



EASA MB 01/2008

Minutes of Management Board 01/2008

As adopted at MB 02/2008

11 June 2008

EASA MB 01/2008

Cologne, 13 February 2008

Minutes of Management Board

01/2008

Summary:

Minutes of Management Board 01/2008 held on 13 February 2008, as adopted at MB 02/2008 on 11 June 2008



**MINUTES OF THE MEETING OF THE EASA MANAGEMENT BOARD HELD
ON 13 FEBRUARY 2008**

AND SUMMARY OF DECISIONS TAKEN

MB MEETING No. 01/2008

SUMMARY OF DECISIONS

At its meeting held on 13 February 2008, the Management Board:

- adopted the agenda (document MB 01-2008, WP01);
- adopted the minutes of the meeting 05-2007 held on 14 December 2007 (document MB 01-2008, WP02);
- adopted the 2009 Preliminary Draft Budget for the Agency and outline work programme (Document MB 01-2008 WP04 a, b, c, d and e);
- adopted the 2009-2011 Staff Policy Plan for the Agency (Document MB 01-2008 WP05 a, b and c);
- agreed to hold a specific meeting for the appointment of the Agency's Rulemaking Director.

**O. RENEWAL OF THE TERM OF OFFICE OF THE EXECUTIVE DIRECTOR**

The Commission informed the Management Board members on the progresses made on the item. The proposal from the Commission, including relevant information on the proposal will be dealt with at the next meeting of the Management Board or through written procedure.

1. ADOPTION OF AGENDA

The Management Board adopted the proposed agenda, without change.

0. Renewal of the Term of Office of the Executive Director
 1. Adoption of the Agenda
 2. Adoption of the minutes of the previous meeting
 3. Report of the Executive Director
 4. Adoption of the 2009 preliminary draft budget and outline work programme.
 5. Adoption of the 2009-2011 Staff Policy Plan
 6. Appointment of the Rulemaking Director
 7. Article 51 evaluation
 8. Reimbursement of experts
 9. AOB
 - a. Support to MRB activities

2. ADOPTION OF MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting were adopted with the following changes:

- Agenda item 7, the following sentence was added : "The French delegate noted that the schedule for the extension of the scope of the Agency to ATM and aerodromes was most probably too optimistic"
- Agenda item 8, the following sentence was added : "The Management Board requested the Agency to provide them on a yearly basis with a



list of recommendations received from accident investigators, as well as a brief note on the actions taken”

3. REPORT OF THE EXECUTIVE DIRECTOR

The Executive Director reported briefly on the events since the last meeting. Most activities were held at normal speed.

He noted that the 777-200 accident investigation in Heathrow had not been fully open to the Agency. In particular, he expressed concern that some meetings were open to other regulators but not to EASA. The UK delegate said that without denying the right of EASA to be involved when relevant to the accident investigation, the Agency, as a safety regulator, could not be granted an unconditional entitlement to be present at all meetings – this had to remain at the discretion of the Chief Accident Investigator. He urged that discussions to agree procedures to govern participation in accident investigations be held at Community level in Brussels. As a reaction to that, the Commission answered that the same rights which are granted to the FAA in the US, in Europe are given by law to the European Union, i.e. to the Commission which, in turn, decides to whom they are delegated.

The Executive Director mentioned that the issue of late invoicing from NAAs to the Agency was still outstanding. The invoices, when received, are arriving in the Agency with considerable delays; while the Agency has to commit and reserve the cash to pay them. As a consequence, the outturn artificially appears as positive. The Commission stressed the fact that this is a highly worrying situation, that does not reflect the actual budget situation and even makes the discussions with the budgetary authority more complex. All in all, it hampers the possibility to secure the EC subsidy. The Chairman thanked the Commission and urged all members to place all efforts there.

A meeting was held on 22 January as regard the revision of the Fees and Charges scheme. This meeting gathered industry delegates from Europe, USA and Canada as well as representatives from the FAA and transport Canada. One issue, which has even been interfering with the signature of the BASA, is that the cost for validation of certificates is considered as excessive as compared to the cost of actual certification. A schedule for



regular meeting was set up and there is good hope that a revised scheme can be produced at the end of the process. The Commission declared to attach a lot of importance to this exercise and announced that more likely the Board will be formally consulted on changes to the Regulation in the near future.

Some more information was exchanged as regards the status of the BASA. The bill regarding repair stations will either not go through the Senate, or will be modified. It was reminded that, if adopted as currently proposed, this bill would lead to the cancellation of a substantial part of the BASA. The Commission mentioned that they still hope to have the BASA signed under the Slovenian presidency.

4. Adoption of the 2009 PDB

The Agency presented a proposal for:

- a preliminary draft budget for 2009
- a proposal for an establishment plan
- a draft work programme

The total revenue needed for the Agency, to cover the expenses in 2009 is 104,2M€.

Risks on availability of revenue

The availability of the resources is at risks because of

- The resources stemming from fees and charges which depend on the level of activity;
- The EC subsidy is subject to discussion within the Council and the Parliament. The Commission informed the Agency that the budget available for all existing Agencies has been decreased in order to fund the Galileo undertaking. This decrease would represent -2.8M€ for EASA in 2009.

The Commission draw the attention of the Management Board on the fact that the budgetary authority has foreseen an amount of 29,18M€ for EASA in 2009. The possibility to make use of the “Romero Facility” to



cover the difference between the request from the Management Board and that amount will have to be explored.

The Agency reminded that the Preliminary Draft Budget represents in fact the request put to the Commission for subsidy. It was then agreed to fully reflect the needed subsidy within the revenue section of the PDB.

The Agency also committed to provide a clear contingency plan, should the revenue not match the necessary income in the end.

Opinion of the Budget Committee.

The Co-chairs of the Budget Committee confirmed the support of the Budget Committee to the proposed Preliminary Draft Budget. They underlined that the budget is based on the conservative assumption that the extension of the scope will be effective as of the beginning of the year 2009. The final budget may have to take into account a later entry into force of the Regulation.

Adoption of the PDB – Outline work programme and Establishment Plan

The Management then agreed on a Preliminary Draft Budget where income and expenditure are to spread as follows:

	Revenue M€ (Rounded)
F&C	68,44
EC Contribution	33,2
German contr.	0,0
EEA	1,7
Technical cooperation with Third countries (CARDS)	p.m.
Other income	0,76
TOTAL	104,20

	Expenditure M€ (Rounded)
Title I : Staff	54,17
Title II : IT, utilities, office,	15,21
Title III : Other op. costs	16,29
NAAs	18,53
Title IV : Technical cooperation with third countries CARDS	p.m.
TOTAL	104,20

The Management Board approved the proposed Preliminary Draft Budget, outline work programme and establishment plan.

**5. ADOPTION OF THE 2009-2011 STAFF POLICY PLAN**

The Agency presented its second Staff Policy Plan, which has to be approved by the Management Board. The SPP has to be communicated to the European Parliament after positive opinion of the Commission. The draft presented during the meeting had not gone through the entire process of approval within the Commission yet.

The proposed figures are mandatory for 2009, as they are the basis for the Establishment Plan (presented together with the preliminary Draft Budget to the budgetary authority).

The Staff Policy Plan was elaborated under the existing budget assumptions and as such is subject to the same risks as the preliminary Draft Budget: uncertainty of revenue stemming from level of activity for industry (fees and charges revenue) and level of European Community contribution.

The figures represent the best possible prediction of the needs in terms of activity. The prioritisation is not done per directorate but according to the evaluation of the needs for each activity.

The Management Board noted that the Staff Policy Plan does not address the aging profile of Agency's staff. The Agency is fully aware of the issue and works together with the NAAs to identify possible solutions.

The Management Board adopted the Staff Policy Plan subject to the opinion of the Commission.

6. APPOINTMENT OF THE RULEMAKING DIRECTOR

The Management Board invited the two candidates proposed by the Executive Director for a brief interview and proceeded to the vote. It was not possible to reach sufficient majority to appoint any of the two candidates. The Board then agreed that the Executive Director would submit a later proposal, with one candidate and that a specific meeting would be held.

**7. ARTICLE 51 EVALUATION**

The Basic Regulation stipulates that an independent evaluation of the system established by the Basic Regulation has to be commissioned by the Management Board. A Steering Committee had been set up, which selected a consultancy company and regularly reported to the Management Board on the progresses made by the consultants. After 10 months of work, the consultants handed out their final report.

Following a presentation by the consultants, and a short question and answer session, the Board agreed that this report constitutes a basis for the drafting of its own recommendations and requested the Steering Committee to continue its work, in order to draft proposals from the Board to be forwarded to the Commission after the June meeting of the Board.

8. REIMBURSEMENT OF TRAVEL COST EXPERTS

Within the current rulemaking procedure, the travel costs incurred by experts attending rulemaking groups are reimbursed to delegates from the NAAs but not to the experts from industry. Large players from industry or federations can afford to send experts to attend to these groups, but experts from smaller industry (in particular, general aviation or recreational aviation) find it difficult to participate.

The EAB feels that this current reimbursement pattern is discriminatory, and requested the reimbursement of travel costs of industry experts attending rulemaking groups, on a similar basis to reimbursements to the NAAs. On the basis of the current rulemaking process, this would ultimately cost up to 5M€ to the Agency. Should the rulemaking process be amended so as to enlarge the size of the groups, this figure could even be tripled.

Another way of putting all experts on an equal footing would be to stop reimbursement to NAA experts.

This proposal triggered substantial discussion within the Board. One member suggested that the Art. 51 Steering Committee should address the issue in the recommendations to be proposed. Another member argued that NAAs and industry are not equivalent in the rule-making



process. Other members noted that the cost to be borne should be of lower importance than the overall objective of ensuring the production of high quality rules. Others, in view of the potentially large sums involved, considered that removing payments altogether would be an acceptable solution, though noting that SMEs would still be at a disadvantage and questioning whether any targeted assistance could be provided.

The Management Board was not able to reach a decision and asked the Agency to rapidly come up with a more detailed paper on the way forward. The EAB Chairman pointed out that the issue is considered of high symbolic importance to EAB and asked the Agency and the Board to make every effort to come to an early solution.

9. AOB

a. Maintenance Review Board

The Agency requested the support of NAAs in providing flight standards experts for Joint Operations Evaluation Board and Maintenance Review Board activities.

The Agency is willing to act as team leader within the teams performing these, and experts team members should be coming from the NAAs.

These activities are funded by industry and there is sufficient funding to have NAAs reimbursed for this activity. Experts from NAAs on flight standards are needed for the Agency to perform the activities.


ATTENDANCE LIST

	MEMBER	ALTERNATE	EXPERT
AUSTRIA	Karl Prachner		
BELGIUM	Jules A. J. Kneepkens Did not attend for agenda item 6	Benoit Van Noten	-
BULGARIA	Zahari Alexiev	Eleonora Dobрева	-
CYPRUS	Leonidas Leonidou		-
CZECH REPUBLIC			Vitezlav Hezki Viktor Nath
DENMARK	Kurt Lykstoft Larsen	Per Veinberg	
ESTONIA	Represented by proxy by Denmark		
FINLAND	Kim Salonen		-
	Represented by proxy by Sweden for agenda items 6-7-8 and 9		
FRANCE	Paul Schwach		
GERMANY	Thilo Schmidt Did not attend agenda items 5-7-8 and 9	Josef Schiller	
GREECE	Represented by proxy by Cyprus.		Georgios Souvranos
HUNGARY	Represented by proxy by Germany		Joszef Vago Eva Kallai
ICELAND*	Pétur K. Maack		
IRELAND		Dick Davis	Kevin Humphreys Brian Skehan
ITALY	Salvatore Sciacchitano	Nicola Amendola	Carmine Cifaldi
LATVIA			
LIECHTENSTEIN*			Frank Kraus
LITHUANIA			
LUXEMBOURG	Represented by proxy by Belgium		Frank Kraus
MALTA	represented by proxy by Italy		
Netherlands	Pieter Mulder	Jan-Dirk Steenbergen	
NORWAY*	Heine Richardsen	Øyvind EK	Karl Koefoed
POLAND		Zbigniew Maczka	Dariusz Gluszkiewicz
PORTUGAL	Represented by proxy by The Netherlands		
ROMANIA	Florea Geica		Mihail Dan Stana
SLOVAK REPUBLIC			-
SLOVENIA			-
SPAIN		José M. Ramírez Ciriza	-
SWEDEN		Siv Gustavsson	Magnus Molitor
SWITZERLAND*		Manuel Keller	
UNITED KINGDOM	Michael Smethers	Natasha Coates	Pat Ricketts

* Members without voting rights



EASA MB 02/2008

WP02 rev.1 – Draft minutes of MB Meeting 01/2008
11 June 2008

EUROPEAN COMMISSION		Roberto Salvarani	Alessandra Zampieri
ECAA OBSERVER STATES	Croatia		
	Albania		
	Bosnia and Herzegovina		
	Former Yugoslav Republic of Macedonia		
	Serbia		
	Montenegro		
	United Nations Mission in Kosovo		
EASA ADVISORY BOARD OBSERVERS	Mark Wilson Alain Picard Erika Young		