

PROTOCOL TO THE CYPRUS ARRANGEMENTS ON THE PARTICIPATION OF THE EUROPEAN AVIATION SAFETY AGENCY

THE UNDERSIGNED CIVIL AVIATION AUTHORITIES

AND

THE EUROPEAN AVIATION SAFETY AGENCY

Hereafter called the Parties,

Having regard to the Arrangements concerning the Development, the Acceptance and the Implementation of Joint Aviation Requirements (hereafter: Cyprus Arrangements)¹, whereby the Joint Aviation Authorities (JAA), an associated body of the European Civil Aviation Conference (ECAC), is set up;

Having regard to Regulation 1592/2002/EC (hereafter: EASA Regulation) on common rules in the field of civil aviation and establishing a European Aviation Safety Agency (hereinafter: Agency),² which establishes Community competence in some of the fields covered by the Cyprus Arrangements and requires the Agency to execute some of tasks covered by these Arrangements;

Considering that the Agency is able to participate in the JAA work with a view to preserve the pan-European dimension of Civil Aviation safety and environmental protection regulation;

Whereas the Agency may co-operate, pursuant to the EASA Regulation, with the aeronautical authorities of third countries and international organisations in the framework of working arrangements concluded with those bodies in accordance with Article 18, paragraph 2 of the EASA Regulation;

Whereas the Agency's accession to the Cyprus Arrangements requires clarification in the way the Agency and the JAA member Authorities subject to the EASA Regulation will exercise their respective competencies in the JAA framework;

Whereas the Agency is committed to adopt and implement regulatory processes which largely meet the principles of openness and transparency enshrined in the Cyprus Arrangements, a review of JAA processes should be undertaken to facilitate the co-operation between the two organisations and the mutual acceptance of certification findings, while avoiding undue duplication of work;

Whereas the Community and the ECAC Directors General have both indicated that the participation of all European States in the work of the Agency in accordance with Article 55 of the EASA Regulation is the best means to maintain in the longer term the pan-European dimension of regulation in fields covered by that Regulation, all new members of the JAA should be committed as well to reaching that goal;

¹ Concluded in Cyprus, on 11 September 1990;

² OJ L240, p. 1 of 7 September 2002;

HAVE AGREED AS FOLLOWS:

Article 1

The Agency, as an authority of the States subject to the EASA Regulation, within the framework of its competence, accedes to the Cyprus Arrangements on the terms and conditions laid down in this Protocol.

Article 2

Subject to the provisions of this Protocol, the provisions of the Cyprus Arrangements shall be so interpreted as to also include the Agency within the framework of its competence, and the various terms used to designate the participating authorities to the Arrangements and their representatives are to be understood accordingly.

Article 3

The Agency will not contribute to the budget of the Joint Aviation Authorities. This does, however, not affect the payment by the Agency to the JAA and reciprocally, for services, including the use of professional knowledge and experience, provided to each other, in accordance with subsequent arrangements concluded between the Agency and the JAA.

Article 4

The Agency shall be entitled to be represented and involved in the work of bodies of the JAA where matters falling within the scope of Community competence may be dealt with, except for the bodies, which have an audit function and the Foundation Board. It shall enjoy all the rights of any other member Authority.

Article 5

1. For matters for which the European Community has exclusive competence, the Agency represents all Authorities subject to the EASA Regulation. In case of vote, it shall exercise the voting rights of these Authorities.
2. The Agency shall provide upon signature of this Protocol a list of matters covered by exclusive Community competence or inform on a case-by-case basis on which matters on the agenda it will exercise its competence. Such list or information cannot limit the right of the Agency to intervene in any subject covered by Community competence.

Article 6

JAA procedures developed to implement the objectives of the Cyprus Arrangements shall be revised to avoid, whenever possible, duplication of work, while allowing for the proper involvement of JAA member authorities not subject to the EASA Regulation.

Article 7

This Protocol shall be opened for signature by the Agency and the authorities of all ECAC States that are presently co-operating within the framework of the JAA and by EASA.

This Protocol shall enter into force with immediate effect when it has been signed on the one hand by all aeronautical authorities referred to in the previous paragraph, and on the other hand, by the Agency.

Article 8

Each new member Authority of the JAA shall be committed to this Protocol and to taking the appropriate measures to be associated to the EU system in accordance with Article 55 of the EASA Regulation.

Article 9

The Secretariat of the European Civil Aviation Conference shall be the depository of the original of this Protocol.

IN WITNESS WHEREOF, the undersigned civil aviation authorities have signed this Protocol.

DONE at Paris, 25 November 2003 in the English and French language. In the case of any inconsistency, the text in the English language shall prevail.

For General Department of Civil Aviation
(Albania) Director General

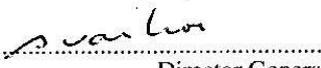
For General Department of Civil Aviation
(Armenia) Director General

For Civil Aviation Authority
(Austria) Director General 

For Administration de l'Aéronautique
(Belgium) Director General 

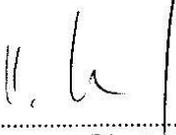
For Civil Aviation Administration
(Bulgaria) Director General 

For Ministry of Transport and Communications
(Croatia) Deputy Minister for Civil Aviation 

For Department of Civil Aviation
(Cyprus) Director General 

For Civil Aviation Administration
(Czech Republic) Director 

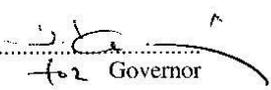
For Civil Aviation Administration
(Denmark)  Director

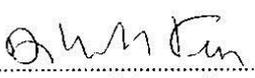
For Civil Aviation Administration
(Estonia)  Director General

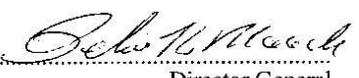
For National Board of Aviation
(Finland)  for Director General

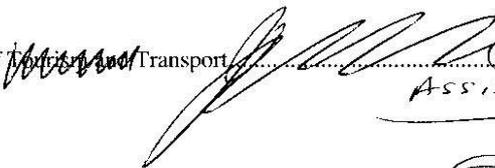
For Direction Générale de l'Aviation Civile
(France)  Director General

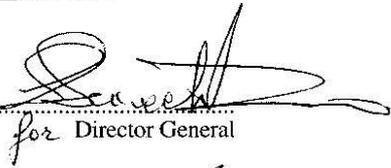
For Federal Minister of Transport,
Aviation & Space Division
(Germany)  for Director General

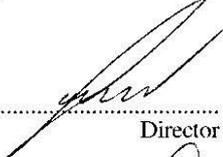
For the Civil Aviation Authority
(Greece)  for Governor

For General Directorate of Civil Aviation
(Hungary)  Director General

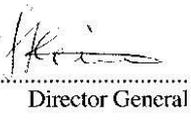
For General Directorate of Civil Aviation
(Iceland)  Director General
Flýgel Seðis Deildar

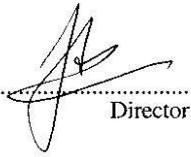
For the Department of Transport
(Ireland)  (John Lumsden)
ASSISTANT/Secretary

ENTE NAZIONALE PER L'AVIAZIONE CIVILE
For Direzione Generale dell'Aviazione Civile
(Italy) 
for Director General

For Civil Aviation Administration
(Latvia) 
Director

For Civil Aviation Department
(Lithuania) 
Director

For Direction Générale de l'Aviation Civile
(Luxembourg) 
Director General

For Civil Aviation Administration
(Malta) 
Director

For State Administration of Civil Aviation
(Moldova) 
Director General

For Service de l'Aviation Civile
(Monaco) 
Chef du Service de l'Aviation Civile

DGL / MIN VSW
For Rijksluchtvondienst.....
(The Netherlands)

Director General

For Civil Aviation Administration.....
(Norway)

Director General

For General Inspectorate of Civil Aviation *office*.....
(Poland)

General Inspector
President

For Direction Générale de l'Aviation Civile.....
(Portugal)

Director General

For Direcção General de Aviação Civil.....
(Romania)

Secretary of State

For Directorate General of Civil Aviation.....
(Serbia and Montenegro)

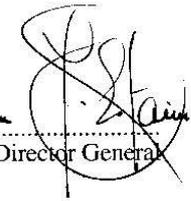
Assistant President for Civil Aviation

For Civil Aviation Administration.....
(Slovak Republic)

Director

For Civil Aviation Authority.....
(Slovenia)

Director

For Dirección General de Aviación Civil
(Spain) *Ad. Rodríguez* 
Director General

For Luftfartsverket.....
(Sweden) *Per Axelsson* *Aviation Safety Director*
~~Director General~~

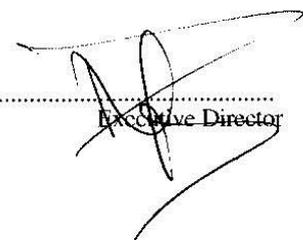
For Federal Office for Civil Aviation.....
(Switzerland) *Rob*
for Director

For General Directorate of Civil Aviation
(The former Yugoslav Republic of Macedonia) Director General

For General Directorate of Civil Aviation
(Turkey) 
Director General

For The Ministry of Transport
(Ukraine) Director General

For the Aeronautical Authorities.....
(United Kingdom) *P. Rickell*
for DGCA ~~Under Secretary~~
International Aviation Directorate
Department of Transport

For the European Aviation Safety Agency.....

Executive Director