



Session title: Panel 8 Rulemaking Cooperation

Mikolaj Ratajczyk (E8)/ Peter Corbeel (R4)

Major Discussion Points

A4A: We are in a reactive mode in rulemaking. There is a need for pro-active and predictive rulemaking tools to be developed. The predictive, reactive, and pro-active methods must be used together. Rulemaking should be used only when risks are understood.

GCAA: Smaller countries do not need to “reinvent the wheel” - rules from FAA/EASA can be used. Smaller country’s data exposure is small so authorities need to cooperate. The objective should be to harmonise safety levels and not necessarily regulations.

TCCA: We need to be pro-active in the rulemaking. Cooperating with others, understanding each other’s objectives and safety threads is essential. Important to learn not only from each other’s successes but also mistakes.

FAA: Putting particular emphasis on the need to have proper data for rulemaking. Rulemaking is not always a mitigating option. We need to use SMS principles for rulemaking prioritization and programming;

EASA: There are many inputs into rulemaking in addition to data. We need to assess the impact of our rules – this can lead to a conclusion that rulemaking is not the best tool. *FAA-EASA rulemaking cooperation guidelines were signed during the panel.*

Questions and Comments from the Floor

GAMA: In addition to “hard law” rules there is a need to include in the harmonization also “soft law” such as guidance material;

Aviation Suppliers Association: There is a need to involve the industry in the implementation of the EASA/FAA rulemaking cooperation guidelines;

Outcomes/Additional Ideas

- SMS principles should be part of the rulemaking process, with the use of different types of types of information as input;
 - Rulemaking is just one of the tools tool. It may not always be the best mitigation;
 - For small countries it may be more cost efficient to adapt regulations from recognized bigger authorities such as FAA or EASA;
-