

European Aviation Safety Agency

4-year Rulemaking Programme 2011 – 2014

Table of Contents

European Aviation Safety Agency	1
1. Executive summary	2
1.1. Background	2
1.2. Areas of activities	3
1.3. Human Resource (HR) Distribution	5
R.1 – International Cooperation Department	6
R.2 - Environmental Protection Department	7
R.3 – Flight Standards Department	8
R.4 – Product Safety Department	9
R.5 – ATM/Airport Safety Department	10
R.6 – Rulemaking Process Support Department	11
R.7 – Legal Department	12
1.4. Content overview	13
1.5. Format overview	13
2. 4-year Rulemaking Programme 2011-2014	16
2.1. R.2 – Environmental Protection in 2011-2014	16
2.2. R.3 – Flight Standards Department in 2011-2014	16
2.3. R.4 – Product Safety Department in 2011-2014	16
2.4. R.5 – ATM/Airport Safety Department in 2011-2014	16
3. Annex 1 - Areas of activity	17
4. Annex 2 - Inventory tasks	21
4.1. R.2 – Environmental Protection Department - Inventory tasks	21
4.2. R.3 – Flight Standards Department – Inventory tasks	21
4.3. R.4 – Product Safety Department – Inventory tasks	21
4.4. R.5 – ATM/Airport Safety Department – Inventory tasks	21
5. Annex 3 – ATM Master Plan and 4-years Rulemaking Programme 2011-2014	22
5.1. Annex 3.1 ATM Master Plan	22

1. Executive summary

1.1. Background

The methodology used for the development of the 4-year Rulemaking Programme has been reviewed in response to feedback received from the Agency's consultative bodies AGNA and SSCC and the European Commission. This review resulted in the creation of two new tools to assist in the prioritisation of rulemaking tasks: the new format for pre-RIAs and the ranking list. The new format for pre-RIAs was presented in November 2009 and first implemented in January 2010, when AGNA and SSCC members were provided with a package of 26 new pre-RIAs. The associated pre-RIA scores together with the drivers of the tasks have been included in the ranking list as support to the prioritization exercise. The ranking list represents the 'queue' of rulemaking tasks planned to start in 2011 or later when resources become available. The ranking list was shared with the consultative bodies in February 2010. The comments received in March and April by AGNA and SSCC have been used as additional inputs for the draft 4-year Rulemaking Programme 2011-2014 presented in May 2010. Comments received by AGNA and SSCC and the Commission in May and June have been taken into account for the finalisation of the programme as presented below.

The 4-year Rulemaking Programme lists the tasks to be completed in 2011, the advance planning for 2012-2014 and the inventory task list. The actual number of tasks that can start in any given year depends on the resources that become available. An overview of human resource distribution is provided in [Section 1.3](#).

The following elements have been taken into account in setting up priorities and drafting the programme:

- recommendations received from the EASA Management Board, the EASA Committee, the Single Sky Committee, AGNA (including the European Commission as observer) and SSCC during the meetings occurred in the period from December 2009 to June 2010;
- inputs from stakeholders on the ranking list and the draft 4-year Rulemaking Programme as distributed in May 2010;
- the results from new and existing pre-RIAs;
- the legislative obligations of the Agency in respect to the 1st and 2nd extension of its remit;
- the coordination with the Federal Aviation Administration (FAA) and the Transport Canada Civil Aviation (TCCA);
- the implications of volcano eruptions on the aviation transport system.

The Rulemaking Programme is built on the principle that the planning of the first year is a commitment and the planning for the following years might be subject to changes depending on changing priorities and availability of resources. Following this principle, the present 4-year Rulemaking Programme 2011-2014 commits the Agency to the rulemaking tasks planned for finalisation in 2011. The planning for the following years (2012-2014) is indicative and may be revised during the next planning cycle.

Following the extension of EASA's remit to ATM/ANS in October 2009, a link with SES and SESAR regulatory roadmaps can only be established in the coming months to provide insight in the safety regulatory tasks of the Agency. At this moment, it is beyond the Agency's competence to get this clarifying information, which will have implications already for the 2011 Rulemaking Programme in ATM, Flight Standards and Product Safety (see **Annex 3**).

1.2. Areas of activities

In implementing the 4-year planning, the Rulemaking Directorate has identified its areas of activities:

- A. Production of technical rules
- B. Coordination of rulemaking process
- C. ICAO
- D. External relations
- E. Analysis / research
- F. Administration / management
- G. New developments
- H. Handling of exemption
- I. Legal

A detailed list of these areas of activities is given in [Annex 1](#). For each area of activity the actions, deliverables and the average workload is shown.

When developing this rulemaking programme, it was necessary to take into account that core activities and stages of development vary in the different Departments of the Rulemaking Directorate. While Environmental Protection and Product Safety Departments have reached a 'cruising' phase (i.e. the Implementing Rules are in place and thus the rulemaking in this domain aims largely at maintaining the rules). The Flight Standards and ATM/Airport Departments, on the other hand, are in the 'take-off' phase, i.e. Implementing Rules are under development.

This explains why the resource distribution per area of activity shown in [Section 1.3](#) below varies considerably per Department. A short overview of each Department is given below:

International Cooperation (R.1) is the interface between the Agency and its foreign partners. According to its mandate, the Agency has to co-operate with third countries (outside the EU) bilaterally or within international forums to promote the EU/EASA system. On the other end it is important, via ICAO, to support convergence of regulatory systems at global level and promote Community views in the field of civil aviation safety and environmental protection at all worldwide decision-making levels. In addition, to contribute to the establishment of a high level of civil aviation safety worldwide, the Agency shall promote EASA rules and assist third countries in improving their safety oversight capabilities via cooperation projects. By so doing, the Agency also sets the ground for developing the network of partners with whom it will be possible to conclude bilateral agreements or arrangements.

Environmental Protection (R.2) is currently contributing mainly to the work of ICAO via the Committee on Aviation Environmental Protection (CAEP) in maintaining and updating Annex 16, as the Agency has adopted the ICAO standards through its Basic Regulation. Since these decisions are related to the environmental issues, a high percentage of resources is spent on the ICAO area. Preparatory work is done in the area maintaining the certification specifications and guidance material for noise and emissions certification, which is the current remit of the Agency in this domain.

Following the extension of the EASA system to air operations, pilot licensing and third country aircraft, the Flight Standards Department (R.3) is in a stage of finalising the development of the Implementing Rules. They must apply at the latest on 8 April 2012 as imposed by

the Basic Regulation. This involves at the moment an overloaded work programme, not enough time to discuss at an adequate level with the 'impacted' stakeholders and therefore an enormous need for extensive communication with stakeholders. The Department is consequently spending most of its resources on production of technical rules and coordination of rulemaking process. In this field, besides safety and the additional objectives of Basic Regulation Art.2.2, also medical issues are at stake.

Product Safety Department (R.4) is in a relatively advanced stage compared to other Departments. This means that the 'basics' are in place but that the Department has to keep up with new developments, safety recommendations and urgent safety needs (e.g. volcanic ash issues). The new challenges for Product Safety are: a) to be able to deal with the high regulatory demand (reflected in the rulemaking programme and inventory); b) to reorganise (taking the opportunity to introduce the ICAO requirements for SMS) the existing regulatory documents in the field of Airworthiness according to the adapted regulatory model introduced by the Agency and accepted by EASA Committee and the Commission and to be implemented by the end of 2012; and c) to develop a mechanism to ensure consistent interpretation of rules. Safety issues have always priority in their activities, which include as priorities: 1) Regulatory framework for additional airworthiness requirements for the fleet in service and implementation of the framework on issues such as aging aircraft and fuel tank safety; 2) Risk assessment and mitigation in a complex environment (e.g. Operational suitability, Instructions for Continuing airworthiness); 3) Control of the supply chain (e.g. contracting of CAMO for the management of aircraft continuing airworthiness in CAT, Sub-tier DOA; control of suppliers for production organizations); 4) General aviation; 5) New challenges such as new technologies, new type of operations and new context (e.g. SES, SESAR and EASP); 6) Accident investigation safety recommendations.

Regulation (EC) 1108/2009 amending EASA Basic Regulation and extending the EASA system in the fields of Aerodromes, Air Traffic Management (ATM) and Air Navigation Services (ANS) entered into force in December 2009. The ATM/Airport Department (R.5) has therefore started the preparation of the Implementing Rules and other regulatory material for ATM/ANS and for aerodromes. According to the amended Basic Regulation these rules should be in place by 2012 (ATM) and 2013 (airports) respectively. The Agency's rulemaking planning was strongly affected by the 'fast-track' approach initiated by the European Commission and the Single Sky Committee. This required the Agency to transpose existing regulation on ANS service provision, ATCO licensing and safety oversight through an accelerated process providing a fundament for future ATM/ANS Implementing Rules to be adopted by end 2010. In addition, safety regulatory coordination with the SES implementation and with the SESAR programme will identify needs for additional rulemaking tasks.

The core activities of Process Support Department (R.6) are an integral part to the production of technical rules: Regulatory Impact Assessments (RIA); editing, consultation, publication and translations of rules; management of rulemaking and review groups. In addition, the Department provides management oriented services: decentralised financial and procurement tasks; coordination of the business planning process; the AGNA and SSCC secretariat for consultation on the Rulemaking Programme; production of quality documentation for processes managed in the Directorate; management of the Directorate's ICT projects; management of the Publication Framework and stakeholder management support. The workload of the department is directly related to the volume of rules created.

Legal Department (R.7) provides support to Operational Departments within Rulemaking in the Production of technical rules. R.7 plays also a central role acting as a service provider of legal advice to all Directorates in EASA.

1.3. Human Resource (HR) Distribution

The estimations for 2011-2014 take into account the specific priority areas for each Department as described above as well as the different stages of development of the Departments. Also the new recruitments as well as the knowledge of today about availability of staff in 2011-2014 and the recommendation to reduce the extreme overtime made by the Management Board following the Article 51 Evaluation were considered. Nevertheless, as it is impossible to ignore existing legal obligations, the Departments involved in the 1st and 2nd extension of the scope of the Agency are still quite substantial above the 100% due to lack of resources. This is also the case for Environmental Protection because this Department cannot unilaterally withdraw from activities in the ICAO working groups while this work is of crucial importance to the European Industry (reference to ICAO for Essential Requirements in the Basic Regulation). For Environmental Protection, the consequences of the possible extension have not been taken into account. It is assumed that the support from Certification Directorate in the environmental field will be continued.

	Table 1: 2011-2014 HR Distribution R.1 – International Cooperation Department							
	2011		2012		2013		2014	
FTEs as available in the Business plan	14		15		15		15	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
B. Coordination of rulemaking process	0,50	3,57%	0,60	4,00%	0,60	4,00%	0,60	4,00%
C. ICAO	1,80	12,86%	1,80	12,00%	1,80	12,00%	1,80	12,00%
D. External relations	10,50	72,41%	11,00	73,33%	11,00	73,33%	10,50	70,00%
E. Analysis/research	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
F. Administration / management	3,00	21,43%	3,00	20,00%	3,00	20,00%	3,20	21,33%
G. Handling of exemption	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
H. New developments	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
I. Legal	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
Total	15,80	110,27%	16,40	109,33%	16,40	109,33%	16,10	107,33%

In the calculations presented in Table 1 above the following availability of human resources in R.1, including current staff and envisaged future recruitments, was taken into account:

2011: 14 FTEs; 2012: 15 FTEs; 2013: 15 FTEs ; 2014: 15 FTEs

Table 2: 2011-2014 HR Distribution R.2 - Environmental Protection Department								
	2011		2012		2013		2014	
FTEs as available in the Business plan ¹	6		6		6		6	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules ²	0,40	8,00%	0,05	1,00%	0,10	2,00%	0,30	6,00%
B. Coordination of rulemaking process	0,42	8,40%	0,42	8,40%	0,42	8,40%	0,42	8,40%
C. ICAO	3,60	72,00%	3,60	72,00%	3,60	72,00%	3,60	72,00%
D. External relations	0,29	5,80%	0,29	5,80%	0,29	5,80%	0,29	5,80%
E. Analysis/research	0,23	4,60%	0,23	4,60%	0,23	4,60%	0,23	4,60%
F. Administration / management	1,50	30,00%	1,50	30,00%	1,50	30,00%	1,50	30,00%
G. Handling of exemption	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
H. New developments	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
I. Legal	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
Total	6,44	128,80%	6,09	121,80%	6,14	122,80%	6,34	126,80%
Support From Certification	1,00	20,00%	1,00	20,00%	1,00	20,00%	1,00	20,00%
Total incl. Support from Certification	7,44	148,80%	7,09	141,80%	7,14	142,80%	7,34	146,80%

In the calculations presented in Table 2 above the following availability of human resources in R.2, including current staff and envisaged future recruitments, was taken into account: 2011: 5 FTEs; 2012: 5 FTEs; 2013: 5 FTEs; 2014: 5 FTEs.

¹ From the initially allocated 6 FTEs, 1 FTE has been moved to R.5 - ATM/Airport Safety Department.

² For Environmental Protection, the consequences of the possible extension have **not** been taken into account.

	Table 3: 2011-2014 HR Distribution³ R.3 – Flight Standards Department							
	2011		2012		2013		2014	
FTEs as available in the Business plan	23		23		23		23	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules	8,36	36,35%	4,38	19,04%	4,38	19,04%	4,75	20,65%
B. Coordination of rulemaking process	6,50	28,26%	6,50	28,26%	6,50	28,26%	6,50	28,26%
C. ICAO	1,30	5,65%	1,00	4,35%	1,00	4,35%	1,00	4,35%
D. External relations	2,40	10,43%	2,40	10,43%	2,40	10,43%	2,40	10,43%
E. Analysis/research	1,50	6,52%	1,50	6,52%	1,50	6,52%	1,50	6,52%
F. Administration / management	6,00	26,09%	6,00	26,09%	6,00	26,09%	6,00	26,09%
G. Handling of exemption	1,30	5,65%	1,30	5,65%	1,50	6,52%	1,50	6,52%
H. New developments	1,30	5,65%	1,30	5,65%	1,30	5,65%	1,30	5,65%
I. Legal	0,00	0,00%	0,00	0,00%	0,00	0,00%	0	0,00%
Total	28,66	124,61%	24,38	106,00%	24,58	106,87%	24,95	108,48%

In the calculations presented in Table 3 above the following availability of human resources in R.3, including current staff and envisaged future recruitments, was taken into account: 2011: 23 FTEs; 2012: 23 FTEs; 2013: 23 FTEs; 2014: 23 FTEs

³ Table 3 reflects R3 resources excluding cross services from other EASA Directorates, which are needed in order to meet the deadlines set by the Basic Regulation for the 1st extension work.

	Table 4: 2011-2014 HR Distribution R.4 – Product Safety Department							
	2011		2012		2013		2014	
FTEs as available in the Business plan	16,5		18		18		18	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules	7,91	47,94%	8,31	46,17%	7,29	40,50%	6,75	37,50%
B. Coordination of rulemaking process	4,81	29,12%	5,41	30,06%	5,46	30,33%	5,46	30,33%
C. ICAO	0,34	2,06%	0,37	2,06%	0,37	2,06%	0,75	4,17%
D. External relations	0,50	3,00%	0,54	3,00%	0,58	3,22%	1,00	5,56%
E. Analysis/research	0,38	2,27%	0,42	2,33%	0,42	2,33%	0,75	4,17%
F. Administration / management	3,72	22,55%	3,86	21,44%	3,87	21,50%	3,87	21,50%
G. Handling of exemption	0,18	1,08%	0,19	1,03%	0,19	1,03%	0,19	1,03%
H. New developments	0,12	0,71%	0,13	0,69%	0,19	1,03%	0,25	1,39%
I. Legal	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
Total	17,94	108,73%	19,22	106,78%	18,36	102,00%	19,02	105,64%

In the calculations presented in Table 4 above the following **effective** availability of human resources in R.4 was taken into account:

2011: 16,5 FTEs (budget 18 FTE, -0,5 FTE replacement of 1 FTE transferred to R5 (effective 0,5 FTE), -1 FTE of 2 new recruitments end 2010 (effective 1 FTE);

2012: 18 FTEs;

2013: 18 FTEs;

2014: 18 FTEs

	Table 5: 2011-2014 HR Distribution R.5 – ATM/Airport Safety Department							
	2011		2012		2013		2014	
FTEs as available in the Business plan⁴	17		17		17		17	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules	16,00	88,89%	16,00	88,89%	10,00	55,56%	3,00	16,67%
B. Coordination of rulemaking process	1,50	8,33%	2,50	13,89%	4,50	25,00%	5,00	27,78%
C. ICAO	0,50	2,78%	0,50	2,78%	1,50	8,33%	1,50	8,33%
D. External relations	2,00	11,11%	1,00	5,56%	1,00	5,56%	2,00	11,11%
E. Analysis/research	1,00	5,56%	1,00	5,56%	1,00	5,56%	1,50	8,33%
F. Administration / management	2,50	13,89%	2,50	13,89%	3,00	16,67%	3,00	16,67%
G. Handling of exemption	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
H. New developments	0,50	2,78%	1,00	5,56%	1,00	5,56%	1,00	5,56%
I. Legal	0,00	0,00%	0,00	5,56%	0,00	5,56%	0,00	5,56%
Total⁵	24,00	133,33%	24,50	136,11%	22,00	122,22%	17,00	94,44%

In the calculations presented in Table 5 above the following availability of human resources in R.5, including current staff and envisaged future recruitments, was taken into account:

2011: 18 FTEs; 2012: 18 FTEs; 2013: 18 FTEs; 2014: 18 FTEs

⁴ 1 FTEs has been moved to R.5 from R.2 Department so that the total number of FTE available for R.5 is 18.

⁵ The current HR distribution does not include additional workload the Department will have in the near future as consequence of the safety regulatory coordination with the SESAR JU programme and the Single European Sky (SES). Such coordination will identify needs for additional rulemaking tasks in the coming months, not included yet in the Rulemaking Programme 2011-2014.

	Table 6: 2011-2014 HR Distribution R.6 – Rulemaking Process Support Department							
	2011		2012		2013		2014	
FTEs as available in the Business plan	15		15		15		15	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules	7,00	46,67%	7,00	46,67%	7,00	46,67%	7,00	46,67%
B. Coordination of rulemaking process	5,00	33,33%	5,00	33,33%	5,50	36,67%	4,50	30,00%
C. ICAO	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
D. External relations	0,10	0,67%	0,10	0,67%	0,10	0,67%	0,10	0,67%
E. Analysis/research	0,30	2,00%	0,30	2,00%	0,40	2,67%	0,50	3,33%
F. Administration / management	7,00	46,67%	7,00	46,67%	6,50	43,33%	6,00	40,00%
G. Handling of exemption	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
H. New developments	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
I. Legal	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
Total	19,40	129,33%	19,40	129,33%	19,50	130,00%	18,10	120,67%

In the calculations presented in Table 6 above the following availability of human resources in R.6, including current staff and envisaged future recruitments, was taken into account:

2011: 15 FTEs; 2012: 15 FTEs; 2013: 15 FTEs ; 2014: 15 FTEs

	Table 7: 2011-2014 HR Distribution R.7 – Legal Department ⁶							
	2011		2012		2013		2014	
FTEs as available in the Business plan	14		14		14		14	
Areas of activity	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %	HR (FTE)	HR %
A. Production of technical rules	5,00	35,71%	5,00	35,71%	4,00	28,57%	4,00	28,57%
B. Coordination of rulemaking process	2,50	17,86%	3,00	21,43%	3,50	25,00%	3,50	25,00%
C. ICAO	0,25	1,79%	0,25	1,79%	0,25	1,79%	0,25	1,79%
D. External relations	0,75	5,36%	0,75	5,36%	0,75	5,36%	0,75	5,36%
E. Analysis/research	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
F. Administration / management	2,50	17,86%	2,50	17,86%	2,50	17,86%	2,50	17,86%
G. Handling of exemption	0,00	0,00%	0,00	0,00%	0,00	0,00%	0,00	0,00%
H. New developments	0,01	50,00%	0,01	0,07%	0,01	0,07%	0,01	0,07%
I. Legal	7,00	50,00%	7,50	53,57%	7,50	53,57%	7,50	53,57%
Total	18,00	128,64%	19,00	135,79%	18,50	132,21%	18,50	132,21%

In the calculations presented in Table 7 above the following availability of human resources in R.7, including current staff and envisaged future recruitments, was taken into account:

2011: 14 FTEs; 2012: 14 FTEs; 2013: 14 FTEs; 2014: 14 FTEs⁷

⁶ R.7 provides services to both the R-Directorate but also other Directorates. The Legal sub-activities, which are not part of the traditional rulemaking activities, are described in the Agency's Work programme and Activity report, specifically in the Chapter concerning support activities.

⁷ Despite the reduction of requested staff, it is assumed that in parallel no activities will be taken away from R7. This explains the increase in percentages. This table and figures show the expected increased workload for the Department.

1.4. Content overview

The present 4-year Rulemaking Programme contains tasks that the Rulemaking Directorate is planning to work on in 2011-2014. The plan provides detailed insight into the 2011 activities and shows the Rulemaking Directorate commitment for such a year. The planning accuracy for the subsequent years goes down gradually reaching 20% uncertainty in 2014. The planning of the 2012-2014 tasks is subject to changes depending on the availability of resources and budget. Emerging priorities and urgent tasks have also to be taken into account. This could lead to a change of the priorities in the year (a task will have to be removed to take on a new one). The present 4-year Rulemaking Programme will be reviewed annually.

The tasks of the 4-year Rulemaking Programme are grouped per discipline (Environmental Protection, Flight Standards, Product Safety, ATM/Airports) and include tasks leading to:

- **Opinions** of the Agency on amendments of the Basic Regulation and its Implementing Rules; and
- **Decisions** of the Executive Director of the Agency issuing Certifications Specifications, including Airworthiness Codes and Acceptable Means of Compliance, as well as Guidance Material, it recommends to be used to ensure compliance with the Basic Regulation and its Implementing Rules.

For each task the estimated quarter of commencement and delivery is indicated. When the deliverable is a Decision linked to the formal adoption of an Opinion through the appropriate legislative process, such information is only indicative as the outcome of the legislative process cannot be precisely estimated. Additionally, an estimation of the FTEs needed to fulfil a certain task per year is given. The total number of FTEs is validated against the envisaged FTEs for production of technical rules for the respective Department and year. The plan is presented in a way that the total workload in the field of production of technical rules can be easily identified per Department. Obligations resulting from existing legal commitments have been taken into account. For Environmental Protection it has also been assumed that the support from Certification Directorate (amounting to approximately 1 FTE) in this field will be continued.

For the other areas of activities, an indication of the average workload can be found in the table in [Annex 1](#).

The Inventory list of tasks on which the Rulemaking Directorate cannot initiate work with the currently available resources can be found in [Annex 2](#). The inventory tasks are also shown per field (Environmental Protection, Flight Standards, Product Safety, and ATM/Airports).

1.5. Format overview

The format of the draft 4-year Rulemaking Programme has been reviewed in order to provide:

1. a document in a searchable format;
2. an easier system to identify changes from the adopted 4-year Rulemaking Programme 2010-2013 as well as the sources of such changes.

The draft Rulemaking Programme 2011-2014 is hence provided in Excel format and the following information is provided per each task (see **Picture 1**):

- Task number
- Task title
- Changes from the adopted Rulemaking Programme 2010-2013 (including consultation)⁸
- Pre-RIA score⁹
- Driver
- Discipline (and related Department)
- Work method (Agency¹⁰ or Group)
- Deliverable (task leading to: Opinion or Decision)
- Start and end date (year and quarter)
- Planned FTEs per year

Task No.	Title	Changes from RMP 2010-2013 to RMP 2011-2014 (including consultation)	Pre-RIA score	Driver	R2 Environmental Protection R3 Flight Standards R4 Product Safety R5 ATM/Airport	Work method	Task leading to	Start date Year/Quarter		End date Year/Quarter		2011 FTE	2012 FTE	2013 FTE	2014 FTE
21.039 (k)	Additional airworthiness specifications for operations – Transposition of JAR-26 into CS-26 Envisaged deliverable: First issue of to CS-26. Depending on outcome of opinion on task 21.039(a)	Ending date changed from 2012.01 to 2012.03 - Work method changed - Title changed	B7	Safety related Legal obligation	R4	Agency	Decision	2007	03	2012	03	0,100	0,125		
VLA.008	Incorporation of special conditions in CS-VLA Includes now Night VFR (VLA.001) Includes now Increases of MTOW to 890Kg (VLA.005) Include Towing. Updating of requirements for Glider towing, development of requirements		pre-RIA old format	Certification request	R4	Agency	Decision	2011	01	2013	03	0,100	0,125	0,075	

Picture 1

The Inventory is also provided in Excel format and it includes the following information (see **Picture 2**):

- Task number
- Task title
- Changes from the adopted Rulemaking Programme 2010-2013 (including consultation)

⁸ This column includes also the changes done to the draft 4-year Rulemaking Programme 2011-2014 for addressing the AGNA and SSCC comments received in May and June 2010 as well as any internal consideration (e.g. updating on resources available) done after the publication of the draft Rulemaking Programme in May 2010. The latest changes are identified in **light blue** in order to openly track the follow up of the consultation carried out in May and June. In addition, the origin of the changes is identified as follows: **A – AGNA; S – SSCC; EC – European Commission; I – Internal/EASA.**

⁹ Only tasks which have received a pre-RIA according to the new format have a pre-RIA score. This is just for the transition period. In the following years most of the tasks will have a pre-RIA score.

¹⁰ When the working method is 'Agency', it is specified if the working approach includes cooperation with FAA or support from the Industry.

- Pre-RIA scores (where available)
- Driver
- Discipline (and related Department)
- Possible Work method (Agency or Group)
- Possible Deliverable (Task leading to: Opinion or Decision)

Task No.	Title	Changes from RMP 2010-2013 to RMP 2011-2014 (including consultation)	Pre-RIA score	Driver	R2 Environmental Protection R3 Flight Standards R4 Product Safety R5 ATM/Airport	Work method	Task leading to
21.057	Extension of DOA privilege to approve minor revisions to Agency approved documents	Moved from RMP 2010-2013 to the Inventory - Issue covered by OSD	B8	Industry request	R4	Agency	Opinion
26.010	Activation of ice protection - It amends the regulation applicable to operators of certain aeroplanes used for CAT and certificated for flight in icing conditions. The proposed standards would require either the installation of ice detection equipment or changes to the			FAA harmonization	R4		Decision
145.020	145.A.45(e) It is felt that the possibility for operators to use work cards/sheets is confusing, contradicting the responsibility of the Part 145 organisation to ensure good maintenance and has an adverse effect on the accomplishment of maintenance. Consideration should be given to amend the requirement to allow the use of operators work cards / sheets for daily inspections and line checks only.	No legal requirement for the TC holder to produce job cards. Task moved to the inventory (!)	pre-RIA old format	Safety related	R4	Agency	Opinion

Picture 2

Thus, the Excel file has two worksheets: one listing all tasks of the Rulemaking Programme 2011-2014, the other for all tasks included in the Inventory.

The tasks can be grouped per discipline (i.e. R2 Environmental Protection; R3 Flight Standards; R4 Product Safety; R5 ATM/Airport), starting or ending date, driver, working method and/or deliverable. When the deliverable of a task is a Decision linked to the formal adoption of an Opinion, the task which ends with an Opinion is identified as (a), whilst (b) and subsequent letters refer to Decisions.

The 4-year Rulemaking Programme is also provided in PDF format to facilitate reading and printing. Due to the size of the programme, one PDF file per Department (i.e. discipline) has been generated. Finally, the Inventory (see **Annex 2**) is presented as one PDF file, where the tasks are ordered per Department (from R.2 Environmental Protection to R.5 ATM/Airports).

2. 4-year Rulemaking Programme 2011-2014

2.1. R.2 – Environmental Protection in 2011-2014

See "[RMP 2011-2014 and Inventory.xls](#)" - Worksheet "RMP 2011-2014" or "[R.2 Environ Protection RMP 2011-2014.pdf](#)"

2.2. R.3 – Flight Standards Department in 2011-2014

See "[RMP 2011-2014 and Inventory.xls](#)" - Worksheet "RMP 2011-2014" or "[R.3 Flight Standards - RMP 2011-2014.pdf](#)"

2.3. R.4 – Product Safety Department in 2011-2014

See "[RMP 2011-2014 and Inventory.xls](#)" - Worksheet "RMP 2011-2014" or "[R.4 Product Safety - RMP 2011-2014.pdf](#)"

The workload for 2012-2014 needs still to be reviewed to take into account the tasks coming from the development of SES, SESAR and EASP and at the same time to ensure that the programme is completely realistic and achievable. This review will be done at the opportunity of the preparation of the ranking list for the Rulemaking Programme 2012-2015: specific priority criteria will be used and the review will be done in full compliance with the Rulemaking process.

2.4. R.5 – ATM/Airport Safety Department in 2011-2014

See "[RMP 2011-2014 and Inventory.xls](#)" - Worksheet "RMP 2011-2014" or "[R.5 ATM-Airport - RMP 2011-2014.pdf](#)"

3. Annex 1 - Areas of activity

#	Area of activity	Actions	Deliverables	Average workload/year
A	Production of technical rules	Implementation of rulemaking programmes, including drafting, regulatory impact assessment, editorial work, consultation, translation and publication of rules. Management of rulemaking groups and review groups (where applicable)	Terms of Reference and Group Composition (where applicable), NPAs including RIA; CRDs; Opinions; Decisions. RIA review	2 tasks per Rulemaking officer (this includes on the average 5 Group meetings per task taking 5 days each incl. preparation and follow-up, and 10 days for developing NPA, CRD or Opinion/Decision) N.B. The Workload on rulemakings related to the extension depends on the number of comments received on the NPAs and the adoption of the IR
B	Coordination of rulemaking process	Development of rulemaking programme, including planning of cooperation with foreign partner authorities; performance monitoring	4-year rulemaking programme for year N;	1/year
		AGNA and SSCC meetings	Agenda and papers; Meeting; Notes/actions opened; Administrative support to members	AGNA: 3/year SSCC: 2/year
		Coordination with other Directorates	Interpretations/policy formulation; Standardisation visits	continuous
		Preparation and participation to workshops/seminars	Logistics and presentations	10 workshops per Department
		Answering letters and e-mails	Interpretation/policy formulation	continuous
		Communication with stakeholders	Information; Meetings; Press release/articles; Newsletter; Value-added publications (VAP); Rulemaking e-Handbook	continuous
C	ICAO	Participation into ICAO activities e.g. secretariat, panels, committees and conferences (Airworthiness, OPS, Licensing panels and Committee on Aviation Environmental Protection, meeting with representatives in ICAO)	Working papers and presentations	continuous
		Participation to EASA audit	Contribution to SAAQ; checklists and protocols; Follow up on audits	1 every three years
		Contribution to Member States audits	USOAP checklists, briefings, draft replies etc.	ad-hoc depending on ICAO programme
		Meeting with NSOC	Presentations	1/year

#	Area of activity	Actions	Deliverables	Average workload/year
		State letters	Draft reply to R1 and final reply to Commission by R1	ad-hoc depending on ICAO programme
D	External relations	Drafting Bilateral agreements/working arrangements and support to their implementation	Drafting; Interpretations/policy formulation	depending on third countries and Council
		Technical cooperation	Programme formulation; Monitoring; Execution; Administrative support; Conferences; Training courses; Bilateral meetings on the spot	continuous
		Liaison with Institutions e.g. Commission, Third Country NAAs (FAA, TCCA, etc.), EUROCONTROL, and with stakeholders organisations such as ETF, AEA, IATA, ECA, ESA, EUROCAE, etc. EASA representation abroad	Information papers and presentations; Memorandum of understanding	continuous
		Internal co-ordination of international co-operation	Intranet communication; Internal meetings	continuous
E	Analysis / research	Accident Investigation Boards	Draft reply to recommendation; Working papers and presentations	continuous but with 6 internal accident investigation committee meetings per year
		Preparation and contribution to internal safety committee meetings	Safety policies	10 meetings per year
		Safety Initiatives e.g. ESSI, EASAC and the European Aviation Safety programme	tbd	three pillars ECAST, EGAST, EHAST: each has 4 meetings per year EASAC: 6 meetings per year
		Studies	Procurement and contract management; Support to Safety and Analysis Department	3 studies/year; Support to Safety and Analysis Department: 3 studies/year
		Research	Advise to FP consortium and Commission (meetings with DG RTD, review of EC work programme)	2 meetings/year with DG RTD
F	Administration / management	Day to Day Management e.g. financial and resources	Appraisal; Objectives; Coaching and guidance on RM Mission	continuous
		Quality	Contribution to procedures; Compliance e.g. exemption; Contribution to internal audits	Quality: continuous Internal audit: 1 every two years

#	Area of activity	Actions	Deliverables	Average workload/year
		IT related issues	ERP; DMS; BPM; SMIS; CRT enhancements; CQB; Rulemaking deliverables DB; interface of EASA data warehouse; deployment and testing of Legiswrite; tools in the context of RM review process; elicitation of new business requirements	continuous
		Training	Training maps; Contribution and participation to courses	6 days per staff member
		Recruitment	Interview preparation, contribution to report; Briefing of newcomers	depending on recruitment programme
		Secretariat	General support to day to day business (management of travel & sick leave, filling, mail management, social activities); Support to EASA representatives	continuous
		Business Planning	Contribution to Business Plan, Work programme, monthly reports, Activity report, ED report to MB, ad-hoc reports	continuous
		Budget management	Commitments; Payments; Recovery orders; Carry-over, etc.	continuous
		Staff Committee	Meetings, personal cases, etc.	0.1 FTE/year
G	Handling of exemption	Implementation of article 8 of Regulation 3922/1991;	Assessment of MS exemptions (draft, peer review, etc.)	ad-hoc (20 days per exemption; 8 days per derogation)
		Implementation of article 14 of BR 216/2008;	Letters and opinions	continuous (15 days per case)
H	New developments	Develop concepts, studies, new international material, papers, action plans and similar for satellite based systems and services (e.g. EGNOS, Galileo, Iris, sub-orbital aeroplane operations, UAS)	Letters; Papers for international events; Regulatory Agency's deliverables or preparatory material	continuous
		Set-up, maintaining of Community Safety Programme	CSP manual	continuous
		Project on consolidated version of IR 1702/2003 and 2042/2003	Revised consolidated versions	start in 2009 end in 2010

#	Area of activity	Actions	Deliverables	Average workload/year
I	Legal	Legal advice	Legal opinions Legal notes and discussion papers Legal review of all Agency's deliverables/measures/decisions Drafting support Participating in internal meetings with and without externals, external meetings, work groups, work shops, conferences	As requested or required
		Coordination and support to the Directorates	Internal meetings Concept discussions Reviewed documents etc. Providing legal training to staff	Regular meetings & ad-hoc meetings
		Public access to documents	Processing initial and confirmatory requests for public access to documents from the public Give advice on access to documents and confidentiality issues Internal training Management of the process	As requested or required
		Data protection	Processing data protection tasks Give advice on data protection Handling data protection situations/cases	As requested or required
		Defensive legal measures incl. litigation	Processing of complaints against EASA: <ul style="list-style-type: none"> o General/any o Code of Good Administrative Practice o SR art. 90 o Ombudsman Appeals against EASA's decisions: <ul style="list-style-type: none"> o Technical o Fees & Charges Any other challenge against EASA in court, before other tribunal or bodies Dispute resolution and litigation under Contracts	As requested or required

4. Annex 2 - Inventory tasks

4.1. R.2 – Environmental Protection Department - Inventory tasks

The inventory list in this field will be established in the subsequent years. So far, only two tasks have been foreseen for the inventory.

See "[RMP 2011-2014 and Inventory.xls](#)" – Worksheet "Inventory" or "[Annex 2 - Inventory 2011-2014.pdf](#)"

4.2. R.3 – Flight Standards Department – Inventory tasks

See "[RMP 2011-2014 and Inventory.xls](#)" – Worksheet "Inventory" or "[Annex 2 - Inventory 2011-2014.pdf](#)"

4.3. R.4 – Product Safety Department – Inventory tasks

See "[RMP 2011-2014 and Inventory.xls](#)" – Worksheet "Inventory" or "[Annex 2 - Inventory 2011-2014.pdf](#)"

4.4. R.5 – ATM/Airport Safety Department – Inventory tasks

The inventory list in this field will be established in the subsequent years. The safety regulatory coordination with the SESAR JU programme and the safety advisory role of the Agency in the Single European Sky (SES) may in fact identify the need for additional rulemaking tasks. Additional information is provided in **Annex 3**, while the few tasks already included in the Inventory are available in "[RMP 2011-2014 and Inventory.xls](#)" – Worksheet "Inventory" or "[Annex 2 - Inventory 2011-2014.pdf](#)".

5. Annex 3 – ATM Master Plan and 4-years Rulemaking Programme 2011-2014

The safety advisory role of the Agency in the Single European Sky (SES) effects the Agency workload in 2011, as the Agency is responsible for ensuring that safety aspects are properly addressed in the implementation of the SES regulations. The updated SESAR ATM Master Plan (see ATM Master Plan in **Annex 3.1**) will potentially have a direct impact on the presented 4-year Rulemaking Programme. The ATM Rulemaking Programme will be assessed during 2010 in order to define the required rulemaking activities that fall within the Agency's remit.

Furthermore, additional regulatory tasks are foreseen to address the implications of volcano eruptions on the aviation transport system, to be included for the 2011 Rulemaking Programme. Co-ordinated European action is in fact urgently needed to revise the existing international procedures in case of volcanic activity. The Agency will support the Commission in finding a Europe wide solution that will maximise available airspace, while ensuring the safety of the operation. Airworthiness, Operations and ATM requirements will need to be addressed for future actions in the field of airspace contamination with volcanic ash. The Agency will work with ICAO, Member States, manufacturers, ANSP, Aerodromes to find the most appropriate and cost effective way to reduce future impact of volcano eruptions on the aviation transport system, while ensuring at the same time the safety of aircraft operations.

Finally, the indentified need for EU leadership in the event of airspace management crisis has lead to a recommendation to accelerate the implementation of the Single European Sky II package (SES II). The SES II package aims at redesigning the European sky according to traffic flows rather than national borders in order to put in place a single European system for air traffic. The Commission has proposed to fast track many elements of the Single European Sky package already by the end of 2010. In particular, the appointment of a European network manager. If the network management function had been designated prior to the crisis, the situation may have been quite different. A more harmonised and co-ordinated approach to risk and flow/capacity assessment, and the ability to formulate quickly proposals for solutions are needed. The implementation of the SES II package will hence have a direct effect on the forthcoming Agency rulemaking activities.

5.1. Annex 3.1 ATM Master Plan

See "[Annex 3.1 - ATM Master Plan Update Working Group Report.pdf](#)" and "[Annex 3.1 - ATM Master Plan Update Working Group Report Appendices.pdf](#)"