



Federal Ministry
of Transport and
Digital Infrastructure

EASA Certificate - Certification Process in Germany - Demonstration of Compliance, Art. 6 Regulation 139/2014

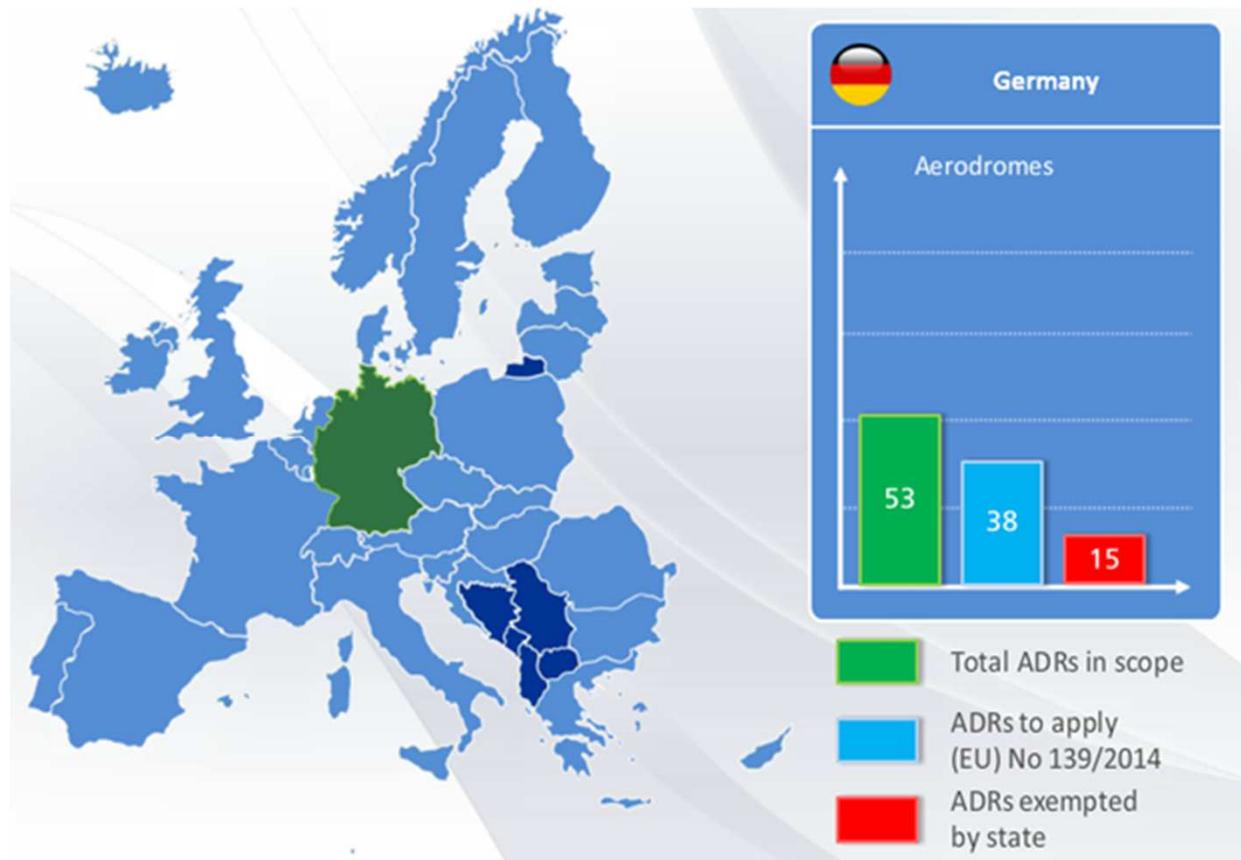


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Civil Aviation System in Germany





Civil Aviation System in Germany

- Germany is a federation of 16 States (Länder)
- "federal executive administration"
- The Länder authorities (16 Ministries and 18 subordinate authorities) are the CAs for the EASA transposition in Germany
- The Federal Ministry supervises the certifying and supervisory activities of the 34 Länder authorities





Civil Aviation in Germany – dealing with a complex system

In this system the main goals to achieve must be:

- consistent administrative actions
- equal level of safety



INCONSISTENCY



HARMONIZATION



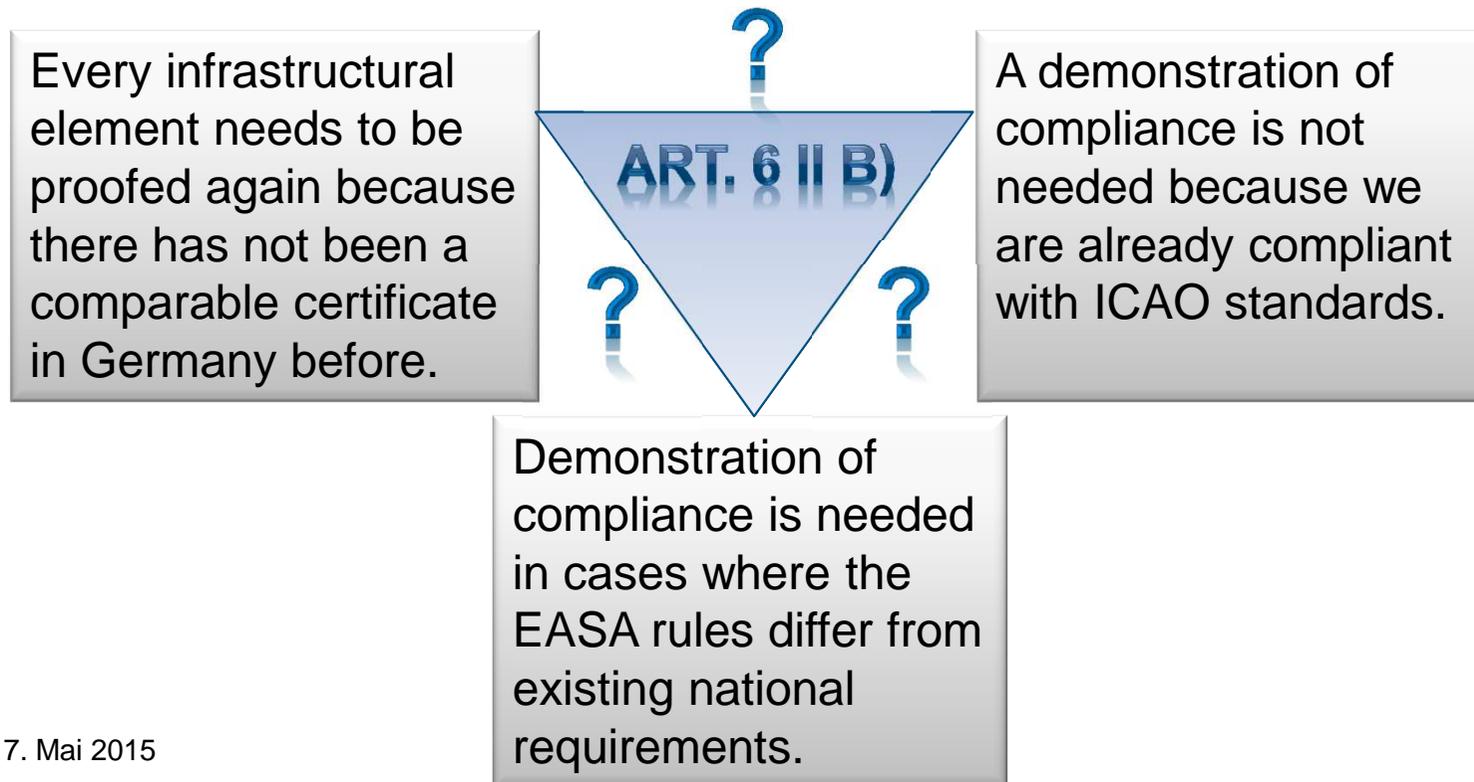
Transition Process in Germany

- Existing license: „operating license“ according to § 6 LuftVG
 - Should the EASA certificate be part of it?
 - No, because the existing legally binding licenses should not be touched
- Two separate legal instruments
- since there already is a check of compliance with ICAO standards in the national instruments the processes should be conducted parallelly where possible



Demonstration of Compliance, Art. 6 II b) Reg. 139/2014

- Within the different Länder > various understanding of the requirement of demonstration of compliance







Demonstration of Compliance, Art. 6 II b) Reg. 139/2014

We asked EASA about the intent of Art. 6 II b) Reg. 139/2014

→ The scope of necessary demonstration of compliance in the area of infrastructure is very limited and defined by Art. 6 II b) Reg. 139/2014

→ The term „certificate“ is kept deliberately generic in order to make sure that all such different national certificates are captured in that sense and can benefit from this mechanism

→ Demonstration of Compliance is only needed for specifications which are new or different compared to earlier national requirements



Demonstration of Compliance in Germany

- § 42 LuftVZO: Aerodromes' licenses have to be in compliance with the rules of ICAO Annex 14 that are applicable for Germany
- For that reason compliance with ICAO standards (and in some cases also recommendations) is already part of the existing German aerodromes' licenses
- For EASA CSs that comply with ICAO standards there is no additional demonstration of compliance required
- But we have to identify the differences between the national requirements and the European rules (CSs)
→ „gap analysis“



Demonstration of Compliance in Germany

- Art. 6 means essential reduction of the effort for the certification process
- Nevertheless, compliance with EASA rules (as a whole) is required
- Therefore supervising the compliance with the rules is the essential part of the continuing oversight process!
- What EASA states is:
 - you don't have to demonstrate your compliance with certain rules during the certification process, but
 - you do have to comply!



Conclusion

What we need to do:

→ communicate

- Every Länder authority as well as every competent authority in the other Member States is facing the same problems in a lot of areas

Benefits from harmonization and communication:

- equal conditions
- better use of personnel and time resources



Conclusion



Thank you for your attention!

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