



# LESSONS LEARNT FROM THE CURRENT CONFORMITY SYSTEM

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# What is Conformity Assessment from a manufacturer perspective?

- This term comes from the interoperability Regulation (CE) 552/04
- It refers to verification of compliance to **regulation**: *“The manufacturer, or its authorised representative established in the Community, shall ensure and declare, by means of the EC declaration of conformity or suitability for use, that he has applied the provisions laid down in the essential requirements and in the relevant implementing rules for interoperability.” Article 5 of (CE) 552/04”*

# Recall of the definition of Community Specifications

*(extract from (EC) No 552/2004)*

- Community specifications concerning EATMN, its systems and constituents and associated procedures is an appropriate means of defining the technical and operational conditions necessary to meet the essential requirements and relevant implementing rules for interoperability.
- Compliance with published Community specifications, which remains voluntary, creates a presumption of conformity with the essential requirements and the relevant implementing rules for interoperability.
- Community specifications should be established by the European standardisation bodies in conjunction with the Eurocae and by Eurocontrol, in accordance with general Community standardisation procedures.

# Recall of the difference between DoC and DSU

*(extract from EUROCONTROL Guidelines on conformity assessment  
for the interoperability Regulation of the single European sky, Ed3, 2012)*

- Declaration of Conformity (DoC) can only be declared when the constituent has applied all relevant requirements of the Community specifications
- Declaration of Suitability for Use (DSU) is used when no Community Specification exists or existing one(s) is (are) not applied by the manufacturer

# What is good in the current regulatory framework?

- Community specifications are providing a technical baseline to comply to (DoC)
- Flexibility introduced with the DSU when no community specification is existing => this allows to not slow down innovation and enables a transition period before a new common technical baseline is established (if needed)
- Guidelines are existing and are used by practitioners (e.g. Eurocontrol guideline EUROCONTROL-GUID-137).
- The EC declaration regulatory baseline is written in the bilateral contract agreed by both parties (e.g. ANSP and Manufacturer). Any change of the regulatory framework (e.g. community specification version) is managed through an amendment to the contract.

# What could be improved?

- Clarify what is EATMN system versus EATMN constituents
  - ⇒ a GM with a generic EATMN system model could be useful (e.g. Annex D of EUROCONTROL-GUID-137, Ed3, 2012)
- Clarify the role of the EATMN system designer, in particular when the system is composed of different constituents provided by different suppliers
- Overlapping of regulatory requirements should be managed through reference and not through duplication
  - Example: « Systems and constituents shall be designed to meet applicable safety and security requirements” REGULATION (EU) 2018/1139 - ANNEX VIII  
Essential requirements for ATM/ANS (§3.3.1) & (EC) N° 552/2004 Annex II Part A §3 (Safety)
  - ⇒ A DoC or a DSU does not replace a Safety Case or a Security Case.



# THANK YOU