



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

EASA Conference on future aerodrome safety rules

The extension of EU competence to aerodrome safety

-

Main principles of the ADR rules development

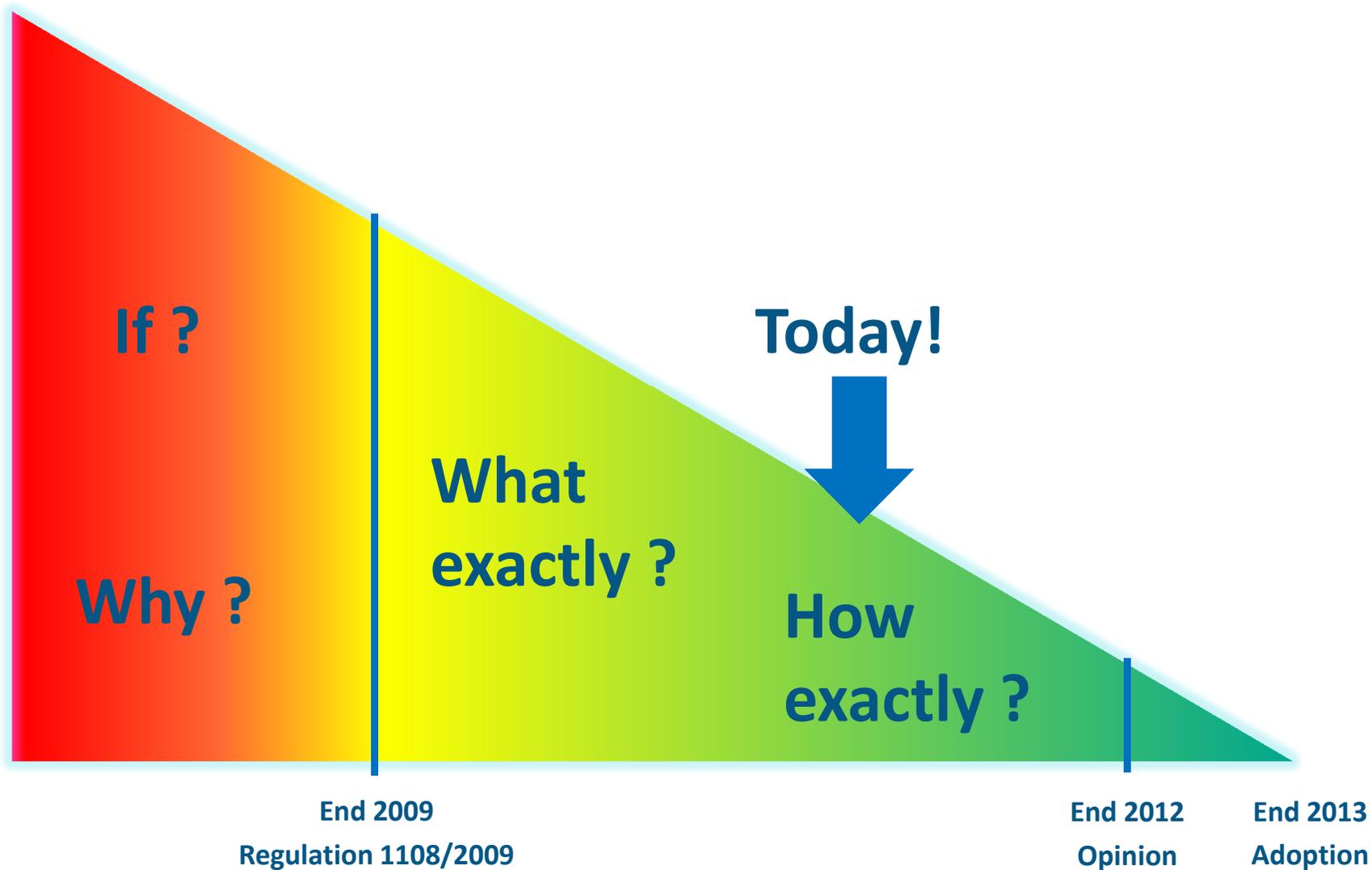
Gernot KESSLER

Your safety is our mission.

21 May 2012

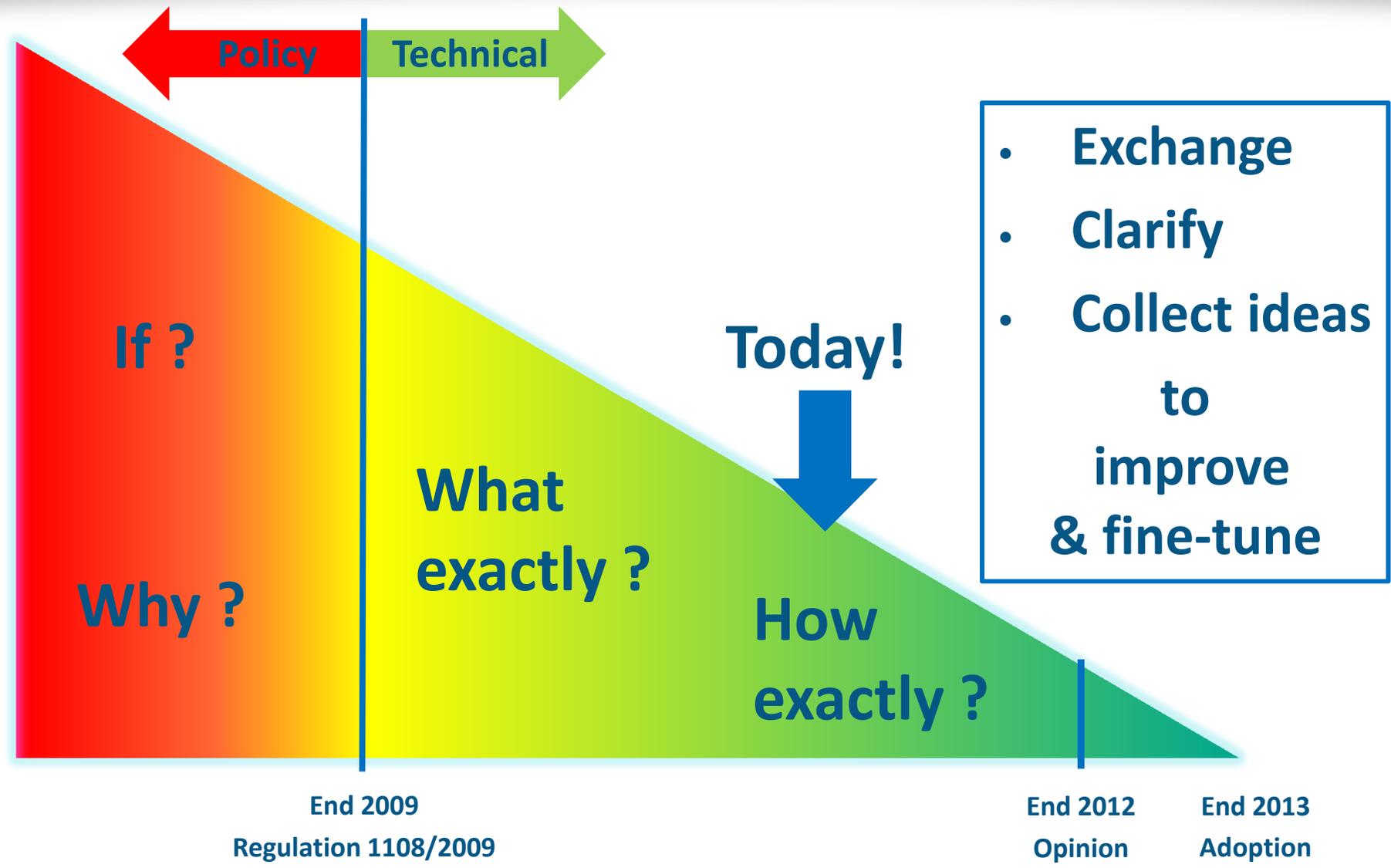


ADR Rule Development: Questions to be answered





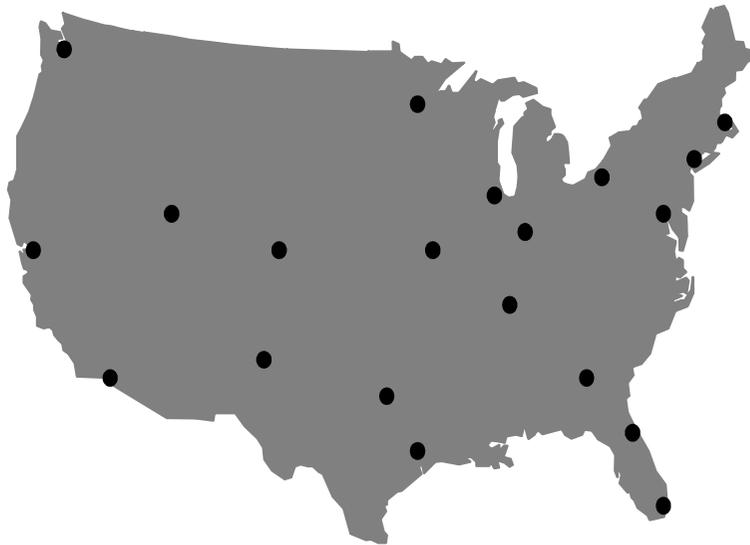
ADR Rule Development: Questions to be answered





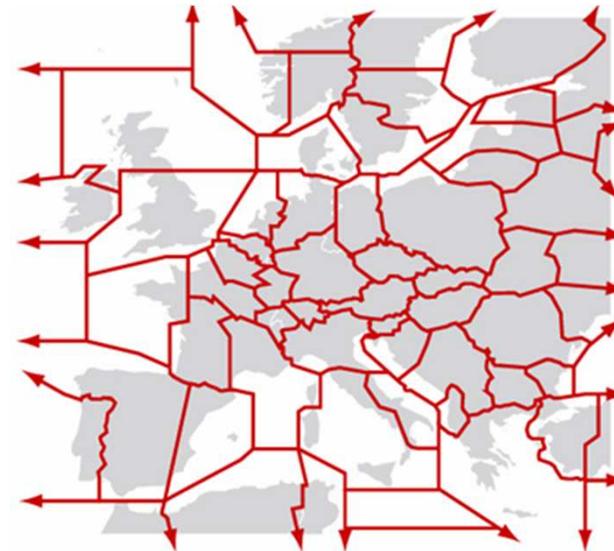
ATC Comparison USA vs. Europe: Let us harmonise!

USA: Airspace [Mio. km²] 9,8
Hubs 31



1 ATC Organisation (civil + mil.)
21 En-route-Centers
1 System
1 Software solution
900 Flights / Controller
380 US \$ ATC cost / flight

Europa: Airspace [Mio. km²] 10,5
Hubs 27



47 ATC Organisations (civil + mil.)
58 En-route-Centers
22 Systems
30 Software solutions
480 Flights / Controller
667 US \$ ATC cost / flight

Source: Eurocontrol



The Roots: Single European Sky II

“Aviation regulatory approach”





The Roots: Single European Sky II

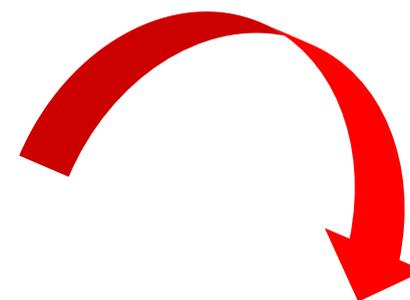
“Aviation regulatory approach”

New regulatory
ATM
approach

Technology
(SESAR)

Safety
(EASA)

Airport
capacity

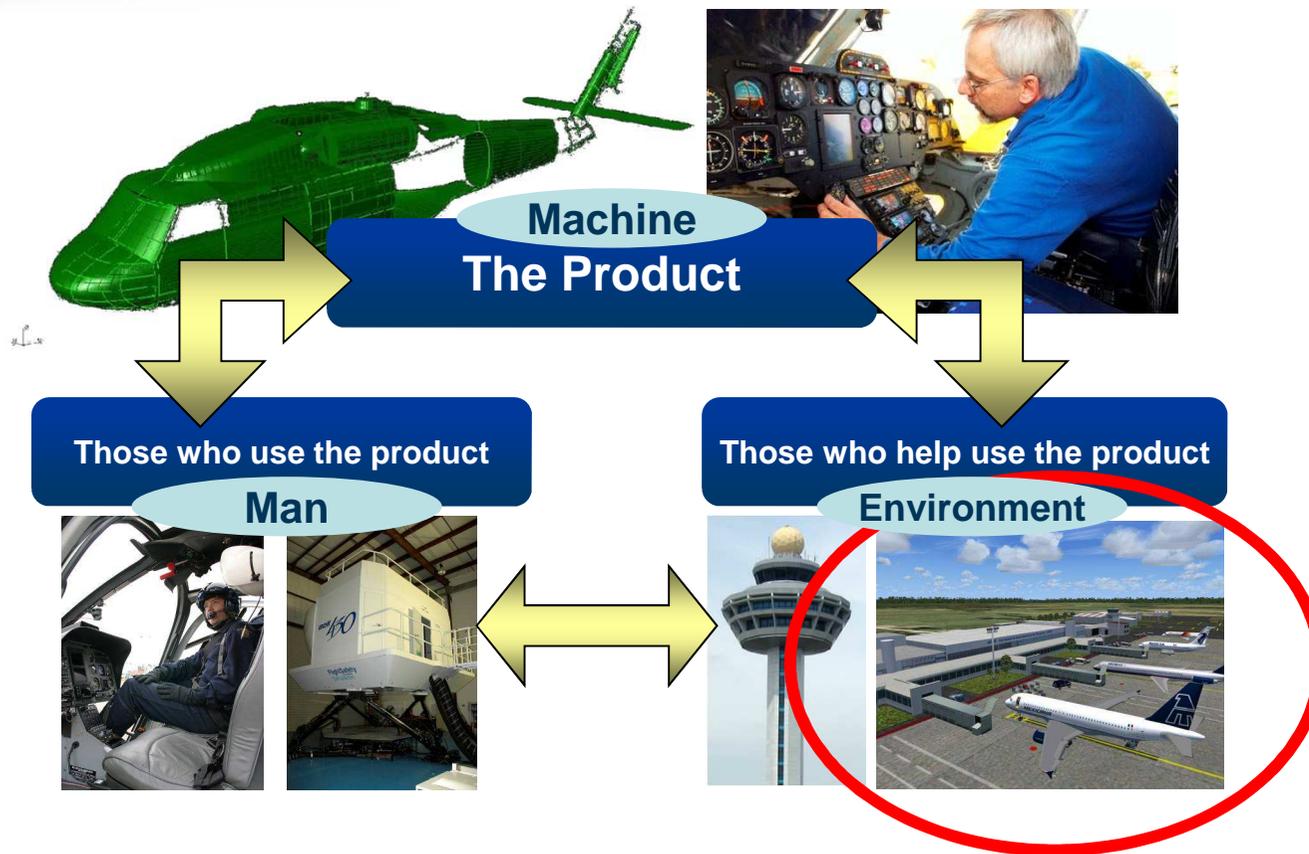


...in order to:

- Increase competitiveness
- Harmonise
- Facilitate
- Remove gaps and overlaps



The Principle: Building up the house of safety





The Principle: Building up the house of safety



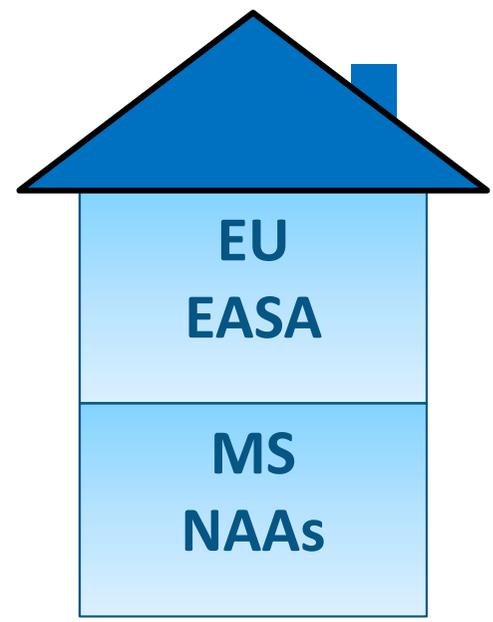
Complete the safety circle!



The Principle: Building up the house of safety



All safety under 1 roof:



Complete the safety circle!



The Principle: Building up the house of safety

Economic regulation

Performance regulation

Airworthiness

Operations & FCL

3rd Country Operations

Aerodromes

ATM/ANS

Safety regulation

EASA total aviation system approach

Interoperability regulation



The 2nd Extension

| | EASA Regulation | Competence |
|-----------------|--|--|
| Initial | Regulation (EEC) No 1592 / 2002 | Airworthiness Environmental compatibility |
| 1st ext. | Regulation (EEC) No 216 / 2008 | Flight Crew Licensing (FCL) Operation of Aircraft (OPS) Safety of foreign operators |
| 2nd ext. | Regulation (EEC) No 1108 / 2010 | <u>Aerodromes</u> Air Traffic Management (ATM) Air Navigation Services (ANS) |



The Principle: Building up the house of safety

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EASA “Basic Regulation” (“BR”)



Hierarchy of EU / EASA rules and provisions

Essential requirements

Implementing Rules

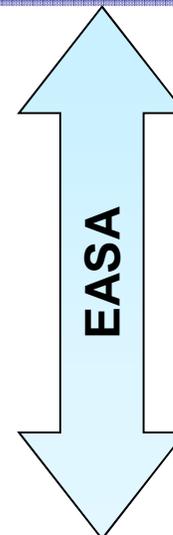
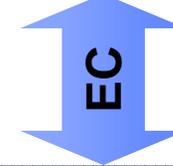
Certification Specifications

Acceptable Means of Compliance

Guidance Material



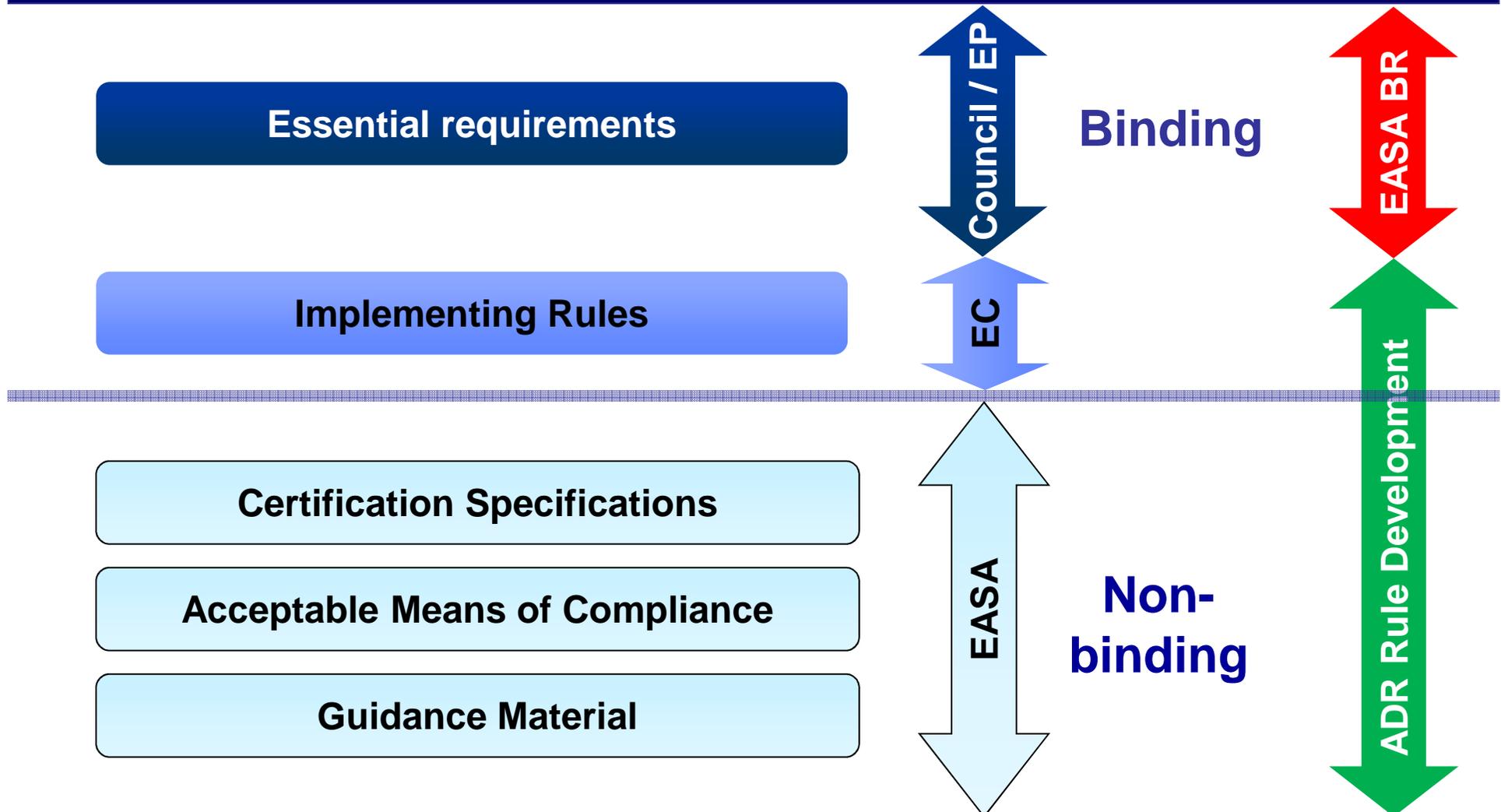
Binding



Non-binding



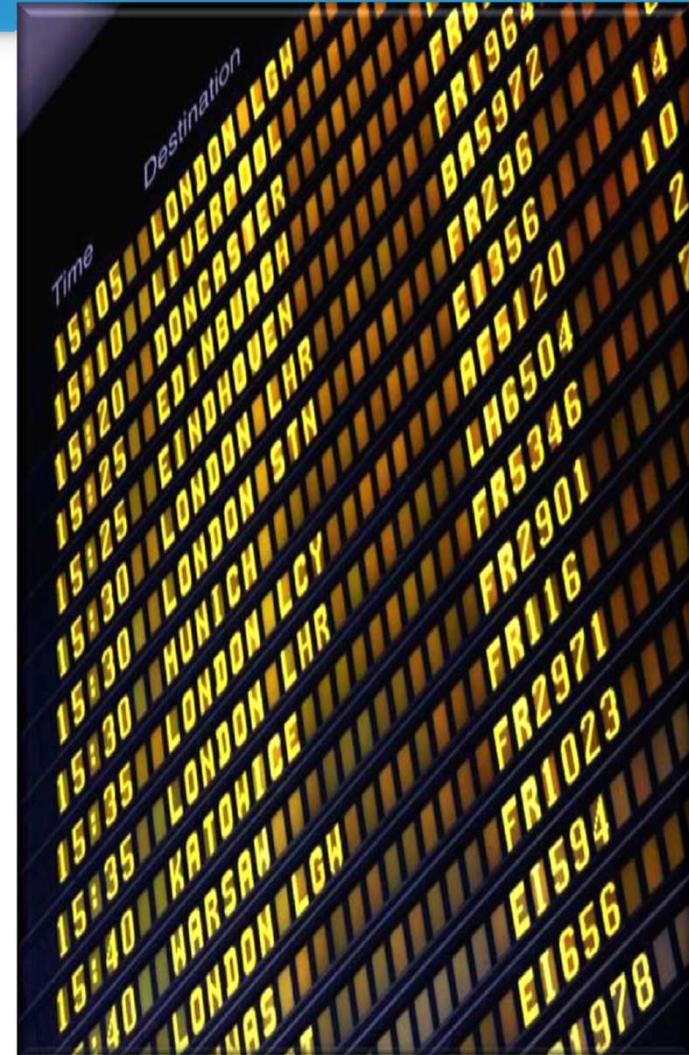
Hierarchy of EU / EASA rules and provisions





Presentation's Outline

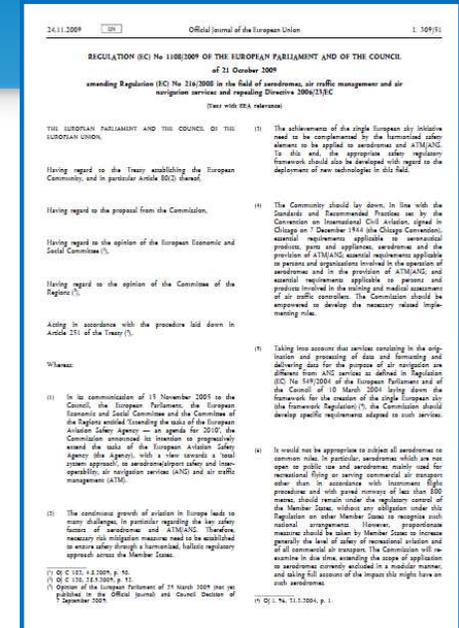
- **The SES thinking**
 - What is behind
 - Establishing EASA
 - Levels of EU rules
- **Development of ADR rules**
 - ADR Specificities
 - Intention and Spirit
 - The ADR NPA
 - Comments
 - What is ahead





ADR Rules: Context, Specials by BR

- New in EU, as no EU rules on ADR so far
- ICAO based
- Spirit: “light touch”
- “Hardware” , ADR design:
 - Continuity and individuality needed!
 - High level of discretion for authorities!
 - No hard law, but specifications only
- Timing: EC adoption end 2013





ADR Rules: Context, Specials by BR

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...all to be reflected in our future ADR rules !





ADR Rules: Keys, Intention and Spirit

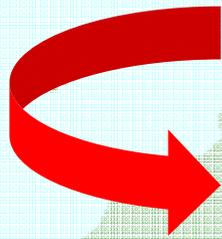
- Subsidiarity:
 - Certification at MS level,
 - Local solutions to local problems

- Continuity:
 - Minimized impact,
 - No undue burden,
 - No disruption of competences within MS,
 - Migration into future EU based regulatory system



ADR Rules: Keys, Intention and Spirit

- Subsidiarity:
 - Certification at MS level,
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**Evolution only,
high level of stability and continuity**



ADR Rules: Lines taken for rule drafting

- Overall:
 - Mind
 - ICAO and GASR
 - Working Group expertise
 - Coordination and exchange
 - Install consensus carried NPA
- Content:
 - Closely based on ICAO Annexes and further ICAO, also GASR material
 - AR, OR, SMS involve parts of recently agreed / adopted EU rules (ATCO, OPS, LIC, ATM)
 - Crucial: ADR specific mechanisms for conversion and acceptance



ADR Rules: Overall timeline

| ID | Task | 2010 | | 2011 | | | | 2012 | | | | 2013 | | | | 2014 |
|----|-------------------------------|---|----|------|----|----|----|------|----|----|----|------|----|----|----|------|
| | | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| 1 | Rulemaking Process Aerodromes | [Blue bar spanning from Q3 2010 to Q4 2013] | | | | | | | | | | | | | | |
| 2 | Drafting of the rules | [Blue bar spanning Q3 2010 to Q4 2010] | | | | | | | | | | | | | | |
| 3 | NPA Published | [Vertical line at Q4 2010] | | | | | | | | | | | | | | |
| 4 | Consultation period | [Red bar spanning Q1 2012 to Q2 2012] | | | | | | | | | | | | | | |
| 5 | Comment response period | [Blue bar spanning Q2 2012 to Q3 2012] | | | | | | | | | | | | | | |
| 6 | Opinion | [Blue bar spanning Q3 2012 to Q4 2012] | | | | | | | | | | | | | | |
| 7 | Comitology | [Blue bar spanning Q3 2012 to Q4 2012] | | | | | | | | | | | | | | |
| 8 | Entry into force | [Black diamond at Q4 2013] | | | | | | | | | | | | | | |

**End of NPA Consultation:
30 April 2012**

**+ 48
months...**



ADR Rules: Overall timeline

“Get Keys right”

“Hone and improve”

| ID | Task | 2010 | | 2011 | | | | 2012 | | | | 2013 | | | | 2014 | |
|----|-------------------------------|------|----|------|----|----|----|------|----|----|----|------|----|----|----|------|--|
| | | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | |
| 1 | Rulemaking Process Aerodromes | ▶ | | | | | | | | | | | | | | | |
| 2 | Drafting of the rules | ■ | | | | | | | | | | | | | | | |
| 3 | NPA Published | | | | | | | | | | | | | | | | |
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| 5 | Comment response period | | | | | | | ■ | | | | | | | | | |
| 6 | Opinion | | | | | | | | | ■ | | | | | | | |
| 7 | Comitology | | | | | | | | | | | | | ■ | | | |
| 8 | Entry into force | ◆ | | | | | | | | | | | | | | | |

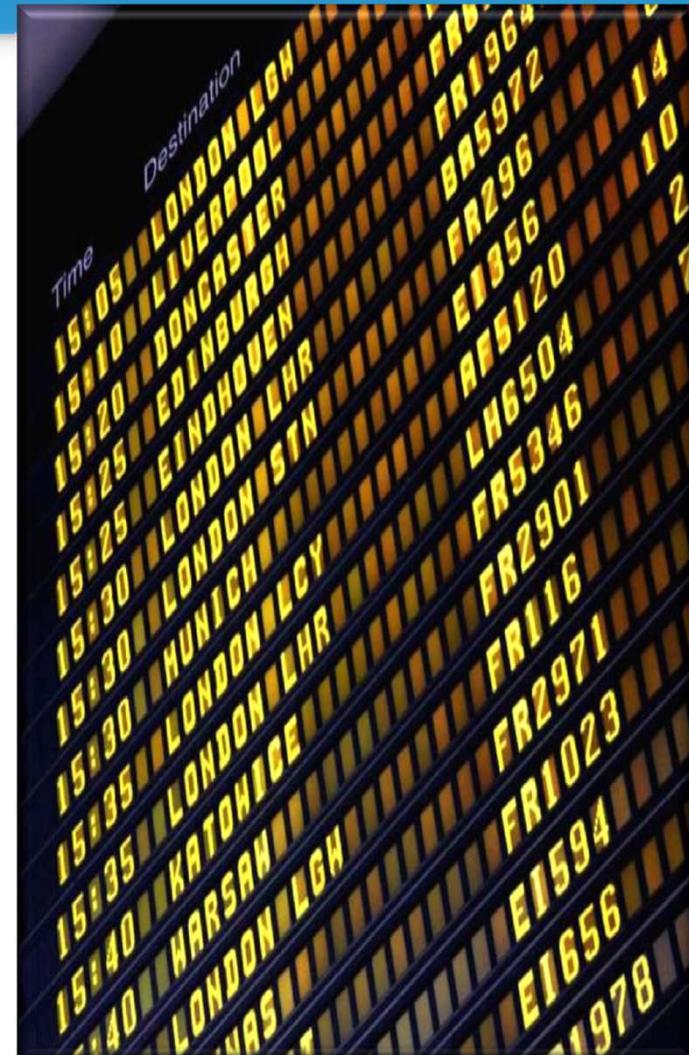
End of NPA Consultation:
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- **The SES thinking**
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 - Establishing EASA
 - Levels of EU rules

- **Development of ADR rules**
 - ADR Specificities
 - Intention and Spirit
 - The ADR NPA
 - Comments
 - What is ahead





Make it:

- **Readable**
- **Designed for customer**
- **Clear**
- **“Short”..... but still complete!**

A. EXPLANATORY NOTE

- I. INTRODUCTION
- II. PROCESS AND SCOPE
- III. OVERVIEW OF THE RULES
- IV. RIA SUMMARY
- V. GUIDANCE TO THE READER
- VI. HOW TO COMMENT ON THIS NPA
- VII. NEXT STEPS

B. PROPOSED RULES

- I. DRAFT IMPLEMENTING RULE
 - a Annex I — Part-AR
 - b. Annex II — Part-OR
 - c Annex III — Part-OPS
- II. DRAFT AMC AND GM
 - a AMC/GM to Annex I — Part-AR
 - b AMC/GM to Annex II — Part-OR
 - c AMC/GM to Annex III — Part-OPS
- III. DRAFT CS
 - a CS-ADR-DSN Book 1
 - b CS-ADR-DSN Book 2

C. CROSS REFERENCE TABLES

D. RIA

Facilitation:

- Executive Summary
- 20 pages Explanation
- Special reading tool
- No legalistic basics

Actual rule:

- **EC Regulation and IRs**
- **Total ~ 65 pages**

Facilitation:

- 160 pages AMC/GM
- 300 pages CS
- All amalgamated ICAO material

Facilitation:

- 60 pages indicating origin of rule
- 120 pages RIA



Comments to the NPA

- ❑ In more depth during subsequent presentations
- ❑ First analysis only
- ❑ No (final) position to be given (today)
- ❑ Review started
- ❑ Thematic meetings to be held
- ❑ Job to be done:
 - Find technical solutions
 - Establish agreements rather than compromises

The screenshot shows a table of contents for a document titled 'NPA 2011-00 Authority, Organisation and Operations Requirements for Aerobatics'. The table lists various sections and their page counts. Key sections include 'Facilitation for the reader' (Executive Summary, Explanation, Special reading tool), 'Draft Acceptable Means of Compliance (AMOC) to Annex I - Part-AG', 'Draft Acceptable Means of Compliance (AMOC) to Annex II - Part-OR', and 'Draft Acceptable Means of Compliance (AMOC) to Annex III - Part-GPS'. The total page count is 68 pages.

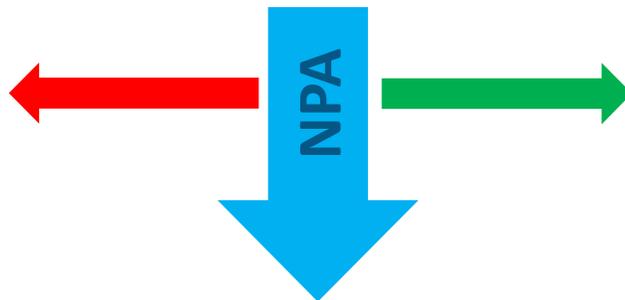
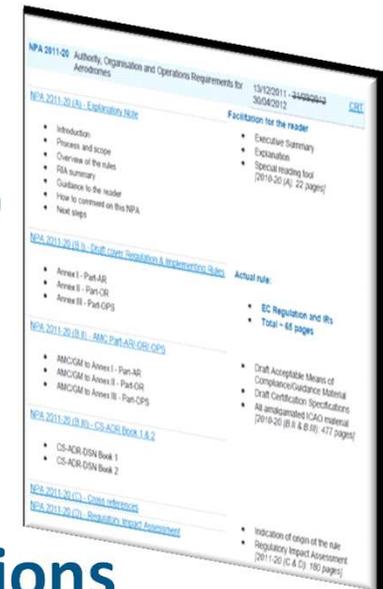
| Section | Page Count |
|---|-------------------------------|
| Introduction | |
| Process and scope | |
| Overview of the rules | |
| AMC summary | |
| Guidance to the reader | |
| How to comment on this NPA | |
| Next steps | |
| Executive Summary | |
| Explanation | |
| Special reading tool | 2011-00 (A) - 22 pages |
| Actual rule: | |
| EC Regulation and its | |
| Total | 68 pages |
| AMOC to Annex I - Part-AG | |
| AMOC to Annex II - Part-OR | |
| AMOC to Annex III - Part-GPS | |
| Draft Acceptable Means of Compliance (AMOC) to Annex I - Part-AG | |
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| Draft Acceptable Means of Compliance (AMOC) to Annex III - Part-GPS | |
| All unamended ICAO material | 2011-00 (B) & (C) - 477 pages |
| CS-ACR-OSN Book 1 | |
| CS-ACR-OSN Book 2 | |
| Indication of origin of the rule | |
| Regulatory Impact Assessment | 2011-00 (D) - 100 pages |



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- Comments pointing both ways





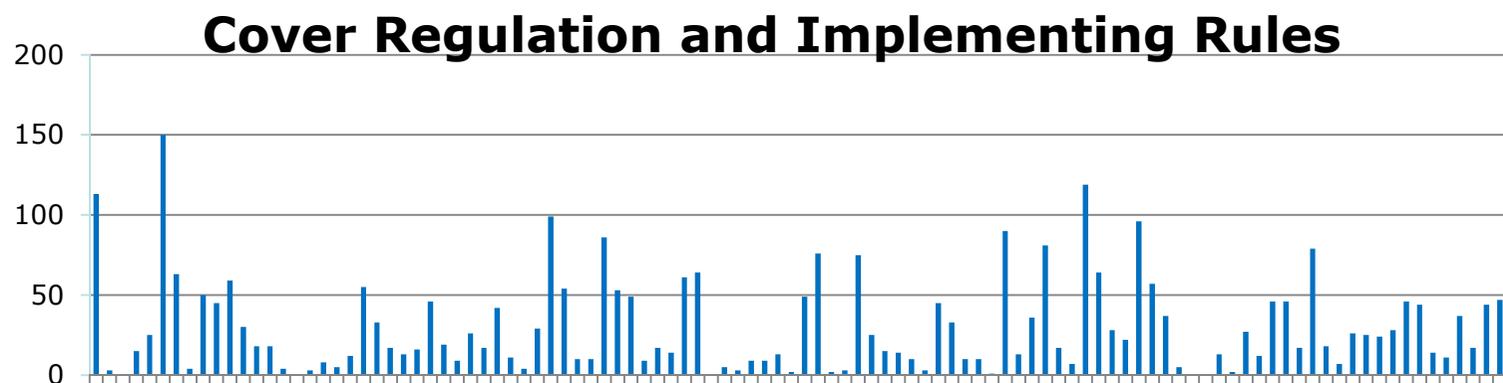
Comments: First analysis

Criteria:

- Number of comments
- Nationality
- Originator

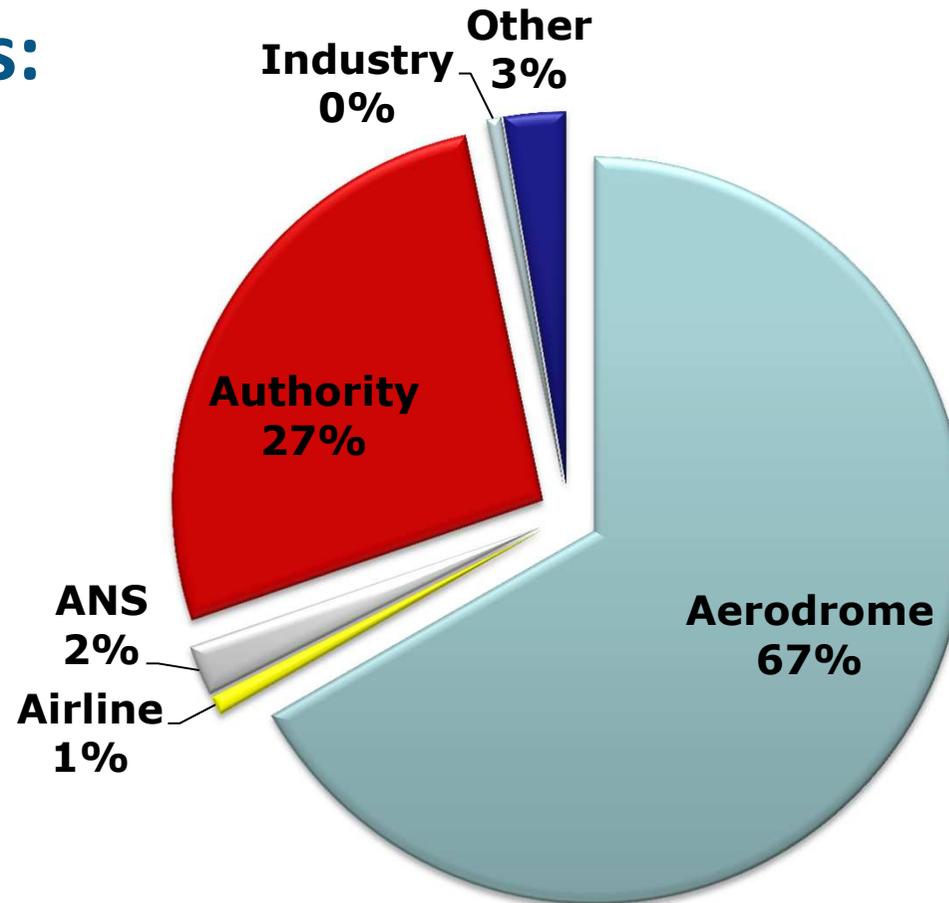
To consider:

- Huge Level of Duplication
- Suggestions, Criticism, Support
- On substance as well as generic
- Congruence between Annexes
- Filter to identify peak areas



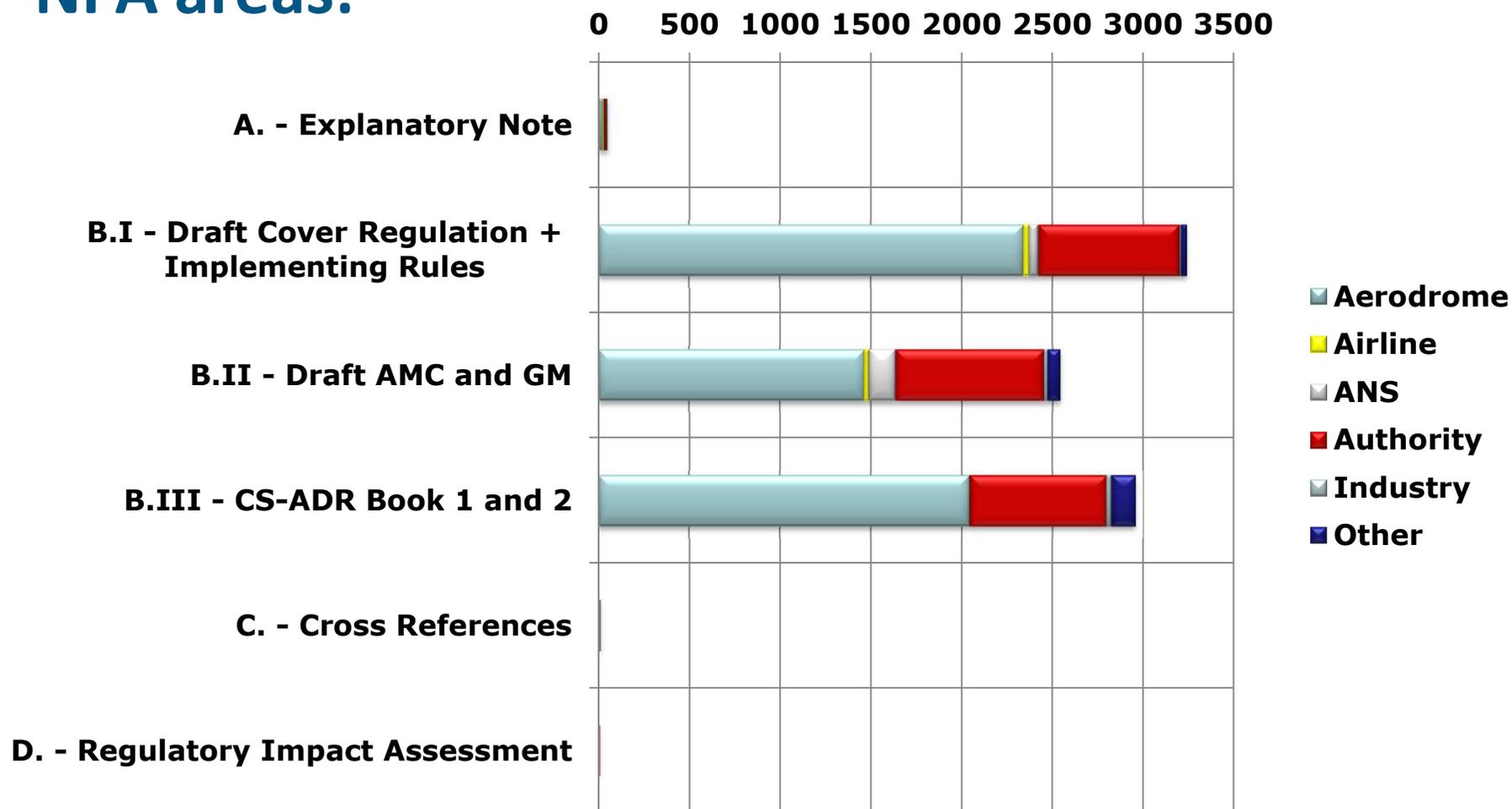


Contributors:



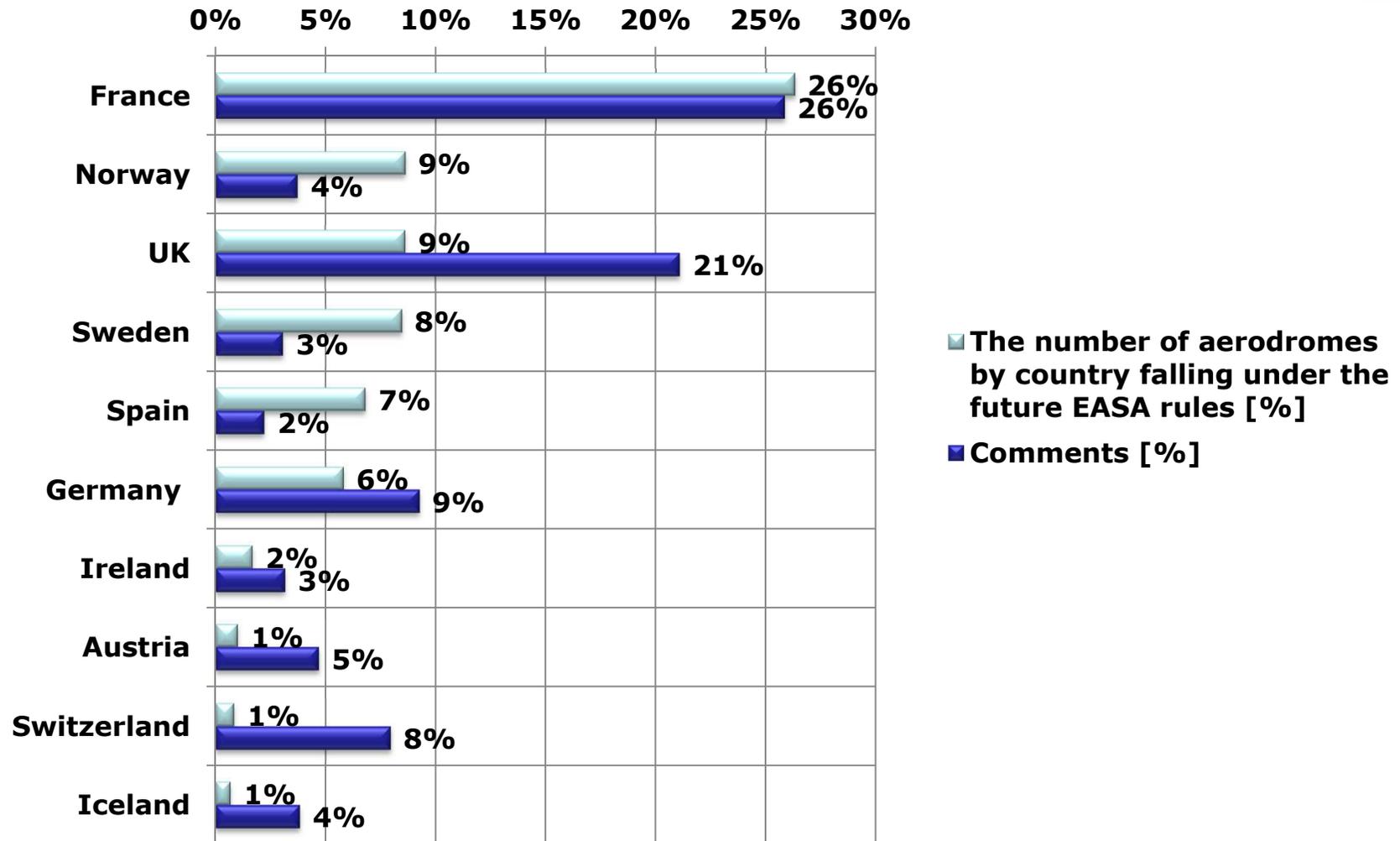


NPA areas:





Comments: First analysis





At the end of consultation period

Main issues...

- Undue cost, impact
- Scope of responsibilities
- ICAO Rec's vs. EU CSs, GM
- Adopted ICAO vs. SL 41
- Level of ARs
- Light Conversion
- Compliance Check
- Transition time
- Obstacles
- DAAD

...will be solved in cooperation!

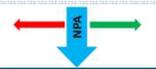


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Main issues...

➤ Undue cost, impact

➤ Scope of responsibilities

 ICAO Rec's vs. EU CSs, GM

 Adopted ICAO vs. SL 41

 Level of ARs

➤ Light Conversion

➤ Compliance Check

➤ Transition time

➤ Obstacles

➤ DAAD

...will be solved in cooperation!



At the end of consultation period

Main issues...

➤ Undue cost, impact

➤ Scope of re...



ICAO P...



Adopted



Level of A...

Intention agreed
—
**mere technical solutions to
be found!**

...will be solved in cooperation!



Technical solutions will be found

- **Short term perspective:**
 - Balanced, light migration and carry over
 - Avoiding undue burden
- **Mid and long term perspective:**
 - Install future framework
- **Therefore, final rules:**
 - Do even better on conversion, compliance check
 - Be clear, avoiding “nullum”
 - Benefit from cooperation and mutual exchange



Summary

- ✓ Stick to agreed spirit:
 - Light migration into future regulatory regime
 - Individual answers for infrastructure
 - Ensure Continuity
 - Local solutions to local problems
- ✓ At stake now: Technical answers
- ✓ Along key lines, solutions will be found
- ✓ Cooperation continues



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AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Thank you

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Your safety is our mission.
easa.europa.eu

21 May 2012