



The European institutional framework



The Principles

- ➔ The **Community** acts as a **legislator**, while **Member States apply** Community law under Community supervision
- ➔ Legal remedies for individuals and enforcement means are provided by Member States judicial systems
- ➔ The **Commission** may be delegated strictly defined **executive powers**, including the setting up of binding standards



The Principles

- ➔ A **Community Agency** may be delegated the **application of Community law**, in particular the assessment of conformity with binding standards
- ➔ The exercise of such powers shall be subject to the necessary political and judicial supervision



Tasks and Actors

✈ **Legislative level :** The Parliament and the Council

✦ establishing legal framework

✈ **Executive level :** The Member States

✦ setting up binding standards

✦ assessing conformity to standards

The Commission

The Agency

The Industry

✈ **Judicial level :** The national Courts

✦ enforcement/remedies The European Court of Justice



The Regulatory framework



The Basic Regulation

- ➔ The **Parliament** and the **Council** define the **Scope of Powers** transferred to the Community
- ➔ They adopt the **Essential Requirements** specifying the objectives to be met

Basic Regulation
Regulation (EC) 1592/2002 of 15 July 2002

Annex I : Essential
Requirements for Airworthiness

Annex II : Excluded Aircraft



The Implementing Rules

✈ The **Commission** adopts **standards** for implementing the essential requirements

Regulation (EC) 1702/2003 on Airworthiness and Environmental Certification

Annex (Part 21)

Section A: Application Requirements

Section B: Administrative Procedures

Appendices: EASA forms

Regulation (EC) 2042/2003 on Continuing Airworthiness

Annex I (Part-M):
Continuing Airworthiness Requirements

Annex II (Part-145):
Maintenance Organisation Approvals

Annex III (Part-66):
Certifying Staff

Annex IV (Part-147):
Training Organisation Requirements

Section A: Technical Requirements

Section B: Administrative Procedures

Appendices: EASA forms



The Agency's soft laws

➔ The **Agency** adopts **non binding standards** for implementing the essential requirements

Guidance Material

Part 21

Certification Specifications

AMC 20
AMC 21

CS 25	CS AWO	CS 22
CS 34	CS ETSO	CS 23
CS 36	CS Definitions	CS 27
CS E		CS 29
CS P		CS VLA
CS APU		CS VLR

AMC & Guidance Material

Parts M, 145,
66, 147



European Aviation Safety Agency

The Agency's procedures adopted by the MB

- ➔ **Rulemaking procedure : 27/06/2003**
- ➔ **Outsourcing policy**
- ➔ **Accreditation procedure**
- ➔ **Organisations certification procedure :
03/02/2004**
- ➔ **Products certification procedure :
30/03/2004**



The Agency's remit

- ➔ Currently the Basic Regulation establishes Community competence only for the regulation of the **airworthiness** and **environmental compatibility of products**
- ➔ Work is being done to extend the scope of this regulation to **air operations** and **flight crew licensing**
- ➔ Ultimately it could also cover the safety regulation of **airport operations** and **air traffic control services**



The Sharing of Tasks



The Agency's roles

- ✈ **Development of common rules : Basic Regulation and Implementing Rules**
- ✈ **Adoption of material for the application of common rules (airworthiness codes, interpretative and advisory material)**
- ✈ **Issuing type certificates (TC, STC,...) and organisations approvals (DOA and third countries POA, MOA...) and ensuring related continued oversight**



The Agency's roles

- ➔ **Monitoring the application of rules by Member States and recommending to the Commission the necessary enforcement actions**
- ➔ **Assistance to the EU in the form of technical expertise**
- ➔ **Acting as focal point vis-à-vis third countries and international organisations for the harmonisation of rules and the recognition / validation of certificates**



European Aviation Safety Agency

The Member States NAA's roles

- ➔ **Providing expertise as appropriate for rulemaking and certification tasks**
- ➔ **Issuing individual airworthiness certificates and approvals to organisations and personnel in their territory (except DOA)**
- ➔ **Taking action on a case by case basis if so required to ensure safety or appropriate operational flexibility**



The sharing of roles

Standards Certificates

✈ **Airworthiness/Environment**

✦ Type certificate	Agency/EC	Agency
✦ Design organisation approval	Agency/EC	Agency
✦ Other Individual certificates	Agency/EC	NAA

✈ **Maintenance**

✦ Non EC country	Agency/EC	Agency
✦ EC country	Agency/EC	NAA



European Aviation Safety Agency

The Member States obligations

✈ **The Community being a supranational organisation, Member States may no longer :**

- ✦ issue their own rules
- ✦ deviate from common rules
- ✦ impose additional requirements
- ✦ conclude arrangements with third countries



The Organisation



Our organisation

Executive Director

Patrick Goudou

Policy officers

Safety analysis & research

Communication Manager

Q&S Director
Francesco Banal

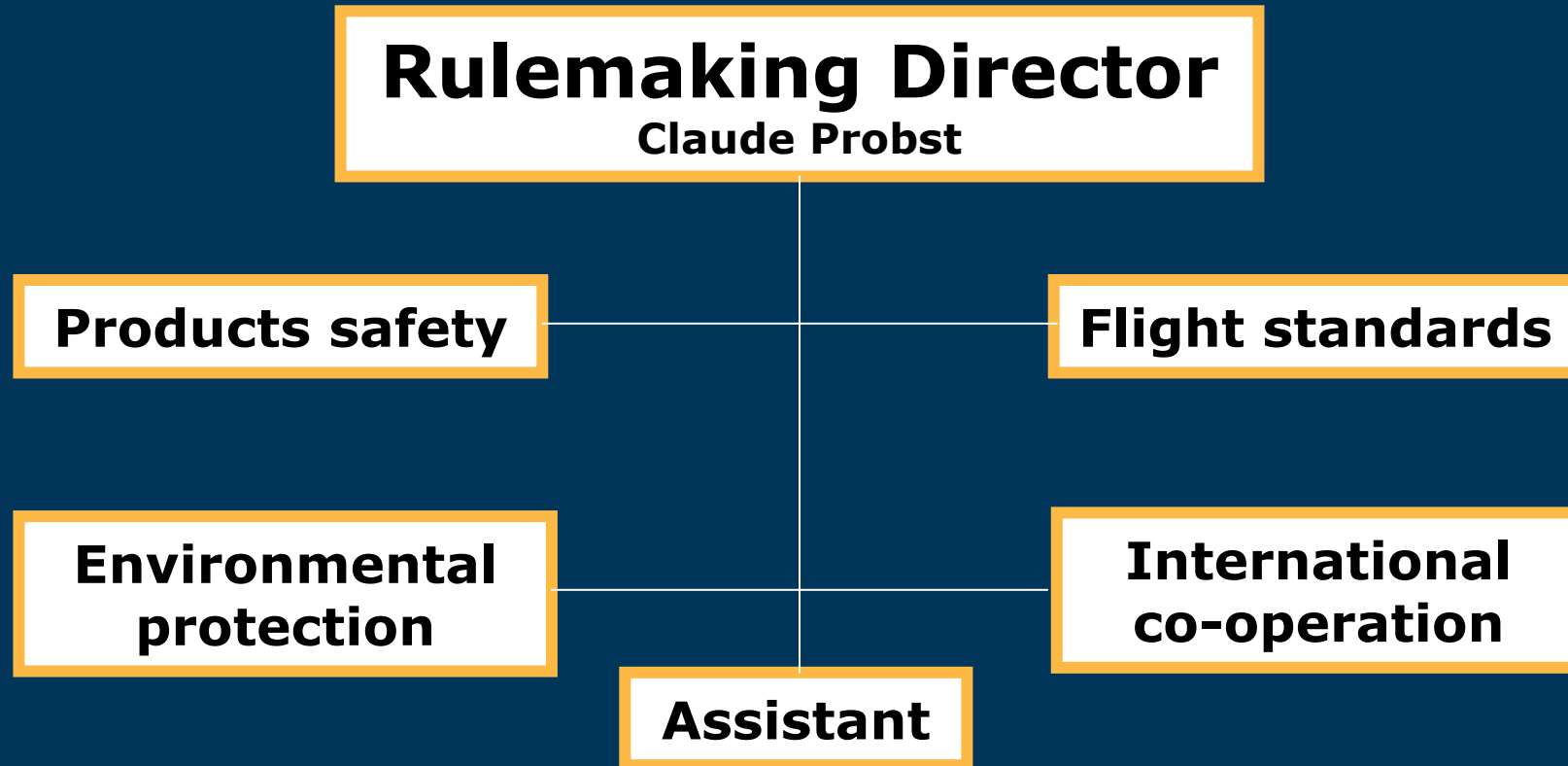
Administrative Director
Markku Junkkari

Rulemaking Director
Claude Probst

Certification Director
Norbert Lohl



Rulemaking





The Work



How we work today

→ Rulemaking

- ✦ The Agency's procedures are in operation
- ✦ The JAA work programme is taken over by the Agency

→ Certification

- ✦ Certificates and approvals are signed by the Agency
- ✦ Certification experts are joining the Agency
- ✦ Temporary service contract with CJAA signed
- ✦ Temporary outsourcing contracts with NAAs about to be signed



How we are going to work

✈ In the forthcoming months and years

- ✦ The Agency takes over the tasks internally in parallel with its staff growth
- ✦ The contracts are phased out accordingly