



MINUTES OF THE MEETING OF THE

EASA MANAGEMENT BOARD

HELD ON

22 SEPTEMBER 2011 (MB 03/2011)

AND

SUMMARY OF DECISIONS TAKEN DURING THE CLOSED SESSION

SUMMARY OF DECISIONS

At its meeting held on 22 September 2011, the Management Board has taken the following Decisions:

- MB Decision 08-2011 Appointing the Chair and Deputy Chair of the Management Board;
- MB Decision 09-2011 Appointing the Approvals and Standardisation Director of the European Aviation Safety Agency.



0. List of Attendees (see ANNEX 1)

- The Chair opened the meeting and welcomed all participants.
- It was determined that the required quorum for the meeting of at least two thirds of all members with voting rights (representatives or proxy holders) was present.

Closed Session

1. Election of the Chair and Vice-Chair

- The Management Board received the candidacy of Mr Michael Smethers for the position of Chairperson and that of Mr Maxime Coffin for the position of Deputy Chairperson.
- The Management Board decided to nominate Mr Heine Richardsen as Acting Chairperson of the Management Board for the appointment of the Chairperson and Deputy Chairperson of the Board.
- The Management Board decided by acclamation to appoint Mr Michael Smethers as the Chair of the EASA Management Board and Mr Maxime Coffin as the Deputy Chair of the EASA Management Board.

2. Appointment of the Approvals and Standardisation Director

- The three final candidates were interviewed by the Management Board before the voting.
- The Management Board agreed to vote by secret ballot.
- The Management Board offered the post to Mr Trevor Woods who obtained the votes of over 2/3 of the MB Members with voting rights. Mr Trevor Woods accepted the post.
- Consequently, the Management Board decided to appoint Mr Trevor Woods as Approvals and Standardisation Director of the European Aviation Safety Agency as from the retirement date of the current Approvals and Standardisation Director.



Open Session

3. Adoption of the Agenda

- The Agenda was adopted as presented.
- EAB mentioned that a question regarding the relationship with other EU Agencies (e.g. the European Chemicals Agency) would be raised under AOB.

4. Adoption of the minutes of the previous meeting

- Netherlands said that the action referred to in pages 13-14 "*Setting-up of an Industry/EASA Working Group to consider further elements of a certification strategy*" should be included in the actions list. The Chair said that this should be addressed by the ENaCT working group.
- European Commission (EC) noted that their comments had been taken into account in particular those on Point 7 "*Safety Strategy*".
- EC added that a list of key actors and contacts re volcanic ash was sent and should be circulated to the MB Members.
- The action list was revised (see ANNEX 2).

5. Comments from the Chair

- The Chair expressed its apologies for changing the date of the MB Meeting.
- The Chair said that the work of the expert group on the Agency's mid-term strategy continues.
- The Chair added that the Court of Auditors (CoA) has contacted him and tabled several questions within the framework of an audit of EASA together with other EU Agencies (ECHA, EMSA, EFSA) on potential "conflict of interests". A report will be produced by the CoA by the end of the year and will be sent to the European Parliament.
- The Chair said he would be chairing a workshop on UAS safety in Brussels on 19.10.11, with active support from EASA staff. A report will be sent to the EC, which



will combine it with reports from other workshops to produce a Communication on the development of the European UAS sector.

- The Chair explained that the ED had some concerns about the volume of work placed on the Agency by the MB, in particular the paperwork. The Chair would review this actively with the ED and the EC over the next 12 months.

6. Report of the Executive Director

- In his presentation, the ED drew particular attention to EASA's involvement in the AF 447 accident investigation and to volcanic ash issues.
- EC was grateful for the report and made two remarks:
 - o Volcanic ash will be a challenge for SES/SESAR. There is a need to fully involve the Member States and there must be a complementary process within ICAO;
 - o A communication on Aviation Safety to which the EASP is annexed is about to be finalised. It is necessary to highlight the work of EASA to the European Parliament and the Council.
- France was grateful for the complete and precise report and made the following comments:
 - o The consequences of the SESAR Next Generation for the General Aviation should be analysed in advance;
 - o The MS should be informed on the progress and outcome of the implementation of the EU-US BASA.
- EAB considered the TCO Rulemaking project to be controversial. The final decision on EASA resources should be delayed until the rules are clear. The EAB was also concerned about Fees and Charges aspects.
- EAB is interested in the process of awarding contracts to Qualified Entities.
- The ED mentioned that EASA is well aware of the sensitivity of the TCO issue and will carefully handle it together with the Commission. EC agreed.
- Netherlands was also grateful for the report and made the following remarks:
 - o Netherlands would like to be informed on the progress of the actions resulting from the outcome of the "Staff Motivation Survey";
 - o Netherlands would like to be informed about the development of the Fees and Charges Regulation review.



- The Chair said that:
 - o EASA will keep the MB updated on the progress made regarding the follow-up on actions from the 2010 staff motivation survey, and outcomes of the 2011 survey;
 - o There will be an EC report on Fees and Charges under AOB;
 - o Regarding the new EASA Brussels Office, a paper will be presented during the December meeting;
 - o He had written to BEA on behalf of the MB about the AF 447 investigation as requested at MB 02/2011.

7. Rulemaking in the context of the extension of Community competences

The Rulemaking Director presented a brief update. The following comments were made in discussion:

- EAB stated that the manufacturing industry wanted attention paid to the procedural requirements of Part 21 as they prevented industry from becoming more efficient. As regards SES overall planning, Italy pointed out the need to concentrate on the important issues and limit the changes thus simplifying the work of EASA. Time is running out.
- The European design and manufacturing industry reiterated its support to a two steps implementation of the OSD concept which will contribute to an improved aviation safety level in Europe. It expressed its concerns about what it regards as unnecessary complexity added by the introduction of a new Implementation Rule IR-26 about additional airworthiness requirements for operations.
- United Kingdom stressed the importance of cooperation between EASA, EUROCONTROL and the European Commission in prioritising the ATM rulemaking programme.
- The Netherlands noted that the timing of implementation of various rules was causing problems, citing medical requirements in the ATCO licensing Regulation which could not be put into practice despite the coming into force of the Regulation.
- EC considered that the priorities should be established for:
 - o Opinions of the 1st Extension (April 2012);



- OPS;
- Cooperation between EASA and SES committees.

It also indicated that issues such as OSD and TCO, albeit important, would need to be given careful consideration in view of the sensitivities and should not be rushed.

- The Chair summarised the main points along the following lines:
 - Members were pleased with the progress made;
 - EASA is encouraged to carry on with simplification and the prioritization of the rulemaking work by concentrating on the significant issues;
 - There was an urgent need to review the overall programme of regulation on ATM (both EASA and SES) to focus the programme better and to determine who should be doing what.

8. Review of the Rulemaking Process

- The Agency's Rulemaking Director presented the report of the Working Group. He summarised the recommendations made as follows:
 - The need to tailor the process to fit the different kinds of tasks: simple, complex and controversial;
 - The issues regarding the interpretation of the rules should be resolved at the beginning of the process: "upstream";
 - The need to revise the structure of AGNA accordingly.
- The Chair thanked the Working Group for the work done.
- The Chair clarified that the new Rulemaking procedure will not apply to the on-going rules but only to the future ones to be developed after the adoption of the new procedure.
- EC welcomed the report and mentioned that the budget and time constraints should be taken into due consideration and consequently the process should be improved as regards of effectiveness and efficiency. Moreover, EASA should concentrate on technical issues while EC will take care of the political ones. EC supported the upstream approach and agreed on the next steps proposed combined with a mid-term strategy.
- France agreed on the proposals on more flexibility and adaptation to the kind of task. France concurred with a shorter procedure but noted that translation would still be needed. France also noted that the consultation and upstream approach



require further clarification as it is not completely clear at this stage. The roles of EC, EASA, new AGNA also require clarification..

- EAB welcomed the report but it is necessary to conduct some practical follow-up. It insisted on the quality of the deliverables.
- Germany welcomed the report and pointed out the need for more flexibility. Germany identified risks when defining the different categories of tasks and raised concerns with respect to the composition of the different groups.
- Norway also appreciated the report but mentioned the necessity to seek feedback at the beginning of the process. New rules should be based on risk analysis. Norway saw as positive the proposition to split AGNA, thus allowing for more detailed and tailored discussions.
- The Netherlands also welcomed the report and stated its strong belief that the proposal will help to improve Rulemaking and increase quality and clarity. The up-stream coordination should be clearly defined and an agreement between EASA, EC and NAAs should be reached on the interpretation of the Basic Regulation. Netherlands also underlined the importance of the Rulemaking advisory groups in the up-stream coordination.
- UK congratulated the Working Group for the report and agreed that further clarification should be provided regarding the upstream coordination and the practical implementation of the process.
- Austria thanked the Working Group for the report and welcomed the goals of effectiveness and simplification. Moreover, there should be a link between Rulemaking and Standardisation (“feedback-loop”) and the term “simple” should be defined.
- Ireland agreed with the spirit of the new approach but noted that its implementation still needs to be clarified.
- The ED thanked the Working Group for the proposals and mentioned that the different kinds of tasks and roles of stakeholders have to be clearly defined. A strategic vision has to be put in place before starting with the rulemaking process. He also expressed his wish that these procedures should not preclude the possibility of initiating rulemaking activities even if not identified through this process.



- The Chair thanked all participants for the in-input and summarised the discussions along the following lines:
 - The report was warmly welcomed;
 - Building upon that which has already been achieved, the Group should continue its work, focusing on the following areas:
 - Clarify further how to introduce a strategic approach at the beginning of the process identifying whether there is a need for action on the part of the Agency;
 - Better agreement between Commission and EASA on the interpretation of the Basic Regulation with the involvement of the NAAs; Clear definition of the roles of the different actors and groups involved;
 - Consideration of MB comments on the concrete implementation of thematic groups (e.g. ATM and/or ADR in one group ?);
 - System has to be kept flexible when categorising the tasks simple, standard and complex/controversial. The different categories should be clearly defined;
 - Broad consensus on the proposed upstream approach but with the modalities to be further refined;
 - The possibility of removing (redundant) rules;
 - Appropriate links with the safety, standardisation and certification elements;
 - To start developing an implementation plan together with means for monitoring it.

The Chair concluded that the report is a good report but needs to be revised and completed with further concrete proposals and to be delivered to the Management Board during its next meeting in December, together with a draft revised MB Decision on the rule-making procedure.

9. AOB

9.1. Fees and Charges

- EC mentioned that it has received a proposal from EASA and that further reflections on it are necessary. The work will be done in a two phase approach, consisting of (1) Extension of the remit and (2) Establishing a more cost-reflective system.



- EAB stated that it was waiting for the necessary consultation on the fees and charges for the new remits.

9.2. Dates MB Meetings 2012

The Chair confirmed the following dates for 2012:

- 13 March 2012
- 06 June 2012
- 18 September 2012
- 11/12 December 2012

9.3. Agenda for MB Meeting 13/14 December 2011

The Chair identified the following agenda points for next meeting, which will include an informal meeting on the first afternoon, a formal meeting the following day, and a social event on the intervening evening:

- EASA Communication Strategy
- Commission Mid-Term Group
- EASA New building in Cologne + New office in Brussels
- EASA Research Strategy
- Review of the Rulemaking Process
- EASA Safety Strategy
- EASA Business Plan

9.4. European Chemicals Agency (ECHA)

- EAB mentioned that EASA should be in regular contact with ECHA to identify those products which could represent a risk for flight safety. An early warning system should be established.
- The Chair added that identifying in good time possible impacts on aviation of non-aviation legislation has been a long standing problem, and called on a proactive stance by EASA and EC in this regard.



ANNEX 1: List of Attendance

Members

	MEMBER	ALTERNATE	EXPERT
AUSTRIA		Franz Nirschl	
BELGIUM			Danny Kleijkens
BULGARIA		Eleonora Dobрева	
CYPRUS	Leonidas Leonidu		
CZECH REPUBLIC			
DENMARK			
ESTONIA	Koit Kaskel		
FINLAND	Pekka Henttu	Susanna Metsälampi	Kim Salonen
FRANCE	Maxime Coffin		Genevieve Eydaleine
GERMANY		Josef Schiller	
GREECE			Georgios Sourvanos
HUNGARY		Éva Kállai	
ICELAND*	Petur Maack		
IRELAND			Brian Skehan
ITALY	Alessio Quaranta	Benedetto Marasa	
LATVIA			
LIECHTENSTEIN*			
LITHUANIA			
LUXEMBOURG			
MALTA	Ian Falzon		
NETHERLANDS		Jan-Dirk Steenbergen Pieter Mulder	
NORWAY*	Heine Richardson		
POLAND		Tomasz Kadziolka	Darius Gluszkiewicz

* Members without voting rights



	MEMBER	ALTERNATE	EXPERT
PORTUGAL		Antonio Estima	
ROMANIA	Claudia Virlan		
SLOVAK REPUBLIC	Peter Patoprsty		
SLOVENIA		Jozef Slana	
SPAIN		José M. Ramírez Ciriza	
SWEDEN	Ingrid Cherfils	Lars Österberg	Magnus Molitor
SWITZERLAND*	Marcel Zuckschwerdt		
UNITED KINGDOM	Michael Smethers (Chair)	Susan Hamilton Pat Ricketts	
EUROPEAN COMMISSION		Matthew Baldwin Eckard Seeböhm	Peter Sorensen

Observers

	MEMBER	ALTERNATE	EXPERT
EASA ADVISORY BOARD¹	Vincent De Vroey	Gilles Garrouste Thomas Loeff	
ALBANIA¹		Genci Resuli	
BOSNIA AND HERZOGOVINA¹			
CROATIA¹			
FORMER YUGOSLAV REPUBLIC OF MACEDONIA¹			
MONTENEGRO¹			
SERBIA¹			Dragan Tesla
U.N. MISSION IN KOSOVO¹			

¹ Observers without voting rights.



ANNEX 2: Action List

No.	Action number	Description action	Action holder	Deadline
1	# 04/MB 02/11	Convene EASA/EAB Working Group on Certification Methodology		MB 04/2011