



EASA
European Aviation Safety Agency

Implementation of the NEW “Common requirements” rule

Regulation (EU) 2017/373

Cologne, 11 June 2018

Your safety is our mission.

An agency of the European Union 



EASA

European Aviation Safety Agency

Workshop general information

Cologne, 11 June 2018

Ken ENGELSTAD
ATM/ANS & ADR Department
EASA/FS Directorate

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TE.GEN.00409-001



Organisational issues

- ❑ Location & Emergency
- ❑ Agenda & Timings
- ❑ (Coffee & Lunch) Breaks
- ❑ Questions (after each presentation & during the dedicated sessions)
- ❑ Availability of the workshop material

<https://www.easa.europa.eu/newsroom-and-events/events/workshop-implementation-regulation-2017373-0>



EASA

European Aviation Safety Agency

WELCOME NOTE

Cologne, 11 June 2018

Nathalie DEJACE

Head of ATM/ANS & ADR Department
and EASA ATM Policy Coordinator,
EASA/FS Directorate

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Objectives by EASA

EASA



Founded in 2003



Built on experience
from the JAA



Located in
Cologne, Germany



Staff of 800+



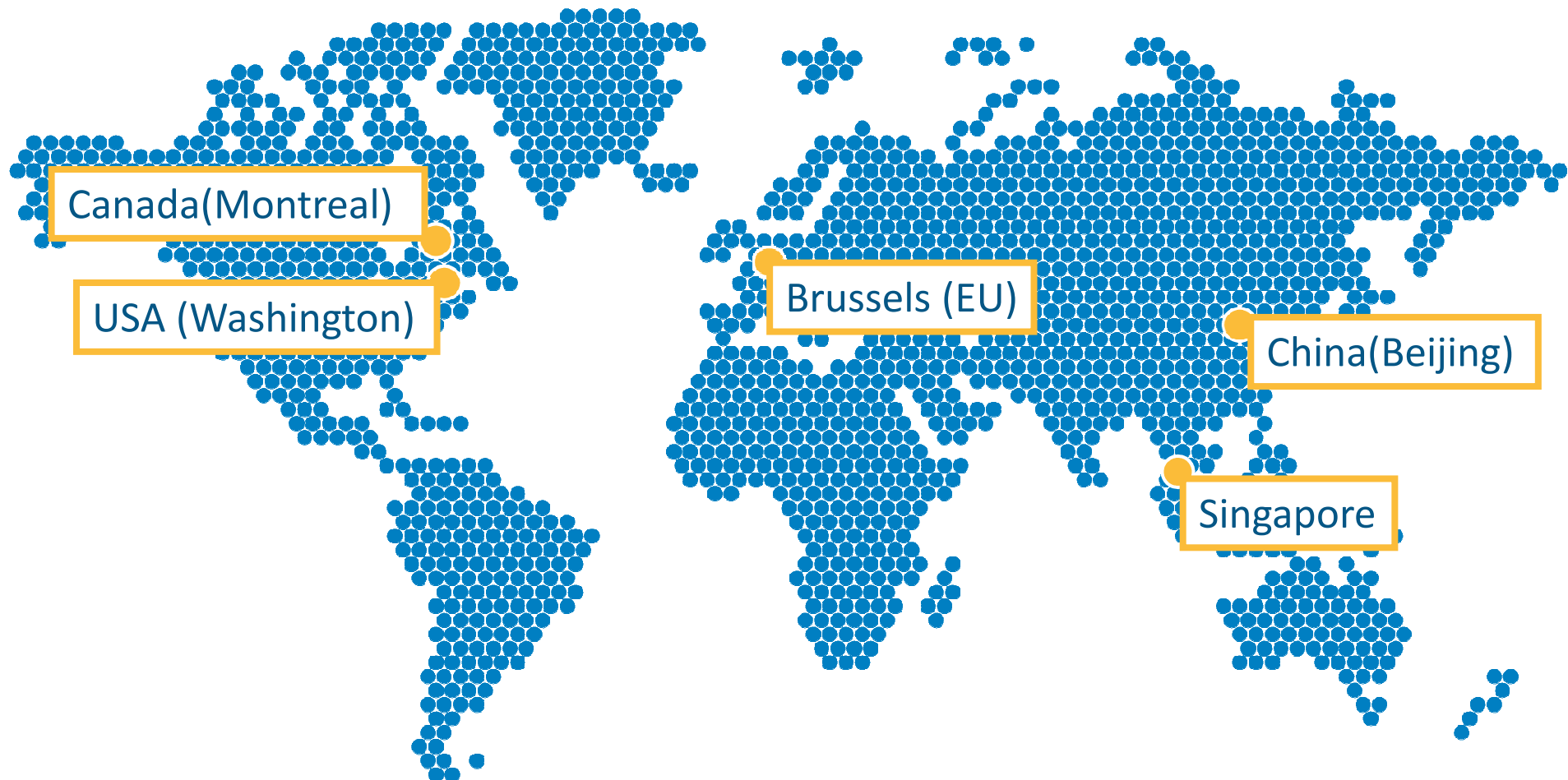
Headed by Mr
Patrick Ky

Our mission

- Ensure the highest common level of safety protection for EU citizens
- Ensure the highest common level of environmental protection
- Single regulatory & certification process among Member States (to avoid duplication)
- Facilitate the internal aviation single market & create a level playing field (= industry)
- Work with other international aviation organisations & regulators



EASA – facts and figures ... 5 permanent representations





The EU aviation safety system





EASA today in ATM/ANS ...

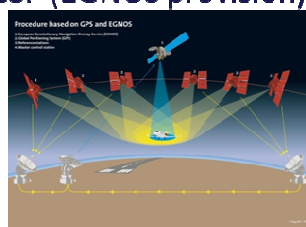
- From 2011, EASA is the oversight authority (Competent Authority) for specific ATM/ANS entities:

Pan European services and functions

Network Manager



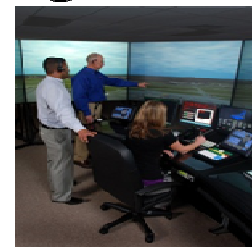
ESSP (EGNOS provision)




Foreign organisations providing ANS in Europe

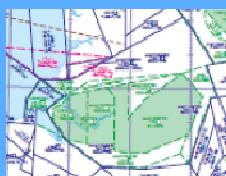


Foreign ATCO TOs

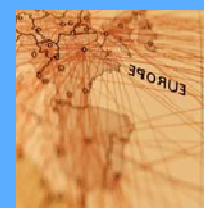




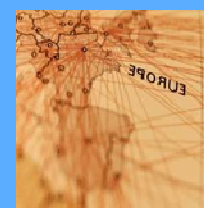
ATS



ASM



ATM



ATFM



CNS



MET

ANSPs

AIS

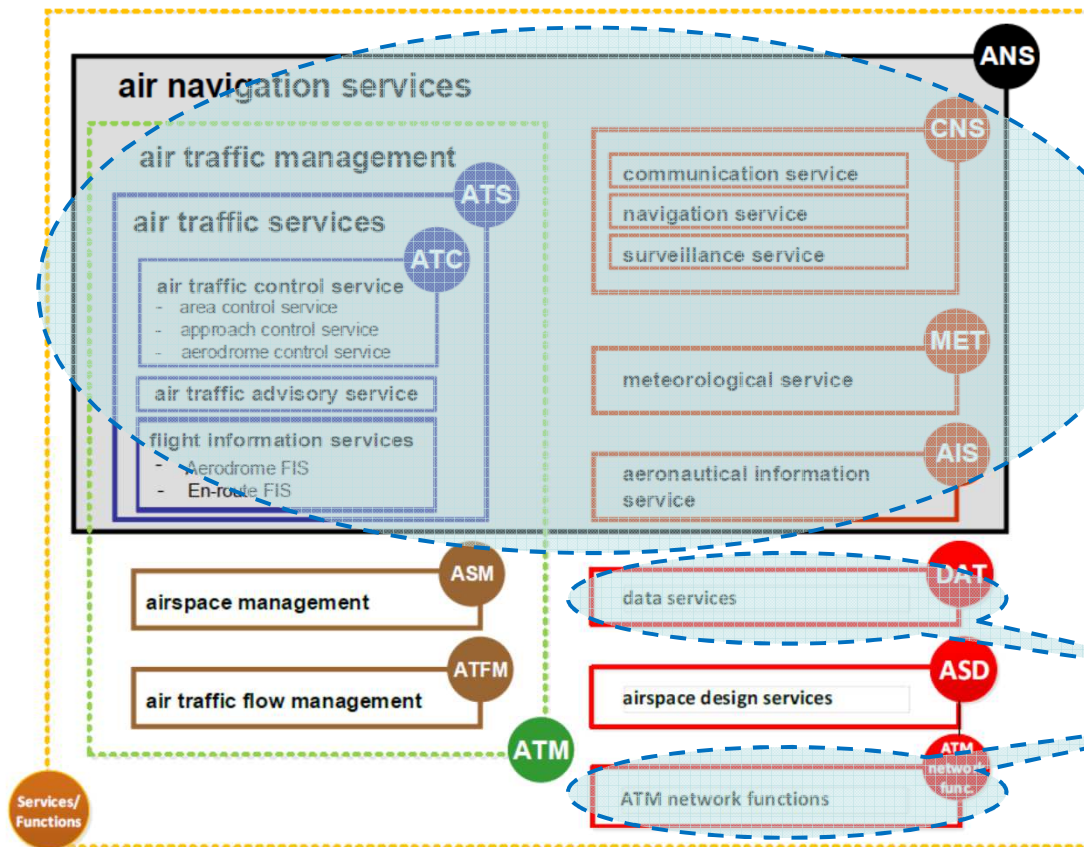
AD 1.3 INDEX TO AERODROMES AND HELIPORTS

Aerodrome/Heliport name Location indicator	Type of traffic permitted to use the aerodrome/heliport			Reference to AD section and remarks
	International (INTL)	National (NATL)	Scheduled (S) Non-scheduled (NS) Private (P)	
1	2	3	4	5
Aerodrome:				
ABERDEEN/ROYCE	EGPD	INTL/NATL	IFR/VFR	S, NS, P
ALDERNEY	EGIA	INTL/NATL	IFR/VFR	S, NS, P



EASA tomorrow in ATM/ANS as competent authority

- Regulation EU 2017/373 has consolidated and expanded EASA role as competent authority (CA)



EASA is CA for:

- organisations located outside of the EU
- pan-European organisations (EASA BR Article 22a)

EASA is CA for:

- DAT providers
- Network Manager (Reg. 2017/373 Article 4.1)



Today's aim : implementation support

➤ *We will try to:*

- Provide an **overview** of the requirements;
- Highlight **new requirements and differences**;
- Focus on **understanding the IR** requirements to facilitate implementation;
- Answer general **questions and queries**

➤ *We should avoid:*

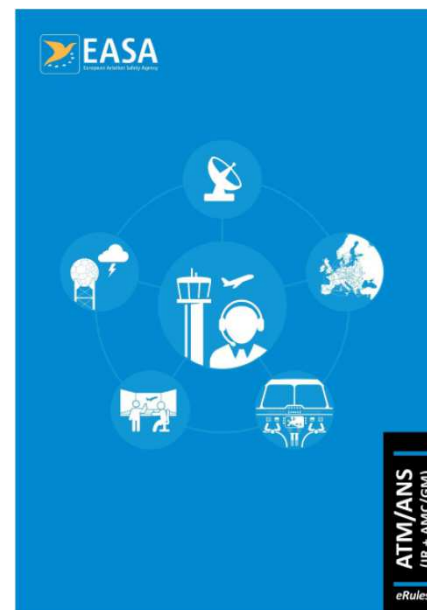
- Getting into debates about the reasoning
- Giving formal responses to individual questions, examples & queries → please send us your questions in writing



Feedback

► individual queries can at all times be addressed to EASA via e-mail at atm@easa.europa.eu

► feedback and comments to erules@easa.europa.eu





EASA
European Aviation Safety Agency

Regulation (EU) 2017/373 FRAMEWORK, STRUCTURE & APPLICABILITY

Anastasiya TERZIEVA

Senior ATM/ANS Expert
EASA/FS Directorate

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Reminder: Regulatory me



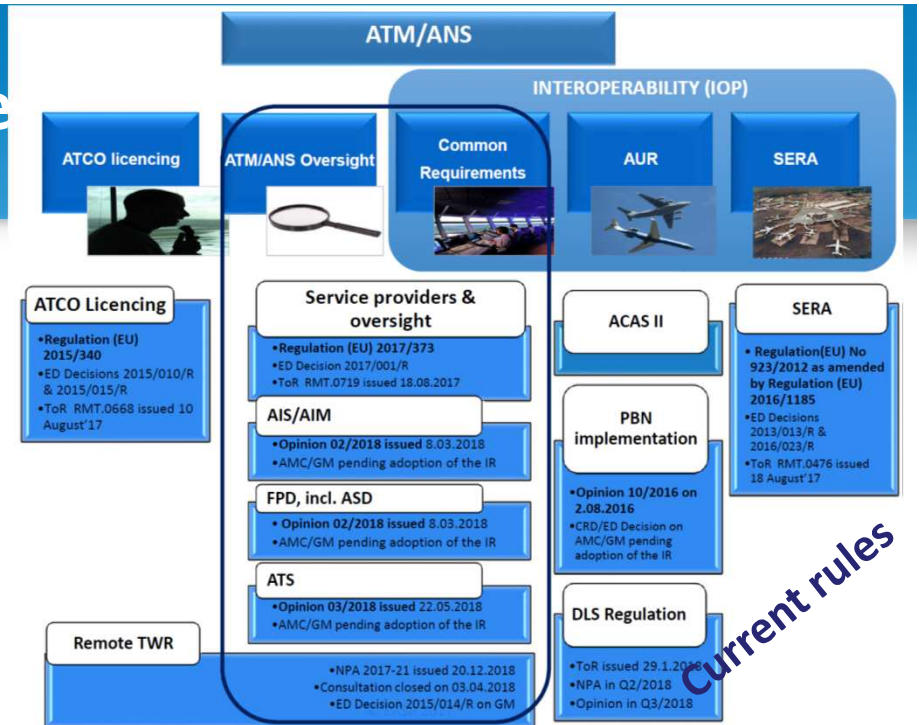
RMT.0719 Regular update
Owner
EASA FS.4.2

RMT.0469 Assessment changes by
Developer
Owner
EASA FS.4.2
PIA Pro
B- ST

Decision IR	Decision
2019 Q1	

the oversight of these
authorities.

Decision IR	Decision
2017	08/03/2017
2018 Q4	



Current rules

Regulation

EASA Opinion

AMC/CS's

EASA Decision
Means of
compliance

GM

EASA Decision
Guidance
material

Rules must
reflect
"state of the
art" and best
practices



Comply with
ICAO SARPS



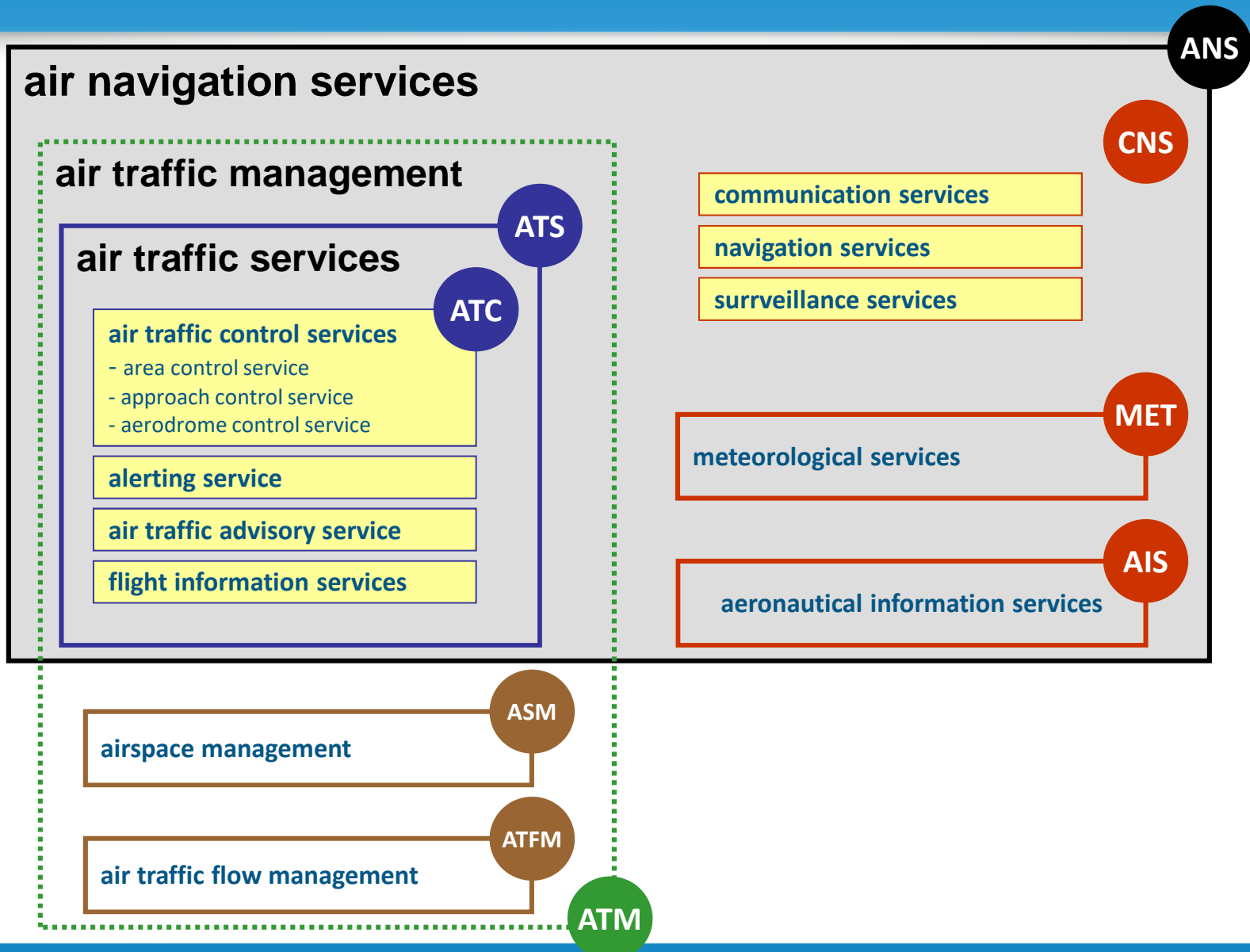
Promote new
technologies
and practises



Use (=recognition)
of standards =
uniform
application of
technologies &
best practices

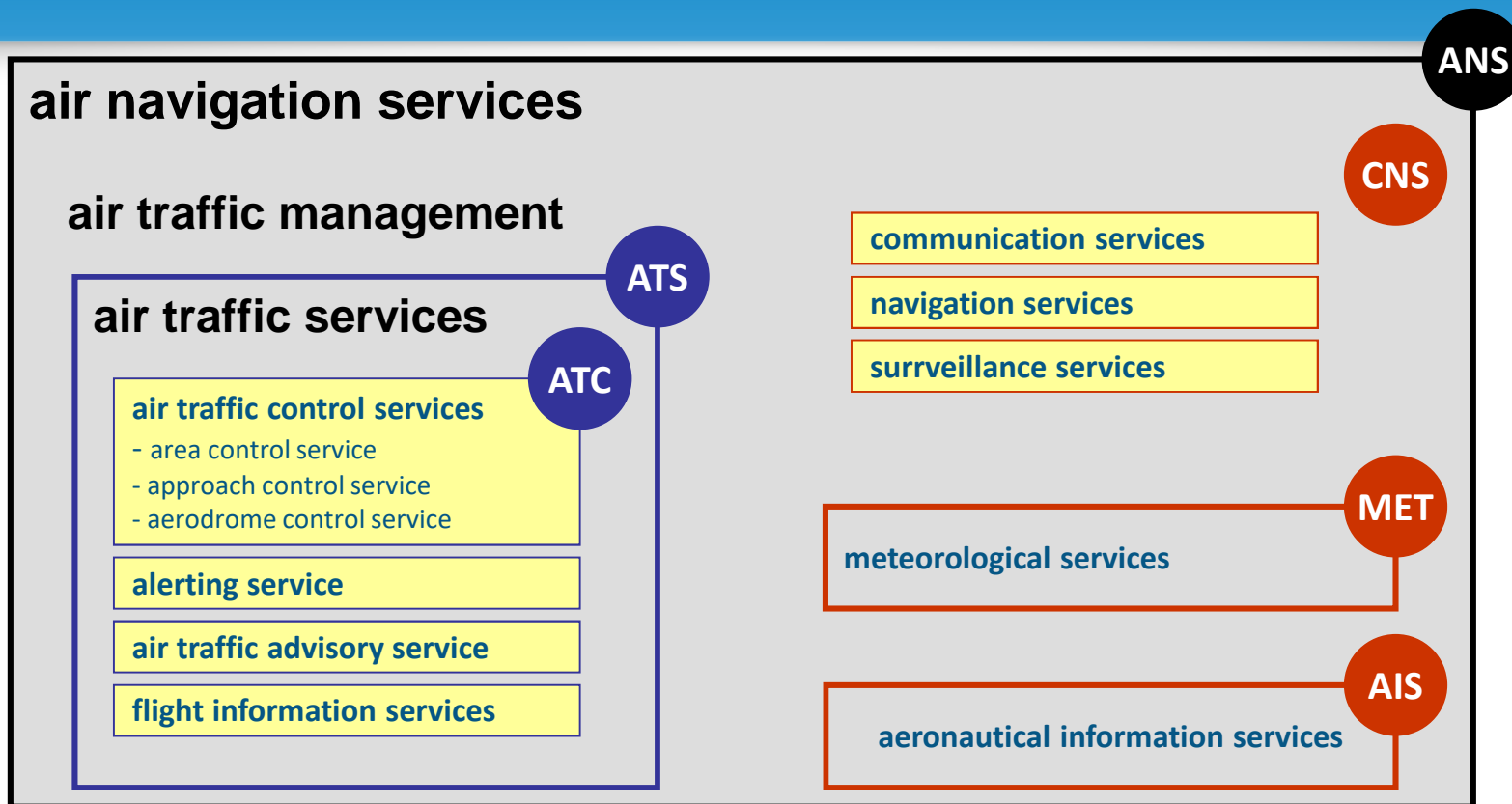


Today: Scope of the oversight as per CIR (EU) No 1034/2011



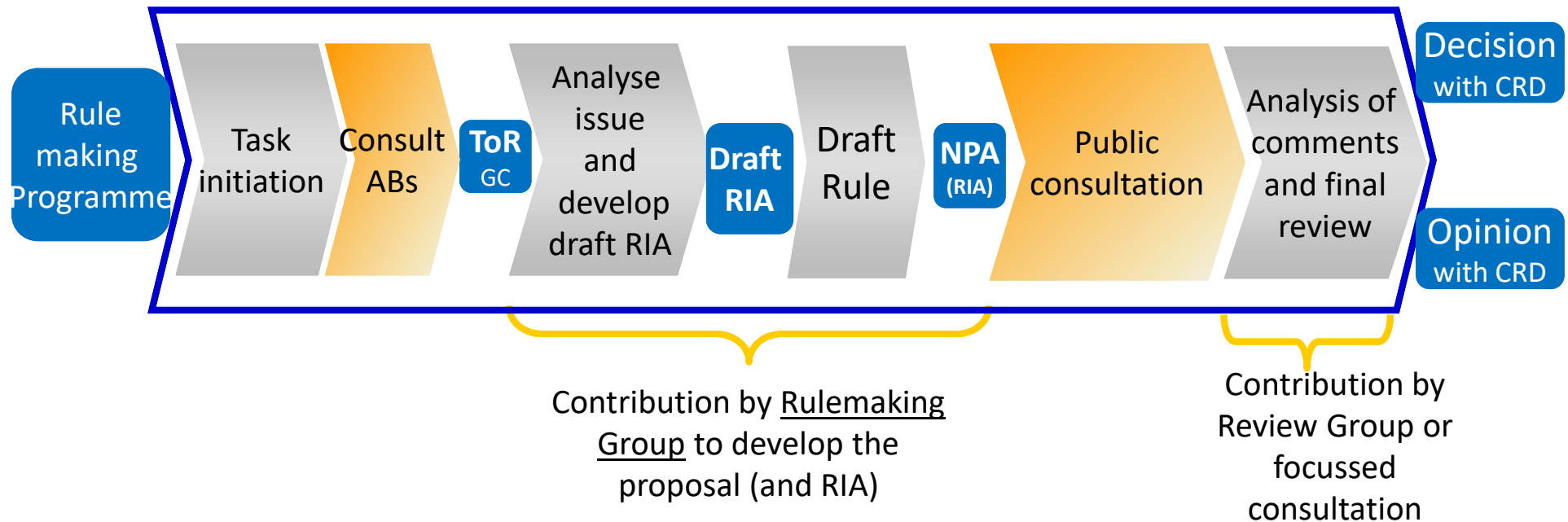


Today: Certification of ANS providers as per CIR (EU) No 1035/2011





Rule development from 2009 till 2014/2015



Rulemaking Group:

- Members based on expertise
- Nominees by EASA advisory committees
- The Chair (selected); meetings, agendas, reports
- EASA provides secretariat and drafts the deliverables





Outputs of the rulemaking process

Opinion

**Technical input to
European decision-making**

Draft European Regulations
and
Draft Implementing Rules

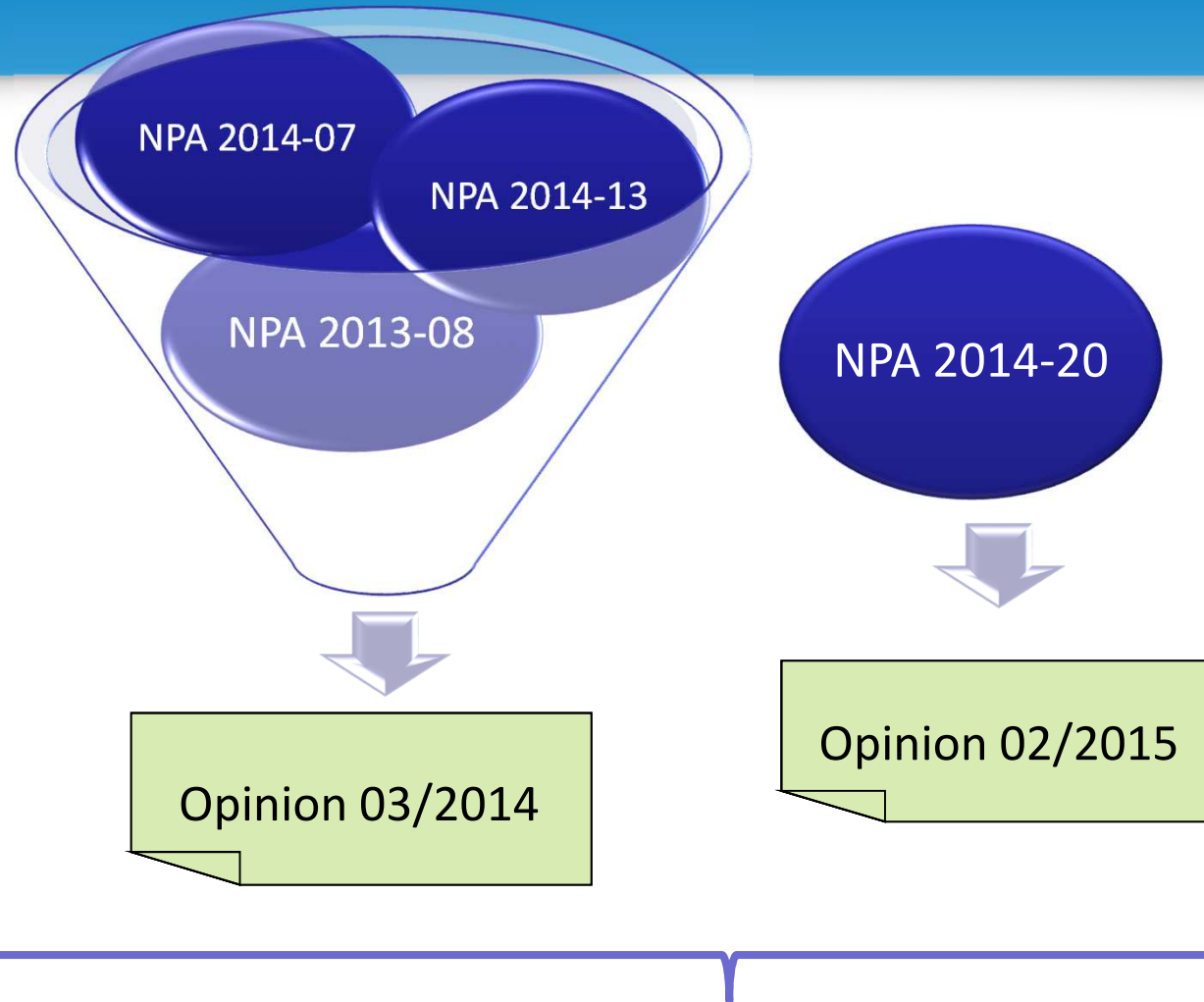
Decision

**Directly applicable
non-binding rules**

(CS,) AMC & GM



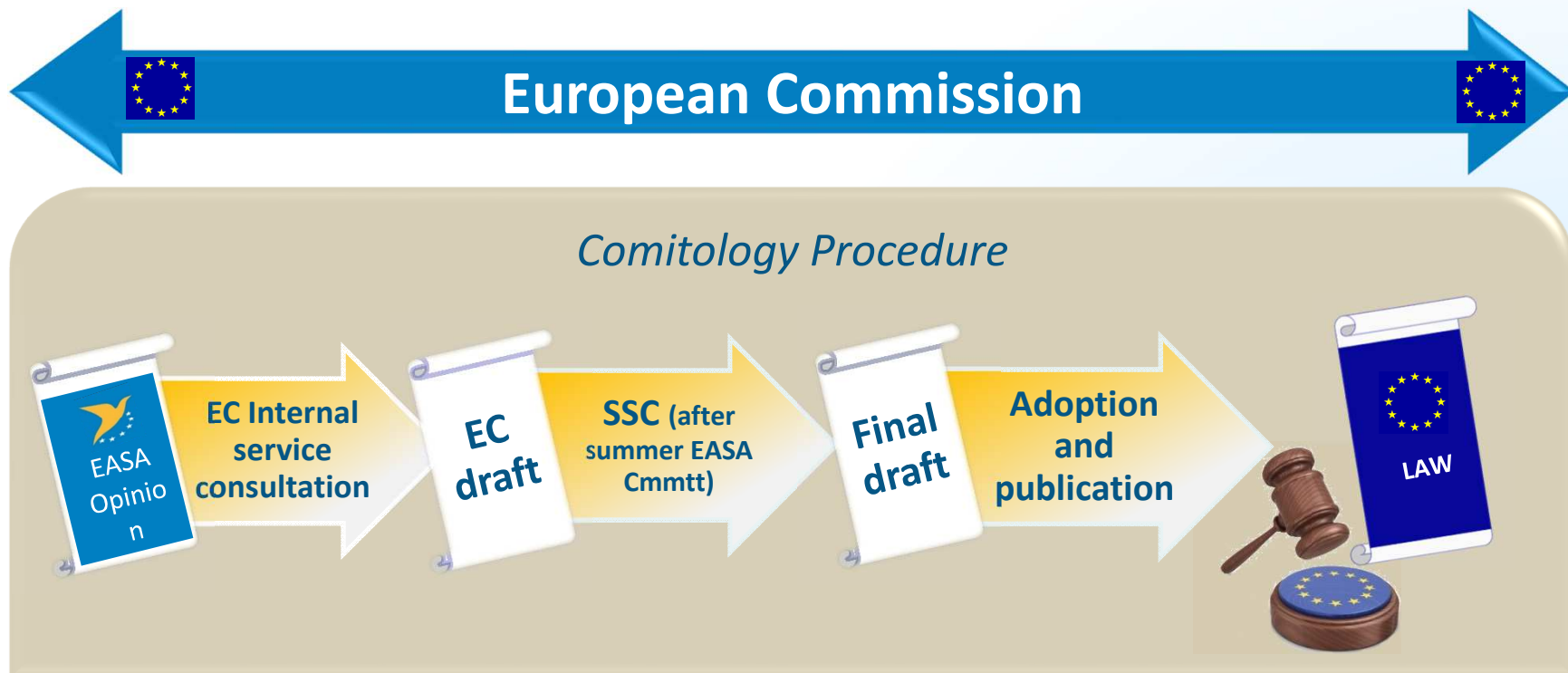
Opinion 03/2014+Opinion 02/2015 = CIR (EU) 2017/373





From the EASA Opinions to EC Regulations in ATM/ANS

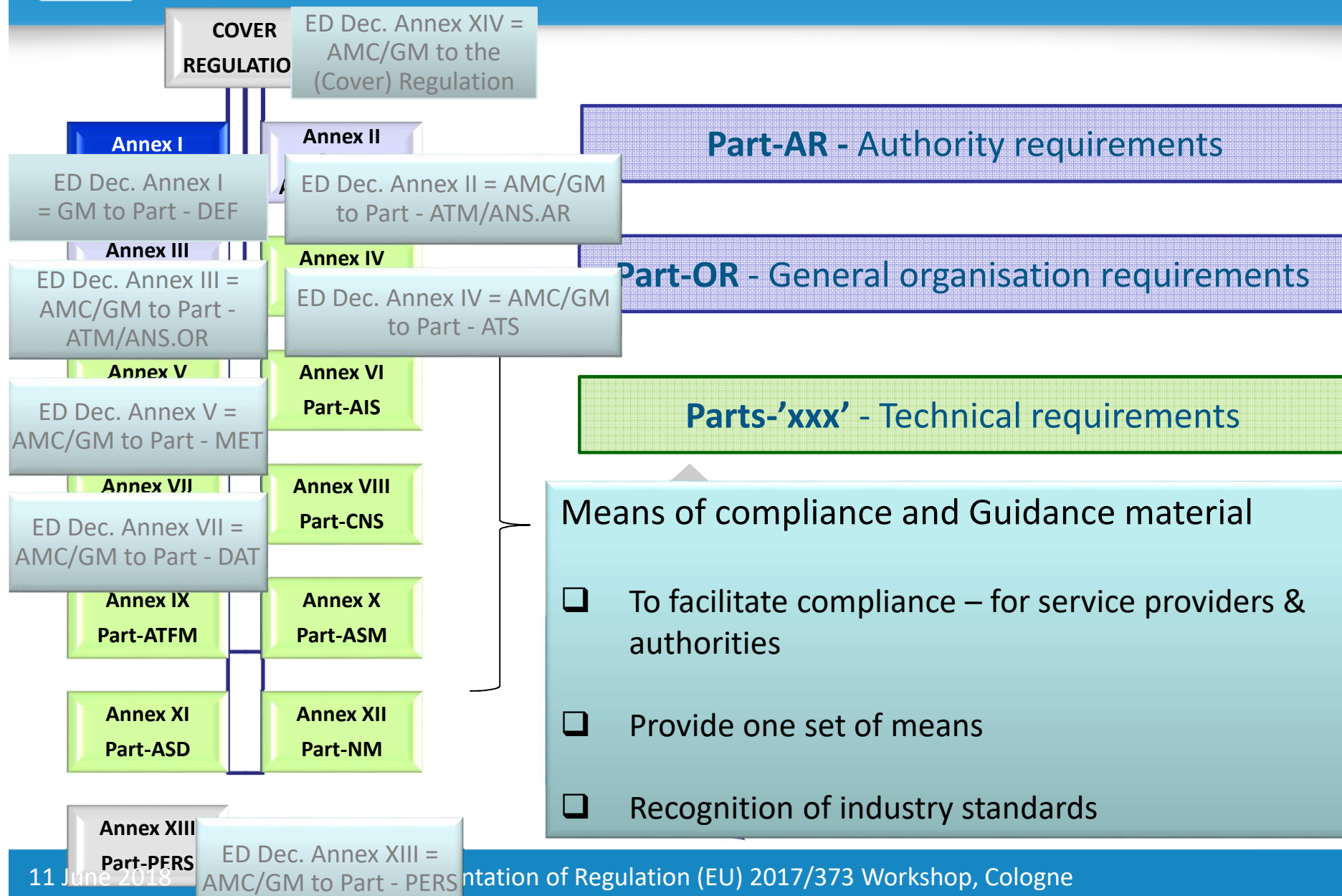
- With the Opinion, the decision-making process is transferred to the European Commission





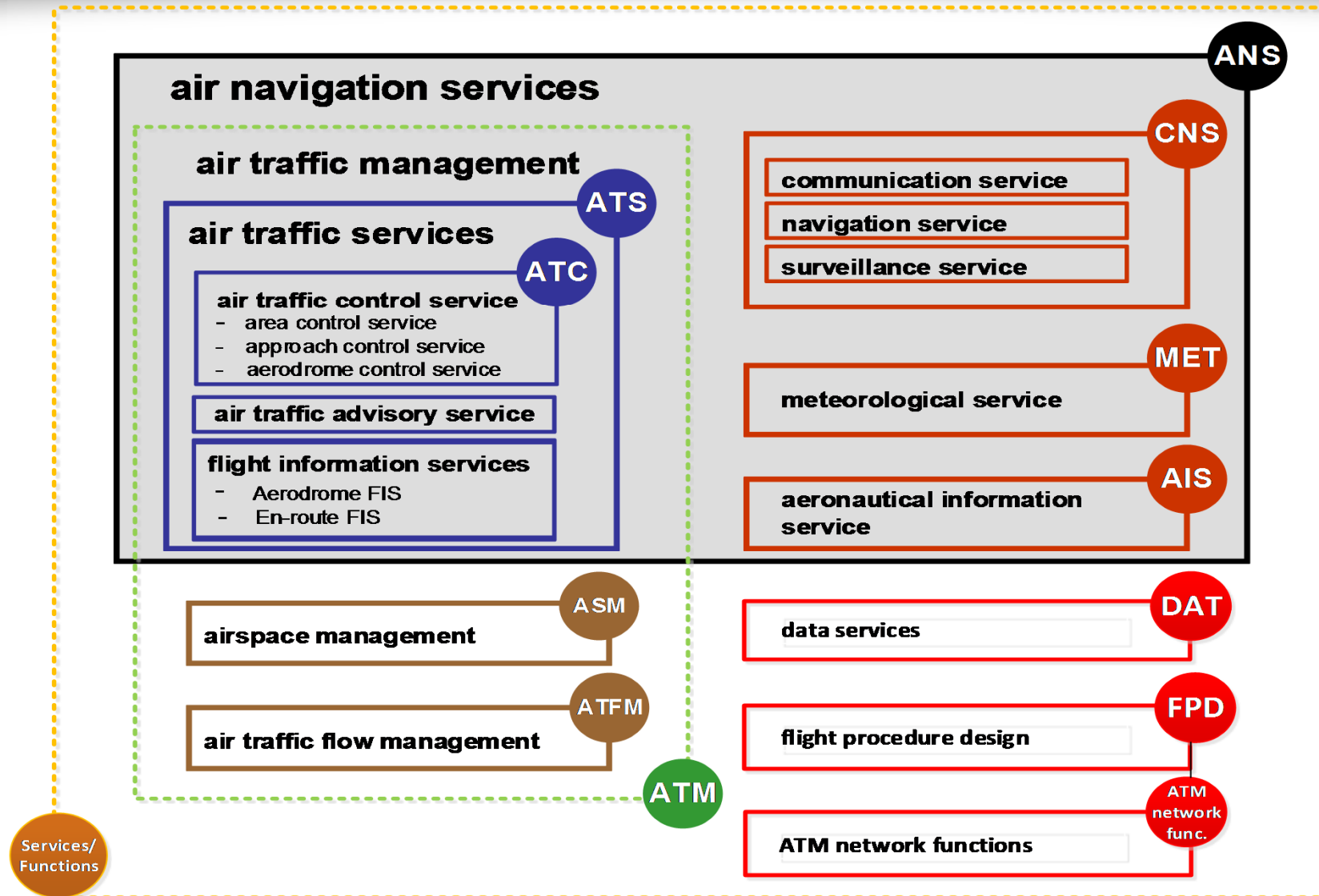
ED Decision
2017/01/R

'Regulatory areas' – Reg. (EU) 2017/373





Services/functions subject to certification as per Regulation (EU) 2017/373



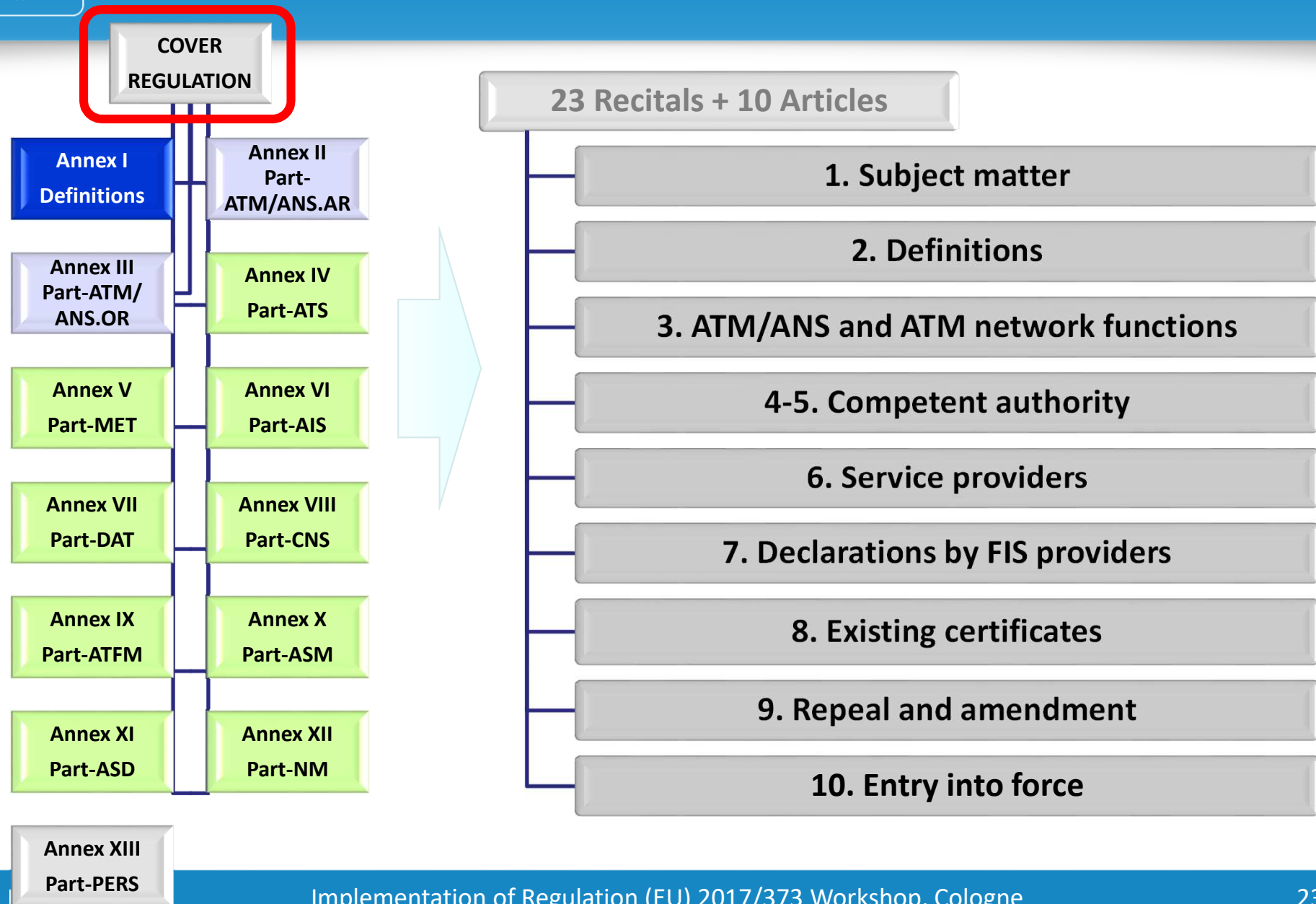


Convention

- IR = Implementing Rule (“hard law”, uses “shall”)
- AMC = Acceptable Means of Compliance (“soft law”, uses “should”)
- GM = Guidance Material (elaboration of IR, AMC or both)
- **ATM/ANS.OR.A.035** = Air Traffic Management / Air Navigation Services . Organisational Requirement . Subpart A . 035 (the numbering usually goes up in steps of 5 to allow for future, additional, rules)
- **ATS.TR.100** = Air Traffic Services . Technical Requirement . 100
- **AMC1 MET.OR.215(a)** = Acceptable Means of Compliance 1 Meteorological Service . Organisational Requirement . 215(a)
- **GM1 MET.OR.215(a)** = Guidance Material 1 – Meteorological Service . Organisational Requirement . 215(a)
- *AMC1 ATM/ANS.OR.A.035 – DAT Providers = Air Traffic Management / Air Navigation Services . Organisational Requirement . Subpart A .035 applicable to DAT providers*



CIR (EU) 2017/373 | Cover Regulation | Set-up of the scene





Service providers vs. competent authority

Reg. (EU) 2017/373

***Service provider** = “(...) any legal or natural person providing functions and/or services of **ATM/ANS** (...) or **other ATM network functions**, either individually or bundled for general air traffic;.”*

(Article 2(2), Cover Regulation)

***Competent authority** for certification (...), and for the oversight and enforcement:*

- ***National Supervisory Authority** (...), incl. acknowledgment of the declarations or*
- ***EASA** for 3rd country ANSP, pan-European service providers e.g. DAT providers, Network Manager*

(Article 4(1), Cover Regulation)



Member States' responsibilities

Article 3 of Regulation (EU) 2017/373

1. (...) ensure that the appropriate ATM/ANS and ATM network functions are provided (...) that facilitates general air traffic, while taking into account safety considerations and traffic requirements.
2. When MS adopt additional provisions (...), those provisions shall follow ICAO SARPs. ➔ notifications...
3. (...) publish (...) those additional provisions through their AIPs.
4. (...) certain specific ATS in a competitive environment, (...) MS shall take measures (...)



Article 6 – Service providers (e.g. ATS, AIS)

Article 6

Service providers

Service providers shall be granted a certificate and be entitled to exercise the privileges granted within the scope of that certificate, where, in addition to the requirements referred to in Article 8b(1) of Regulation (EC) No 216/2008, they comply and continue to comply with the following requirements:

- (a) for all service providers, the requirements laid down in Annex III (Part-ATM/ANS.OR), Subparts A and B, and in Annex XIII (Part-PERS);
- (b) for service providers other than providers of air traffic services, in addition to the requirements of point (a), the requirements laid down in Annex III (Part-ATM/ANS.OR), Subpart C;
- (c) for providers of air navigation services, providers of air traffic flow management and the Network Manager, in addition to the requirements of point (a), the requirements laid down in Annex III (Part-ATM/ANS.OR), Subpart D;

(...)

- (d) for providers of air traffic services, in addition to the requirements of points (a) and (c), the requirements laid down in Annex IV (Part-ATS);

(...)

- (f) for providers of aeronautical information services, in addition to the requirements of points (a), (b) and (c), the requirements laid down in Annex VI (Part-AIS);



and...

***Article 7* Declarations by providers of FIS**

- ☐ introduces the flexibility
- ☐ reference to ATM/ANS.OR.A.015 in Annex III to this Regulation

***Article 8* Existing certificates**

- ☐ grandfathering
- ☐ replacement of the certificates with the format laid down in Appendix 1 to Annex II by 1 January 2021 at the latest.

***Article 9* Repeal and amendment**

- ☐ Regulations (EC) Nos 482/2008, 1034/2011 and (EU) No 1035/2011
- ☐ CIR (EU) 2016/1377
- ☐ Articles 12 and 21 of Regulation (EU) No 677/2011 and Annex VI to that Regulation

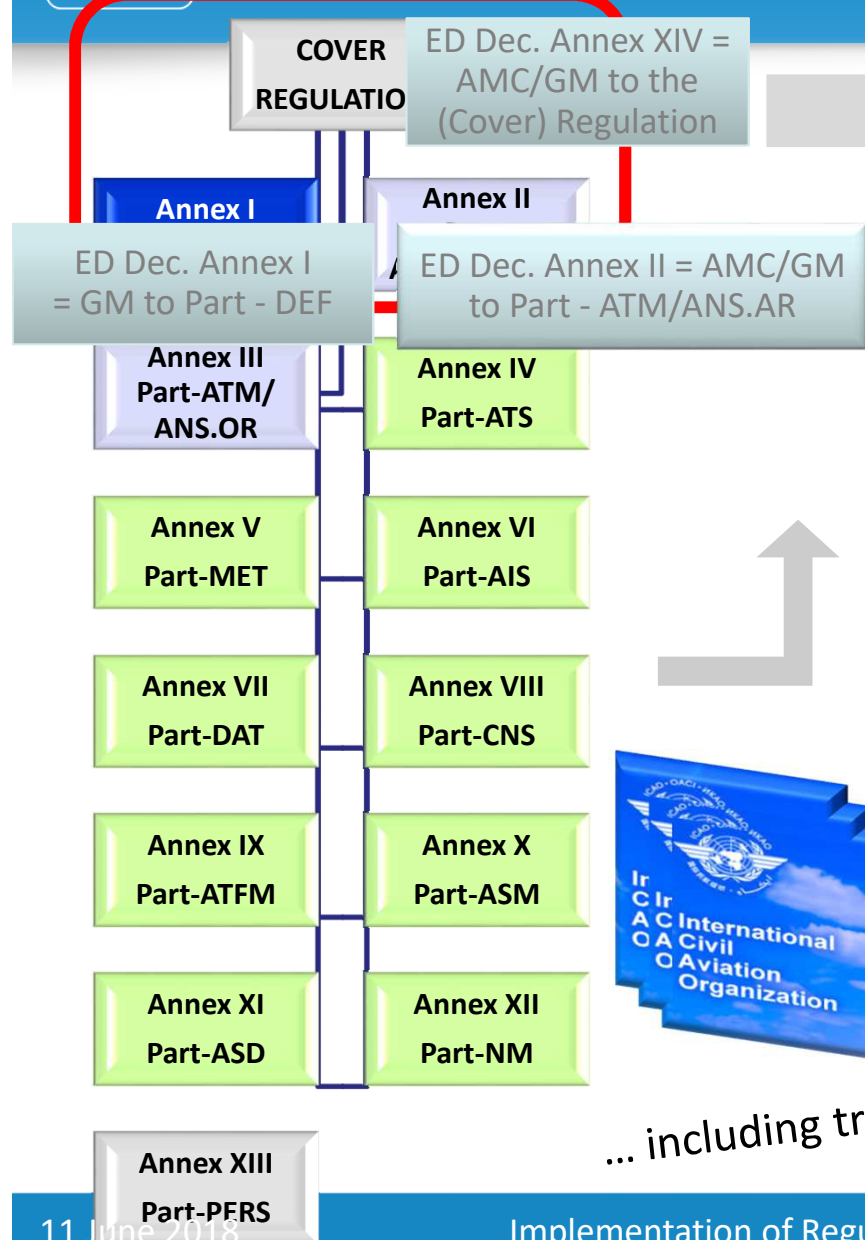
***Article 10* Entry into force**

- ☐ As from 2 January 2020, except data services (DAT) providers



ED Decision
2017/01/R

Requirements (AR) → where are they?



COVER REGULATION

Articles 4-5 Competent authority & Power

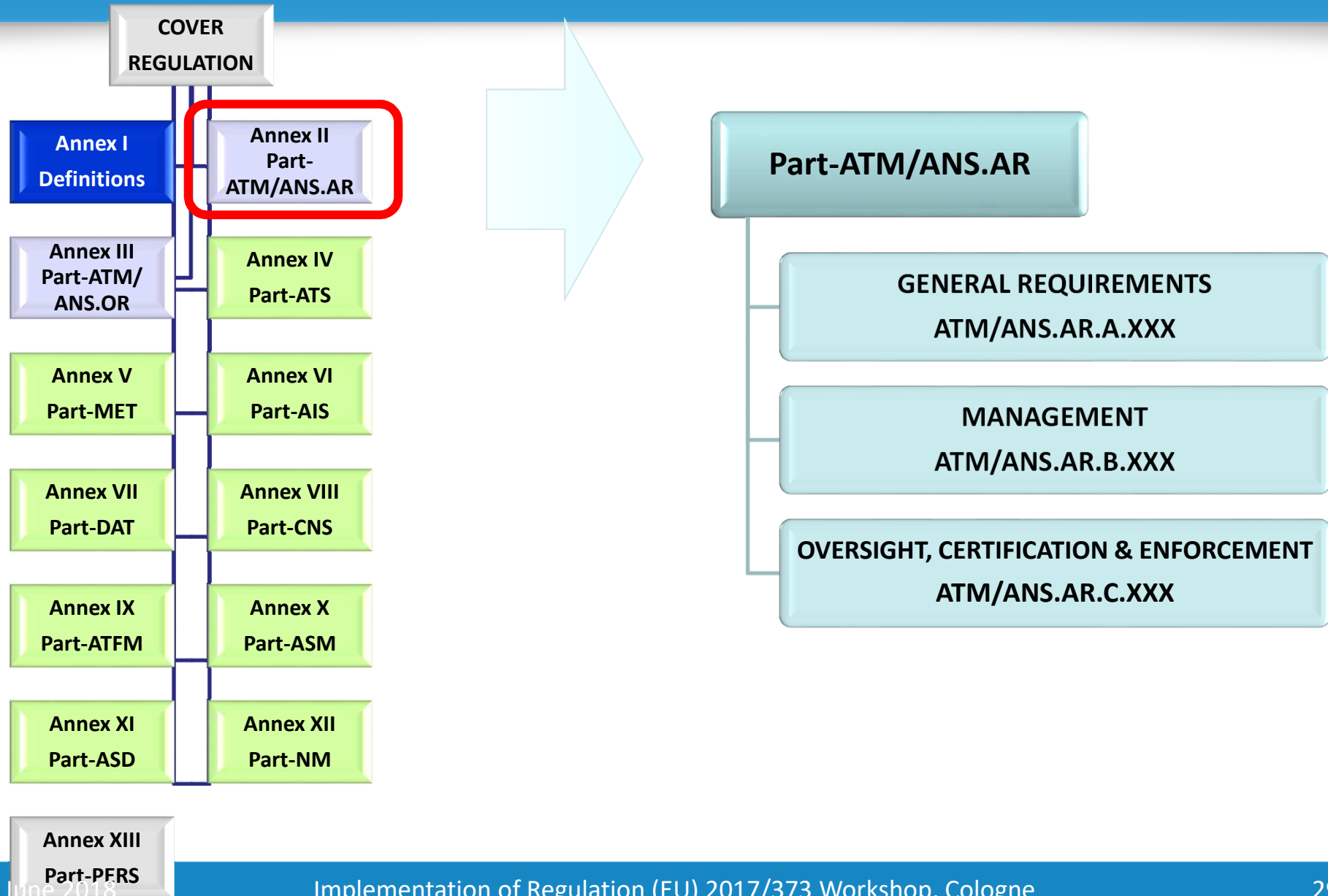
- more precisely defines **who the competent authority (certification, oversight and enforcement tasks)** is within a FAB or in the case of cross-border service provision;
- **clear allocation of the responsibilities** for the execution of the tasks, of the geographical scope and the necessary coordination in cases **where more than one competent** authority established or nominated by MS
- the **independence** from the ANSP
- MS/EC responsibility to **determine the necessary resources and capabilities** required by competent authorities
- **Powers** (i.e. authorities) of the competent authorities

Articles 8 Existing certificates

... including transposition of ICAO SSP

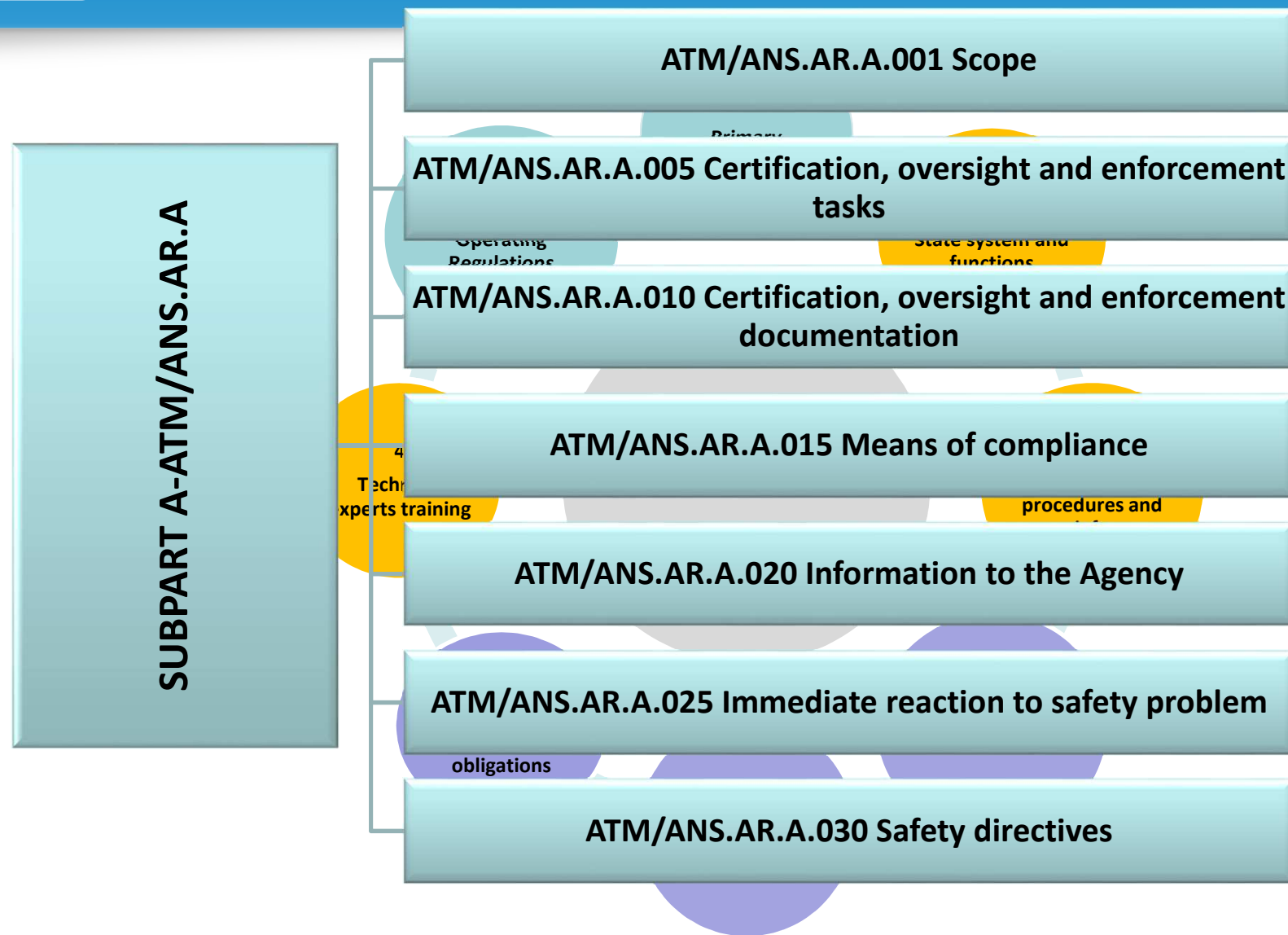


Annex II – Part-ATM/ANS.AR





SUBPART A — GENERAL REQUIREMENTS





ATM/ANS.AR.A.015 Means of compliance

GM1 ATM/ANS.AR.A.015 Means of compliance

ED Decision 2017/001/R

GENERAL

Alternative means of compliance used by a competent authority or by organisations under its oversight may be used by other competent authorities or service providers only if processed again in accordance with [ATM/ANS.AR.A.015\(d\) and \(e\)](#).

AMC1 ATM/ANS.AR.A.015(d)(3) Means of compliance

ED Decision 2017/001/R

GENERAL

The information to be provided to other Member States following approval of an alternative means of compliance (AltMoC) should contain a reference to the acceptable means of compliance (AMC) to which such means of compliance provides an alternative, where such AMC exists, as well as a reference to the corresponding implementing rule (IR), indicating, as applicable, the point(s) covered by the AltMoC.



ATM/ANS.AR.A.015 Means of compliance (2)

https://www.easa.europa.eu/document-library/acceptable-means-compliance-amcs-and-alternative... Acceptable Means of Compl...

File Edit View Favorites Tools Help

the agency newsroom & events EASA & you regulations document library can we help you?

Downloads

DOWNLOADS

- Form for AltMoC notification to the Agency
- Form for AltMoC notification to the Agency - Completion Instructions
- List of AltMoCs notified by competent authorities

↑ BACK TO TOP

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ONLINE SERVICES

Official Publication

AP - Applicant Portal

AD - Airworthiness Directives - Safety publications tool

CRT - Comment Response Tool

READ MORE

Data protection

Disclaimer & Copyright Notice

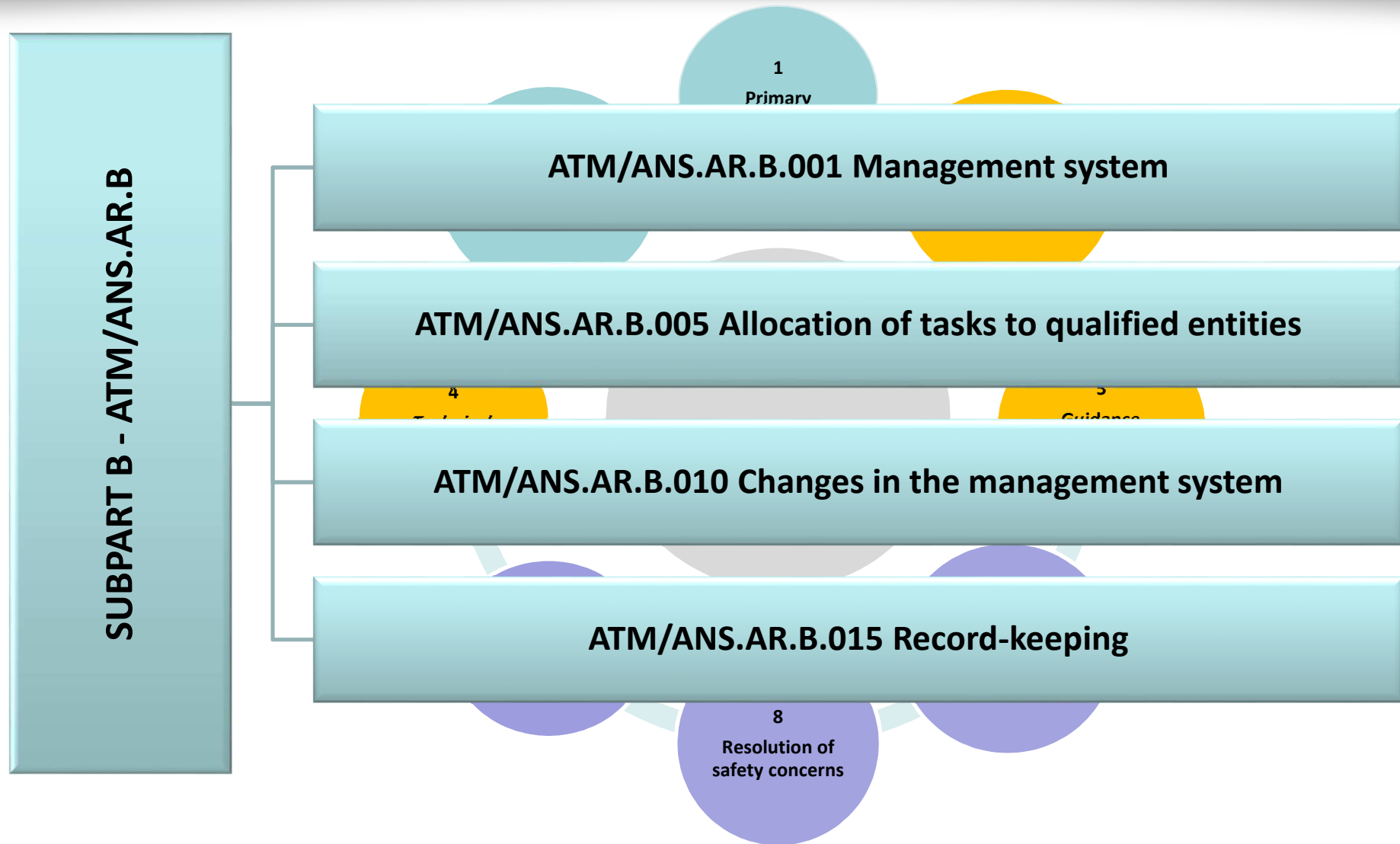
CAN WE HELP YOU?

Got a question?

Contact us



SUBPART B — MANAGEMENT





SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT

SUBPART C- ATM/ANS.AR.C

ATM/ANS.AR.C.001 Monitoring of safety performance

ATM/ANS.AR.C.005 Certification, declaration, and verification of service providers' compliance with the requirements

ATM/ANS.AR.C.010 Oversight

ATM/ANS.AR.C.015 Oversight programme

ATM/ANS.AR.C.020 Issue of certificates

ATM/ANS.AR.C.025 Changes

ATM/ANS.AR.C.030 Approval of change management procedures for functional systems

ATM/ANS.AR.C.035 Decision to review a notified change to the functional system

ATM/ANS.AR.C.040 Review of a notified change to the functional system

ATM/ANS.AR.C.045 Declarations of flight information services providers

ATM/ANS.AR.C.050 Findings, corrective actions, and enforcement measures



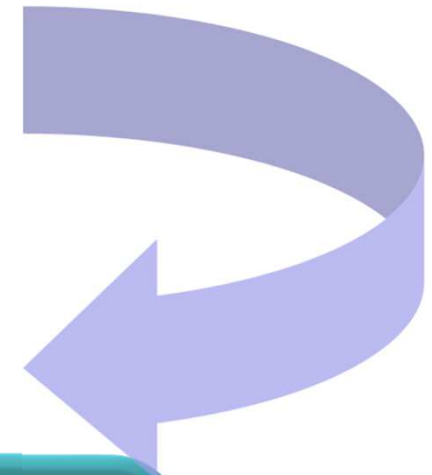
HIGHLIGHTS → Oversight & Oversight programme

➤ Towards performance based-oversight

Oversight - function by means of which a State ensures implementation of Aviation regulations to ensure an adequate level of safety across the regulated industry.

Performance based Oversight- new approach for Aviation Authorities to discharge their responsibilities

- considering the implementation of risk management by service providers and
- linking it to the implementation of State Safety Programme (SSP) by States





HIGHLIGHTS → Oversight & Oversight programme (2)

“...ensure that sufficient audits are conducted over a period of 2 years to check the compliance of all these organisations with applicable safety regulatory requirements in all the relevant areas of the functional system;”

- Currently
/Article 7
of EC R.
1035/2011

towards more performance-based oversight with subparagraph:

- a maximum of 4 years oversight planning, instead of 2 years;
- under certain conditions in a controlled process.

- Flexibility
with
ATM/ANS.AR
.C.015(a)(5)



AUTHORITY



HIGHLIGHTS → CERTIFICATE & FIS provider's DECLARATION



8.3.2017 EN Official Journal of the European Union L 62/25

Appendix 1

CERTIFICATE FOR SERVICE PROVIDER

EUROPEAN UNION

COMPETENT AUTHORITY

SERVICE PROVIDER CERTIFICATE

[CERTIFICATE NUMBER/ISSUE No]

Pursuant to Implementing Regulation (EU) 2017/373 and subject to the conditions specified below, the [competent authority] hereby certifies

[NAME OF THE SERVICE PROVIDER]

[ADDRESS OF THE SERVICE PROVIDER]

as a service provider with the privileges, as listed in the attached service provision conditions.

CONDITIONS:

This certificate is issued subject to the conditions and the scope of providing services and functions as listed in the attached service provision conditions.

This certificate is valid whilst the certified service provider remains in compliance with Implementing Regulation (EU) 2017/373 and the other applicable regulations and, when relevant, with the procedures in the service provider's documentation.

Subject to compliance with the foregoing conditions, this certificate shall remain valid unless the certificate has been surrendered, limited, suspended or revoked.

Date of issue:

Signed:

[Competent authority]

CERTIFICATES:

- common format
- unlimited validity whilst provider remains in compliance with the rules
- more flexibility in case of non-compliance

DECLARATIONS:

- verifications of declaration information
- receipt acknowledgement
- declaration register



HIGHLIGHTS → Oversight of changes

➤ Final report of investigation

OR

Updated Certificate

When impacted by the change

CA's Approval

When changes does not impact the existing Certificate

Change to the provision of service, the service provider's management system and/or safety management system, that **does not affect the functional system.**

Continuous oversight:

- assessment of notification information; and
- verification whether actions taken comply with the procedure & requirements



SUBPART C → FINDINGS MANAGEMENT

ATM/ANS.AR.C.050 Findings, corrective measures and enforcement measures

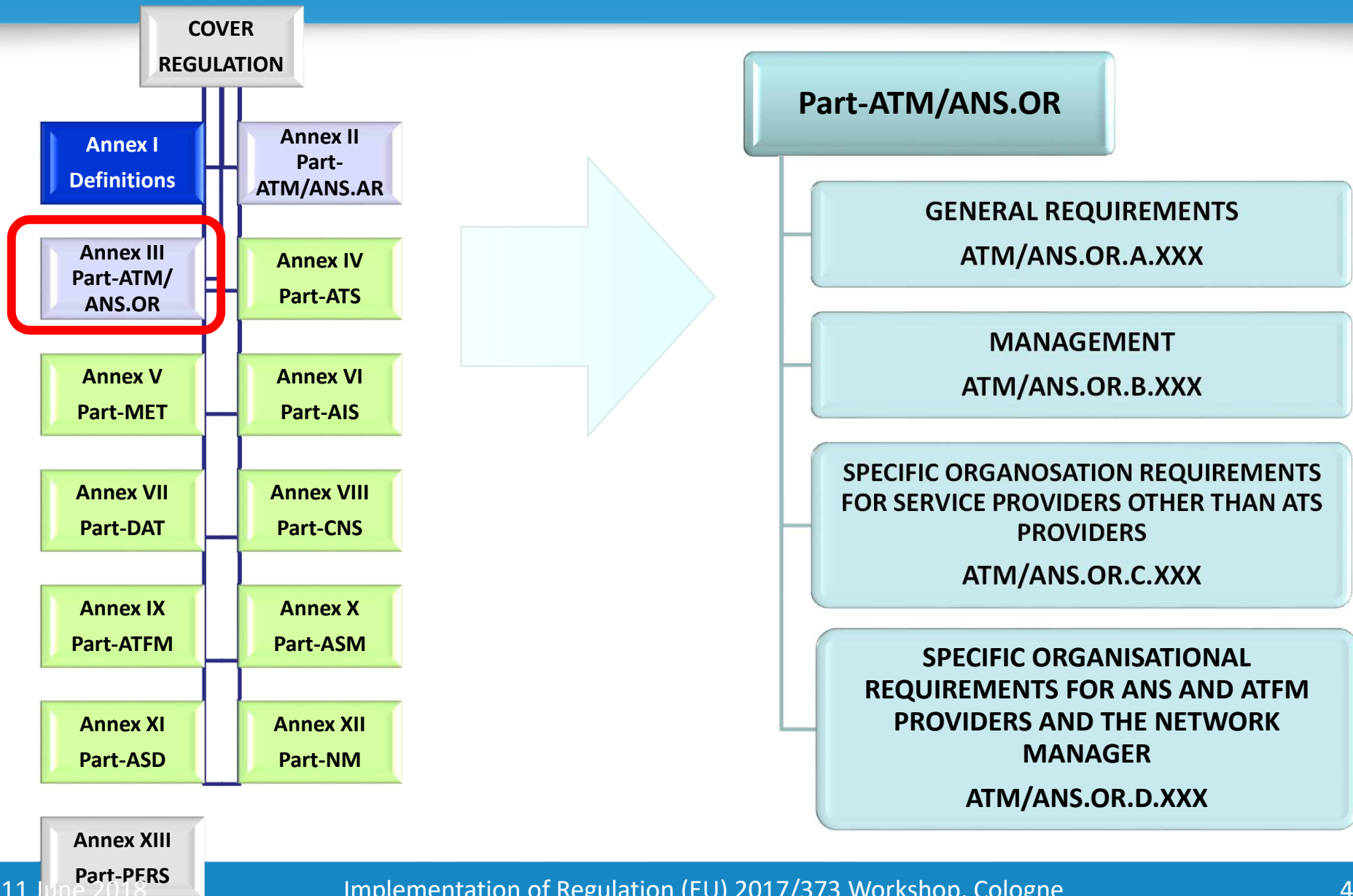
...a system to analyse findings ...

...to ensure continuity of service whilst corrective actions are being taken

- ☐ Regular findings regarding non-compliance → classified as 'level 2'
 - ☐ No direct enforcement measures;
 - ☐ ANSP to identify the root cause (ATM/ANS.OR.050) and granted a reasonable corrective action implementation period
 - ☐ Corrective action plan to be accepted by the CA
 - ☐ For the greater part already applicable under 1035/2011!
- ☐ Serious findings → classified as 'level 1' (*new for ATM/ANS*)
 - ☐ significant risk to flight safety or failure to submit an acceptable corrective action plan or to demonstrate its implementation;
 - ☐ Immediate and appropriate action required by CA required;
 - ☐ CA may revoke, limit or suspend the certificate in whole or in part
- ☐ For those cases not requiring level 1 and 2 findings, the competent authority may issue observations



Annex III – Part-ATM/ANS.OR





SUBPART A — GENERAL REQUIREMENTS (1)

SUBPART A- ATM/ANS.OR.A

ATM/ANS.OR.A.001 Scope

ATM/ANS.OR.A.005 Application for a service provider certificate

ATM/ANS.OR.A.010 Application for a limited certificate

ATM/ANS.OR.A.015 Declaration by flight information services providers

ATM/ANS.OR.A.020 Means of compliance

ATM/ANS.OR.A.025 Continued validity of a certificate

ATM/ANS.OR.A.030 Continued validity of a declaration of a FIS provider

ATM/ANS.OR.A.035 Demonstration of compliance

ATM/ANS.OR.A.040 Changes — general

ATM/ANS.OR.A.045 Changes — specific system

(...)

In conjunction with Subpart C (= ATM/ANS.OR.C) &
Section 2 of Subpart ATS.OR (= Annex IV)



Application for a service provider certificate

ATM/ANS.OR.A.005

	Annex III (Part-ATM/ANS.OR)				Annex IV (Part- ATS)	Annex V (Part- MET)	Annex VI (Part- AIS)	Annex VII (Part- DAT)	Annex VIII (Part- CNS)	Annex IX (Part- ATFM)	Annex X (Part- ASM)	Annex XI (Part- ASD)	Annex XII (Part- NM)	Annex XIII (Part- PERS)
	Subpart A	Subpart B	Subpart C	Subpart D										
Air traffic services (see Note 1)	X	X		X	X									
Meteorological services	X	X	X	X		X								
Aeronautical information services	X	X	X	X			X							
Data services	X	X	X					X						
Communication, navigation and surveillance service	X	X	X	X					X					
Air traffic flow management service	X	X	X	X						X				
Airspace management service	X	X	X								X			
Airspace design service	X	X	X									tbd*		
Network Manager	X	X	X	X									X	
service providers (see Note 2)														X

Table 1: Applicability of annexes to service providers

X = Applicable annexes for each service provider.

Note 1: Section 3 of Annex IV (Part-ATS) only applies to providers of air traffic control services and not to providers of alerting, air traffic advisory, and flight information services.

Note 2: The applicability of Annex XIII is dependent upon the scope as specified within each of the subparts of Annex XIII.

* to be introduced under RMT.0445, as necessary.



Application for a limited certificate

ATM/ANS.OR.A.010

Type of service	Type of approval	Criteria to be complied with	Applicable Rules
Air traffic service providers	Limited Certificate	ATM/ANS.OR.A.010(a)	ATM/ANS.OR.B.001 ATM/ANS.OR.B.005 ATM/ANS.OR.B.020 ATM/ANS.OR.A.075 Annex IV
Air navigation service providers (other than the air traffic services providers) (gross annual turnover of EUR 1 000 000 or less)	Limited Certificate	ATM/ANS.OR.A.010(b)(1)	ATM/ANS.OR.B.001 ATM/ANS.OR.B.005 ATM/ANS.OR.B.020 ATM/ANS.OR.A.075 Annexes V, VI and VIII depending upon service provision
Air navigation service providers (aerodrome flight information services providers operating regularly not more than one working position at any aerodrome)	Limited Certificate	ATM/ANS.OR.C.010(b)(2)	ATM/ANS.OR.B.001 ATM/ANS.OR.B.005 ATM/ANS.OR.B.020 ATM/ANS.OR.A.075 Annex IV



Declaration by FIS providers

Article 7 & ATM/ANS.OR.A.015

GM1 ATM/ANS.OR.A.015(b)(1) Declaration by flight information services providers
MODEL TEMPLATE OF DECLARATION OF COMPLIANCE

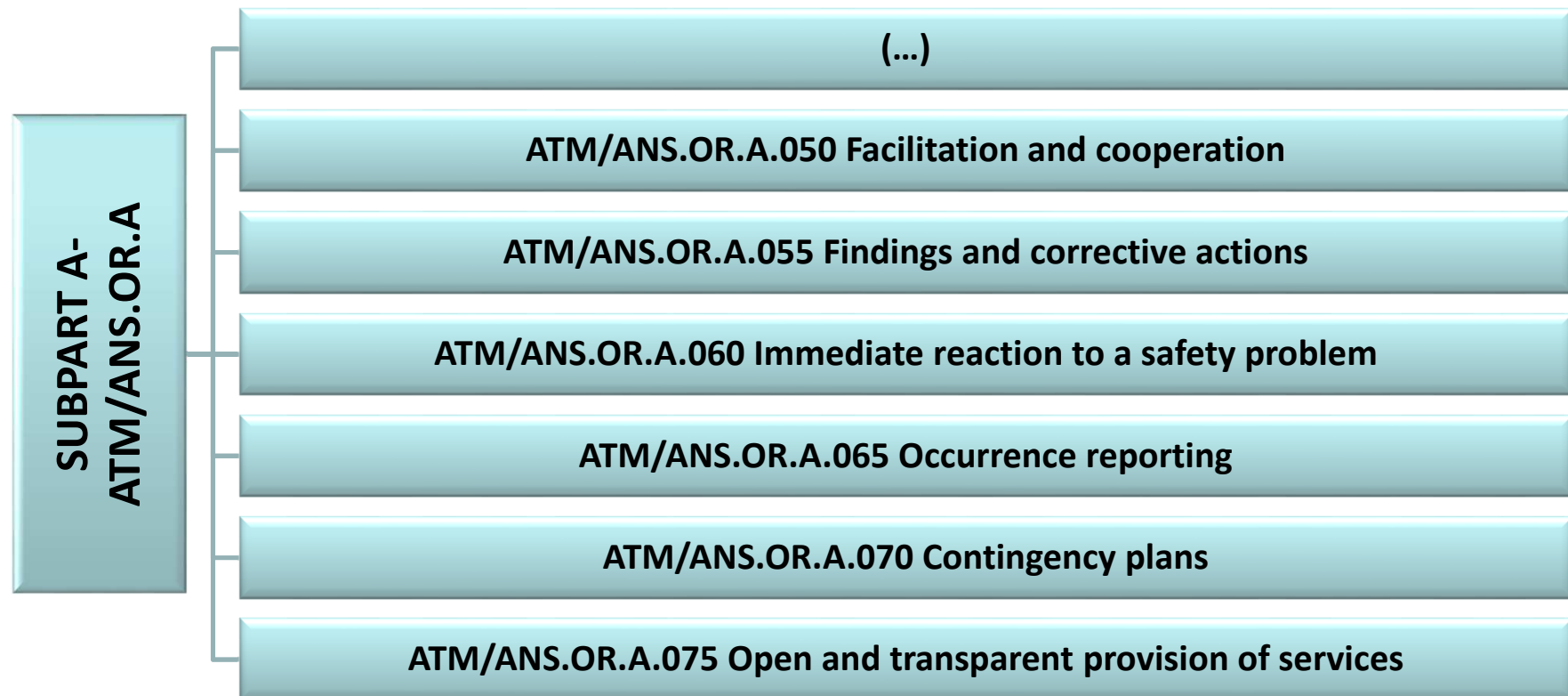
DECLARATION OF COMPLIANCE FOR THE PROVISION OF FLIGHT INFORMATION SERVICES in accordance with Commission Implementing Regulation (EU) 2017/373
Provider of flight information service Name: Principal place of operation and, if any, registered office: Name and contact details of the accountable manager:
Flight Information Service
Starting date of provision of flight information services/applicability date of the change:
Scope of flight information services: <input type="checkbox"/> Aerodrome flight information services (AFIS) <input type="checkbox"/> En-route flight information services (En-route FIS)
List of alternative means of compliance with references to the AMCs they replace (to be attached to the declaration)
Statements
<input type="checkbox"/> The management system documentation, including the operations manual, complies with the applicable requirements set out in Part-ATM/ANS.OR and Part-ATS.
<input type="checkbox"/> The provision of flight information services will be carried out in accordance with the requirements of Regulation (EC) No 216/2008 and its implementing rules, as well as Regulations (EC) Nos 549/2004, 550/2004, 551/2004, and 552/2004 and their implementing rules, and the procedures and instructions specified in the operations manual.
<input type="checkbox"/> All personnel are qualified, competent and trained in accordance with the applicable requirements.
<input type="checkbox"/> (If applicable) The provider of flight information services has implemented and demonstrated conformance

- Implement Art. 8b.3 of BR
- Decision by Member States
- Criteria:
 - **FIS provided by operating regularly at not more than one working position at any aerodrome;**
 - **FIS provided on a temporary basis and for no longer than 30 consecutive days**
- Requirements: minimum set of requirements = requirements for limited certification of FIS providers
- GM 1 with declaration form

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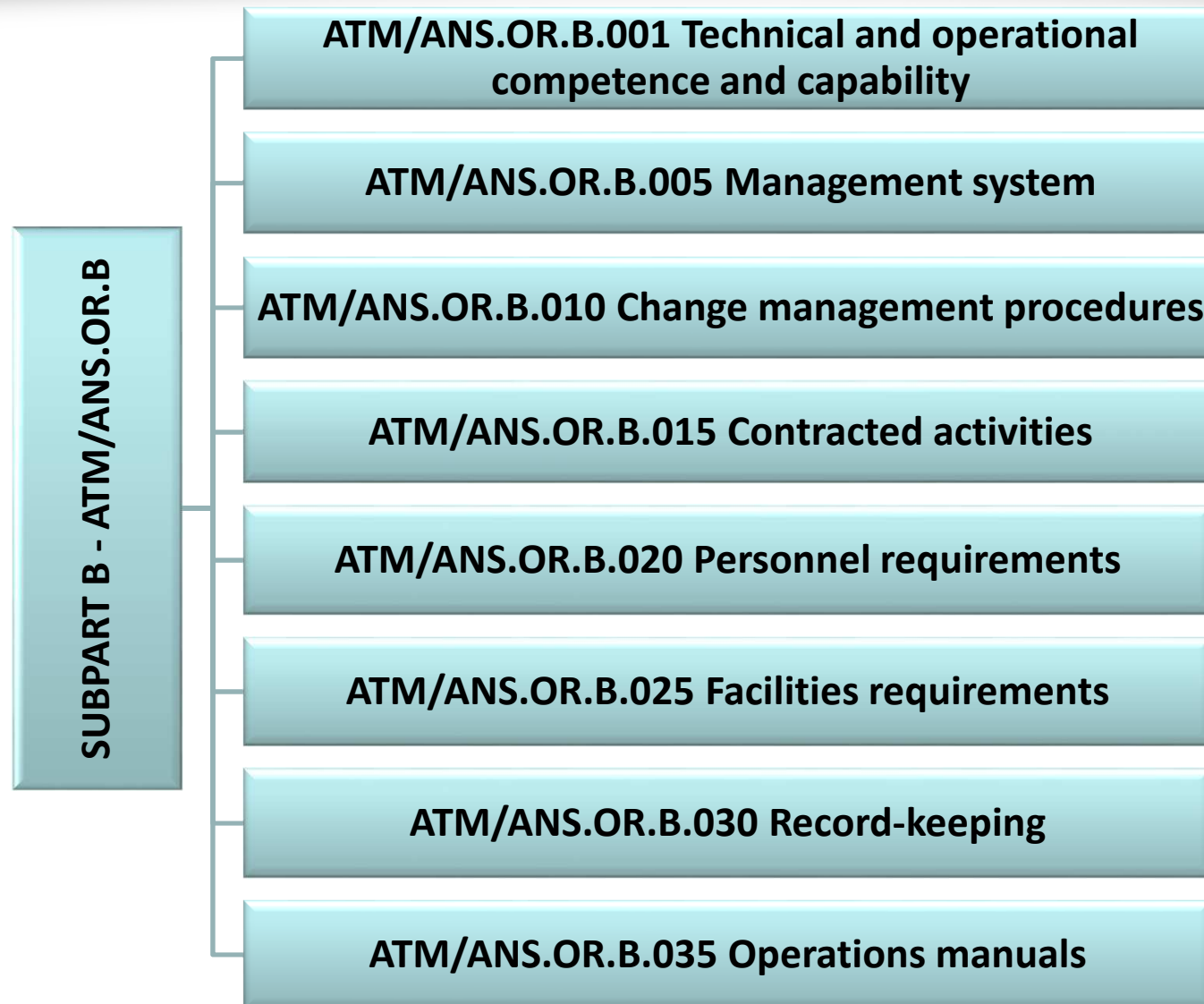


SUBPART A — GENERAL REQUIREMENTS (2)



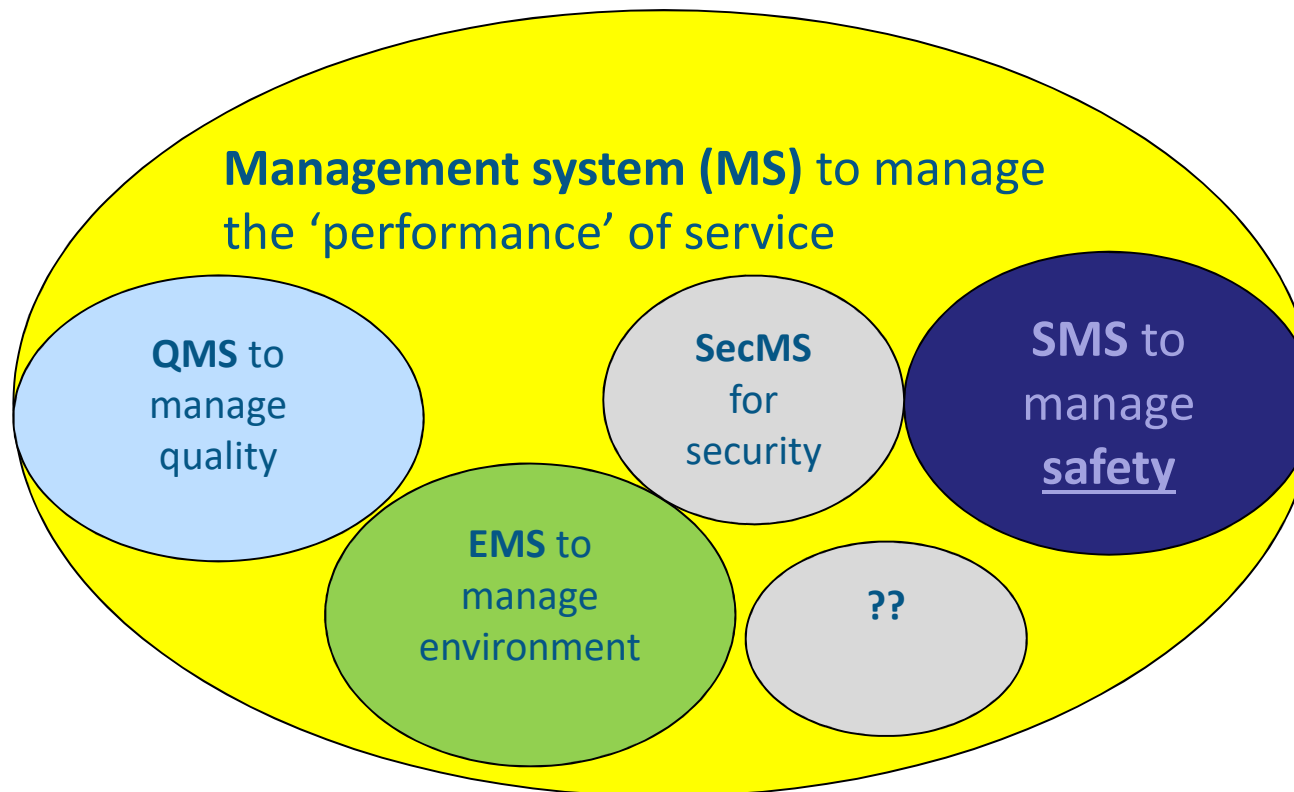


SUBPART B — MANAGEMENT





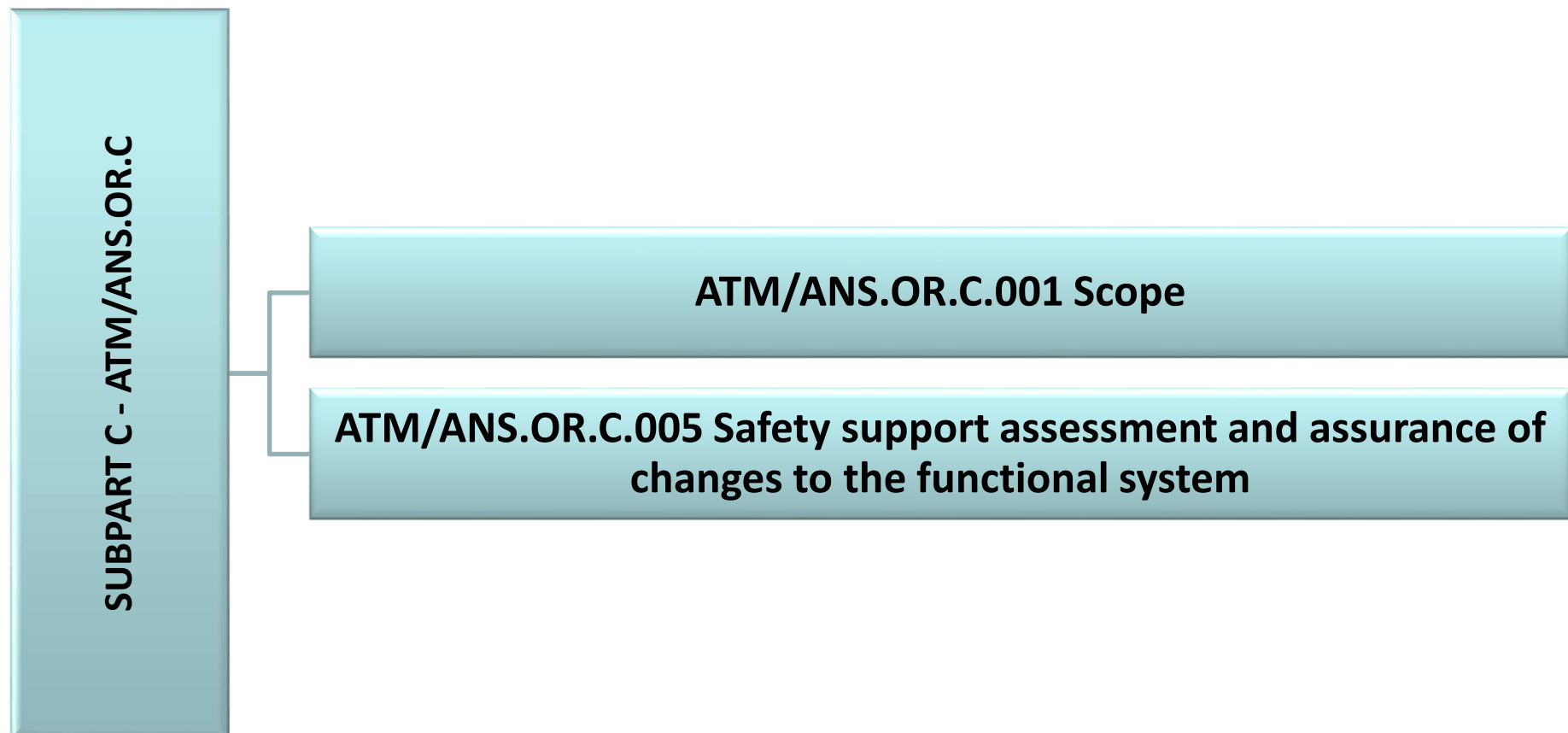
SUBPART B - MANAGEMENT SYSTEM



ATM/ANS provider can decide to integrate all MSs into one or to have them separately → therefore, the elements should be harmonised so as to facilitate integration



SUBPART C — SPECIFIC FOR SERVICE PROVIDERS OTHER THAN ATS PROVIDERS





Reminder | existing regulatory framework

- Existing provisions are inconsistent
 - e.g. who does and does not need to provide a safety case
 - e.g. scope of 1034/2011 and 1035/2011
- Existing provisions could be ambiguous
 - e.g. risk posed by change
 - e.g. the procedures for change
 - e.g. the relationship between CA & Organisation during change
- Existing provisions could be misleading
 - e.g. selection criteria for reviewing a safety case
 - e.g. the notion that CNS providers can provide assurance for the safety use of their service
- Existing provisions are incomplete
 - e.g. management of change across many ATM/ANS providers
 - e.g. risk classification
- Existing provisions are method oriented (not performance-based)
- Provide greater clarity by allowing for more AMCs and GM to assess changes to functional systems



RMT.0469 Objectives

To provide coherent, complete and consistent rules for the safety management and oversight of change to functional system.

To provide practical and extendable means of compliance and guidance for satisfying the rules.

➤ The rule introduces:

- Multiactor changes,
- procedures used during the change,
- oversight of the change (before and after implementation),
- relationship of safety of the change and the safety policy of the provider,
- the safety assessment (and related mitigations),
- the assurance that the change is safe enough, and
- roles and responsibilities of different providers.



Cover
Regulation

CIR (EU) 2017/373

General requirements

Annex I
Definitions

Annex II
Part-ATM/ANS.AR

Part-AR: Authority requirements

Part-OR: Organisation requirements

Annex III
Part-ATM/
ANS.OR

Annex IV
Part-ATS

Specific services requirements

Part-ATS: Air Traffic Services

Part-MET: Meteorological services

Part-AIS: Aeronautical Information Services

Part-DAT: Data providers

Part-CNS: Communication, Navigation,
Surveillance

Part-ATFM: Air Traffic Flow Management

Part-ASM: Airspace Management

Part-ASD: Airspace Design

Part-NM: Network Manager

Part-PERS: Personnel requirements

ED Decision
2017/01/R

ED Dec. Annex I
= GM to Part - DEF

ED Dec. Annex II =
AMC/GM to Part -
ATM/ANS.AR

ED Dec. Annex III =
AMC/GM to Part -
ATM/ANS.OR

ED Dec. Annex IV =
AMC/GM to Part - ATS

Annex V
Part-MET

Annex VI
Part-AIS

Annex VII
Part-DAT

Annex VIII
Part-CNS

Annex IX
Part-ATFM

Annex X
Part-ASM

Annex XI
Part-ASD

Annex XII
Part-NM

Annex XIII
Part-PERS



...functional system

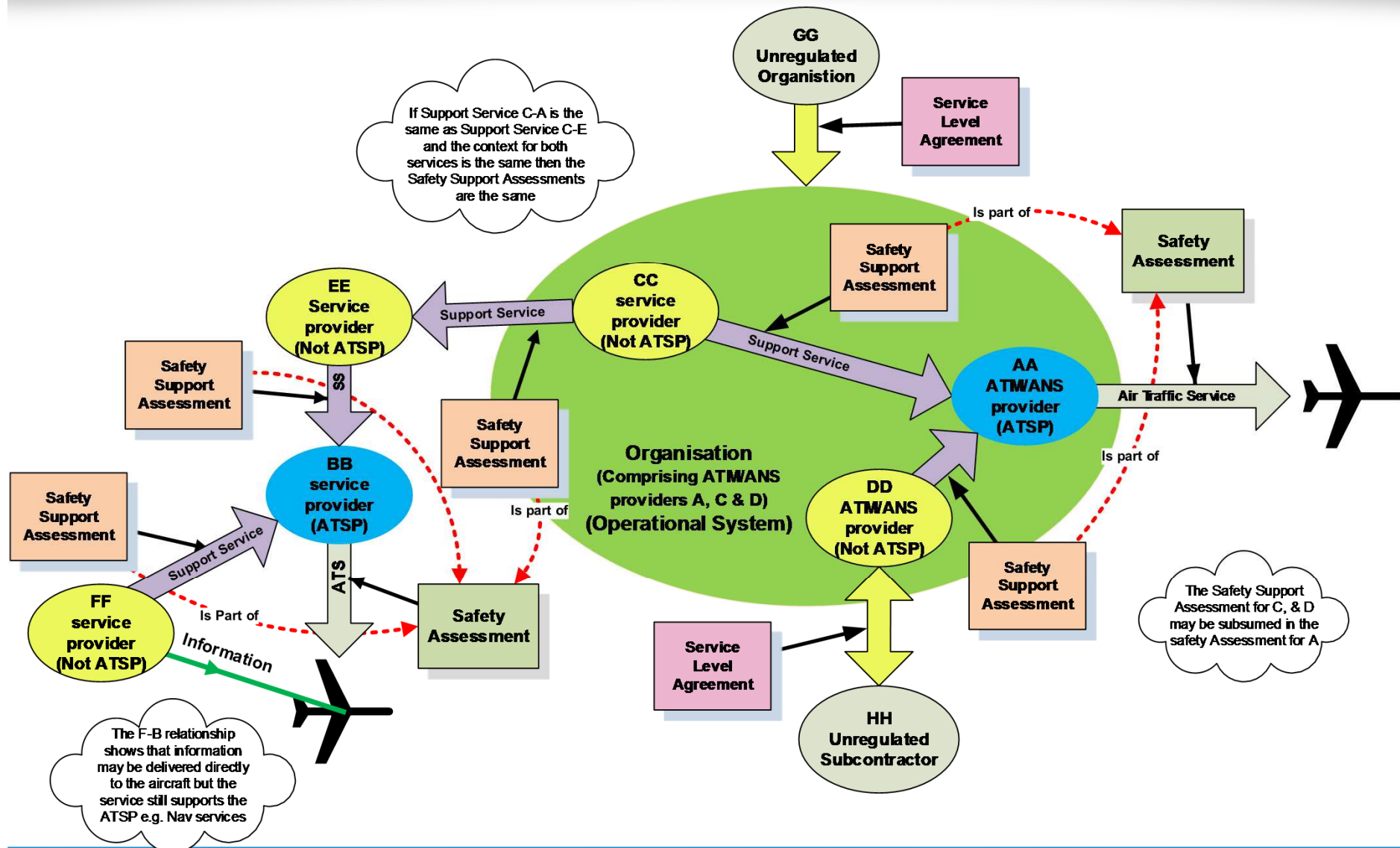
➤ What is a functional system?



combination of procedures, human resources and equipment (incl. HW and SW), organised to perform a function within the context of ATM/ANS and other ATM network function.



Safety assessment (SA) & Safety support assessment (SSA): concept





Safety assessment (SA) & Safety support assessment (SSA): concept (2)

- Regulation (EC) No 482/2008 concept has been extended from specifically Software to more generic and broader safety assurance coverage
 - No need to retain (EC) No 482/2008 as the concepts are catered for in (EU) No 2017/373 and are still applicable to software (*because it is one of the parts that gives the functional system its behavior*)
- NPA 2017-10 on AMC/GM for SWAL issued 28.06.2017
 - AMC are based on Regulation (EC) No 482/2008
 - GM contain references to some existing industrial standards, which may be used by ANSPs to build their software assurance systems



New requirements introduced

- Management of changes to functional system:
 - Procedures
 - Safety assessments: safety/risks vs. Safety support assessments: performance of service
- Oversight by CAs:
 - (NO) Review Decision on a notified change
 - Oversight of changes (audits) → Result of the investigation
 - In case of acceptable compliance demonstrations:
 - ▶ Acceptance of the change (when change does not impact the Service provider's Certificate)
 - ▶ Change can be implemented
 - In case of non-acceptable compliance demonstrations:
 - ▶ Letter to the organisation stating the conclusions
 - ▶ Change cannot be implemented
- Multi-actor changes
 - Coordinated assessments by service providers
 - CAs cooperation



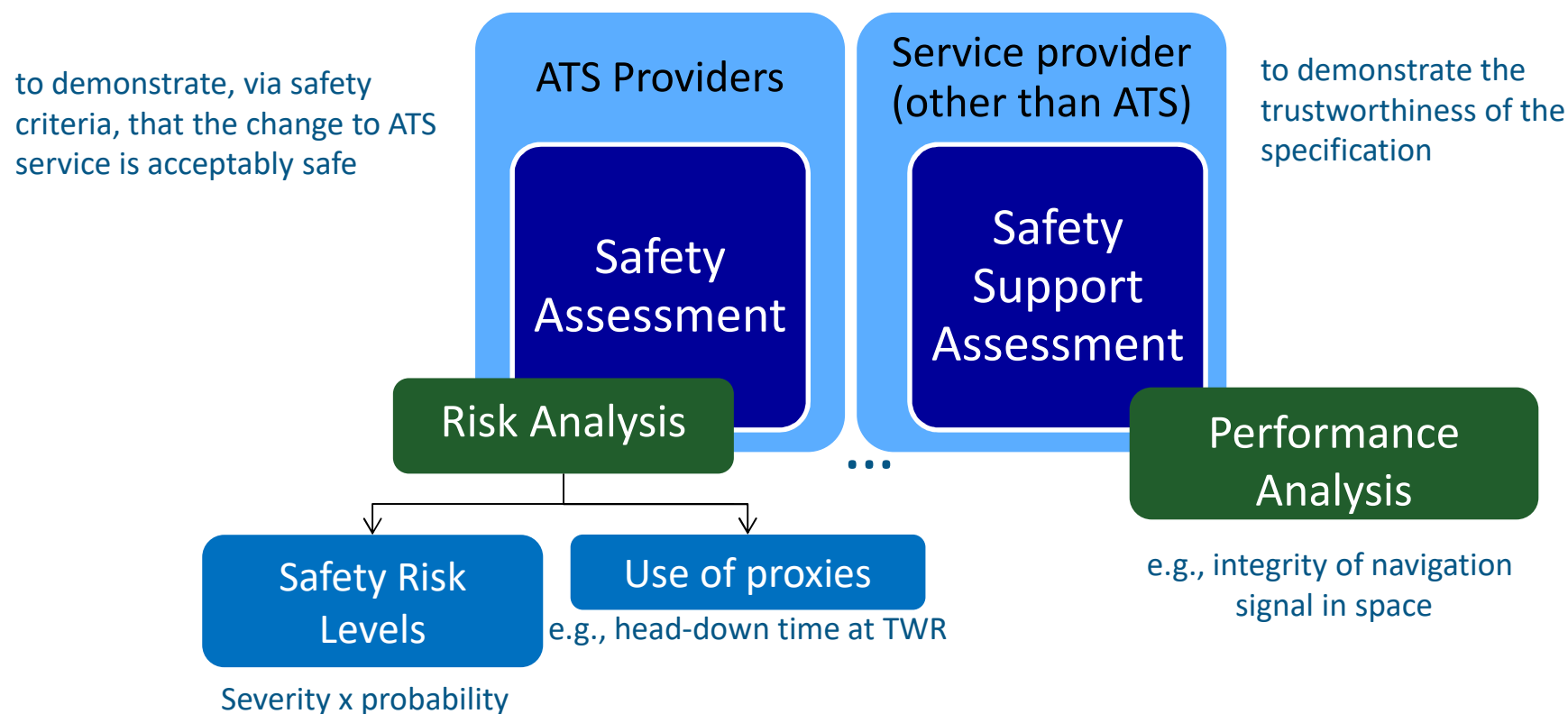
What is changing for Service Providers

- Only ATS providers need to have an SMS
 - Others need to provide Safety Support Assessments
 - All Services/Functions need to have a MS
 - MS and SMS can be integrated
- Extensive introduction of new definitions
 - Although most definitions in the Framework and Basic Regulations still apply
- Possibility to use AltMoC
- Introduction of safety criteria



Safety assessment (SA) & Safety support assessment (SSA): the model

- All service providers need to assess changes they make to their functional system...





HIGHLIGHTS → ...involvement of competent authority

(a) A service provider planning a change to its functional system shall:

- 1) notify the competent authority...;
- 2) provide the competent authority (...) with any additional information (...) to decide to (no) review the argument for the change;
- 3) inform other service providers (...) affected by the planned change.

(...)

(c) A service provider shall only allow the parts of the change, for which the activities required by the procedures referred to in point ATM/ANS.OR.B.010 have been completed, to enter into operational service.

(d) If the change is subject to competent authority review in accordance with point ATM/ANS.AR.C.035, the service provider shall only allow the parts of the change for which the competent authority has approved the argument to enter into operational service.



HIGHLIGHTS → ...multi-actor change

- (e) When a change affects other service providers and/or aviation undertakings (...), the service provider and these other service providers, in coordination, shall determine:
 - (1) the **dependencies** with each other and, where feasible, with the affected aviation undertakings;
 - (2) the **assumptions and risk mitigations** that relate to more than one service provider or aviation undertaking.

- (f) Those service providers affected by the assumptions and risk mitigations (...) shall only use, in their argument for the change, agreed and aligned assumptions and risk mitigations with each other and, where feasible, with aviation undertakings.



SUBPART — SPECIFIC ‘OR’ FOR ANS AND ATFM PROVIDERS AND NM

no new rules

SUBPART D - ATM/ANS.OR.D

ATM/ANS.OR.D.001 Scope

ATM/ANS.OR.D.005 Business, annual, and performance plans

ATM/ANS.OR.D.010 Security management

ATM/ANS.OR.D.015 Financial strength — economic and financial capacity

ATM/ANS.OR.D.020 Liability and insurance cover

ATM/ANS.OR.D.025 Reporting requirements



Annex IV | Part-ATS | Applicable requirements

Section 1 – GEN

COVER
REGULATION

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Definitions

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Part-
ATM/ANS.AR

Annex III
Part-ATM/
ANS.OR

Annex IV
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Annex XII
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Annex XIII
Part-PERS

Annex IV
Part-ATS

Subpart A
ATS.OR

Section 2 – Safety of
services

NEW

Section 3 – HF
requirements for ATC
providers

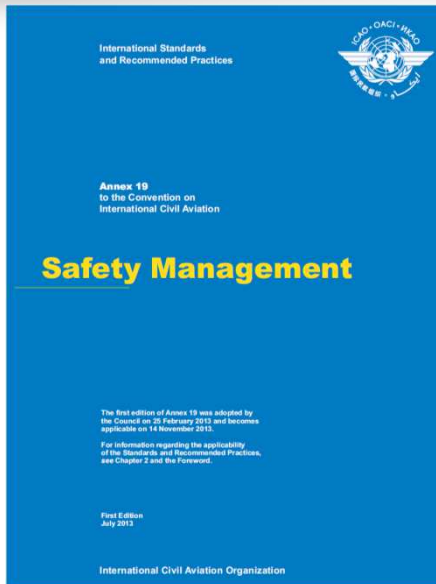
Subpart B
ATS.TR

Section 1 – GEN





Annex IV | Part-ATS | Subpart A | Section 2



Main changes in ORG REQUIREMENTS:

- ATS.OR.200 '**SMS**' ➔ Reorganisation of the SMS requirements to follow ICAO SMS framework and the addition of few requirements missing in order to ensure compliance with ICAO SMS framework (e.g. ERP) & safety assessment and assurance
 - Addition of AMC/GM mainly for the SMS

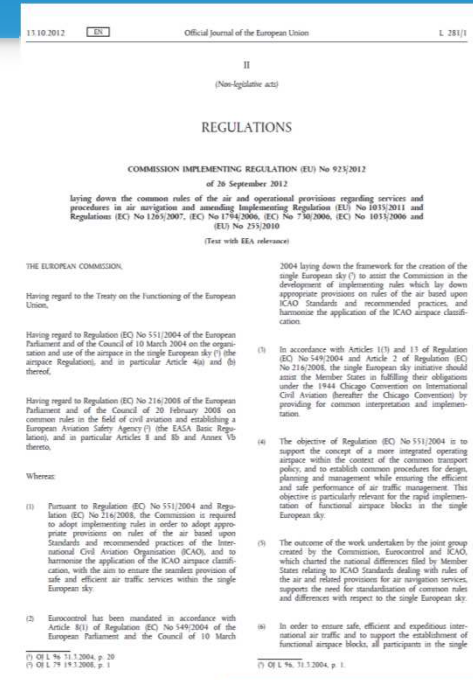
- ATS.OR.205 '**Safety assessment and assurance of changes to functional system**'
- ATS.OR.210 '**Safety Criteria**'
- ATS.OR.215 '**Licensing and medical certification requirements for air traffic controllers**'



Annex IV | Part-ATS | Applicable requirements (3)

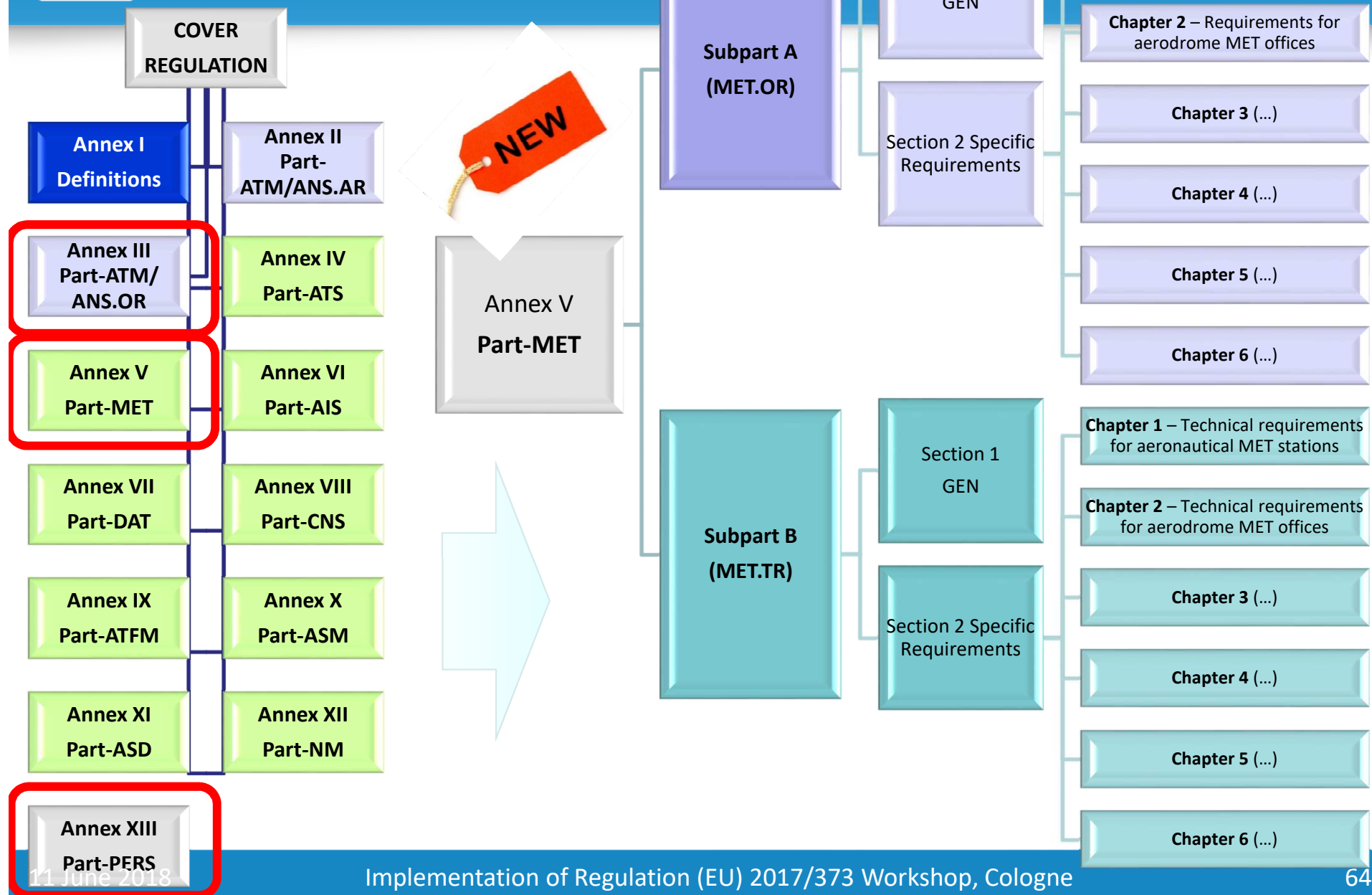
Main changes in TECH. REQUIREMENTS:

- ATS.TR ➔ Reference to ICAO Annex 2 has been replaced by reference to SERA IR and reference to ICAO Annex 11 has been updated
- ATS.TR ➔ Introduction of specific operational conditions for ATC units providing ATC services to test and acceptance flights



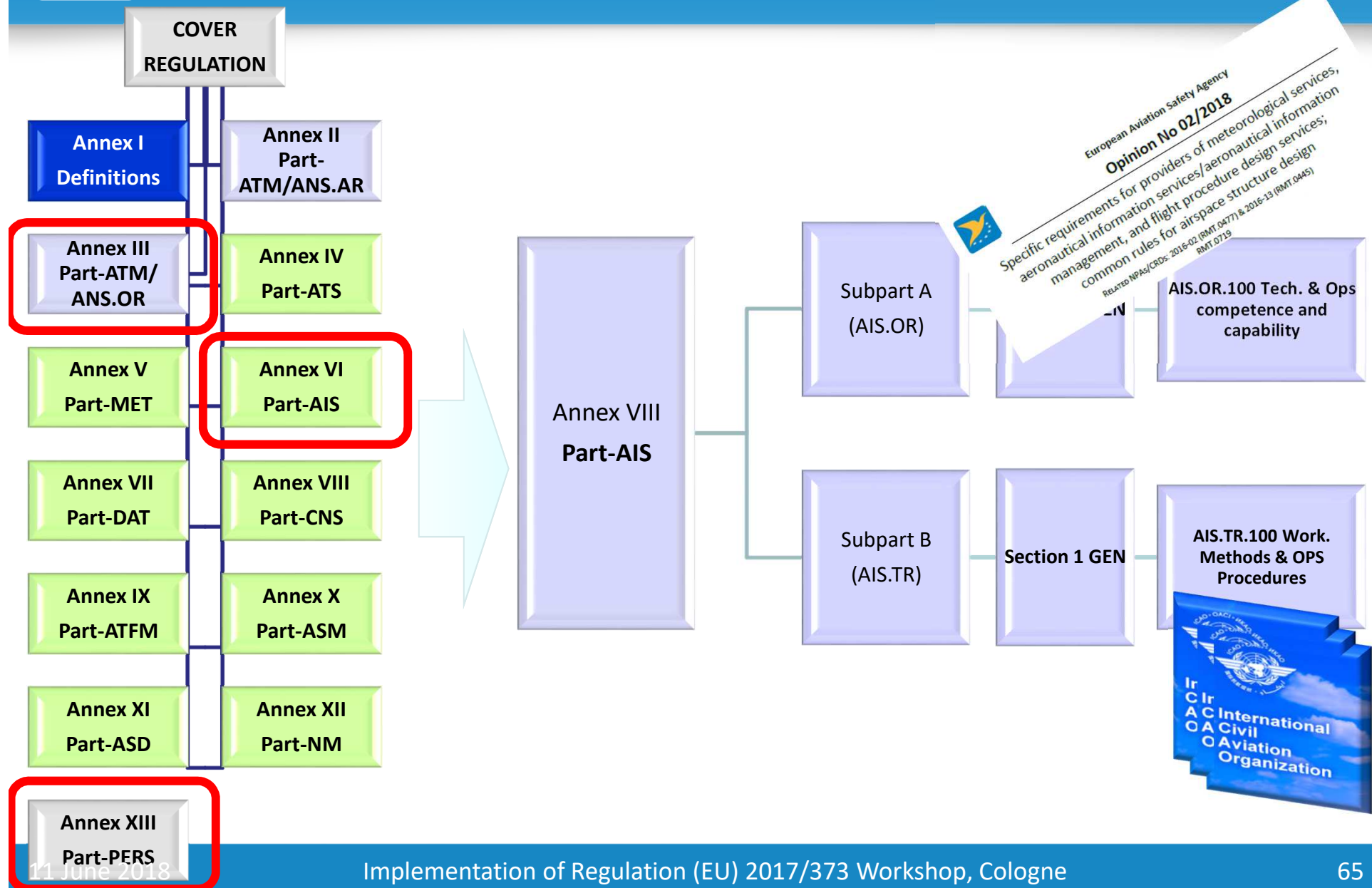


Annex V | Part-MET | Application



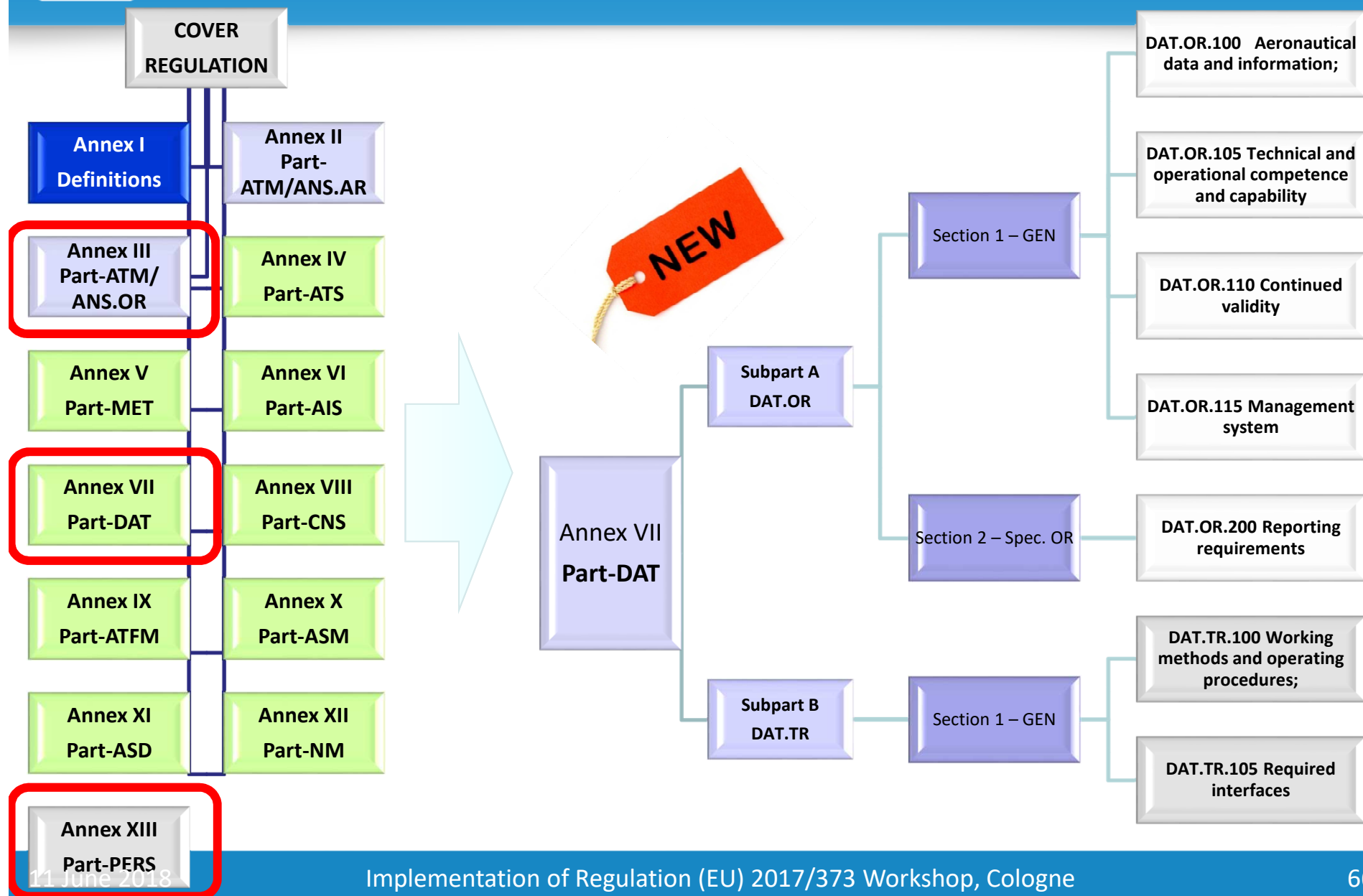


Annex VI | Part-AIS | Applicable requirements



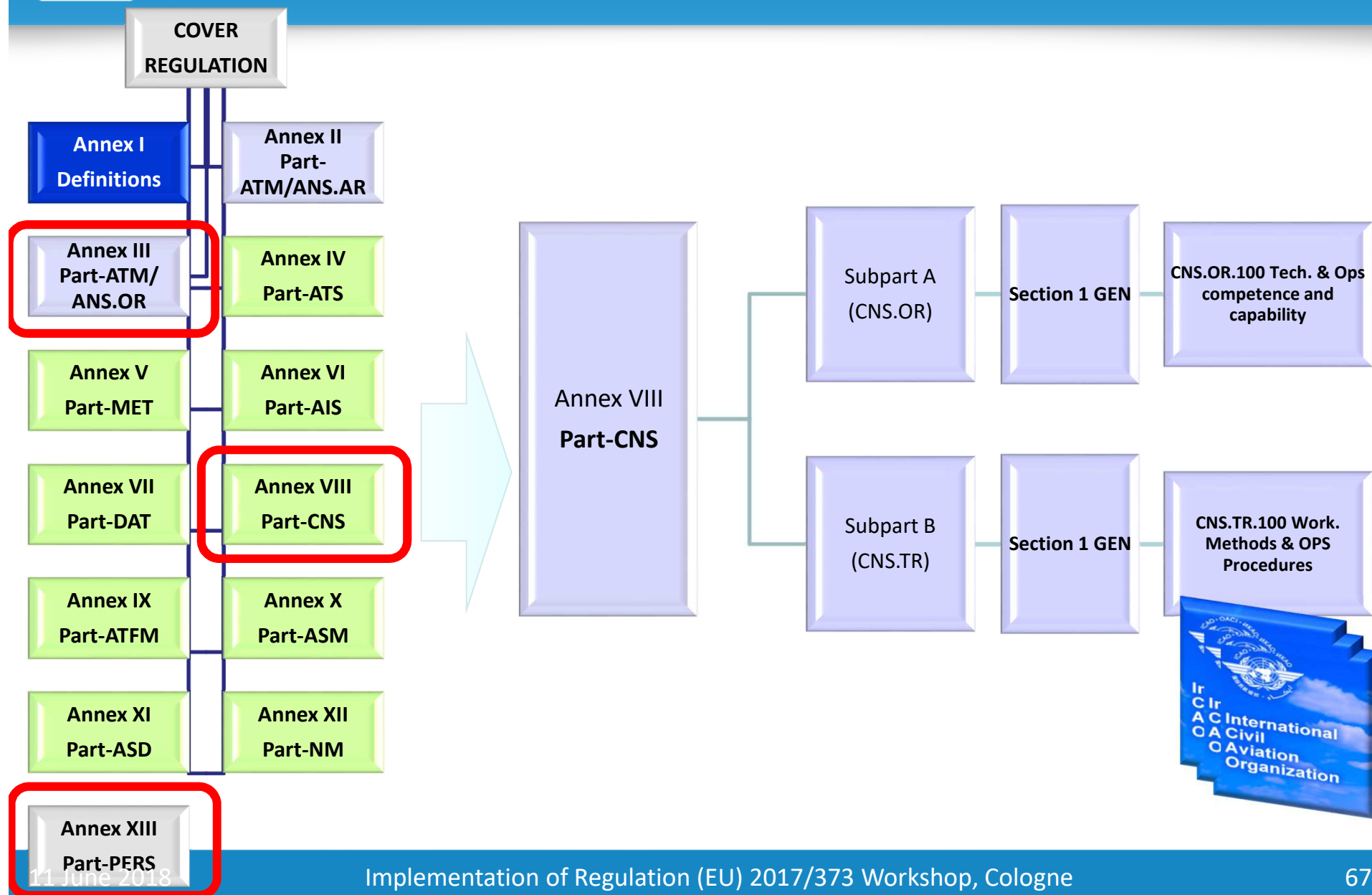


Annex VII | Part-DAT | Applicable requirements



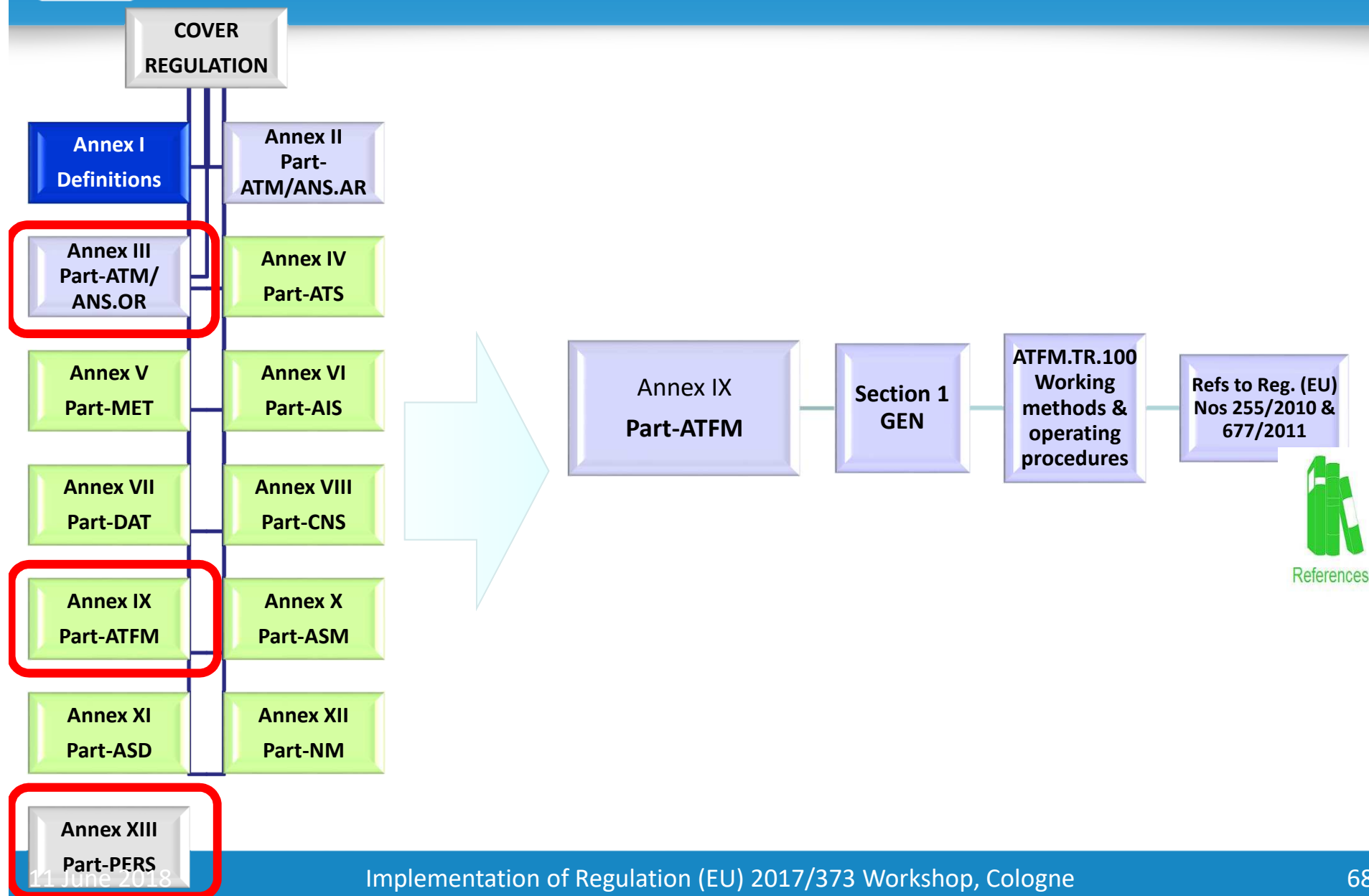


Annex VIII | Part-CNS | Applicable requirements



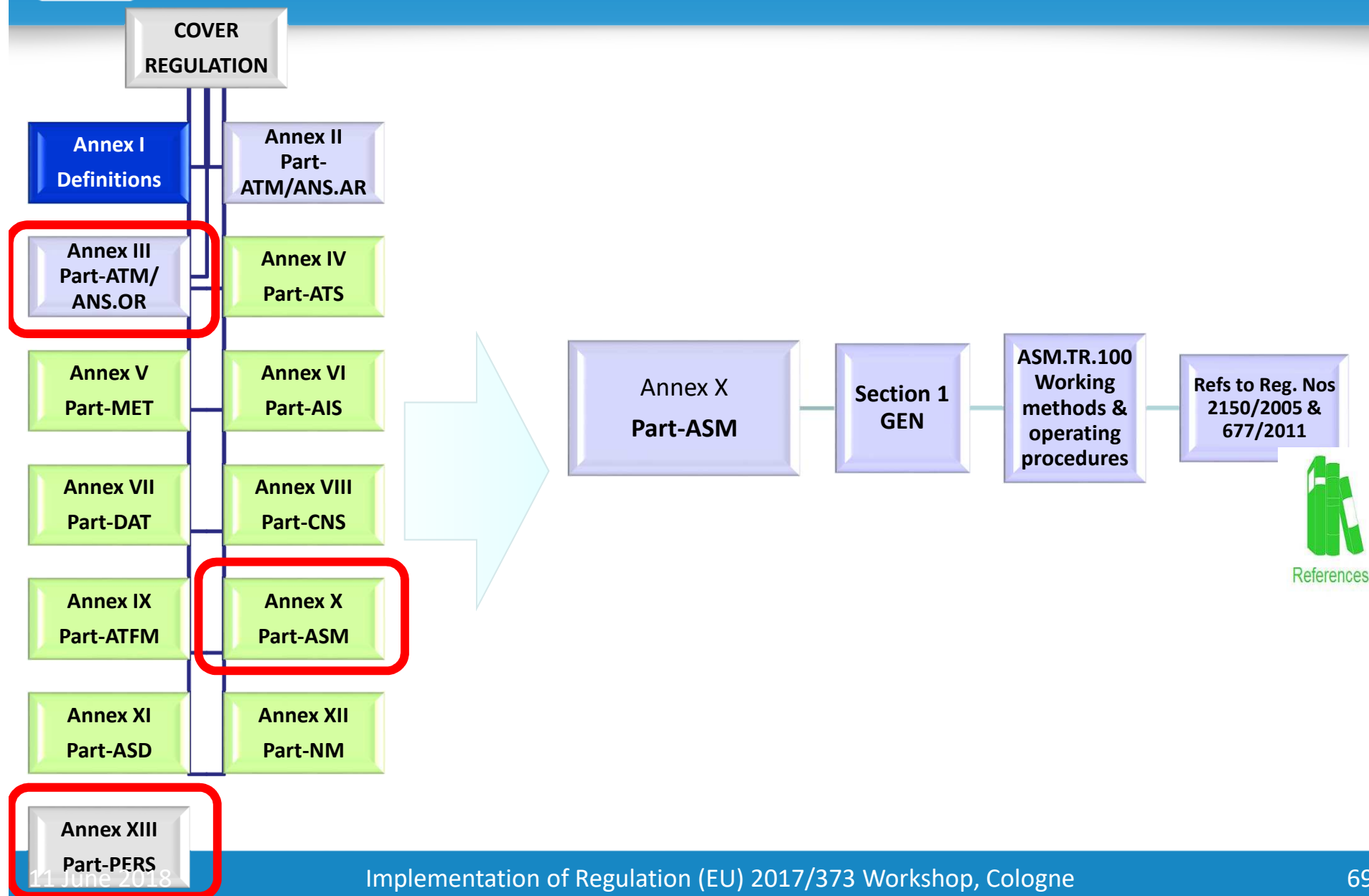


Annex IX | Part-ATFM | Applicable requirements





Annex X | Part-ASM | Applicable requirements





Annex XI | Part-ASD | -----

RESERVED

COVER
REGULATION

Annex I
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ATM/ANS.AR

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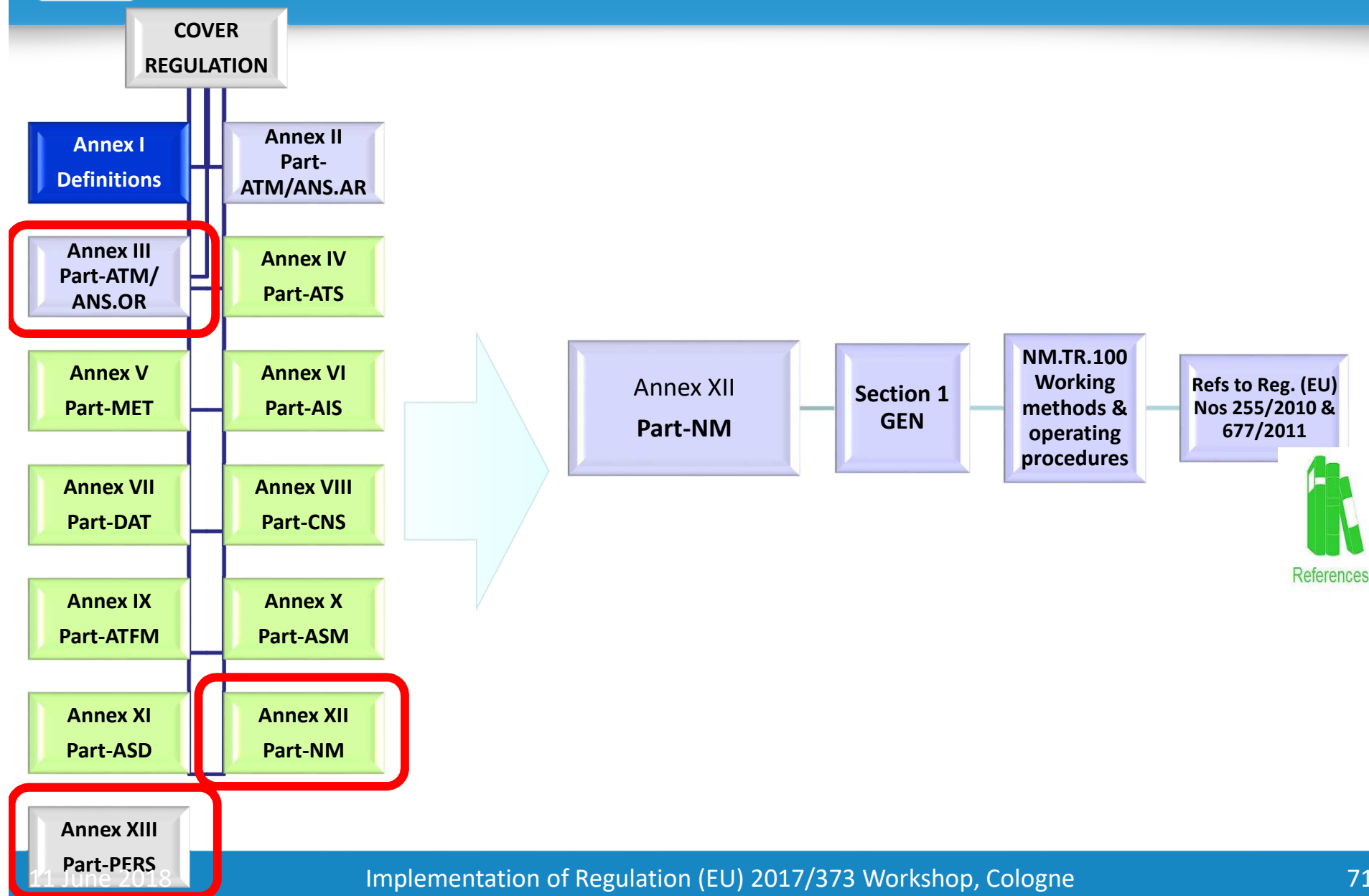


European Aviation Safety Agency
Opinion No 02/2018
Specific requirements for providers of meteorological services,
aeronautical information services/aeronautical information
management, and flight procedure design services;
common rules for airspace structure design
RELATED NPAs/CRDs: 2016-02 (RMT.0477) & 2016-13 (RMT.0445)
RMT.0719



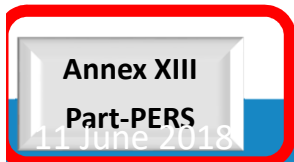
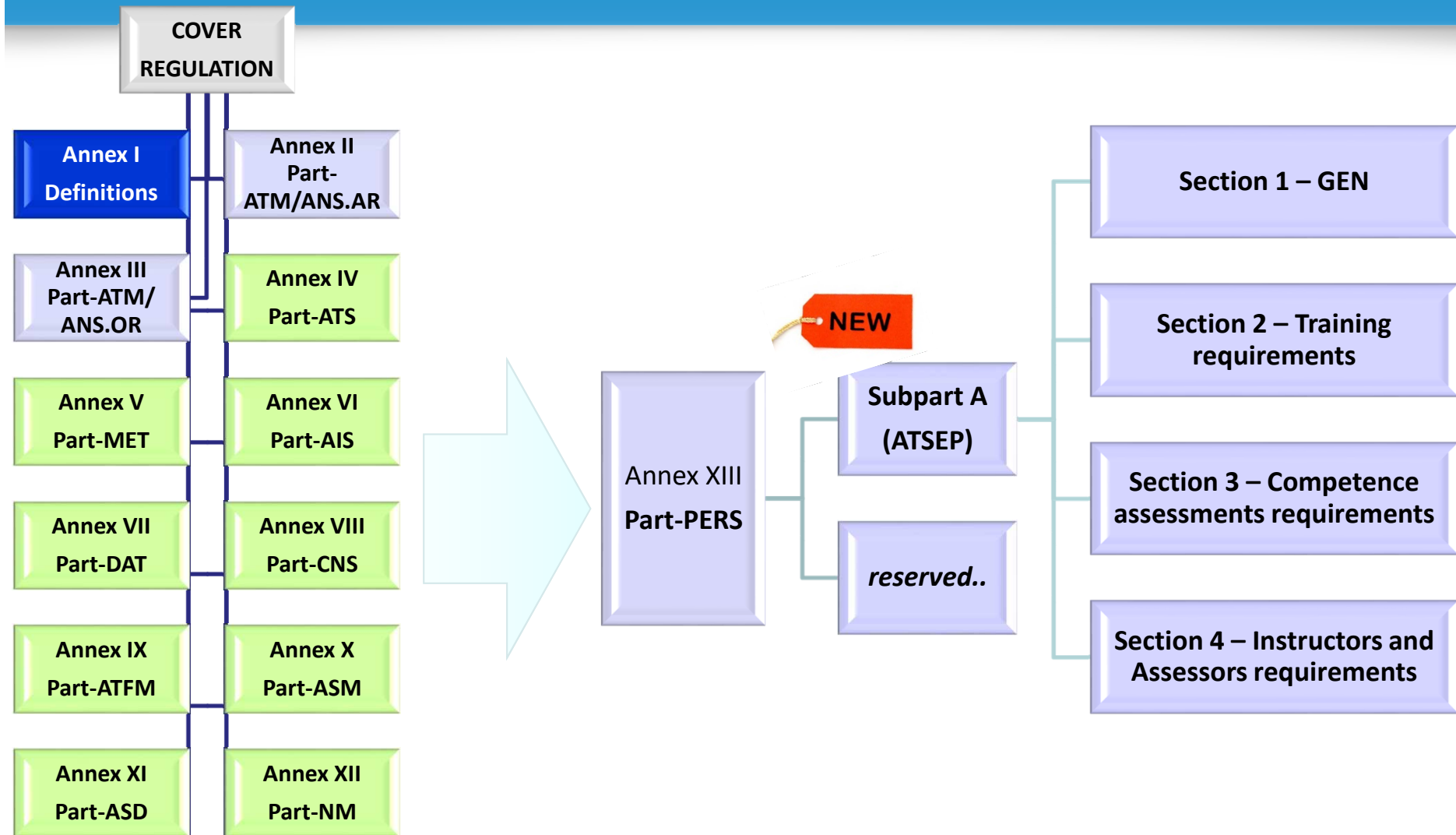


Annex XII | Part-NM | Applicable requirements





Annex XIII | Part-PERS | Subpart A (ATSEP)



11 June 2018



Annex XIII | Part-PERS | Subpart A (ATSEP) (2)

ANNEX XIII

REQUIREMENTS FOR SERVICE PROVIDERS CONCERNING PERSONNEL TRAINING AND COMPETENCE ASSESSMENT (Part-PERS)

SUBPART A —AIR TRAFFIC SAFETY ELECTRONIC PERSONNEL

*‘Air traffic safety electronics personnel (ATSEP)’ means any **authorised personnel** who are competent to operate, maintain, release from, and return into operations **equipment of the functional system**;*

(point 20, Annex I)

The training for the ATSEP:

- shall meet the requirements in Annex XIII;
- commensurate to the providers needs;
- However, it should achieve that



ATSEP to be assessed before performing duties

Initial and on-going

Assessment against some defined criteria

GM to understand the concept of initial and on-going competence assessment



EASA
European Aviation Safety Agency

CONCLUSIONS

Anastasiya TERZIEVA
ATM/ANS & ADR Department
EASA/FS Directorate

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Regulation (EU) 2017/373 Implementation WS

- Aiming to provide implementation support by presenting the regulated parties approach(es) for implementation
- ~ 100 well informed participant - the majority of NSAs (= CA personnel involved in oversight and ANS experts) and ANS providers in EU
- Focus on new requirements
- Feedback on stakeholder needs shows clear need for more focussed support in
 - Change management, with more focus on assessment of changes to functional system (= definition of functional system by non-ATS providers and the way(s) for developing Safety SUPPORT assessment by those providers
 - More focus on certain AMC/GM e.g. continuous compliance
 - AR domain indicate less need (e.g. management system, management of findings, etc.)



Other implementation support (?)

- Proposal to set up an arrangement for regular exchange and discussions until the end of the transitional period...
 - Only CA staff
 - Only ANSPs staff, but...
 - Combined CA and ANSPs staff
 - At local level;
 - At FAB level;
 - On individual basis...



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EASA

European Aviation Safety Agency

Thank you!
Your Safety, Our Mission

Your safety is our mission.

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