air" aspects but this does not appear to be so.</p> <p><u>Justification:</u> It is not clear how extension of the definition "safety-sensitive personnel" to aerodrome operations personnel, rescue and fire fighting personnel, aerodrome maintenance personnel and other personnel allowed unescorted access on the movement area, constitutes a pre-requisite for the correct application of the rules of the air. No justification has been given as to why the safety of the air is impacted by not having one or all of these bodies come under the jurisdiction of 923/2012.</p>
response	<p><i>Noted</i></p> <p>The definition of 'safety-sensitive personnel', which could be interpreted quite widely, is relevant to SERA.2020 'Problematic use of psychoactive substances', and it was considered appropriate to explicitly mention some categories of ground personnel.</p>



5. Appendix A — Attachments

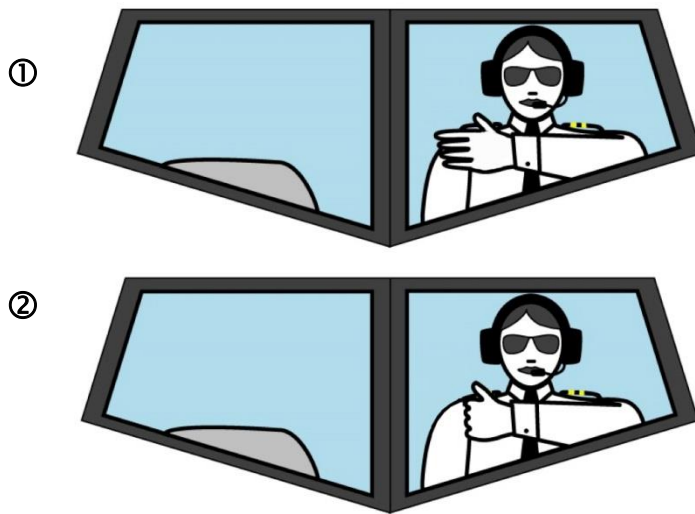
Attachment No 1 to comment No 503

4.2. From the pilot of an aircraft to a signalman/marshaller

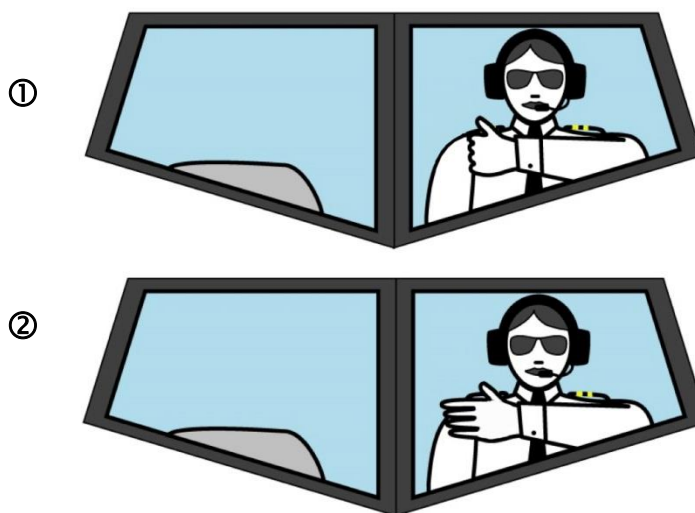
4.2.1. These signals shall be used by a pilot in the cockpit with hands plainly visible to the signalman/marshaller, and shall be illuminated as necessary to facilitate observation by the signalman/marshaller.

4.2.1.1. Brakes

(a) *Brakes engaged*: raise arm and hand, with fingers extended, horizontally in front of face, then clench fist.



(b) *Brakes released*: raise arm, with fist clenched, horizontally in front of face, then extend fingers.



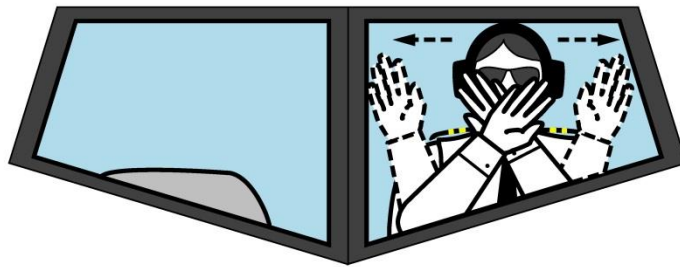
4.2.1.2. Chocks

(a) *Insert chocks*: arms extended, palms outwards, move hands inwards to cross in front of face.





(b) *Remove chocks:* hands crossed in front of face, palms outwards, move arms outwards.



4.2.1.3. Ready to start engine(s)

(a) Raise the appropriate number of fingers on one hand indicating the number of the engine to be started.

