



Brussels, **XXX**  
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**ANNEX I TO EASA OPINION No 02/2015 AMENDING THE DRAFT REGULATION  
PROPOSED THROUGH OPINION No 03/2014**

**COMMISSION REGULATION (EU) No .../..**

**of **XXX****

**amending draft Commission Regulation (EU) .../... of **XXX** laying down technical requirements and administrative procedures related to service providers and the oversight thereof pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 482/2008, Commission Implementing Regulations (EU) No 1034/2011 and (EU) No 1035/2011, and amending Commission Regulation (EU) No 677/2011**

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THE EUROPEAN COMMISSION,

(...),

Whereas:

(1) (...).

(2) With the proposal on common rules for the certification and oversight of Data services (DAT) providers, it would be ensured that the provider of aeronautical data for use on aircraft processes the data in an appropriate manner to meet the airspace end-users' requirements for its intended use, which is an enabler for safe Performance-Based Navigation (PBN) operations.

(3) (...).

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 10 of the draft Regulation proposed through EASA Opinion No 03/2014, the following paragraph is added:

“7. The Data services (DAT) providers shall comply with the requirements laid down in Annexes III, VII and XIII, as applicable, to this Regulation by [36 months from the date of the entry into force of this Regulation].”

*Article 2*

The following definitions are added to Annex I to the draft Regulation proposed through EASA Opinion No 03/2014:

“aa. ‘Aeronautical data’ means a representation of aeronautical facts, concepts or instructions in a formalised manner suitable for communication, interpretation or processing.

bb. ‘Aeronautical database’ means a collection of aeronautical data organised and arranged as a structured data set, stored electronically on systems, which is valid for a dedicated period and may be updated.

cc. ‘Aeronautical information’ means information resulting from the assembly, analysis and formatting of aeronautical data.

dd. ‘Aerodrome mapping data’ means data collected for the purpose of compiling aerodrome mapping information.

ee. ‘Aerodrome Mapping Database (AMDB)’ means a collection of aerodrome mapping data organised and arranged as a structured data set.

ff. ‘Authoritative source’ means:

— a State authority(ies), or

— an organisation formally recognised by the State authority to originate and/or publish data which meets the Data Quality Requirements (DQRs) as specified by that State.

gg. ‘Certified aircraft application’ means an software application approved by the Agency as part of aircraft subject to Article 4 of Regulation (EC) No 216/2008.

hh. ‘Data quality’ means a degree or level of confidence that the provided data meets the user’s data requirements in terms of accuracy, resolution, integrity (or equivalent assurance level), traceability, timeliness, completeness, and format.

ii. ‘Data Quality Requirements (DQRs)’ means a specification of the characteristics of data (i.e. accuracy, resolution, integrity (or equivalent assurance level), traceability, timeliness, completeness, and format) to ensure that the data is compatible with its intended use.

jj. ‘Data services (DAT) provider’ means an organisation, which is:

— Type 1 DAT provider that processes aeronautical data for use on aircraft and provides an aeronautical database meeting the DQRs, under controlled conditions, for which no corresponding airborne application/equipment compatibility has been determined;

— Type 2 DAT provider that processes aeronautical data and provides an aeronautical database for use on certified aircraft application/equipment meeting the DQRs for which compatibility with that application/equipment has been determined.

kk. ‘Obstacle’ means all fixed (whether temporary or permanent) and mobile objects, or parts thereof, that:

— are located on an area intended for the surface movement of aircraft; or

— extend above a defined surface intended to protect aircraft in flight; or

— stand outside those defined surfaces and have been assessed as being a hazard to air navigation.

ll. ‘Tailored data’ means aeronautical data which is provided by the aircraft operator or DAT provider on the aircraft operator’s behalf and produced for this aircraft operator for its intended operational use.

mm. ‘Terrain’ means the surface of the Earth containing naturally occurring features such as mountains, hills, ridges, valleys, bodies of water, permanent ice and snow, and excluding obstacles.”

### *Article 3*

The privileges for data services in the attachment to the service provider’s certificate laid down in Appendix 1 to Annex II to the draft Regulation proposed through EASA Opinion No 03/2014 are amended as follows:

Services	Type of service	Scope of service	Limitations*
<input type="checkbox"/> <b>Data services (DAT)</b>	<input type="checkbox"/> Type 1	Provision of DAT Type 1 authorises the supply of aeronautical databases in the following formats: [list of the generic data formats] Provision of DAT Type 1 does not authorise the supply of aeronautical databases directly to end-users/aircraft operators.	
	<input type="checkbox"/> Type 2	Provision of Type 2 DAT authorises the supply of aeronautical databases to end-users/aircraft operators for the following airborne application/equipment, for which compatibility has been demonstrated:  [Manufacturer] Certified Application/Equipment model [XXX], Part No [YYY]	
<b>Conditions:</b>			

#### *Article 4*

ANNEX VII (Part-DAT) to the draft Regulation proposed through EASA Opinion No 03/2014 is amended as follows:

### **‘SUBPART A — ADDITIONAL ORGANISATION REQUIREMENTS FOR THE PROVISION OF DATA TO AIRSPACE USERS FOR THE PURPOSE OF AIR NAVIGATION (DAT.OR)**

#### **Section 1 — General requirements**

##### **DAT.OR.100 Aeronautical data and information**

(a) The DAT provider shall receive, assemble, translate, select, format, distribute and/or integrate aeronautical data and information that is released by an authoritative source for use in aeronautical databases on certified aircraft application/equipment.

In specific cases, if aeronautical data is not provided in the Aeronautical Information Publication (AIP) or by an authoritative source or does not meet the applicable data quality requirements (DQRs), that aeronautical data may be originated by the DAT provider itself. In this context, the DAT provider shall validate that aeronautical data.

(b) When so requested, the DAT provider may process tailored data provided by the aircraft operator or originating from other DAT providers for use by that aircraft operator. The responsibility for this data and its subsequent update shall remain with the aircraft operator.

##### **DAT.OR.105 Technical and operational competence and capability**

(a) The DAT provider shall:

(1) perform the reception, assembly, translation, selection, formatting, distribution and/or integration of aeronautical data and information that is released by aeronautical data source

provider(s) into aeronautical databases for certified aircraft application/equipment under the applicable requirements. The Type 2 DAT provider shall ensure that the DQRs are compatible with the intended use of the certified aircraft application/equipment through an appropriate arrangement with the specific equipment design approval holder or an applicant for an approval of that specific design;

(2) issue a statement of conformity that the aeronautical databases it has produced are produced in accordance with Commission Regulation (EU) .../... and the applicable industry standards; and

(3) provide assistance to the equipment design approval holder in dealing with any continuing airworthiness actions that are related to the aeronautical databases that have been produced.

(b) For release of databases, the accountable manager shall nominate attesting staff identified in DAT.TR.100(b) and allocate their responsibilities in an independent manner to attest through the statement of conformity that data meets the DQRs and processes are followed. The ultimate responsibility for the databases release statements signed by the attesting staff shall remain with the accountable manager of the DAT provider.

#### **DAT.OR.110 Management system**

In addition to ATM/ANS.OR.B.005, the DAT provider, as applicable for the type of DAT provision, shall establish and maintain a management system that includes control procedures for:

- (a) document issue, approval or change;
- (b) DQRs change;
- (c) verification that incoming data has been produced in accordance with the applicable standards;
- (d) timely update of the data used;
- (e) identification and traceability;
- (f) processes for reception, assembly, translation, selection, formatting, distribution and/or integration of data into a generic database or database compatible with the specific aircraft application/equipment;
- (g) data verification and validation techniques;
- (h) identification of tools, including configuration management and tools qualification, as necessary;
- (i) handling of errors/deficiencies;
- (j) coordination with the aeronautical data source provider(s) and/or DAT provider(s), and with the equipment design approval holder or an applicant for an approval of that specific design when providing Type 2 DAT services;
- (k) issue of statement of conformity; and
- (l) controlled distribution of databases to users.

#### **DAT.OR.115 Record-keeping**

In addition to ATM/ANS.OR.B.030, the DAT provider shall include in its record-keeping system the elements indicated in DAT.OR.110.

## **Section 2 — Specific requirements**

### **DAT.OR.200 Reporting requirements**

(a) The DAT provider shall:

(1) report to the customer and, where applicable, the equipment design approval holder all the cases where aeronautical databases have been released by the DAT provider and have been subsequently identified to have deficiencies and/or errors, thus not meeting the applicable data requirements.;

(2) report to the competent authority the deficiencies and/or errors identified according to subparagraph (1), which could lead to an unsafe condition. Such reports shall be made in a form and manner acceptable to the competent authority;

(3) where the certified DAT provider is acting as a supplier to another DAT provider, report also to that other organisation all the cases where it has released aeronautical databases to that organisation and have been subsequently identified to have errors; and

(4) report to the aeronautical data source provider instances of erroneous, inconsistent or missing data in the aeronautical source.

(b) The DAT provider shall establish and maintain an internal reporting system in the interest of safety to enable the collection and assessment of reports in order to identify adverse trends or to address deficiencies, and to extract reportable events and actions.

This internal reporting system may be integrated into the management system as required in ATM/ANS.OR.B.005.

## **SUBPART B — TECHNICAL REQUIREMENTS FOR THE PROVISION OF DATA TO AIRSPACE USERS FOR THE PURPOSE OF AIR NAVIGATION (DAT.TR)**

### **Section 1 — General requirements**

#### **DAT.TR.100 Working methods and operating procedures**

The DAT provider shall:

(a) with regard to all the necessary aeronautical data:

(1) establish DQRs that are agreed upon with other DAT provider and in the case of a Type 2 DAT provider, with the equipment design approval holder or an applicant for an approval of that specific design, to determine the compatibility of these DQRs with the intended use;

(2) use data from an authoritative source(s) and, if required, other aeronautical data verified and validated by the DAT provider itself and/or by other DAT provider(s);

(3) establish a procedure to ensure that the data is correctly processed; and

(4) establish and implement processes to ensure that the tailored data provided or requested by an aircraft operator or other DAT provider shall only be distributed to the requester itself; and

(b) with regard to attesting staff that sign the statements of conformity issued under DAT.OR.105(b) ensure that:

- (1) the knowledge, background (including other functions in the organisation), and experience of the attesting staff are appropriate to their allocated responsibilities;
- (2) it maintains records of all attesting staff which include details of the scope of their authorisation; and
- (3) attesting staff are provided with evidence of the scope of their authorisation.

**DAT.TR.105 Required interfaces**

The DAT provider shall ensure the necessary formal interfaces with:

- (a) aeronautical data source(s) and/or other DAT providers;
- (b) the equipment design approval holder for Type 2 DAT provision, or an applicant for an approval of that specific design; and
- (c) aircraft operators, as applicable.'