Implementation of the regulatory needs of the Single European Sky ATM Research (SESAR) common projects

ISSUE 1

Issue/rationale

The SESAR Joint Undertaking has developed and continues to develop a number of new technological and operational solutions that aim to improve the efficiency and safety of European air traffic management (ATM) operations. Some of these solutions have been mandated for implementation. This, together with the developments in other Regions and States, requires the initiation of consolidated and coordinated implementation support actions that look holistically at the requirements that will facilitate the achievement of the operational improvements and new ATM operational concepts in a safe, interoperable and efficient manner.

Action area: SESAR deployment
Potentially affected rules: Regulation (EU) 2017/373
Regulation (EU) 2015/340
Regulation (EU) No 965/2012
Regulation (EU) No 923/2012
Regulation (EU) No 139/2014
Regulation (EU) No 1332/2011
Regulation (EU) 2018/1048
CS-25
CS-23
CS-29
CS-ACNS
CS-ETSO
CS/GM MMEL
AMC and GM to AUR
AMC and GM to Commission Implementing Regulation (EU) 2017/373
AMC and GM to the Standardised European Rules of the Air
AMC and GM to the ATCO Licencing Regulation
GM to Annex I (Definitions) to Commission Regulation (EU) No 965/2012
AMC and GM to Part-ARO
AMC and GM to Part-ORO
AMC and GM to Part-CAT
AMC and GM to Part-SPA
AMC and GM to Part-NCC
AMC and GM to Part-NCO
AMC and GM to Part-SPO

Affected stakeholders: Providers of ATM/ANS (ANSPs); aircraft operators; aerodrome operators; aircraft and system/equipment manufacturers; Member States (MSs); (including Military) competent authorities (CAs); production organisation approval (POA) holders; training organisation (TOs)

Driver: Efficiency/proportionality
Impact assessment: TBA
Rulemaking group: No (only expert groups)
Rulemaking Procedure: Standard/Direct/Accelerated

*EASA rulemaking process milestones


1 2 3 4 5

10.12.2019 2021/Q2 2022/Q4 2023/Q1 2023/Q1
1. Why we need to change the rules — issue/rationale

The SESAR Joint Undertaking has developed and continues to develop ATM operational improvements based on new technological and operational solutions (e.g. U-space technical solutions, virtualisation, cloud-based architecture, remote tower operations, and communication, navigation and surveillance solutions) that aim to improve the efficiency and safety of European ATM operations. A number of these improvements have been or are envisaged to be mandated for implementation via the application of common projects; it is, therefore, important that the safety and interoperability requirements are correctly reflected and attributed to the applicable stakeholders. It is also important to recognise that other Regions and States are developing operational improvements (e.g. NextGen) or are implementing the improvements as specified in ICAO Doc 9750 ‘Global Air Navigation Plan’ (GANP). As such, there is a need to initiate consolidated and coordinated actions that address holistically the implementation needs and facilitate the achievement of the operational improvements and ATM operational concepts, with the expectation to improve capacity, efficiency, safety, and security while ensuring interoperability in a synchronised manner among stakeholders, not only with respect to European operations but globally.

2. What we want to achieve — objective

The general objective of this rulemaking task (RMT) is the development of the regulatory enablers and promotion material, as required, to enable the safe, efficient, interoperable and timely deployment of the operational improvements based on SESAR solutions stemming from the European ATM Master Plan. Furthermore, the task will take into account the content of the Airspace Architecture study and the associated recommendations stemming from the Transition Plan, as well as those of the Wise Persons Group. Regulatory enablers are also required to support the operation of European aircraft in non-European Union States and Regions that deploy ATM improvements in accordance with the GANP. The subjects addressed by this RMT will be those that are not covered by other specific RMTs.

This RMT is purposed to primarily address and support the implementation needs, when known and found necessary, of the following essential operational changes:

- CNS infrastructure and services,
- ATM interconnected network,
- digital AIM and MET services,
- U-space services,
- virtualisation of service provision,
- airport and TMA performance,
- fully dynamic and optimised airspace,
- trajectory-based operations,
- multimodal mobility and integration of all airspace users.

It will also address the implementation needs stemming from the ICAO Aviation System Block Upgrades (ASBU) to support global operations.

1 Commission Implementing Regulation (EU) No 409/2013 of 3 May 2013 on the definition of common projects, the establishment of governance and the identification of incentives supporting the implementation of the European Air Traffic Management Master Plan (OJ L 123, 4.5.2013, p. 1).
Because of the generic nature of this task, it is open-ended and has no end date.

3. **How we want to achieve it**

In order to achieve the above objectives of this RMT, EASA will:

— review the availability and maturity of SESAR solutions and related documentation;

— review the need for timely deployment and the need to support safety, security, interoperability, and efficiency;

— review the structure and contents of the implementing rules (IRs) and of the related acceptable means of compliance and/or guidance material (AMC/GM) that support the single European sky (SES) and the EASA Basic Regulation (Regulation (EU) 2018/1139);

— perform an impact assessment of the regulatory options, making due use of the available SESAR supporting documentation;

— establish the appropriate actions in response to the identified needs.

Each individual proposed package (i.e. rulemaking activities or implementation support) will, however, provide the specific planning and intended dates for the issuing of the respective deliverables, which may consist of supporting material, decisions (AMC/GM) and/or, where needed, opinions (with draft IRs) or additional EASA actions.

4. **What are the deliverables**

Depending of the specific action, the following main deliverables are envisaged:

— an NPA describing the subjects selected and proposing amendments to IRs, certification specifications (CSs), and AMC or GM, as required;

— a comment-response document (CRD) to the above-mentioned NPA; and

— an opinion and/or decision; or

— safety promotion/implementation support documentation.

5. **How we consult**

Focused consultations may be organised, as required, prior to the publication of NPAs as well as during the review of the comments resulting from the publication of NPAs. This will be determined during the drafting phase and may include:

— technical meetings with affected stakeholders;

— workshops;

— conferences (including teleconferences); and

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3 When the action is implementation support or safety promotion, no NPA will be issued.
— written Advisory Body (AB) consultations.

6. Profile and contribution of the rulemaking group

For this RMT, no permanent rulemaking group (RMG) is envisaged. However, where deemed necessary, ad hoc expert groups will be established consisting of representatives from the affected stakeholders. The expert groups will provide technical and operational expertise during the drafting phase as well as support the review of comments received through consultations. In this case, a call for nominations for establishing the expert group(s) will be circulated to the Advisory Bodies.

The profile required for the potential members of the expert groups will be described and requested as and when required.
7. Reference documents

7.1. Potentially affected regulations (non-exhaustive list)

— Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight (OJ L 62, 8.3.2017, p. 1)


Other regulations that may be affected and require amendments will be identified in the context of this RMT. Proposals for amendments may be included in this RMT or additional RMTs may be initiated, as appropriate.

7.2. Potentially affected decisions (non-exhaustive list)

— Decision No. 2003/2/RM of the Executive Director of the Agency of 17 October 2003 on certification specifications, including airworthiness codes and acceptable means of compliance, for large aeroplanes (« CS-25 »)

— Decision No. 2003/14/RM of the Executive Director of the Agency of 14 November 2003 on certification specifications, including airworthiness codes and acceptable means of compliance for normal, utility, aerobatic and commuter category aeroplanes (« CS-23 »)

— Decision No. 2003/16/RM of the Executive Director of the Agency of 14 November 2003 on certification specifications for large rotorcraft (« CS-29 »)

Decision No. 2003/10/RM of the Executive Director of the Agency of 24 October 2003 on certification specifications, including airworthiness codes and acceptable means of compliance, for European Technical Standard Orders («CS-ETSO»)


Decision N° 2012/002/R of the Executive Director of the Agency of 8 March 2012 on the acceptable means of compliance and guidance material for common airspace usage requirements and operating procedures — ‘AMC/GM to AUR’

Executive Director Decision 2017/001/R of 8 March 2017 issuing acceptable means of compliance and guidance material to Commission Implementing Regulation (EU) 2017/373 — ‘Common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight’


Decision 2014/015/R of the Executive Director of the Agency of 24 April 2014 adopting Acceptable Means of Compliance and Guidance Material to Part-CAT of Regulation (EU) No 965/2012 and
repealing Decision 2012/018/R of the Executive Director of the Agency of 24 October 2012 — ‘AMC and GM to Part-CAT — Issue 2’


- Decision N° 2013/021/Directorate R of the Executive Director of the Agency of 23 August 2013 on adopting Acceptable Means of Compliance and Guidance Material for Non-commercial operations with complex motor-powered aircraft (Part-NCC)


Other decisions that may be affected and require amendments will be identified in the context of this RMT. Proposals for amendments may be included in this RMT or additional RMTs may be initiated, as appropriate.

7.3. Reference documents (non-exhaustive list)


— European Plan for Aviation Safety (EPAS)\(^4\)

— European ATM Master Plan, Fourth Edition

— Airspace Architecture Study — Proposal for the future architecture of the European airspace created by SESAR Joint Undertaking, 2019

— Future architecture of the European airspace Transition Plan 2019


— Commission Regulation (EC) No 633/2007 of 7 June 2007 laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units (OJ L 146, 8.6.2007, p. 7)


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\(^4\) The EPAS is updated and published yearly.