

29.10.2002

EASA MANAGEMENT BOARD

16 October 2002

Minutes of the 1st meeting of the EASA Management Board

1. AGENDA

The Management Board took note of the agenda.

2. PROVISIONAL ARRANGEMENTS FOR THE FIRST MEETINGS OF THE MANAGEMENT

The European Commission representative (Mr. Ayral) introduced the meeting and suggested to act as moderator of the discussion up to the election of a Chairperson of the Management Board.

The European Commission representative offered that Commission staff acts as secretariat of the Management Board up to the time the Agency has its own resources.

The Management Board accepted both suggestions.

On a remark by the French representative that the Management Board should work in several languages, the Commission promised to do as much as possible to have standard interpretation facilities for next meetings as long as it organises the Board meetings in its own premises. For reasons of efficiency and in view of the high workload during the first months the Commission representative, supported by several delegations, requested however some flexibility from Board members on this issue.

3. RULES OF PROCEDURE FOR THE MANAGEMENT BOARD AND ELECTION OF CHAIRPERSONS

The Commission representative informed that the first decision of the Board should be the adoption of its rules of procedure, followed by the election of Chairpersons.

The members of the Board that wish to send written comments on the draft rules of procedure can send them by e-mail to the Agency's secretariat.

The Management Board examined then article by article the draft prepared by the Commission's consultant and invited the secretariat to prepare, on the basis of that discussion, a revised text for adoption during its second meeting.

The Board asked the Commission to check with its Legal service whether the independent role envisaged for the Chairperson (and the replacement by its alternate for vote) is compatible with article 25 of EASA regulation. The Commission will also report in the next Board meeting about practices of other agencies on the matter.

The Board asked also the Commission to explore with its Legal Service if there was any special procedure to envisage in case the 3/4 majority could not be reached for the nomination of the Executive Director. On this occasion several members of the Board reminded their request to the Commission to come with a list of persons for the Executive Director rather than with a name. The Commission representative took note of the request, promised transparency on the issue but underlined at the same time that it was up to the Commission to decide on its proposal.

4. STATE OF PLAY FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR

The Commission informed the Board about the state of play on the matter. Close date for applications is 31st of October 2002. Very few applications have been received by the 16th of October (date of the Management Board).

5. 2002 BUDGET AND INITIAL STAFFING

On the basis of two information papers prepared by the Commission the Management Board was informed about the possibilities to act on those matters pending the appointment of the Executive Director, namely that:

- it could request the Director General of DG TREN to commit expenditure and make payments as authorising officer of the budget line dedicated to EASA, on the basis of a 2002 budget to be adopted in its next meeting.
- it could request the recruitment of auxiliary staff under contracts of limited duration to provide the Board with secretariat support pending the hiring of Agency's staff.

These arrangements should be provisional and facilitate the establishment of the Agency. Any action taken (commitments, recruitment) should be of a limited duration and effect so that it could not prejudice decisions to be taken by the Executive Director when appointed.

On request by the Board, the Commission representative clarified that the envisaged profile for auxiliary contracts was the one of generalists (acting as the Agency's secretariat) rather than of safety specialists.

With the above mentioned understanding, the Management Board agreed in principle with the suggested course of action for both budget and initial staffing and invited the Agency secretariat to prepare an EASA 2002 budget and establishment plan for a formal decision to be taken during its next meeting.

The Commission underlined that although it could try its best, the late entry into force of the EASA regulation and therefore the late availability of credits involved a major risk of losing significant parts of the 2002 budget.

A small ad-hoc group would be convened by the Commission in the week of 4th November to discuss more in detail the budget and staffing aspects so as to prepare the decision of the Management Board. Alternates or other national delegates could participate.

6. ESTABLISHMENT OF A WORK PROGRAMME

The Management Board agreed that the following were first priority areas requiring discussions and, if possible, decisions during its 2002 meetings:

- Internal rules of the Board (art. 24.2.j of EASA Regulation),
- Appointment of the Executive Director (art. 30),
- The 2002 budget (art. 48) and the 2002 Establishment plan ,
- Establishment of the Advisory Body of Interested Parties (art. 24.4),
- Procedure for the development of opinions, certification specifications and guidance material (art. 24.2.e and 43),
- Structure of the Agency (art. 24.2.m),
- Staffing policy (art. 24.2.m).

To prepare for these discussions, the Management Board was given the final report of Deloitte and Touche on the EASA organisation. The Commission representative explained that this study has been ordered with a view to help the Board in its work; it was now up to the Board to appreciate the use it would make of such material, in particular on whether it want to make it public or only use dedicated parts in support of its discussions with interested parties. Some Boards members considered that it

would be better at this stage to keep the report confidential so as to avoid giving it a formal status that could be misinterpreted by some interested parties.

7. ESTABLISHMENT OF THE ADVISORY BODY OF INTERESTED PARTIES (ABIP)

The Management Board invited the secretariat to prepare for decision in its next meeting a proposal for the establishment of ABIP based on the AECMA recommendations as formulated in their letter dated 11 October 2002.

The Management Board in its informal deliberations welcomed participation of non-European interested parties to the ABIP on a reciprocal basis and to the extent that European industry could participate to an equivalent organisation (dealing with the same areas as ABIP) of non-EU counterparts.

8. STATE OF PLAY FOR THE ASSOCIATION OF OTHER EUROPEAN STATES

The Commission representative informed the Management Board about the state of play in this area. A discussion would soon be convened in the aviation group of the Council on the basis of a document produced by the Commission on this matter.

The first wave of States that could be invited informally to the Board works were EFTA states but certainly not before the third meeting of the Board.

9. STATE OF PLAY FOR THE PREPARATORY WORK UNDERTAKEN BY THE COMMISSION AND JAA

The Commission representative informed the Management Board about the state of play in this area. The objective is to prepare for the regulatory material to be used by the Agency to conduct its own consultations. It is therefore also important for the Board to adopt quickly the rule-making process foreseen in article 43 of the Regulation.

Works are proceeding according to the planning and are due to finish by December 2002 or March 2003 depending on the material. Some Board members emphasised the need for EASA to take ownership and check that material before initiating wider consultation on it.

10. PLANNING OF NEXT MEETINGS

Next meetings:

- 12 November¹
- 3 December
- 17 December

11. A.O.B

Candidates for the Chair of the Board are invited to make their interest known to the other members of the Board by beginning of November.

¹ Now rescheduled to 14 November