

**Draft Annex to draft Commission Implementing Regulation (EU) .../... amending
Commission Regulation (EU) No 139/2014 as regards aerodrome information, traffic
exemptions and occurrence reporting**

A. Commission Regulation (EU) No 139/2014 is amended as follows:

1. Article 4 of Commission Regulation (EU) No 139/2014 is replaced by the following:

‘Article 4

Information to the European Union Aviation Safety Agency

With regard to aerodromes that meet the criteria of point (e) of Article 2(1) of Regulation (EU) 2018/1139, Member States shall inform the European Union Aviation Safety Agency (the Agency) on aerodrome names, locations, ICAO location indicators, names of aerodrome operators, and upon request, the number of commercial air transport passengers, as well as the number of aircraft movements conducting commercial passenger and cargo air transport.

2. Article 5 of Commission Regulation (EU) No 139/2014 is replaced by the following:

‘Article 5

Exemptions

- ‘1. Member States shall notify the Commission and the Agency about their decision to grant an exemption in accordance with Article 2(7) of Regulation (EU) 2018/1139 within one month following the decision being taken. The information transmitted to the Commission and the Agency shall include the Member State’s decision containing the reason, the name and the ICAO location indicator of the aerodrome, the name of the aerodrome operator, and the number of commercial air transport passengers and cargo movements of the aerodrome concerned.
2. Member States shall inform the Commission and the Agency about their decision to modify or revoke an exemption they have granted in accordance with Article 2(7) of Regulation (EU) 2018/1139 within one month following the decision being taken.’.

B. Amendments to Annex II (Part-ADR.AR) to Commission Regulation (EU) No 139/2014

3. point ADR.AR.A.025 is replaced by the following:

‘ADR.AR.A.025 Information to the Agency

- (a) The Competent Authority shall without undue delay notify the Agency in case of any significant problems with the implementation of Regulation (EU) 2018/1139 and its delegated and implementing acts within 30 days from the time the Competent Authority has become aware of such significant problems.
- (b) Without prejudice to Regulation (EU) No 376/2014 of the European Parliament and of the Council¹ and the delegated and implementing acts adopted on the basis thereof, the Competent Authority shall provide the Agency with safety-significant information stemming from occurrence reports stored in the national database pursuant to Article 6(6) of Regulation (EU) No 376/2014 as soon as possible.’;

4. in point ADR.AR.A.030, points (a), (b) and (c) are replaced by the following:

- ‘(a) Without prejudice to Regulation (EU) No 376/2014 and its delegated and implementing acts, the Competent Authority shall implement a system to appropriately collect, analyse and disseminate safety information.
- (b) The Agency shall implement a system to appropriately analyse any safety-relevant information received and without undue delay provide the relevant authority of the Member States and the Commission with any information, including recommendations or corrective actions to be taken, necessary for them to react in a timely manner to a safety problem involving aerodromes, aerodrome operators and organisations responsible for the provision of AMS, subject to Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.
- (c) Upon receiving the information referred to in points (a) and (b), the Competent Authority shall take adequate measures to address the safety problem, including the issuing of safety directives in accordance with point ADR.AR.A.040.’;

5. in point ADR.AR.B.005, points (a)(1) and (c) are replaced by the following:

- ‘(a) The Competent Authority shall establish and maintain a management system, including as a minimum:
 - (1) documented policies and procedures to describe its organisation, means and methods to achieve compliance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof. The procedures

¹ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18).

shall be kept up to date and serve as the basic working documents within that Competent Authority for all related tasks;’;

- ‘(c) The Competent Authority shall establish procedures for the participation in a mutual exchange of all necessary information and assistance with other competent authorities concerned, whether from within the Member State or in other Member States, including:
 - (1) the relevant findings raised and follow-up actions taken as a result of oversight of organisations responsible for the provision of AMS in the territory of a Member State, but having declared their activities with more than one competent authority or in more than one Member State; and
 - (2) information stemming from mandatory and voluntary occurrence reporting as required by points ADR.OR.C.030 and ADR.OR.F.055.’;

6. point ADR.AR.B.015 is replaced by the following:

‘ADR.AR.B.015 Changes to the management system

- (a) The Competent Authority shall have a system in place to identify changes that affect its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof. This system shall enable it to take action as appropriate to ensure that its management system remains adequate and effective.
- (b) The Competent Authority shall update its management system to reflect any changes to Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof in a timely manner, so as to ensure effective implementation of its management systems.
- (c) The Competent Authority shall notify the Agency of changes affecting its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof.’.