



EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

## EASA Conference on future aerodrome safety rules

# Authority Requirements

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Your safety is our mission.

21 May 2012



# Outline

- Basis of the rules
- General principles
- Structure of the rules
- Example rules
- Comments on the rules in the NPA





# Authority Requirements = ICAO critical elements





# Basis of the rules

## **Legal basis**

- BR and Regulation 1108/2009

## **Overall context of rules**

- ICAO Annex 14
- Basic Regulation Article 8a
- ERs of Annex Va and relevant ERs of Annex Vb

## **Where is the text from?**

- Basic Regulation subparts of Art. 8a
- Annex 14
- Approved OPS and FLC rules for AR



# General principles and sources

## Implementing rules

Part 21 and ARs for OPS and FCL

ICAO USOAP audit questions

Flexibility and proportionality

Comprehensiveness

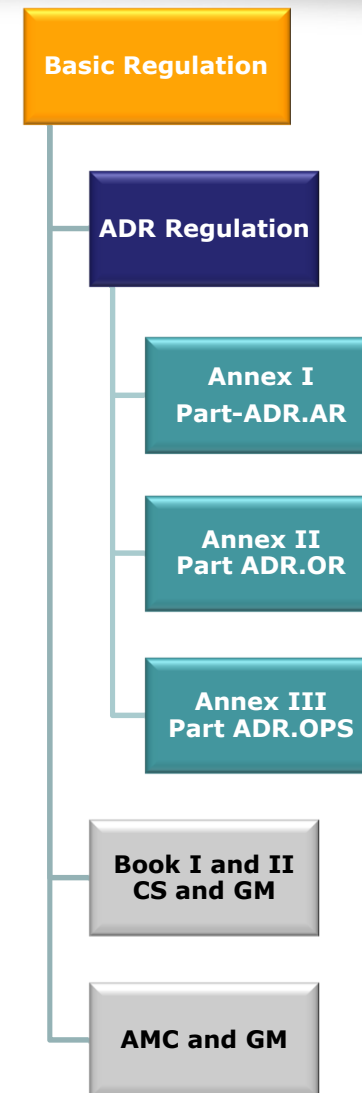
## AMC/GM

- Doc 9774
- Doc 9734
- ICAO USOAP questions
- Best practice (also non-EU)
- .....



# Structure of the rules

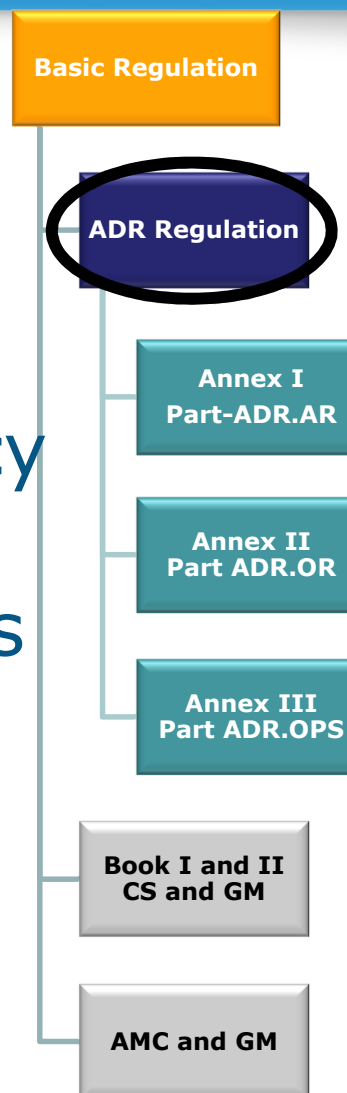
- **Draft Regulation with three annexes**
  - **Annex I Part-ADR.AR**  
Authority Requirements
  - **Annex II Part-ADR.OR**  
Organisation Requirements
  - **Annex III Part-ADR.AR**  
Operations Requirements
- **AMCs and GM are related but different legal status.**





# Draft Aerodrome Regulation

- **Recitals**
- **Article 1** – Subject matter
- **Article 2** – Definitions
- **Article 3** – Oversight capabilities
- **Article 4** – Notification to the Agency
- **Article 5** – Exemptions
- **Article 6** – Conversion of certificates
- **Article 7** – Deviations from CSs
- **Article 8** – Obstacles – objects
- **Article 9** – Sources of light
- **Article 10** – Land use planning
- **Article 11** – Entry into force





# Example: Dealing with existing certificates

## Basic Regulation

### Article 8a § 5 (g)

the **conditions for the acceptance and for the conversion of aerodrome certificates issued by Member States**, including measures which are already authorised by the Member State concerned on the basis of notified deviations from Annex 14 of the Chicago Convention before the entry into force of this Regulation;  
...

## Draft Regulation

### Art. 6 — Conversion of certificates

1. Aerodrome certificates issued by the competent authority to aerodromes and their operators, prior to the coming into force of this Regulation, **shall remain valid for a maximum period of 48 months**, following the coming into force of this Regulation.
2. Before the end of the period specified in (1), the competent authority may issue certificates in accordance with this Regulation for such aerodromes and aerodrome operators, if:
  - a) the competent authority has **established the certification basis using the Certification Specifications issued by the Agency**, including any cases of equivalent level of safety and special conditions which have been identified and documented; and
  - b) the certificate holder has **demonstrated compliance with the elements of the certification basis, the requirements of Regulation (EC) No 216/2008 and its Implementing Rules which are applicable to its organisation and its operation which are different** from the requirements in accordance to which the national certificate was issued.
3. The competent authority shall keep records of its conversion process.



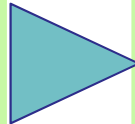


# Example: Dealing with surroundings

## Basic Regulation

### Article 8a § 3

Member states shall ensure that provisions are in place to **safeguard aerodromes against activities and developments in their surroundings** which may cause unacceptable risks to aircraft using the aerodrome.



## Draft Regulation

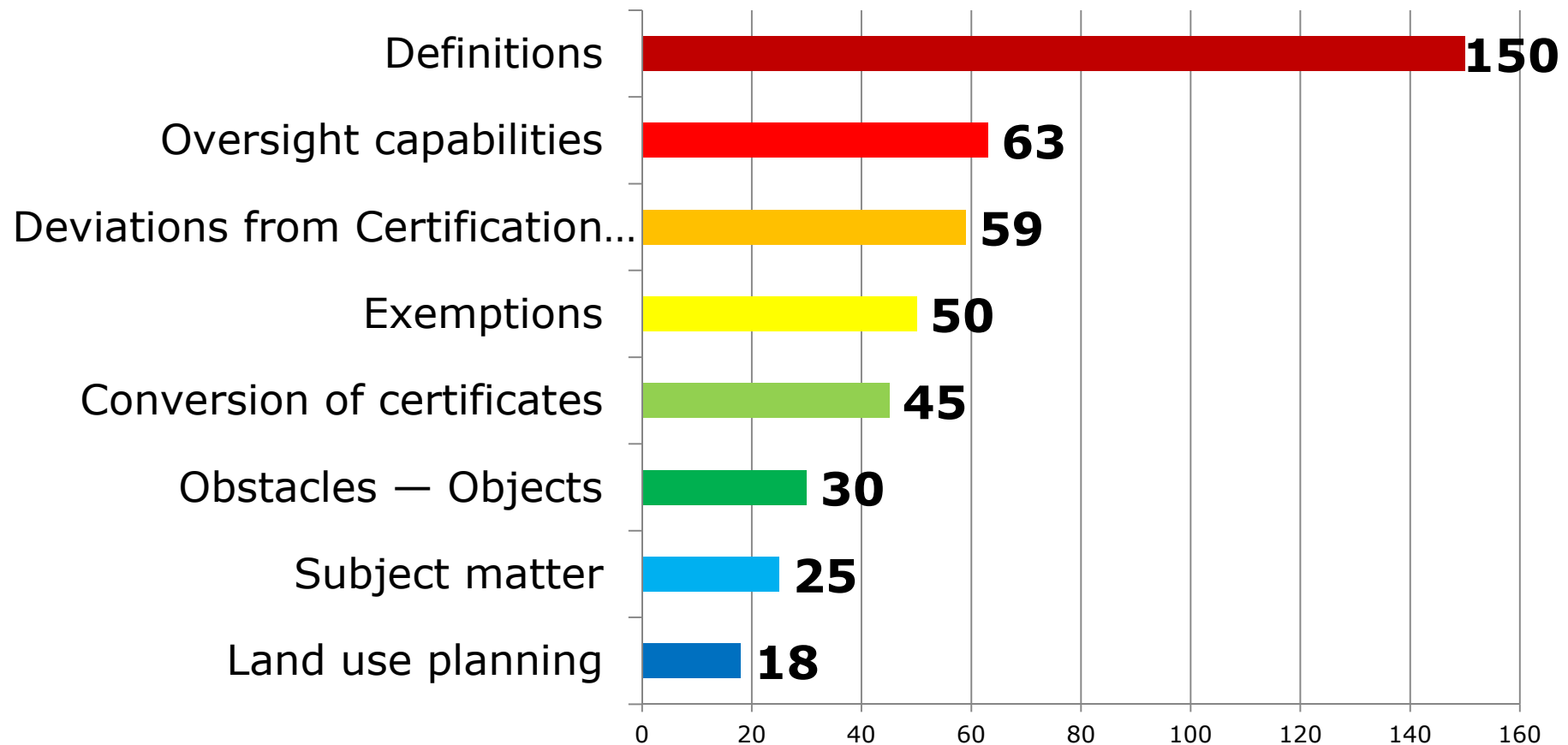
### Art. 10 – Land use planning

Member States shall ensure that the **competent authority and the aerodrome operators are consulted when developments, activities, or changes in the land use in the vicinity of an aerodrome are proposed.**



# Comments on the rules: Draft Regulation

## Most commented Draft Regulations





# Comments on the rules: Draft Regulation

## Most commented Draft Regulations

Definitions

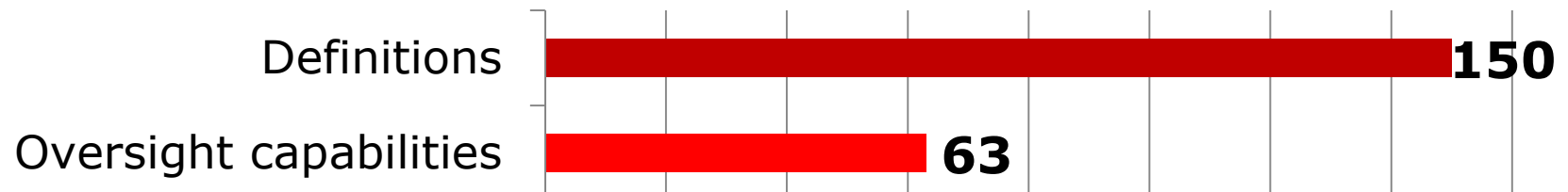


- **Define ELOS**
- **Change def. of Non-instrument runway**
- **Change def. of lower than Cat 1**
- **Change def. of aerodrome**
- **Change def. of Apron Management**
- **Define “international operations”**
- **Define “vicinity” and “surroundings”**
- **Change def. of Low Visibility Procedure**
- **Coordinate def. of audit**
- **Change def. of aerodrome equipment**
- **Ect.....**

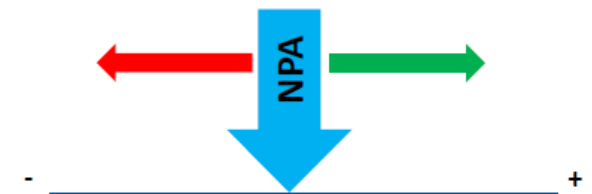


# Comments on the rules: Draft Regulation

## Most commented Draft Regulations



- **Worry over staff taking direct action (AR.C.055)**
- **Designation of competent authorit(y)ies**
- **Responsibilities for oversight aspects by others**
- **What is meant by enforcement action (coordination inside and between MSs)**
- **Question over legal basis for AR rules**
- **Access to airports should be installed**
- **Compliance with national law (e.g. admin law)**





# Comments on the rules: Draft Regulation

## Most commented Draft Regulations

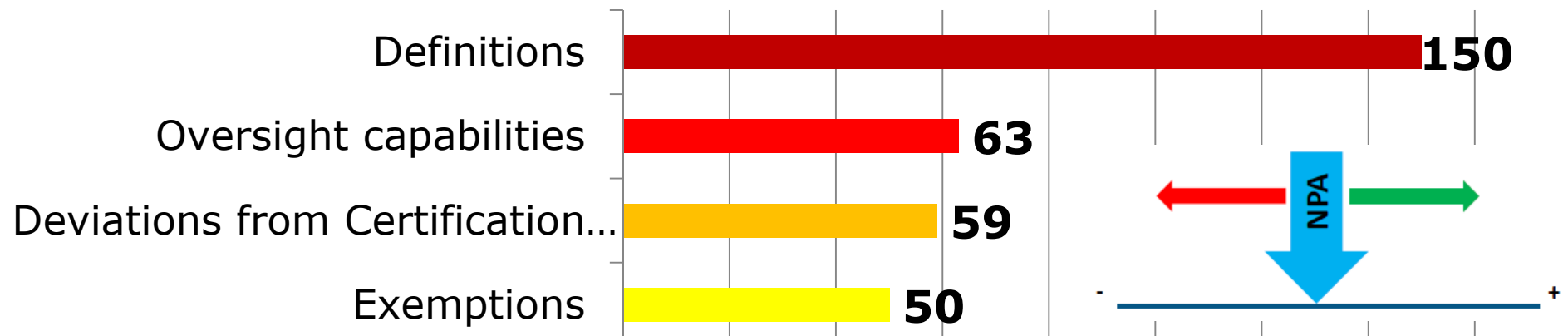


- **Allow the concept of DAAD**
- **DAAD and cost of SA**
- **ELOS definition wanted**
- **No fixed deadline for the DAAD eligibility**
- **DAAD begs question over standards of SA's and why require it if deviation was accepted by CA?**
- **Title of Art.7 should be DAAD**
- **No notifications to Agency of the DAADs**
- **Can DAAD be used for conversion airports**



# Comments on the rules: Draft Regulation

## Most commented Draft Regulations

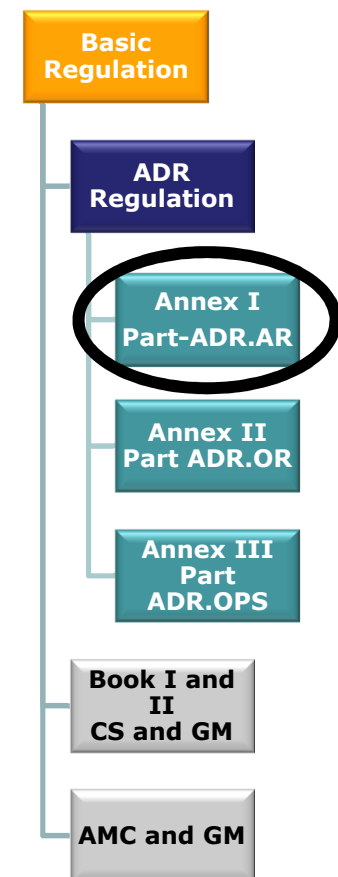


- **Declaration restricts exemption and is burden**
- **Notification of exemption to be done by MSs not CA**
- **Define “level of safety as effective as...”**
- **Point of contact should be EASA**
- **Notifications under Art. 4 and Art. 5 should go**
- **Define “international operations”**



# Annex I – Part –ADR.AR

- **Annex I Part-ADR.AR Authority Requirements**
- **Part ADR.AR** addresses the competent authority. It contains:
  - Subpart A – General requirements (ADR.AR.A)
  - Subpart B – Management (ADR.AR.B)
  - Subpart C – Oversight, certification and enforcement (ADR.AR.C)





# Example: establishing the Certification Basis

## Basic Regulation

### Article 8a § 2 (b)

(b) the certification basis for an aerodrome shall consist of the following:

- (i) the applicable **certification specifications** related to the type of aerodromes;
- (ii) the provisions for which an **equivalent level of safety has been accepted**; and
- (iii) the **special detailed technical specifications** necessary when the design features of a particular aerodrome or the experience in operation render any of the specifications referred to in point (i) inadequate or inappropriate to ensure conformity with the essential requirements set out in Annex Va; ...

## Implementing Rules

### ADR.AR.C.020 – Certification basis

The certification basis to be notified to an applicant by the competent authority shall consist of:

- a) the applicable **certification specifications issued by the Agency, related to the type and operation of the aerodrome and which are effective on the date of application for that certificate**, unless:
  - 1) the applicant elects compliance with later effective amendments; or
  - 2) the competent authority finds that compliance with such later effective amendments is necessary;
- b) **any provision for which an equivalent level of safety has been accepted by the competent authority**;
- c) any **special condition in accordance with ADR.AR.C.025**.



**AMC1-ADR.AR.C.020 – Certification basis - EFFECTIVE CERTIFICATION SPECIFICATIONS**





# Example: issuing special conditions

## Basic Regulation

### Article 8a § 2 (b)

(b) the certification basis for an aerodrome shall consist of the following:

- (i) the applicable certification specifications related to the type of aerodromes;
- (ii) the provisions for which an equivalent level of safety has been accepted; and
- (iii) the special detailed technical specifications necessary when the design features of a particular aerodrome or the experience in operation render any of the specifications referred to in point (i) inadequate or inappropriate to ensure conformity with the essential requirements set out in Annex Va; ...**

## Implementing Rules

### ADR.AR.C.025 — Special conditions

- (a) The **competent authority shall prescribe special detailed technical specifications, named special conditions, for an aerodrome, if the related Certification Specifications issued by the Agency referred to in Article ADR.AR.C.020(a) are inadequate or inappropriate**, to ensure compliance with the essential requirements of Annex Va to Regulation (EC) No 216/2008, because:
  - (1) the **Certification Specifications cannot be met due to physical, topographical or similar limitations** related to the location of the aerodrome;
  - (2) the aerodrome has **novel or unusual design features**; or
  - (3) **experience from the operation of that aerodrome** or other aerodromes having similar design features, has shown that safety may be endangered.
- (b) The special conditions shall contain such **technical specifications, limitations or procedures to be complied with, as the competent authority finds is necessary** to ensure compliance with the essential requirements set out in Annex Va to Regulation (EC) No 216/2008.



# Example: Dealing with obstacles

## Basic regulation

### ER C 1 Aerodrome surroundings

The **airspace around aerodrome movement areas shall be safeguarded from obstacles ...(...)**  
**Obstacle monitoring surfaces shall therefore be developed, implemented and continuously monitored (..)**

### EC A 2 (a) Obstacle clearance

To protect aircraft (...) **shall provide aircraft with the required clearance from obstacles located in the area surrounding the aerodrome (...)**

## Draft Regulation

### ADR.AR.C.065 – Obstacles - Objects

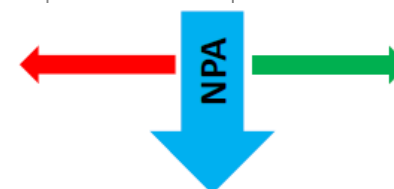
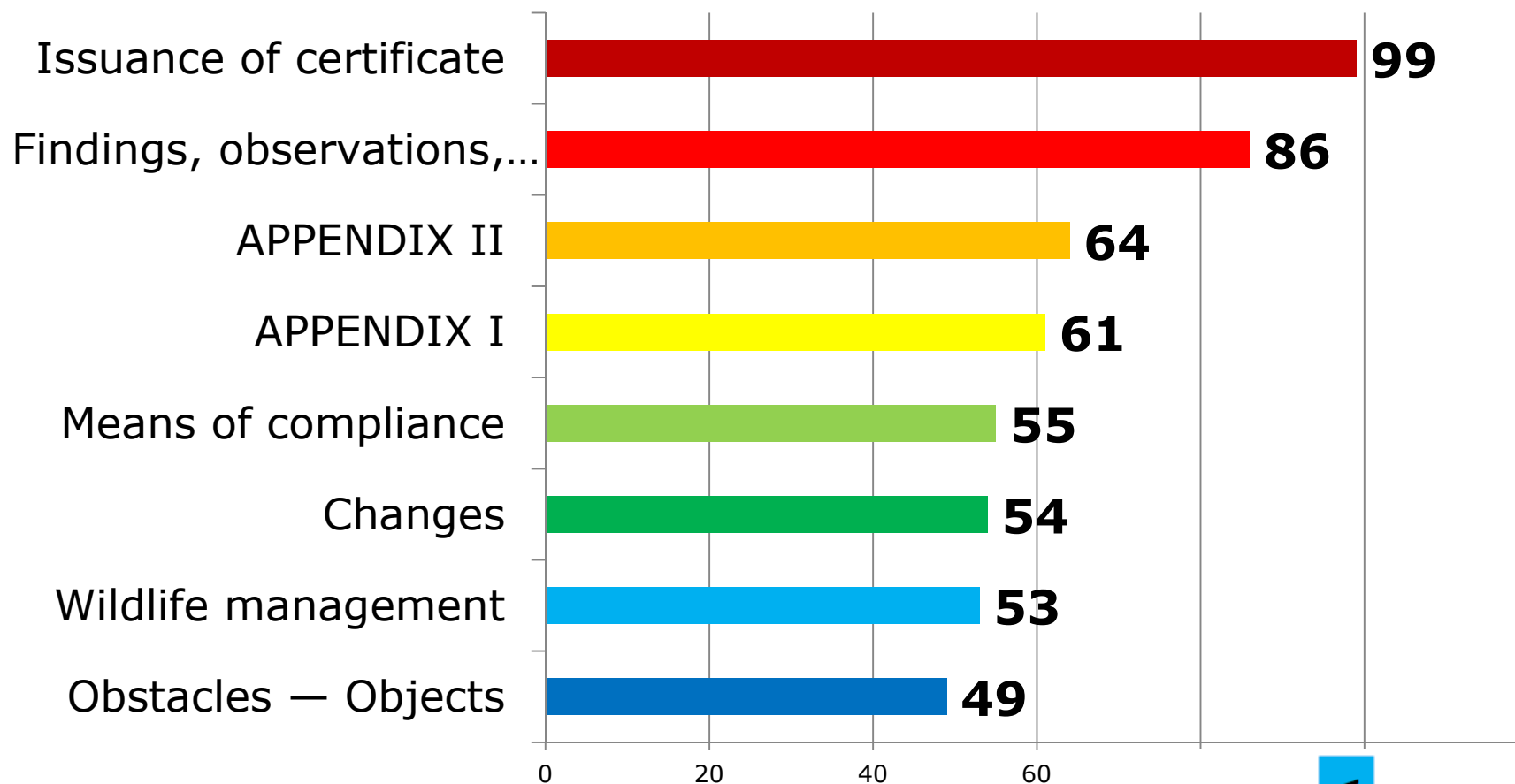
- (a) The competent authority shall:
- (1) **establish obstacle limitation surfaces, protection surfaces and other areas associated with an aerodrome and its surroundings** to define the limits to which objects may project into the airspace;
  - (2) **not permit new objects or extensions to existing objects, remove objects or otherwise protect the surfaces and areas established** in accordance with (a)(1), as appropriate;
  - (3) **not permit developments which may endanger safety due to obstacle-induced turbulence.**
- (b) The **competent authority shall ensure that obstacles, individual objects or constructions are marked and/or lighted, as appropriate, in accordance with the Certification Specifications issued by the Agency.**
- (c) The competent authority shall ensure that an aeronautical study is conducted to determine the effect on the ... aircraft by constructions, beyond the limits of the ... surfaces, established in accordance with ... and above a height established by the ...
- In areas beyond the limitation surfaces, at least those objects ... height of 150 m or more above ground elevation ... as obstacles, unless an aeronautical study indicates that ... do not constitute a hazard to aircraft.

**NEWS: En-route obstacles will not be covered now**



# Comments on the rules: AR IRs

## Most commented IRs



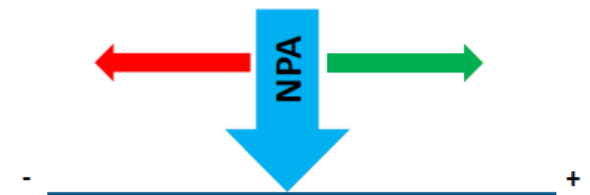


# Comments on the rules: AR IRs

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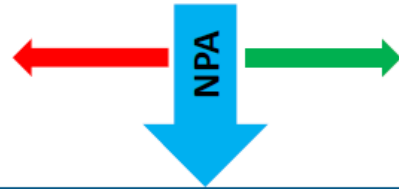


- **Allow 3<sup>rd</sup> cat. of changes requiring neither approval nor notification**
- **Allow unlimited duration of certificate. Some ask for limited also.**
- **Allow issuance with minor open level 2 findings**
- **Allow the DAAD to the certificate.**
- **Misunderstanding that this is about change of operator.**
- **Suggest to omit 2 certificate possibility**

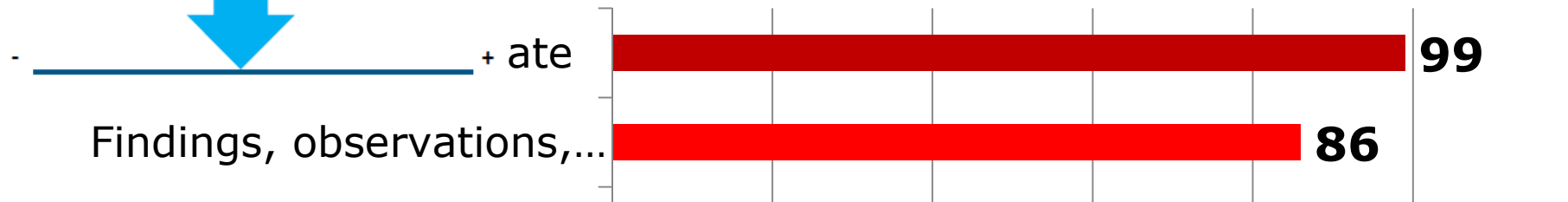




# Comments on the rules: AR IRs



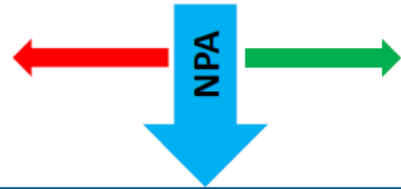
## Most commented IRs



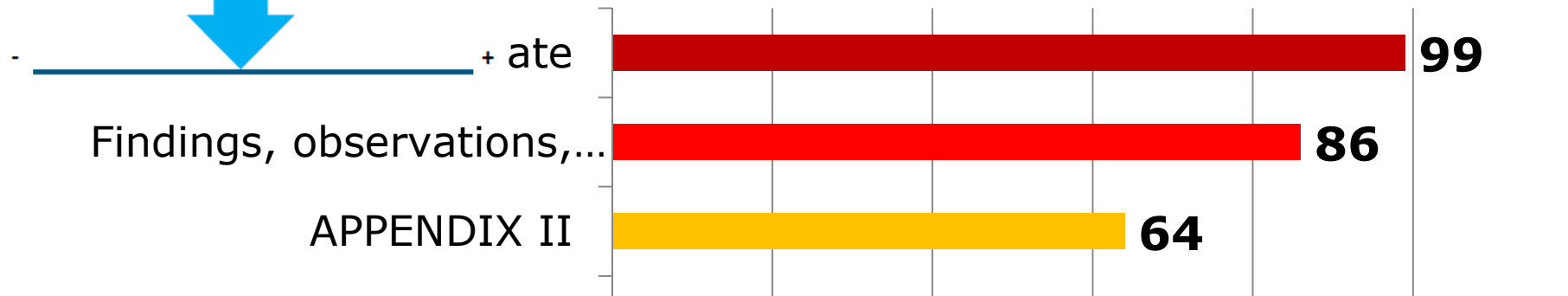
- **Clarify the role accountable manager**
- **Allow s-term absence of Accountable Manager**
- **Mention that findings are possibly prosecutable offences under national law**
- **Raising of findings level in case of no-action**
- **Findings classification**
- **Level 2 findings for ADRs in case of 3<sup>rd</sup> party AMS providers?**
- **Appropriate time for ADR's corrective action plan**
- **Allow observations**



# Comments on the rules: AR IRs



## Most commented IRs



- **Separate certificates**
- **TofA needed as attachment to certificate**
- **Fuel provider mentioning in TofA**
- **Nominated personnel mentioning in TofA**
- **Apron management service mentioning in TofA**
- **Ect.**



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# Thank you

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Your safety is our mission.  
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21 May 2012