



EASA

European Aviation Safety Agency

Transition measures provided by Reg. 139/2014

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Aerodromes Section

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TE.GEN.00409-001



Measures for transition to new system of rules

Art. 5 –
Exemptions

Art. 6 –
Conversion of Certificates

Transitional
arrangements

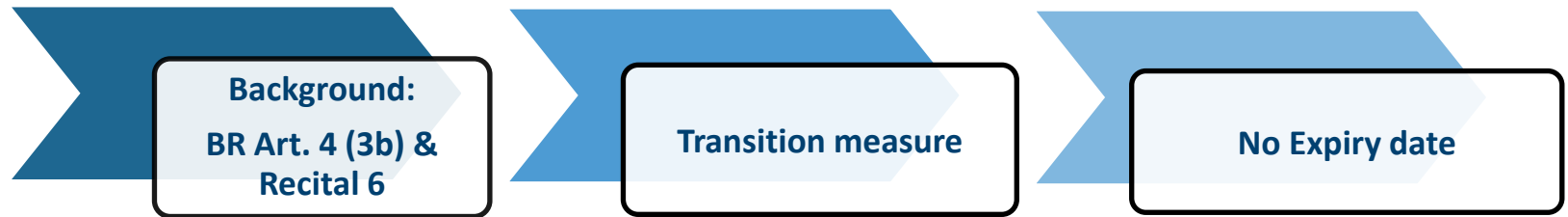
Art. 7 –
Deviations from
certification specifications

Art. 11 –
Entry into force



Article 5 – Exemptions

Art. 5 – Exemptions (in Cover Regulation of 139/2014)



- ADRs under 10,000 pax/ annum and under 850 cargo movements can be exempted by the MS from applying Reg. 139/2014;
- When 3 years above traffic figures the ADR loses the right to be exempted; MS has to revoke decision and tell EASA.
- EU Commission controls application of Art. 5 and can decide not to permit an exemption in certain cases (see Art. 5.3).



Article 6 – Conversion of Certificates

Art. 6 – Conversion of Certificates (in Cover Regulation of 139/2014)

Background:
BR Art. 8a 5 (g)

Transition measure

Expiry date: end 2017

- MS to finish ongoing national certification processes until 2014.
- All national certificates shall remain valid until they are issued in accordance with Art. 6 or at least until end 2017.
- New and different rules (CS's and IR's) must to be complied with & compliance shall be demonstrated (unless CAA waives it because it is disproportionate , Art. 6.3) .
- “EASA based certificate” is issued when the CB is established and the IRs (annexes III and IV) are complied with.



Article 7 – Deviations from certification specifications (DAAD)

Art. 7 – Deviations from certification specifications (in Cover Regulation of 139/2014)

Background:
BR Art. 8a 5 (g)

Transition measure

Expiry date: new
Applications until end of
2024

- Deviations from the CS's can be accepted by the CAA under certain conditions and noted in a special document (DAAD):
 - Used when deviation can neither be ELOS or Special Condition;
 - Deviation is pre-existing (before 2014),
 - Deviation at least respects the objectives set in the ER's of Annex Va,
 - For such deviation/s a safety assessment has been completed and mitigation measures been developed (+ corrective actions as appropriate).
- Validity of DAAD is defined by the CAA and can exceed 2024.



Article 11 – Entry into force and application

Art. 11 – Entry into force (in Cover Regulation of 139/2014)

**Background: good
practice**

**Setting entry into force and
legal applicability**

**20 days after publication &
End of 2014**

- 139/2014 came into force 20 days after publication (6th March 2014).
- Art. 11 allows addressed entities different dates to comply with the relevant annexes of 139/2014.
- CAAs shall comply with annex II by end of 2017.
- Aerodrome operators shall comply with Annex III and IV from date of issuance of an EASA based certificate/s to them.
- If an ongoing certification process did not lead to certificate by end of 2014, the process has to restart on basis of EASA rules.



Crucial difference between Art. 6 and Art. 7

Art. 7 –

Deviations from certification specifications

Art. 6 –

Conversion of Certificates

PURPOSE OF MEASURE

- Available to ADR's with pre-existing items until 2024 .
- Can be used when compliance with CS, ELOS and SC is impossible.
- Safety assessment & mitigation (+ correction if possible/ desired).

- Available to ADR with national certificate.
- CB establishment & compliance to new/ different CS's and IR's.
- Demonstration of Compliance can be waived (not the compliance).



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Flexibility tools for the aerodrome design side

(DAADs, ELOS, SCs)

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What are the concepts?

Certification
Specifications

Equivalent level
of Safety

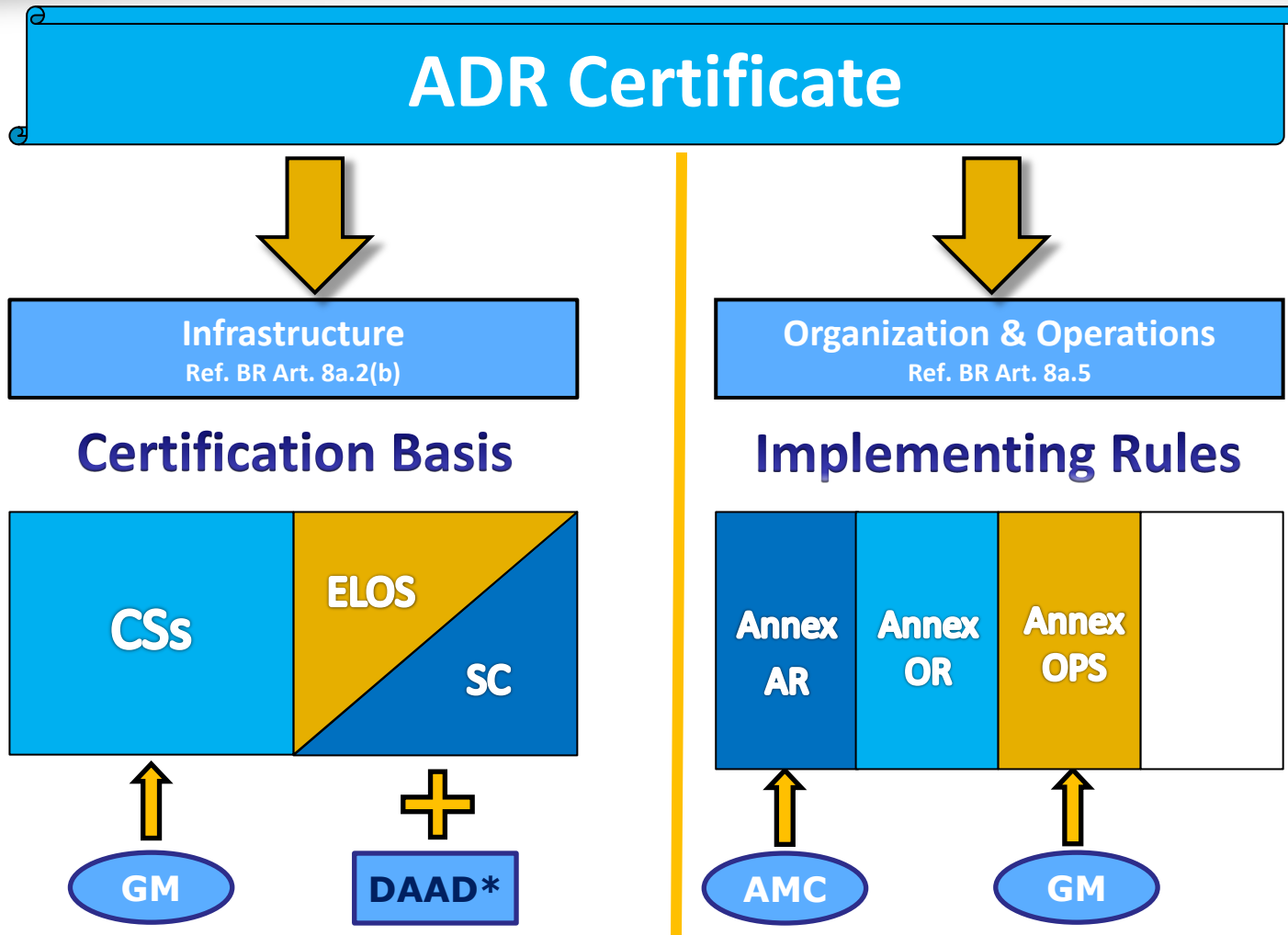
ADR design

Special Condition

Deviation Acceptance
and Action Document



The whole story

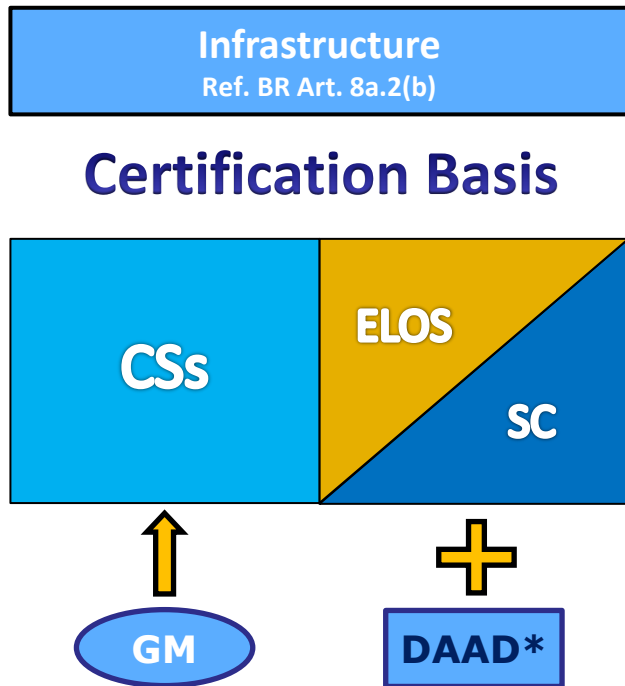


IRs = Implementing Rules
CSs = Certification Specifications
ELOS= Equivalent Level of Safety
SC= Special Condition
GM= Guidance Material
AMC= Acceptable Means of Compliance

***For pre-existing deviations only:**
Additional option of acceptance via "DAAD" mechanism; Ref. 139/2014, Art. 7



Establishment of a Certification Basis



- The components of an **agreed CB** are the relevant CS used, ELOS and Special Conditions (*if accepted and prescribed*).
- ELOS, Special Condition and DAAD cases must be supported by a **Safety Assessment**.
- ELOS, Special Condition and DAAD **must be documented**.
- **Agreed CB is binding on an individual basis to the applicant.**

*** For pre-existing deviations only: Additional option of acceptance via "DAAD" mechanism (Art. 7 of 139/2014)**



Certification Specifications (mentioned in ADR.ARC.020)



- CS's are non-binding technical standards adopted by the EASA to meet the essential requirements of the Basic Regulation (Annex Va) for the purpose of certification.
- CS's relevant for the type of operations are to be used by the applicant.
- CS's to be used by the applicant in the last effective version.
- Once established using the CS's, the agreed CB, becomes binding on an individual basis to the applicant.
- ADR operator needs to comply with any relevant new CS's.



Equivalent Level of Safety (ELOS) (see ADR.AR.C.020)

Can apply to any deviation
from the relevant CS

Only used when CA accepts the
possibility to demonstrate ELOS

If accepted then
component of
binding CB

- Should an applicant not meet the recommendation of the relevant CS, he can propose an ELOS that demonstrates how he meets the intent of the CS.
- If allowed to do so, the applicant has to demonstrate the ELOS.
- Applicant must undertake Safety Assessment.
- ELOS must be documented.
- When accepted by the CA would not be linked to conditions.



Elements of Certification Basis (ADR.AR.C.020)

Special condition (SC) (see ADR.AR.C.025)

Special detailed technical specifications to ensure compliance with the ER's of Annex Va

Can only be prescribed by CA

If prescribed then component of binding CB

- SC can be used when the relevant CS is **inappropriate or inadequate** because:
 - physical, topographical or similar limitations related to the location of ADR; or
 - ADR has novel or unusual design features; or
 - experience from the operation of that ADR or others having similar design features has shown that safety may be endangered.
- Before prescribing a SC a safety assessment must be undertaken.
- SC comprises the technical specification and/or the limitations, operations conditions and procedures that the applicant has to fulfil



(maybe) attached to Certificate

Deviation Acceptance and Action Document (DAAD, see Art.6)

Only a possibility for CA if ELOS
or Special Condition impossible

CA compiles evidence and
specifies period of validity

Extra document
not part of CB

- DAAD only for Pre-existing deviation/s (pre-2014).
- New DAAD applications until 2024 but longer validity possible.
- Safety assessment to be done and mitigation put in place.
- Regular review of DAAD validity and the mitigation measures needed.
- Action to remove DAAD *may* be possible or desired in the future



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Thank you very much



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