

Management Board Decision

DECISION N° 19-2015

of 15 December 2015

on the establishment of the Member States Advisory Body

THE MANAGEMENT BOARD OF THE EUROPEAN AVIATION SAFETY AGENCY,

Having regard to Regulation (EC) No 216/2008¹ of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, hereinafter referred to as the 'Basic Regulation', and in particular Article 52(2) thereof,

Having regard to the proposals presented in WP06a and WP06b at the Management Board meeting 02/2015,

Having regard to the suggestions made by the Rulemaking Advisory Group (RAG) which was consulted from 23 October to 5 November 2015,

HAS ADOPTED THIS DECISION:

Article 1

Establishment of the Member States Advisory Body

The Member States Advisory Body (MAB) is hereby established.

Article 2

Definitions

For the purpose of this Decision:

'Agency safety programmes' means the European Plan for Aviation Safety (EPAS), the Agency's Rulemaking Programme, and the Safety Promotion Programme.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

Article 3

Functions of the MAB

1. In accordance with Article 52(2) of the Basic Regulation, the role of the MAB is to consult Member States on opinions, certification specifications, acceptable means of compliance and guidance material to be applied by them.

Furthermore the MAB shall:

- (a) provide advice to the Agency on the content, priorities and execution of its safety programmes;
- (b) provide advice to the Management Board and to the Agency on strategic developments;
- (c) provide advice to the Agency on implementation and standardisation issues of strategic or horizontal nature (including high-level, cross-domain implementation policies, such as the policy on acceptance of industry standards);
- (d) contribute to the Agency's safety risk management processes, preliminary impact assessments, regulatory impact assessments and other tools to be employed for the development of the Agency's safety programmes;
- (e) support rulemaking groups as necessary in relation to specific rulemaking projects;
- (f) provide comments on terms of reference of rulemaking projects;
- (g) provide economic and other quantitative data for the purpose of the conduct of preliminary impact assessments, regulatory impact assessments, and ex post evaluation of rules;
- (h) support the Agency in the ex post evaluation of rules, and in particular with regard to the need to adapt existing rules to technological and commercial evolution and progress, and in the light of the experience gained in their implementation;
- (i) provide advice in the case of substantially divergent views of the Member States on a specific rulemaking project, or in relation to outstanding technical issues prior to the adoption of the opinion at the EASA Committee;
- (j) provide advice as appropriate in the context of ongoing efforts to improve EPAS, rulemaking, standardisation, safety promotion, and research programming process; and
- (k) provide advice on international cooperation, agreements, and harmonisation activities.

Article 4

Composition of the MAB

1. The MAB shall be composed of representatives of the Member States' national aviation authorities, which are responsible for the application of the Basic Regulation and its implementing rules, and the European Commission.
2. The MAB's composition shall be determined by the Executive Director of the Agency, following nominations provided by the Member States.

Article 5

Rules of procedure and proceedings

1. The MAB shall retain independence and shall be entitled to make recommendations in those fields covered in Article 3 and in all aspects related to the programming and rulemaking activities of the Agency. For this purpose, the Technical Bodies (TeBs), focusing on a certain area of the remit of the Agency, shall be established through the rules of procedure in consultation with the MAB.
2. The MAB rules of procedure shall be consistent with the Agency's programming cycle and shall particularly ensure that when the MAB opinion is required, it is provided in due time so that it can be considered by the Executive Director of the Agency and by the Management Board.
3. The Agency shall provide the secretariat as well as any administrative and logistical support necessary for the functioning of the MAB. The Executive Director of the Agency shall chair the MAB.
4. All aspects of the MAB's work, including membership, procedures, meeting agendas, minutes and related documentation, shall be published on the Agency's website.

Article 6

Expenses

The costs incurred by the MAB members shall not be reimbursed by the Agency.

Done in Cologne, 15th of December 2015

[Signed]

PEKKA HENTTU
Chair of the Management Board