



Brussels, **XXX**
[...](2019) **XXX** draft

Annex II to EASA Opinion No 03/2019

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

amending 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, and Commission Implementing Regulation (EU) 2017/373 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 9962010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 43(1)(a) and (f) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 923/2012 lays down the common rules of the air and operational provisions regarding services and procedures in air navigation ⁽²⁾.
- (2) [Commission Implementing Regulation \(EU\) 2017/373](#) lays down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight ⁽³⁾.
- (3) In order to ensure a high level of civil aviation safety in the European Union (EU), the measures set out in Commission Implementing Regulation (EU) No 923/2012 should require flight crews to report when the runway braking action encountered is not as good as reported to them.
- (4) The International Civil Aviation Organization (ICAO), in its State letter AN 10/1.1-16/17 of 31 March 2016 adopted Amendment 77-B to Annex 3 to the Convention on International Civil Aviation, signed at Chicago on 7 December 1944 (the ‘Chicago Convention’). Amendment 77-B to Annex 3 will be applicable in the ICAO Contracting States as of 5 November 2020. The changes set out in Amendment 77-B aim at reducing runway excursion incidents and accidents.
- (5) Those changes to Annex 3 to the Chicago Convention should be reflected in Commission Implementing Regulation (EU) 2017/373, in particular in its provision on meteorological services (Annex V (Part-MET)).

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ OJ L 281, 13.10.2012, p. 1.

⁽³⁾ OJ L 62, 8.3.2017, p. 1.

- (6) Pilots should be informed through notices to airmen (NOTAMs) when a runway is temporarily unavailable due to marking works.
- (7) The proposed measures should include information to pilots that intend to operate on a specially prepared winter runway or on a slippery wet runway.
- (8) The proposed measures should not allow the dissemination of friction measurements to pilots.
- (9) The proposed measures should be reflected in Commission Implementing Regulation (EU) 2017/373, in particular in its provision on aeronautical information services (Annex VI (Part-AIS)).
- (10) The European Union Aviation Safety Agency has prepared draft implemented rules and submitted them with Opinion No 03/2019 ⁽⁴⁾ in accordance with points (b) and (c) of Article 75(2) and with Article 76(1) of Regulation (EU) 2018/1139.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the committee established in accordance with Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Commission Implementing Regulation (EU) No 923/2012

Commission Implementing Regulation (EU) No 923/2012 is amended in accordance with Annex I to this Regulation.

Article 2

Amendments to Commission Implementing Regulation (EU) 2017/373

Commission Implementing Regulation (EU) 2017/373 is amended in accordance with Annex II to this Regulation.

Article 3

Date of entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
2. However, the following points, as amended by this Regulation, shall apply from 5 November 2020:
 - point SERA.12005 of Commission Implementing Regulation (EU) No 923/2012,
 - point ATS.OR.530 of Commission Implementing Regulation (EU) 2017/373,
 - Appendix 1 to Annex V to Commission Implementing Regulation (EU) 2017/373,
 - Appendix 3a to Annex VI to Commission Implementing Regulation (EU) 2017/373.

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

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

Done at Brussels,

*For the Commission
The President*