



**FINAL MINUTES OF THE MEETING OF THE
EASA MANAGEMENT BOARD
HELD ON
6 JUNE 2012 (MB 02/2012)
AND SUMMARY OF DECISIONS TAKEN**

SUMMARY OF DECISIONS

At its meeting held on 6 June 2012, the Management Board:

- Adopted the 2012 First amending budget
- Adopted the 2011 Annual General Report



0. List of Attendees (Please see ANNEX 1)

The Chair opened the meeting, welcoming all participants, and introduced the new members:

- Captain Mintcho Tzvetkov, Acting Director General of the CAA, Bulgaria;
- Mr Iakovos Demetriou, Director of the Department of Civil Aviation, Cyprus;
- Ms Gerli Rabane (alternate), Director of the Aviation Division, Estonia;
- Mr Kestucis Auryla, Director of CAA, Lithuania;
- Mr Virgilijus Danilevicius (alternate), Deputy Director of CAA, Lithuania;
- Mr Tomasz Kadziolka, Acting president Aviation Standards, CAO Poland;
- Mr Dan Simonic, Director General for Civil Aviation, Croatia;
- Mr Omer Pita, Director of Directorate General CAA, Croatia;
- Mr Dejan Mojovski, Director General of Former Yugoslav Republic of Macedonia CAA

1. Adoption of the Agenda

The Agenda was adopted as presented.

2. Adoption of the minutes of the previous meeting

The draft minutes of MB 02/2012 were adopted. The final version will be circulated in the coming week.

Minutes for this meeting will be circulated in the first week of July with comments expected by 20 July.

3. Comments from the Chair

2013 MB dates: The Chair indicated that later in the meeting the 2013 MB meetings' proposed dates would be presented and that in the September meeting a comprehensive overview of relevant 2013 meetings would be submitted to the Board

Executive Director successor: The Commission reported that the draft of the vacancy notice was almost finalised and would be circulated to the Board on Friday, 8 June. At the request of the Chair, the Commission conveyed the tentative calendar.

4. Report of the Executive Director

(Presented by the Executive Director (ED))

The Executive Director presented the report on EASA developments since MB 01/2012.

He underlined *inter alia* the following elements:

- The EASp Summit was held during the previous week just before the EASAC advisory group meeting with interesting presentations from Member States and stakeholders. The ED thanked the Director Generals and delegations who were present, giving the opportunity to the Agency to present the status of the safety plan (EASp), so that they can fully integrate it in their own plans to ensure as



much as possible an alignment at national and European level. The Agency will organise in 6 months' time another meeting to explain the content of the plan;

- The 2011 Annual Safety Review is currently being printed and will be issued in the coming weeks;
- Accident follow-up: there is a need to follow-up recommendations of investigators. The Agency has therefore set up a database on safety recommendations, also based on ECCAIRS, called SRIS (Safety Recommendations Information System). The Agency is cooperating with the FAA so that recommendations are synchronised, and included in a single database;
- Specific accidents: BEA will shortly present its final report on the AF447. Regarding the EC 225 ditching, the ED highlighted the excellent coordination work between the UK CAA, UK AIB and EASA;
- PRB: excellent cooperation between PRB and EASA, especially on the definition of the future indicators on safety performance ;
- Rulemaking: the ED reported good progress on the first and second extension;
- Certification: excellent cooperation in the working group between the Agency and industry was remarked.;
- A400M (civilian use): the restricted type certificate was handed over to Airbus on 3 May;
- Technical training: the ED informed the MB that many good things and much progress had been made. He mentioned in particular: the implementation of the ELG tool, assisting the Agency in the overall management of training needs and paperless handling of the internal requests; IORS training (see below); the CTIG meeting in Georgia held for the first time in an ECAC non-EASA state;
- Organisation approvals: work has started in connection with the first extension, i.e. first phase, for ATOs and AeMCs. The first audit of the Network Manager (Eurocontrol) has been carried out.;
- Standardisation: the Annual Standardisation report was issued on 28 March and discussed lengthily in the partnership meeting. The standardisation meetings are successfully collecting relevant feedback to assist future rulemaking;

In discussing the ED Report the following points were made:

EASp summit: the Chair remarked on the positive reports he received, which clearly shows that the safety strategy planning is increasingly embedded in the work of the Agency. The Netherlands underlined the importance of the implementation of the actions and recommendations included in the Safety Plan.

EC 225 recent accident: the Chair agreed that the cooperation following the ditching was excellent, with the Agency coordinating with the manufacturer, the UK CAA with the operator, and the AIB in the middle.



ATO organisation approvals: the UK expressed its concern on how the transition would be affecting industry; the A&S director assured the Board that work is progressing as planned.

Fees and Charges: France remarked that the hours worked have increased by 10% whilst the costs have reduced. The ED confirmed that this was due to an increase in productivity (efficiency gains and increased specificity in recording of hours), as well as not leasing additional office space but compressing the staff in the existing space.

Bilateral Agreements: The C Director informed that a Validation Implementation Team (VIT) has been established between FAA and EASA to ensure the procedures are properly applied and continuously improved by also inviting the aviation industry to provide feedback from validation projects.

The Chair concluded by acknowledging the efforts made by the Agency to be resource efficient on TCO.

5. Conflict of Interest

(Presented by the Executive Director (ED))

The Executive Director presented the documents submitted to the Management Board.

He underlined *inter alia* the following elements:

- Following the Parliament's concern an audit was carried out by the Court of Auditors (CoA) which is under pressure to issue the report, most probably in July;
- 3 Agencies did not get the discharge for 2010 (EMA, EFSA and EEA); EASA received the discharge but with recommendations on conflict of interest;
- The Agency is clearly late compared to other agencies, because it had been considered that what was in place in terms of procedures was sufficient;
- CoA asked the Agency for a reinforcement of the measures;
- The discharge process for 2011 has started and the Agency needs to show that the 2010 recommendations are being worked on. For this reason it has tasked a consultant to review the current implementation status. In parallel, the Directors have signed Declarations of Interests which have been published on the website of the Agency;
- the MB Members were encouraged to sign these forms, in the same way as members of MB in other agencies have done, providing a clear signal to the ECA. For the record, the form is the similar to the one used by the OECD;
- The second stage, i.e. the evaluation of the Declarations, is indeed more complex and would require input from the MB.

The ED summarised the position stating the following:

- 1) The political pressure on this issue is very strong and will not go away;
- 2) Interest to resolve the issue in the short term;
- 3) The Discharge of the ED for 2011 is directly concerned;
- 4) The Agency' credibility is also at stake, with potentially serious consequences;
- 5) The ED needs to inform the EP of all developments on this issue.



The Chair made three first preliminary observations:

- 1) if the Parliament and the CoA have concerns these need to be taken seriously, acknowledging the concerns of the ED;
- 2) suggested to reflect carefully on how to proceed, taking into account the role of the Board and the role of the Member States, identifying where the potential conflicts of interest may arise. He indicated that not all information was known;
- 3) urged that the role of the MB and of the Agency needs to be reflected on further.

The Commission acknowledged the delicate subject indicating that it needs to be taken seriously and the Board needs to be seen to be taking it seriously.. The Commission suggested that time be taken to reflect, based on comments received and further analysis, of the best way to proceed, to be reflected in a document to be circulated for the MB's consideration for its September meeting. It indicated that this would be coordinated with the Agency.

The Chair summarised by indicating the following:

- managing potential conflict of interest within the Agency is the responsibility of the ED, and although the Board has a legitimate interest in monitoring progress it should currently confine its discussions to issues relating directly to the Board;
- managing potential conflict of interest on the Board is primarily a matter for the Board or the Commission to address rather than the Agency;
- noting the concerns of the EP and the CoA, the identification of potential conflict of interests on the Board and how to manage them is an important issue which the Board needs to address without undue delay;
- the Board understands the concerns of the ED as well as the time pressure to avoid missing the 2011 Discharge;
- the Board notes that its Rules of Procedure already contain a reference to conflict of interest;
- the Board agrees collectively that they will not sign the forms, because there is:
 - o a need for clarity on what kind of potential conflict of interest there could be; and
 - o uncertainty about what is already being done by other Agencies, and whether horizontal issues should be addressed by the Commission for all Agencies, in order to remain consistent.

After discussion on the way to proceed further, it was agreed that the Commission would take action, working closely with the Agency, nevertheless consulting widely, and to come back with a proposal at the September MB.

Taking into account the wish of Members to be appropriately informed, the Chair requested the Commission to keep informally in contact with MB representatives, indicating that the final decision rests with the Board.

6. General Aviation

(Presented by Patrick Cipriani, DGAC France)

Mr Cipriani presented the documents submitted to the Management Board.



He underlined *inter alia* the following elements:

- The working group met twice and submitted to the MB three documents;
- The documents represent a consensus, with a proportionate approach, without going into the thresholds, making it adjustable to all cases;
- The speaker suggested the next steps:
 - o Requested the Board to validate the principles and general guidelines in order to finalise the approach (September);
 - o the approach should then be validated by the Agency, Commission and MS;
 - o a complete review of the status of the on-going regulations should then be made, in order to redirect where possible the outcome according to the presented and agreed principles (work on Part M is already under way);
 - o as a side action asks the Agency if it would propose adjustments to its organisation in order to handle more efficiently the peculiarity of GA.

In discussing the agenda item the following points were made:

Definition of General Aviation: several Members (Denmark, Iceland, Italy and Finland) expressed the need to have general aviation clearly defined, separating where necessary recreational, commercial and aerial work activities. Austria would like to see local specificities included.

Existing or on-going rules: Germany and Italy, amongst others, raised the issue that it will be necessary to review existing rules or tackle on-going issues.. Spain conveyed concerns about over-regulating. The Commission stated that it is not possible to freeze current regulations in the pipeline, and suggested to carefully look at the proposals which are there. The UK asked whether the derogation/exemption regime might be applied more flexibly in cases where existing rules seemed to impose a disproportionate burden on GA but could not be amended straightaway.

Organisational structure: on the closing remark by Mr Cipriani, Germany suggested to set up an advisory rulemaking group and the Czech Republic that EASA creates a small GA department to look into GA regulation aspects.

The Commission made a general appreciation of the thoroughness and quality of the work done and fundamentally agreed with the approach. It expressed the need to carefully consider the future work required, and called for the commitment on the side of the MS to ensure the necessary oversight and control would be carried out. Industry would also need to “do its bit” to commit to acting responsibly.

Mr Cipriani responded to the above points clarifying that within the group it was decided to look at all activities which were not commercial air transport. The group also felt that more regulation would not reduce the number of accidents but that other measures could be envisaged (e.g. training). He also recommended to look at all issues that would need a convergence, without throwing away what has already been done but to try and redirect where necessary/possible.



The Chair complimented the readability of the document, and concluded that the Board had endorsed the broad thrust of the proposed guidelines. He recalled that agreeing definitions of commercial air transport and other activities was a long-standing, unresolved challenge, and cautioned against failing to make progress through trying to pin down definitions too closely, accepting that there would be one or two grey areas. He asked the group to fine-tune the document taking into account the various comments made. The Chair also expressed concern that not stopping some of the on-going regulations could require GA operators to put in place costly procedures which would then be dismantled by subsequent amendments, and asked the group to consider how this risk could be mitigated.

The Chair also indicated, in support of the Commission position, that if GA was going to benefit from more relaxed regulation then the GA community had to show that through other means, e.g. training or safety promotion, they would be able to ensure a higher safety level.

7. International cooperation

(Presented by Jules Kneepkens, EASA Rulemaking Director)

The Director presented the document submitted to the Management Board.

In discussing the agenda item the following points were made:

- The Commission underlined that cooperation between the Agency and the Commission was necessary in order to coordinate actions. With regards to ICAO, the Commission lauded the solid cooperation, and thanked the Agency for its help on the Safety List as well as the cooperation with DG DEVCO, confirming that the idea was to get countries off the list rather than on it. Overall, the Commission indicated the need to ensure that the EU's interests vis-à-vis its international partners;
- The Netherlands thanked for the presentation which gave a good overall picture and was useful for a discussion on medium-term strategy, showing great ambition, in line with the BR;
- The EAB indicated that whenever a new BASA is established it should as a minimum concentrate on both initial and continuing airworthiness. EAB also felt a need for a mechanism for EASA to consult EU industry on the European input into ICAO State Letters (in the past, whenever an ICAO agreement was in the pipeline, the concerned MS would consult industry).

The Executive Director indicated that the next international cooperation conference would most probably take place in sub-Saharan Africa, early in 2013.

The Chair asked whether the Agency could report in September on how much money is coming from the general Community subsidy and how much is project-based.

8. Continuing Airworthiness - IORS

(Presented by Yves Morier, EASA Head of Internal Occurrence Reporting System)

Mr Morier presented the document submitted to the Management Board.



He underlined *inter alia* the following elements:

- IORS is the internal EASA system established to handle occurrences in a standardised manner, and prepares data to be integrated into the European Central Database (ECR) using ECCAIRS software;
- IORS does not change existing responsibilities, nor adds new reporting obligations, and needs to be flexible to cope with new regulations;
- It became fully operational in February 29, and 280 users have been trained so far.

In discussing the agenda item the following points were made:

- The Netherlands suggested that all occurrences should be put in the same database and not two separate ones (ECR and IORS). France highlighted that the two systems collect different information and there is a different preparation and follow-up. IORS contains occurrences which have been already pre-worked whilst ECR contains raw data; the two systems should be clearly differentiated in all presentation material to avoid confusion; the ED explained that the IORS tool is needed by the Agency as competent authority for certification and approval;
- Germany lauded the new tool because it promoted transparency and suggested that National Authorities have access to the occurrences of other MS. Mr Morier responded that NAAs do not have access to the system but can be provided with information and informed of any trends.

The Chair thanked Mr Morier for his presentation, which demonstrated clearly the value of the IORS system. But IORS was only part of the Agency's work on continuing airworthiness, one of the six priorities identified by the Board last December, and an area particularly affected by the complex interface between the Agency and NAAs. He asked the Agency to prepare for a future meeting a comprehensive paper on its strategy for handling the challenges of ensuring adequate oversight of continuing airworthiness.

9. Article 62 Evaluation

(Presented by the Chair)

The Chair presented the document submitted to the Management Board.

He underlined *inter alia* the following elements:

- the Management Board has to commission an evaluation in accordance with Article 62 of the BR;
- the overall subject of the evaluation will be: "what are the main challenges facing the EASA system, and the Agency, in the next 5 years, and whether the regulations in place are effective in facing these challenges, taking into account the financial constraints and the diverging situations of NAAs" ;
- the proposal presented to the MB is to entrust the evaluation to a Panel of senior people with technical and institutional knowledge of the Agency's work, led by a nominated, authoritative Chair, assisted by a Rapporteur. The Panel would be supported by consultants who could carry out surveys of stakeholders or other detailed studies, and analyse the feedback.



In voicing its support, the Commission specified that it was interested in whether the Basic Regulation was adequate for the next 5 years, and what recommendations for amendment would emerge. The Commission also suggested, given the timeframe, that it might propose some early, limited changes to the BR in the interim to clarify some aspects, e.g. ground-handling and unmanned vehicles.

The Chair concluded that the proposal was agreed by the Management Board, noting Germany's reserve subject to the composition of the Panel. The Netherlands suggested an outlook of 10 rather than 5 years, as well as taking into account lessons learned. The Chair indicated that the Working Group would report to MB 03-2012 with recommendations on the final terms of reference for the evaluation and on the composition of the Panel, including the proposed Chair and Rapporteur.

10. Report of the FABS Committee

(Presented by Ellen Bien, Chair of the FABS)

The Chair of the FABS presented the report and the progress made in the FABS.

She underlined *inter alia* the following elements:

- the FABS had had a lengthy discussion on the budget as well as on the consequences for the execution of tasks as a result of reductions in financial resources and staff numbers, as imposed on the 2013 Budget;
- it was important to have EASA classified as a "new tasks" and not "cruising speed" Agency;
- the KPIs were discussed once again, further to suggestions from ENACT and the Agency on a refinement of some indicators.

EAB stressed the need to press ahead with KPI implementation in line with its longstanding request.

11. 2011 Annual Accounts

(Presented by Luc Vanheel, EASA Finance and Business Services Director)

The Director presented the accounts submitted to the Management Board.

He underlined *inter alia* the following key elements:

- the yearly result showed a surplus of 400.000€;
- the reduction in revenue is primarily due to a reduction in applications;
- the reduction in expenditure is mainly due to reduced outsourcing (less applications) and reduction in IT costs because of efficiencies.

The Chair of the FABS underlined that thanks to the IT investments in SAP the Agency was now able to better monitor its financials.

The Commission indicated its agreement pending the unqualified opinion of the CoA.



12. 2012 First Amending Budget

(Presented by Luc Vanheel, EASA Finance and Business Services Director)

The Director presented the documents submitted to the Management Board.

The Commission indicated its satisfaction with the indications of monitoring and adapting its budget in accordance with observed trends, and encouraged the Agency to keep the MB informed.

The Chair concluded that the Board had approved the amending budget.

13. 2013 Work Programme

(Presented by Luc Vanheel, EASA Finance and Business Services Director)

The Director presented the documents submitted to the Management Board.

In particular he mentioned that on the basis of the Commission's proposal to the Parliament, the Agency would not get the 12 subsidy posts requested in 2013, and would suffer a further reduction of 2 posts, as part of a measure of reducing budget costs by 1% a year over the 5 coming years.

In discussing the agenda item the following points were made:

- The Chair proposed to make a statement on behalf of the Board regarding the fact that the Agency has been labelled as a 'cruising speed' agency.;
- France stated that the Agency clearly is going to have new tasks and it is hardly acceptable that posts are being reduced without further reflection, and through an automatic reduction;
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- The UK suggested to accelerate the review of the standardisation regulation in order to help the Agency reallocate resources more efficiently. The ED agreed that the flexibility should be given to establish the size of the teams, for example, so that the Agency can organise itself more efficiently. By simplifying the constraints the Agency can of course work better.
- In addition to some specific comments on content, the Commission noted that new text had been inserted when compared to the version reviewed by FABS, which it indicated it would review as part of its next steps. The Commission equally indicated that it had already started lobbying to change the Agency's status from a "cruising speed" to a "new tasks" agency.

Following the above mentioned action a letter was sent by the Chair to M Ruete, Director General DG MOVE on 11 June containing the following statements:

- The Board regretted that the Community contribution to the Agency's 2013 budget would be fixed in the light of a decision to classify the Agency as being at "cruising speed", which the Board believes does not properly reflect the range of new tasks which EASA would be taking on in 2013 and beyond, in line with the expanding scope of its responsibilities in support of EU legislation and objectives;



- Notwithstanding the concern expressed above, the Board fully recognised the need for the Agency to organise itself and perform its functions in the most efficient way, and noted the Agency's commitment to continue working to that end;
- If EASA is to be labelled as a 'cruising speed' agency, the Board would wish to see that the automatic cut in its budget can be managed by the Agency with maximum flexibility. In particular the Board regretted that the Agency would be constrained in the management of its budget by detailed associated amendments to its Staff Policy Plan; and
- The Board noted that the proposed changes to the Staff Policy Plan would significantly affect the Agency's standardisation activities governed by Commission Regulation (EC) No 736/2006. The Board urged the Commission to attach high priority to amending Regulation 736, to give the Agency greater flexibility to organise its standardisation activities in a more risk-based and proportionate manner, which would help the Agency to manage its budget in 2013.

14. Business Plan 2013-2017 Assumptions

(Presented by Luc Vanheel, EASA Finance and Business Services Director)

The Director presented the documents submitted to the Management Board.

He underlined *inter alia* the following elements, highlighting the changes compared to the previous year:

- subsidy is foreseen to be flat, at 2012 level;
- implementation date of the contribution of pensions of staff covered by F&C has been postponed to 1st January 2016.

The Executive Director indicated that the European Court of Auditors has asked EASA to put aside 1Mio€ a year as provision for the future office move, to cover the costs, which include EASA contractual obligation to leave its current premises in its original state.

The Commission indicated that based on the 'disclaimer' introduced with regard to the Commission's ability to commit, it could endorse the proposal as tabled.

15. 2011 Annual General Report

(Presented by the Chair)

The Chair presented the documents submitted to the Management Board.

The Board adopted the 2011 Annual General Report with the understanding that the foreword would be adapted and that the Commission's comments could be taken into account.

16. ENaCT Report

(Presented by Maxime Coffin, DGAC France)

Mr Coffin presented the documents submitted to the Management Board.



He underlined *inter alia* that the group had concentrated its work on three aspects:

- future mandate of ENaCT;
- certification indicators, past and present;
- outsourcing status, and the recently published tender.

Mr Coffin requested the approval of the MB of the submitted new Terms of Reference. The Commission agreed with the proposal for the ToRs.

After some discussion the Chair summarised by changing the name and approving the ToR of the CASAG (Certification, Approvals and Standardisation Advisory Group). In parallel, and to be consistent, the FABS Committee name will also be changed to FABSAG.

17. MB Meeting Calendar 2013

(Presented by the Chair)

The Chair presented the proposed dates (see below) and asked the MB secretariat to provide a holistic table with all 2013 meetings for the September MB:

12 March
5 June
24 September
10 December

An additional half day (strategy) meeting may be organised on either 23 September or 9 December pending developments early 2013.

18. AOB

(Presented by the Chair)

None.

The Chair closed the session thanking all Delegations for the fruitful discussions.



ANNEX 1: List of Attendance

Members

	MEMBER	ALTERNATE	ADVISER/EXPERT
AUSTRIA	Karl Prachner	Franz Nirschl	
BELGIUM		Benoit Van Noten	
BULGARIA	Mintcho Tzvetkov	Eleonora Dobрева	
CYPRUS			
CZECH REPUBLIC		Vítězslav Hezký	Viktor Nath
DENMARK			Ole Lynggard Jesper Rasmussen
ESTONIA		Gerli Rabane	
FINLAND	Pekka Henttu		
FRANCE	Maxime Coffin	Patrick Cipriani	Thierry Lempereur
GERMANY		Josef Schiller	
GREECE		Georgios Sourvanos	
HUNGARY		Eva Kallai	
ICELAND*	Pétur Maack		
IRELAND			Brian Skehan
ITALY		Benedetto Marasa	Carmine Cifaldi
LATVIA		Edgars Gindra	
LIECHTENSTEIN*			
LITHUANIA		Virgilijus Danilevicius	
LUXEMBOURG	Claude Waltzing	Claude Wagener	
MALTA			
NETHERLANDS	Ellen Bien	Jan-Dirk Steenbergen Pieter Mulder	
NORWAY*			
POLAND	Tomasz Kadziolka		Darius Gluszkiewicz
PORTUGAL		Paulo Alexandre Ramos de Figueiredo Soares	Paulo de Andrade

* Members without voting rights



	MEMBER	ALTERNATE	ADVISER/EXPERT
ROMANIA		Tudorel Roman	
SLOVAK REPUBLIC			
SLOVENIA			
SPAIN		José Maria Ramírez Ciriza	
SWEDEN	Ingrid Cherfils		Magnus Molitor
SWITZERLAND*	Marcel Zuckschwerdt	Roland Steiner	
UNITED KINGDOM	Michael Smethers (Chair)	Susan Hamilton Pat Ricketts	
EUROPEAN COMMISSION		Matthew Baldwin Eckard Seeböhm	Peter Sorensen

Observers

	MEMBER	ALTERNATE	ADVISER/EXPERT
EASA ADVISORY BOARD¹	Vincent De Vroey	Gilles Garrouste Thomas Loeff	Mick Sanders Martin Robinson
ALBANIA¹			
BOSNIA AND HERZOGOVINA¹			
CROATIA¹		Omer Pita	
FORMER YUGOSLAV REPUBLIC OF MACEDONIA¹			
MONTENEGRO¹			
SERBIA¹			Dragan Tesla
U.N. MISSION IN KOSOVO¹			

¹ Observers without voting rights.



ANNEX 2: Action List

No.	Action number	Description action	Action holder	Deadline
1	11/MB 04/11	ED to inform MB on accommodation developments	Agency	On-going
2	06/MB 01/12	Paper on Agency's training activities	Agency	MB 03/2012
3	01/MB 02/12	Comprehensive list of 2013 Meetings	Agency	MB 03/2012
4	02/MB 02/12	Proposals on Conflict of Interest	Commission	MB 03/2012
5	03/MB 02/12	Circulate ED VN for comments	Commission	8 June
6	04/MB 02/12	Article 62 update	Chair	MB 03/2012
7	05/MB 02/12	Finalised Report from the GA group	France	MB 03/2012
8	06/MB 01/12	Finalised set of KPI	CASAG	MB 03/2012
9	07/MB 02/12	Information on split of funding for international work	Agency	MB 03/2102
10	08/MB 02/12	Overview paper on continuing airworthiness	Agency	MB 04/2012
11	09/MB 02/12	Statement on behalf of Board re "cruising speed Agency"	Chair	asap