

## European Aviation Safety Agency

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### THE MANAGEMENT BOARD

- Having regard to Regulation (EC) N° 1592/2002<sup>1</sup> on common rules in the field of Civil aviation and establishing a European Aviation Safety Agency, and in particular to its article 24;
- Having regard to the Opinion delivered by the Commission on 23 February 2004,
- Having regard to the comment delivered by the Advisory body of Interested Parties,
- Considering the need to transmit the workprogramme of the Agency to the European Parliament, to the Council; to the Commission and to the Member States

Has decided to adopt the work programme of the Agency for 2004 as set up in the document annexed.

Done at Brussels,

The Chairman Thilo Schmidt

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<sup>1</sup> Official Journal L 240, 7.9.2002, p. 1.

# ***European Aviation Safety Agency***

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## **WORK PROGRAMME 2004**

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## **1 Foreword**

This document sets out the tasks to be carried out by the European Aviation Safety Agency in 2004. The programme is split into two main parts (chapters 3 and 4). The first refers to the core activities which the Agency is obliged to carry out in 2004 both as a result of the requirements of Regulation 1592 (for example, executive functions and rulemaking tasks). These constitute the Agency's 'core business' and the Agency's success in the medium term will be judged on its ability to carry out these functions effectively. The second part relates to the practical and logistical issues associated with the setting-up of a new agency and include a host of issues which make an essential contribution to the Agency's ability to carry out its core tasks. Article 24 of the Agency's Basic Regulation requires the Management Board to adopt the work programme (after receiving the opinion of the European Commission) and to subsequently submit it to the European Parliament, the Council, the European Commission and the Member States.

The fact that at the time of writing the Agency remains in an early stage of development means that the programme presented here provides an indication of the main tasks to be carried out but cannot constitute a comprehensive planning document. Until the arrival of the Directors for Administration, Quality and Standardisation, Certification and Rulemaking early in 2004, the Agency lacks the necessary senior management in the various specialist fields to elaborate further on the execution of the various tasks. Moreover the moving to the final location of the Agency in Cologne will notably influence the activity of the Agency. With this in mind the current document shall be reviewed and an amended work programme shall be submitted for approval by the Management Board at the end of the first quarter of 2004. After approval this supplemented programme shall be forwarded directly to the European Parliament, the Council, the European Commission and the Member States.

## 2 Introduction

### 2.1 What is EASA?

The establishment of the European Aviation Safety Agency is a cornerstone of the European Union's plans to establish and maintain a high uniform level of aviation safety in Europe and, indeed, beyond. Additional objectives of the Agency are, amongst others, to ensure a high uniform level of environmental protection; to facilitate the free movement of goods, persons and services; to promote cost efficiency in the regulatory and certification processes; to assist the Member States in fulfilling their obligations under the Chicago Convention; and to promote Community views regarding civil aviation safety standards.

Although faced by difficulties in view of the current economic climate, the civil aviation industry is in a period of growth, long-term. This means that further efforts are necessary in order to ensure that the numbers of those affected by air accidents do not grow.

On the other hand, the industry has called for regulators to make further efforts to ease compliance with the necessary safety standards and stands in support of the creation of the new Agency which will facilitate effective and efficient regulation together with harmonisation at the European level.

It is against this background that the European Parliament and the Council of the European Union have adopted Regulation 1592/2002 (the Agency's 'Basic Regulation'). This Community legal act does two things: it sets out a number of common principles and requirements for civil aviation safety and environmental protection. It also sets up the European Aviation Safety Agency, which is to carry out certain functions as detailed in the regulation itself. In this sense, 'aviation safety' comprises airworthiness standards for all types of aircraft, as well as common safety standards for organisations and people which are responsible for aircraft design manufacture and maintenance. It should be noted that the Agency's role will be extended in the near future to issues related to air operations and flight crew licensing, in accordance with the wishes of the Council of the European Union and the European Parliament.

The objective of the Basic Regulation was to build on the achievements of Member States' co-operation in the Joint Aviation Authorities (JAA) to create a truly integrated system for the regulation of civil aviation safety and environmental protection. EASA's tasks are:

- to assist the European Commission in its legislative and international representation tasks;
- to implement Community law where centralised certification is more efficient than individual action by Member States; and
- to monitor Member States' implementation of Community law where they themselves execute certification tasks.

## ***2.2 What has been achieved in 2003?***

The year 2003 was characterised by significant challenges in establishing the Agency whilst respecting the 28 September deadline for its establishment set out in the Basic Regulation. The appointment of the Executive Director was delayed from early 2003 to 1 September. In the meantime, the Management Board and the Commission have done their best to facilitate the necessary tasks in the absence of the Executive Director. In particular, the European Commission provided office space and recruited a small number of auxiliary staff to work on the setting up of the Agency. This meant, however, that the Agency had no technical staff in place even though the necessary rules for the Agency to start operating properly (the 'implementing rules') needed to be elaborated and the Agency would be responsible itself for certain certification tasks from 28 September. The Agency has therefore had recourse to external expertise in the shape of staff resources of the national aviation authorities and the Joint Aviation Authorities.

### **Regulatory framework**

The start of the Agency's work required a number of legal texts to be adopted by the Commission, which would, with the Basic Regulation, complete the regulatory framework for the Agency's operations. Therefore the first staff recruited by the European Commission mentioned above were fully occupied with the preparatory work for the issue of the opinion of the Executive Director on these implementing rules, including following-up the associated consultation process and preparing the relevant certification specifications and guidance material. The necessary regulatory text on certification was adopted by the Commission in September in order to allow the Agency to make a start on its core tasks, which are by their nature the most urgent: Regulation 1702/2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations was published in the Official Journal of the European Union on 27 September 2003. Regulation 2042/2002 on the continuing airworthiness of aircraft and aeronautical products, parts and appliance, and on the approval of organisations and personnel involved in these tasks was published on 28 November.

The revision of the entire set of certification specifications and guidance material, (lower level regulatory requirements) was also carried out during the first months of the Agency's existence, for complete revision and adoption in 2003.

It is therefore possible to say that in 2003 the Agency supervised and actively participated in the completion and revision of its entire aeronautical regulatory environment, paving the way for its ongoing operational activities.

### **Administration**

The Agency's financial system, comprising regulatory material and procedures, was entirely set up and was operational as from 1 October. This included the adoption of its own financial regulation (based upon the Commission framework financial regulation), the nomination of its own accounting officer and the procurement of the necessary accounting tools.

With regard to other issues, the Management Board adopted several important documents during the year:

- staffing policy
- draft organisational structure
- rulemaking procedure
- financial regulation
- guidelines on certification procedures
- outsourcing policy

#### Website

The Agency website [www.easa.eu.int](http://www.easa.eu.int) was put in place in time for the 28 September deadline in order to allow the Agency to communicate directly with interested parties and the general public. Further information is being added as and when it is available. Making Agency texts available online was considered an essential step for the entry into force of the Basic Regulation.



### **3 Executing the Agency's core tasks**

#### ***3.1 Introduction***

During the transition period and in particular in 2004, the Agency will not have sufficient human resources to carry out the tasks assigned to it. It shall therefore make use of existing resources available in NAAs. In this connection, the Management Board's approved outsourcing policy will be applied, meaning that the Agency must conclude urgently contracts with the NAAs, as was done with the Central JAA in December 2003, entrusting to them certain tasks related to certification and associated support tasks. Those contracts shall have the necessary provisions to allow adjustments to the tasks outsourced in accordance with the growth of the Agency's internal capacities.

The outsourced tasks will be executed in accordance with the relevant Agency rules. In accordance with the Basic Regulation, the Executive Director will remain responsible for the final decisions affecting aviation safety and environmental compatibility.

Other tasks, such as the establishment of the safety analysis and research function of the Agency are also to be implemented, even though it is still, at stage a function that has not been allocated to a specific directorate, and will remain under the direct supervision of the Executive Director.

The necessary bilateral contracts between the Agency and the NAAs shall be effective in the first quarter of 2004.

#### ***3.2 Certification***

The certification tasks are of utmost importance for the Agency. The objective is to be in a position as soon as possible where the Agency can itself carry out those tasks which are currently performed by the Central JAA, such as convening of certification teams, co-ordination.

##### Finalising appropriate outsourcing arrangements

The Executive Director has entrusted the NAAs and Central JAA to continue carrying on the EASA missions after the 28 September 2003, in the first instance for a period of four months. This period will be extended as necessary in order to ensure that the necessary outsourcing contracts are finalised satisfactorily.

##### Liaison and monitoring of certification activities

- Handling information from production to storage

One of the first tasks, and possibly one of the most practical tasks of the Agency will be to set up its own databases for certification activities. Given the disparity of existing databases, and the complexity of the considered data, all solutions will have to be developed in close relation with the IT function, and taking into account the know-how that already exists in the JAA or the NAAs. These solutions range from the simple interface of existing systems to the creation of an entirely new database. A major step in elaborating the databases, whatever the method chosen, will be to define

together with the NAAs and with the JAA the level of data to be stored and handled by the Agency, and notably to define together the procedures for transferring data after the completion of certification projects.

In order to facilitate certification activities and also in order to bring to applicants a clearer perception of EASA, a common format for all certificates issued by the Agency will be defined. Longer term, but also essential for the clarity of processes for applicants, harmonised formats of application forms will be developed.

From the first quarter of 2004, EASA certificates will be in place, in the longer term common formats and standards for application forms will be developed. The Agency will have either transferred the necessary external databases or developed functioning interfaces with external databases by the end of the year.

#### 1. Setting up appropriate processes

On the basis of the certification procedures adopted by the Management Board, the Executive Director will develop implementing procedures for products and organisation certification. These implementing procedures will in particular define the milestones for each procedure, the composition of the certification team and the applications format and timetable. The setting up of these implementing procedures will notably work out conflict resolution through the availability of panels of experts.

Implementing procedures for certification will be elaborated during the first semester of 2004.

#### Phasing out of the outsourcing and interim period

The Agency will also have to elaborate its certification programme in order to phase out all interim arrangements, or existing outsourcing. The very first step for this is the appointment of appropriate staff, starting with the immediate team of the certification director. He will put in place monitoring procedures for all outsourced tasks alongside certification priorities for the Agency.

The Certification Director will take up his post at the very beginning of the year. In parallel, a number of other staff will be recruited for certification activities so that the core operational team can be operational as soon as possible.

#### Evaluation of the impact of Regulation 1702/2003 on certification

In accordance with Article 2.3 (a)(i) of Regulation 1702/2003, as a priority task, before 1 May 2004 the Agency shall consider whether the level of safety provided by the type-certification basis, airworthiness codes, service experience and safety systems, in relation to the products referred to under third and fourth indents of the above mentioned Article, may be considered equivalent to that required by the Basic Regulation and Regulation 1702/2003.

### **3.3 Rulemaking**

Given that the Agency is at an early stage of development, there are two distinct aspects to this function for the year 2004: making the rulemaking systems adopted on paper a reality; and making a start on the specific rulemaking tasks incumbent upon the Agency.

### Rulemaking systems

Much progress has already been made in developing the rulemaking activity during 2003, including the adoption of a rulemaking procedure by the Management Board. The next step is the nomination of members of the two new bodies which are to be closely associated with the Agency's rulemaking activity: the first is the safety standards consultative committee (SSCC), representing parties subject to the Agency's measures. The second is the advisory group of national authorities (AGNA). These bodies are intended to provide advice to the Executive Director on the basis of their experience in the implementation of aviation safety and environmental requirements and, as such, are essential sources of expertise which the Agency will tap as it proceeds further with its rulemaking work, which includes opinions to the Commission for future essential requirements and implementing rules, certification specifications including acceptable means of compliance, and guidance material. The Executive Director will confirm the composition of the SSCC and AGNA by 1 February. With the active participation and support of the SSCC and AGNA, the Agency will progress with elaboration of the necessary rulemaking procedures, including adopting an approach to regulatory impact assessment and standard operating procedures for drafting groups, as provided for in the rulemaking procedure. The full set of procedures is expected to be in place by the end of the year

### Rulemaking programme

The Agency already has several rulemaking tasks in its programme for 2004. This list is obviously not definitive and will be supplemented as necessary in consultation with the SSCC and the AGNA in the course of the year.

- Revision of the Basic Regulation

The Agency shall address an opinion to the Commission to incorporate essential requirements for flight operations and flight crew licensing. The rulemaking process will start at the beginning of February and give sufficient time for consultation as required by the Agency's rulemaking procedure.

- Revision of the implementing rules on certification and continuing airworthiness

A number of potential problems have been identified relating to the texts which were enacted in 2003. The Agency has committed itself to re-examining these texts at the earliest opportunity in order to resolve anomalies or inconsistencies which may be present. For example, one of them is the regulatory impact assessment of the implementation of Part M on general aviation.

- Development of standard certificates

A further task for 2004 will be the development of standard certificates, including noise certificates where the Agency shall draw up a common specification. The Agency will adopt the relevant text before the end of the year.

In addition, the Agency helped by both the AGNA and the SSCC will start the preparation of the rulemaking programme for 2005 and the medium term, based on a proper assessment of safety risks on the one hand and related costs on the other, which is an essential foundation for the production of effective, efficient and well-considered regulatory texts.

- Development of certification specifications and guidance material

As set out clearly in the agency's rulemaking procedure, the rulemaking programme shall take full account of specific, emerging needs (such as interoperability aspects of the Single Sky programme) plus all other relevant developments in international or Community law.

The Agency will provide the Commission with its Opinion on flight operations and flight crew licensing essential requirements and will therefore commence the rulemaking/consultation process at the beginning of February. The Agency will provide the Commission with its opinion on the revision of IRs related to certification and continuing airworthiness before the end of the year.

### ***3.4 Inspection and standardisation***

#### Adoption of procedures and implementation

The Basic Regulation empowers the Agency to carry out standardisation inspections within competent national authorities and investigations of undertakings. Guidelines for these standardisation and inspections procedures are to be defined and adopted by the Commission. The adoption of these guidelines can be expected by the end of the first quarter of 2004.

On that basis, one of the very first activities of the incoming Quality and Standardisation Director will be to set up a programme of inspections of the Member States and investigations of undertakings. Additional to the guidelines defined by the Commission, the standardisation programmes will also be based upon available regulatory material and procedures (such as the certification procedures). The role of these programmes is to ensure that the highest quality standards are applied all through the EASA system, to make sure that these standards are properly, uniformly and constantly maintained, and also to diffuse these standards outside the system in order to ensure that EASA leadership is acknowledged.

The inspection programme for industry is to be defined during the first quarter 2004 according to guidelines to be adopted and defined by the Commission. The very first inspections could consequently be carried out during 2004. Inspection programme for national authorities is to be defined during the first quarter 2004 according to guidelines to be adopted and defined by the Commission. The very first inspections could consequently be carried out during 2004.

#### Training and seminars

The Quality and Standardisation Director will be responsible for implementing technical training for the Agency's technical staff. The purpose of this training is to maintain and grow the expertise available within the Agency and to ensure a common interpretation of Agency's standards and requirements. It must be emphasised that the Agency's ability to speak with one voice to the outside world is key to building up its own leadership and credibility. Training will help the Agency's staff to look across the work of all technical disciplines and to develop their own talent out of best practices.

The Agency will have to be extremely committed to diffusing EASA standards within and outside the EASA regulated states. The Agency will be represented at major aeronautical seminars in order to be sure to be able to spot the existing best practices and to diffuse them afterwards within the EASA system. In the very same perspective the EASA will organise its own seminars and training for publicising its own standards and practices.

The Agency will cascade its expertise by providing training to external technicians (from NAAs and qualified entities). Even if the targets of this training are the associated project managers, training could also be open to the industry in order to ensure the widest spread and diffusion of Agency's standards.

All *ad hoc* means of diffusion will be used in order to fulfil these quality and standardisation tasks.

The Agency will organise seminars or lectures related to brand new regulations early in 2004. The Agency will set up its very first internal training on technical issues during the first semester of 2004. The Agency will set up training programmes for external stakeholders during the second semester 2004.

#### Drafting a quality system for the Agency

An additional responsibility of the Quality and Standardisation Director will be to apply its own expertise in analysing systems, in identifying, rewarding and diffusing quality to the Agency itself. In the course of 2004 the Directorate will start elaborating the Agency's quality system. No direct milestones are envisaged for 2004, but progress on the setting up of the quality system will be one of the main concerns for the Directorate for the reference year.

#### Learning from occurrence reporting

The Agency will have to implement, within the existing legal framework, analysis of occurrence reporting so as to determine what are the best practices that allow safety enhancement.

### **3.5 Bilateral issues**

In accordance with article 18 of the Basic Regulation, the Agency is to conclude working arrangements with its main regulatory partners to facilitate the certification and continued oversight of imported products and services. In parallel, it is necessary to prepare for new Community agreements on the reciprocal acceptance of certification findings and regulatory co-operation, to replace the existing bilateral aviation safety agreements and bilateral airworthiness agreements concluded by Member States with several third countries. Last but not least, the Agency shall prepare to take over, from the JAA, technical co-operation activities to assist less developed third countries to improve their aviation safety regulatory systems and promote European standards in that domain.

## **4 Setting up the Agency's support functions**

2004 will be the *European Aviation Safety Agency's* first full year of operation and the work programme set out here should be read with this in mind. The Agency will be seeking in 2004 to both establish itself as a credible actor and make a start on the myriad tasks with which it is faced.

### ***4.1 Internal rules and procedures: a sound, clear and transparent system***

Agency staff require a set of internal rules and procedures to be guided in their day to day work and life in the Agency, in particular for recruitment, human resources management, travel policy, finance and communication.

Given the administrative framework within which the Agency operates, in particular with regard to staffing and financial issues, it is preferable that these rules and procedures not be drafted from scratch but should rather take advantage of similar documents in force within the Institutions and already existing agencies and be adapted to take into account the Agency's circumstances.

The relevant procedures on human resources management, travel policy, finance and communication will be adopted by the Executive Director by mid-year 2004 at the latest. In the meantime, the Commission rules will apply.

### ***4.2 Human resources: a major priority for the Agency***

Staffing the Agency as quickly as possible in accordance with the financial constraints of the general budget of the European Community is a priority in order to allow for the fulfilment of the Agency's mission and to give presence, power and credibility to the Agency. Recruitment will therefore be a top priority for the Agency's incoming senior management. The decision made by the European Council on the final location of the Agency in Cologne clarify the situation for new applicants to agency's posts.

The Appointing Authority of the Agency is the Executive Director. Since the appointment of the Executive Director was somewhat delayed in 2003 and due to the length of the recruitment procedure for temporary agents, no further temporary agents have been appointed in 2003. Nevertheless a small number of staff was appointed (under EC auxiliary contracts), so as to make a start on the Agency's first priorities.

Further detail has to be added to the organisation in line with the Management Board's decision on the Agency's structure. Filling in the lower levels of the structure will be done by the Executive Director with the help of the four directors soon after their appointment. A draft organisational structure (with respect to the lower levels) is presented in the annex to the programme.

The Agency has been assigned sole responsibility for certification tasks by the Basic Regulation. Either the Agency is sufficiently staffed in quality and quantity to fulfil its functions, or it must subcontract the work. Cost efficiency is a major objective of the Agency and it is well known that the cost of subcontracted work would be much higher than the direct staff cost of Agency employees. Therefore, the Agency shall make all its effort to recruit in house competencies. Furthermore, having internal technical skills will allow the Agency to take over tasks currently outsourced to the Joint Aviation Authorities (JAA) or National Aviation Authorities (NAAs) at a

quicker rhythm and thus shorten the transition period and the switch from the JAA system to the EASA system. In the longer term, this is clearly compatible with the stated objective of increasing cost efficiency in the regulatory and certification processes and the need to build up a single central repository of technical expertise available to the legislative authority.

As the number of staff will increase significantly in 2004, attention will need to be paid by management to teambuilding among Agency staff, which will be essential in establishing EASA as a coherent and effective organisation.

The rhythm of recruitment activity will be adapted to the capacity of the human resources team to carry out the relevant tasks. The objective is to have at least 60 staff members by 1 July 2004 and all the personnel forecast in the 2004 establishment plan in place by the end of the year (95 people).

It is recalled that the staffing policy adopted by the Management Board allows for the recruitment of temporary agents and detached national experts, under the staff regulations of the European Community which are scheduled to be revised in 2004.

#### ***4.3 Finance***

The finance function is a key support process given the scope of EASA operations and the need to ensure the highest standards of financial management commensurate to a European Community Agency.

##### General operations

The Agency gained its financial autonomy in the final quarter of 2003, meaning that operational financial decisions are in the hands of the Agency itself. This step required the Agency to have in place a number of systems to ensure the sound management of its finances. Building upon this foundation, work will continue throughout 2004 to ensure that the necessary further internal procedures are put in place as the capacity of the Agency grows over the next 12 months.

In order to meet the requirements of the new Community financial regulation, including activity-based budgeting, the EASA financial system will be further developed to support this type of management analysis.

##### Certification activities

In view of the specific operational functions of the Agency for airworthiness and environmental certification and continuing airworthiness additional financial systems will have to be put in place during 2004. The Agency is projected to become self-financing in the medium term and a system of fees and charges, based on a relevant Commission Regulation, should be in place for the second quarter of 2004 which will form the basis for certification fees payable by applicants as well as purchasers of Agency publications, training and other services.

With regard to certification fees, implementing the fees system will be an important task for the finance function in 2004. Although the breakdown of this task will depend

on the final requirements set out in the regulation on fees and charges, these tasks will include the following:

- Invoicing system to support the system of fees and charges
  - Set-up of associated accountancy functions
- 
- Development and implementation of financial risk management systems
  - Treasury functions associated with invoicing

These tasks will be a first priority for the incoming Director for Administration early in 2004.

#### ***4.4 Information technology: setting up a high quality system***

The general objective of the future information technology (IT) system of the Agency is to introduce reliable IT services to all EASA users by building an appropriate IT infrastructure. It implies the creation of a complete IT environment for the Agency, starting from the material environment and extending to user support and systems development. This implies putting in place hardware, software, creating fully secure networks, as well as the creation, transfer and management of operational databases.

##### Office automation services

In 2004, the Agency will set up its own office automation services, by procuring its own workstations, peripherals and other office automation tools. In this connection, the Agency has already looked into the possibilities offered by the Commission's framework supply contracts with certain IT providers and chosen to be associated with several of these.

The Agency will be fully independent of the Commission's IT services with regard to day to day office applications by the middle of the year 2004.

##### Databases: implementation and management

A significant portion of the Agency's workload will be reliant upon the proper management of databases. In addition to traditional office databases (such as for communications management), the Agency will have to create its own database for documentation (all the regulatory material produced by the Agency, such as the decisions of the Management Board and the decisions of the Executive Director) and its own database for certificates and approvals. The Agency will examine the possibility of transferring existing databases (in JAA or in NAAs) or creating dedicated interfaces with existing databases. In addition to these permanent databases, the Agency shall develop its capacity to produce *ad hoc* databases, for the handling of consultation comments for instance. At all stages, the Agency will pay special attention to the security of these databases by preventing unauthorised access, content alteration or content destruction from potential internal or external intruders.

The Agency will have either transferred the necessary external databases or developed functioning interfaces with external databases by the end of the year. Bespoke databases for internal procedures, such as communications management and documentation, will be in place by the middle of the year.



### Networks and communications

The Agency needs to implement its own e-mail services, with its own e-mail formats and remote access functionality. The idea is to provide a coherent image to external partners and to allow for maximum working flexibility for all Agency's staff.

The Agency shall have its fully functioning, independent e-mail system in place by the middle of the year.

The Agency will develop its own multi-purpose website, with the idea of using it as an essential communication tool for both the general public and for aeronautical stakeholders. This implies being able to implement a website with secure access to authorised users to the appropriate databases (e.g. for online consultation) and which allows for knowledge based or extranet systems in order to allow for a maximum efficiency for the work of the Agency's working parties, such as the Safety Standards Consultative Committee (SSCC) or the Advisory Group of National Authorities (AGNA - See section on rulemaking for further details).

The Agency will have in place a new, powerful website in the first quarter 2004. The necessary electronic tools for external stakeholders shall be available during the first half of 2004.

### Security

At all stages of setting up this architecture of its IT system the Agency will pay the utmost attention to data security, both to avoid any data loss, and to protect commercially sensitive information.

### User support

The Agency will set up an IT team to deliver helpdesk support and training to EASA staff, system and network administration and application support.

### Systems development

The overall purpose is to provide the Agency with adequate administrative and business specific applications.

- Support for the general ledger system;
- Support for human resources management
- Document management and workflow system to support the Agency in carrying out its certification tasks.

## **4.5 Communication**

An important task for 2004 will be establishing the new Agency as a credible actor in the aviation sector and the communications function obviously has a vital role to play in this. Equally, an effective communications function will serve to strengthen the emerging 'EASA culture' necessary for a successful Agency.

Effective internal and external communications will be key to EASA as it seeks to make its presence felt in the world of aviation and, more specifically, aviation safety

regulation. For EASA to be successful in this mission, the key issues with respect to communications are the following:

- Creating and perpetuating EASA's reputation as a modern, credible, open, effective and responsive authority;
- Ensuring consistency across the range of its internal and external communications.

Identification of key external audiences for the Agency's communications activities will proceed. The Agency will continue to develop a multi-channel approach for reaching these groups, based upon the selection of appropriate means for each group. This implies the following actions for 2004:

Setting up a fully-functioning media service as part of the communications function

This will serve two purposes: firstly, it will help to build relationships with the specialised press on the range of issues within the Agency's areas of competence. Secondly, this service will be important in the co-ordination of the Agency's response to emerging crises as necessary.

Implementing a procedure for the handling of all *ad hoc* queries

Such queries will include simple queries from the general public to complex issues raised by industry and other interested parties. This procedure will also take into account the need to follow-up more complicated questions with the relevant centre of expertise within the Agency, the NAAs, or other organisations concerned. The communications function will help to ensure that the Agency satisfies its obligation to provide timely, clear and accurate information on its work in accordance with article 47.2 of the Basic Regulation.

Fully implement European Community requirements on public access to documents.

Set up a sophisticated new website to facilitate access to documents and information on the Agency's activities

Examine the case for a series of conferences and road shows

Road shows could be a useful means of profiling the Agency within large organisations and interested parties (e.g. NAAs, large companies, etc.).

Notably, the Agency will be taking over the JAA role in the annual harmonisation conference with the FAA scheduled in June in Philadelphia.

Assess the need for Agency publications other than those required by the Basic Regulation

Such publications will only be considered if they add real value to the communications work of the Agency.

Set up a working system of official publications

A system of official publication allows interested parties to have access to Agency texts in the format which is convenient to them. It should be noted that this activity is expected to be a source of revenue for the Agency (articles 48 and 53 Basic Regulation) and in this connection it will be necessary for the Agency to work with a publisher competent in the provision of the necessary services. It is proposed that the Agency's rulemaking output continue to be available free of charge on the website, whilst subscribers to value-added publications (hard copy, CD-ROM and so on) will

be charged for these services. Such an approach is compatible with the Agency's obligations with regards to openness and is also in line with the provisions of article 53 of the Basic Regulation, which mentions income from publications as a revenue source for the agency.

#### Set up a powerful Agency intranet

It will provide a single source for the retrieval by staff of all information necessary for their work. This will include access to dedicated applications, such as time reporting for certification staff, Agency texts and databases, internal procedures, and so on.

As a first step, a comprehensive and detailed communications plan will be adopted by the Executive Director in the first quarter.

### ***4.6 Legal***

In 2004, the Agency will enhance its legal capacity by setting up a legal team able to face both the material issues raised by running a Community organ, and by carrying on the tasks and missions of the Agency.

#### Ensuring legal compliance of Agency procedures

Specific attention will be paid to the legal impact of all of the Agency's activities. The daily administrative work of the Agency requires verification of the legality of all contracts with suppliers and follow up of all issues that may arise in order to ensure the highest level possible of transparency and compliance with procurement regulations. In 2003, time and cost efficiency constraints encouraged the Agency to attach itself to the existing framework contracts and other service level agreements with both external suppliers (office supplies, IT supplies etc) and with Commission bodies acting as supplier for the Agency (accommodation, translation, payroll, medical service, etc.). Whilst these tasks may vary in nature, they are generally speaking all related to the setting up of the Agency and establishing procedures. The Agency will continue in 2004 to use to the extent possible all those services, and the legal team will have to ensure the continuous and adequate use of these contractual resources. The legal function may also be called upon to assist with other tasks relating to administrative or operational issues, for example, compliance of the Agency's transparency policy with Community law, impact of EC budgetary process on Agency finances.

#### Providing support to core Agency tasks

In 2004 the legal function will be called upon to support the core tasks of the Agency, with respect to both rulemaking and certification. With regard to rulemaking this will involve assisting with the legal revision of future Agency texts as required, and the analysis of the latest legal developments of interest to the Agency (EU and non-EU with respect to aviation law, plus relevant EC jurisprudence). The purpose of such work is clearly to help ensure that the flow of legal information between the Agency and its parent institutions is wide and interactive.

#### Providing legal certainty to the Agency's aeronautical activities

The Basic Regulation entrusts the Agency with a number of tasks related to its direct aeronautical mission, which are developed further in the rulemaking section of this work programme. Clearly this task has an important legal component. In 2003, the Agency has already undertaken an important role in legal revision in the shape of the adaptation of existing Joint Aviation Requirements into European Community implementing rules and by elaborating the opinion of the Executive Director on these revised implementing rules. Similar work might well be required in 2004.

With the setting up of the Board of Appeal the Agency will have to prepare for its very first cases. This implies particular vigilance and the provision of ongoing training to the Agency's legal advisers. They need the capacity to advise the Executive Director, so that the legality of his decisions is firm. Should a case arise the very same advisers will also have to act as counsellors for the Agency in the Board of Appeal.

The legal team will be fully involved in rulemaking activities of the Agency. The Agency will be vigilant as to the legality of the acts it adopts, and will therefore be ready to face any case within the Board of Appeal or within the Court of Justice.

#### Founding a respected centre of legal expertise

For all the above mentioned reasons the Agency must set up a first rate centre of expertise for aeronautical law. This, of course, follows on from appointing the best people for the Agency's legal team, but also by maintaining that expertise at a top level and by diffusing this to external stakeholders. The very first weeks of activity of the Agency have demonstrated the interest in the legal impact of the Agency's decisions and the Agency will need to explore the need to participate in external actions aimed at improving the understanding of these decisions among its stakeholders.

#### **4.7 Monitoring**

Most of the Agency's work may be seen as a three-year cycle beginning with the preparation of the budget in January n-1 and ending with the final publication of the accounts in October n+1. In addition, specific tasks are requested through the work programme.

The management policy implemented by the Executive Director will be to give clear responsibilities to all staff members with as much autonomy as possible. The counterpart must be structured reports to follow the progress of the objectives and to give sufficient opportunity for the correction of any undesirable trends in performance.

In that respect, the 2004 objective is to define and then implement a system of scorecards at all levels of the Agency's structure to monitor the performance of the various departments.
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## 5 Conclusions

The *European Aviation Safety Agency* has been created to be the foremost European specialised expert body to carry out certain tasks currently performed at Community or national level regarding aviation safety. It is the single certifying authority identified by Community law in the field of airworthiness and environmental compliance. To be consistent with the objectives of the Basic Regulation, the Agency must be established in order to take over as quickly as possible the tasks performed by the NAAs in its scope of competence. The main challenge facing the Agency is therefore to be provided by the Community and its Member States with the proper means, human resources and funding, in accordance with this outstanding issue.

## Annex – draft EASA organisational chart (December 2003)

