

MINUTES OF THE MEETING OF THE EASA MANAGEMENT BOARD HELD ON 11 SEPTEMBER 2007

AND SUMMARY OF DECISIONS TAKEN

MB MEETING No. 04/2007

SUMMARY OF DECISIONS

At its meeting held on 11 September 2007 the Management Board:

- Adopted the agenda (document MB 04/2007 WP 01);
- Adopted the minutes of the meeting 03/2007 held on 13 June 2007 (document MB 04/2007 WP02);
- Agreed to provide as rapidly as possible comments on the 2008-2012 Business Plan. A revised document will be presented at the next meeting;
- Adopted the 2008 work programme of the Agency, subject to the Opinion of the Commission (document MB 04/2007 WP 05a) and a quick language revision. The Management Board agreed that the annexes of the work programme will be attached to the work programme for information, and shall not be considered as part of the work programme;
- Adopted the revised Certification Procedure (document MB 04/2007 WP 06a, 06b, 06c);
- Adopted the 2nd amending budget (document MB 04/2007 WP 07) which allows for the creation of new budget lines (in the expenditure section and in the revenue section) to receive a € 500.000,00 funding from the Commission in the context of the CARDS programme (Community Assistance for Reconstruction, Development and Stabilisation);
- Agreed to hold its next meetings on 14 December 2007, 13 February 2008, 11 June 2008, 17 September 2008 and 10 December 2008.

The Chairman welcomed Mr Horvath, Director General for Civil Aviation in Hungary, attending the meeting for the first time. A warm welcome was also given to Mr Wilson, Mr Clear and Mr Schmitt, respectively. Chairman, Vice-Chairman and Secretary of the EASA Advisory Board (EAB). The EAB representatives were attending the meeting of the Management Board as observers for the first time.

1. ADOPTION OF AGENDA

The Management Board adopted the proposed agenda:

1. Adoption of the Agenda
2. Adoption of the minutes of previous meeting
3. Report of the Executive Director
4. Business Plan of the Agency
5. 2008 Work programme
6. Revision of the Certification Procedure
7. Update on article 51 evaluation
8. Report on the evaluation of the Executive Director
9. ENACT report
10. AOB
 - a. Adoption of the second amending budget
 - b. Information from the Commission on the Liability of the Agency
 - c. Information on a Road Map

2. ADOPTION OF MINUTES OF PREVIOUS MEETING

The minutes of the last meeting were adopted subject to the following changes:

- Under Agenda item 7, the following sentence was added: *“By contrast, Canada informed the Commission that, whilst expressing concern about this issue, they are proceeding with the finalisation of the technical procedures to sign the BASA with the EU as soon as possible.”.*
- Under Agenda item 7, editorial changes were made.

- Under Agenda item 17, the word “echoed” was replaced by the word “listened to”.

3. REPORT OF THE EXECUTIVE DIRECTOR

The Executive Director presented a report covering the activities between 13 June 2007 and 11 September 2007, highlighting among others the following subjects:

The revised Fees and Charges Regulation was in force and is so far levying funds without significant excess or deficit as compared to the forecasted amounts. Important work was undertaken in order to explain and to reassure some industry stakeholders, notably foreign stakeholders, on the subject.

As regards the certification activities, it was noted that some of the continuing airworthiness activities had been postponed. A member noted these activities need specific monitoring and the long term availabilities of experts remains a challenge.

It was underlined that the 2007 revenue from the Fees and Charges should not be considered as typical since the Agency will have levied funds according to the previous and new schemes. The new scheme foresees for advance payments; the liquidity at the end of the year is hence deemed to cover some of 2008 activities and thus cannot be considered as balanced. It shall correspond to the amounts paid by industry which should be put in reserve in order to fund next year's activity. The Agency's Basic Regulation and Financial Regulation need to be modified before the end of the year, in order to allow for the creation of that reserve.

The Agency was represented this year in the Paris Air Show and has attended the roll out of the new Boeing 787 in Seattle.

The Agency decided to introduce an Enterprise Resource Planning (ERP) tool, and the launch of that project took place in July. The draft Business Plan of the Agency was finalised; it was presented at this meeting for discussion and will be presented for adoption at the December meeting of the MB.

As regards financial issues, the commitment rate approximates 80%, which is – 4 months before the closure of accounts – a good ratio. Still, the payment rate is quite low (40%), which is mostly due to the late invoicing from the NAA for the work outsourced to them. The Executive Director reiterated the need for the invoices to be received more regularly and more rapidly in order to ensure a sound financial management of the available resources.

The performance indicators which the Agency has to adopt as per Article 5 of the new Fees and Charges Regulation are being discussed with the EASA Advisory Board and will be finalised by the end of the year, as part of the exercise carried out for drafting the Business Plan.

4. BUSINESS PLAN OF THE AGENCY

Presentation of the Business Plan

The Agency presented a draft Business Plan, covering the period 2008-2012. This document is not requested by the Basic Regulation nor by the Financial Regulation, but it must be considered as a cornerstone of the overall planning and reporting cycle.

The Agency has established its long-term vision and strategy, which is translated into this medium-term programming document and then into shorter term operational programming documents (Staff Policy Plan and annual work programme). The proposed Business Plan also identifies some key performance indicators, including those required by the revised Fees and Charges Regulation, and as requested by industry.

The proposed drafting takes into account the provisional income stemming from the revised Fees and Charges Regulation, the forecasts made in the Staff Policy Plan adopted in March by the Management Board, as well as the foreseen extensions of the scope of the Agency.

Debates

The Management Board unanimously welcomed the document and thanked the Agency for initiating this reflection.

They suggested that a number of points could be further developed in the final draft to be presented during the December MB meeting. It was proposed to provide more information on the strategy and vision of the

Agency and it was suggested that the document should give more details on the role of and relationship with the NAAs. It was also proposed to further develop what the Agency's work will be as regards environment issues.

Next steps

Members of the Management Board will submit more specific remarks and comments on the proposed Business Plan as soon as possible. The Budget Committee and the ENaCT group will review the document in their domain.

The Business Plan is drafted on the basis of a number of assumptions. These assumptions need to be challenged against reality, and the Agency suggested that this Business Plan would be revised in 2008. Then the frequency of the updates will be decided. This suggestion was welcomed by the MB.

5. 2008 WORK PROGRAMME

The Management Board had reviewed in June 2007 the proposed draft 2008 work programme of the Agency. During the summer, an inter-service consultation took place in the Commission, so that a formal opinion could be delivered. This opinion has been presented to the Commissioner, and was bound to be signed on 11 September, the day of the MB meeting. The Commission announced that it would be transmitted to all MB members, and requested that it is annexed to the minutes of the meeting (see Annex 1). The Commission supported the proposed work programme whilst it requested some editorial changes (language revision). The MB requested that the Standardisation and Rulemaking work programmes for 2008 be appended to the document as informative material and shall not be considered as part of the official work programme.

The Management Board adopted the 2008 work programme, subject to receiving the Commission's opinion and subject to some editorial changes.

6. REVISION OF THE CERTIFICATION PROCEDURE

The Management Board had examined the proposed revision of the Certification Procedure during its June meeting. This revision intended to introduce a new type of Airworthiness Directives. The EAB provided its opinion on the new Certification Procedure. There were no strong objections to the proposal but rather a need for clarification of the proposal. This clarification is brought in the explanatory note.

The Management Board adopted the proposed revision of the Certification Procedure.

7. UPDATE ON ARTICLE 51 EVALUATION

The Chairman of the Steering Committee reported on the progress made during the summer by the Consultant. It appeared early July that there was conceptual misunderstanding in the first draft interim report. The Steering Committee has asked for the Consultant to correct these and the Executive Director of the Agency sent a formal letter to the Consultant to clarify some of the contractual aspects. The second interim report was received on 10 September 2007 and was considered as an improvement in terms of methodology. The Steering Committee will further comment on this report to the Consultant.

The overall evaluation will be presented to the MB during the December meeting.

8. REPORT ON THE EVALUATION OF THE EXECUTIVE DIRECTOR

The Commission confirmed that the performance appraisal of the Executive Director will be carried out by a Committee composed of Mr Kazatsay from the Commission and Mr Smethers, Vice Chairman of the Board. The Chairman of the Board will be the Appeal Authority, in case of necessity.

9. ENACT REPORT

The Co-Chair of the ENaCt group reported on the progress made in its recent meeting. It had been agreed that the Co-Chairmen of the ENaCt group would write to all NAAs in order to invite them to take part to the Pool of Experts initiative. Participation to the project is made on a

voluntary basis. The letter in question has been distributed during the MB meeting. Furthermore, the Co-Chair of the ENaCT reminded that membership to the ENaCT remains opened to the National Authorities which are not involved yet.

10. AOB

a. Adoption of the second amending budget

A second amending budget was presented to the Management Board in order to allow for the creation of new budget lines (in the expenditure section and in the revenue section) to receive a 500.000 € funding from the Commission in the context of the CARDS programme (Community Assistance for Reconstruction, Development and Stabilisation). This project is also in line with the ECAA agreement signed with the Western Balkan countries. The money will be earmarked budget for cooperation programmes for implementation of Community Aviation Safety Acts within Western Balkans.

Some members of the Board drew the attention of the Agency to the fact that similar projects should not divert the Agency's resources previously allocated to the tasks agreed upon in the work programme.

The Chairman concluded with the adoption of the second amending budget by the MB.

b. Information from the Commission on the Liability of the Agency

The Commission informed the Board that it considered that the Agency should not take any insurance coverage for the liability arising from its activity. Risks will be assumed by the Community budget.

c. Information on a Road Map

The MB requested the Agency to present a working paper on a future Road Map to further explore the practical implications of the Business Plan.

d. Dates of Next Meetings:

The Management Board agreed to hold its next meetings on 14 December 2007, 13 February 2008, 11 June 2008, 17 September 2008 and 10 December 2008.

ATTENDANCE LIST

	MEMBER	ALTERNATE	EXPERT
AUSTRIA	Karl Prachner		Walter Gessky
BELGIUM	Jules A. J. Kneepkens	Benoit Van Noten	-
BULGARIA		Eleonora Dobрева	-
CYPRUS		Andreas Paspalides	-
CZECH REPUBLIC	Jindrich Ploch		Viktor Nath
DENMARK	Kurt Lykstof Larsen		
ESTONIA	Koit Kaskel	-	-
FINLAND	Kim Salonen		-
FRANCE			Maxime Coffin
GERMANY	Thilo Schmidt (Chairman)	Josef Schiller	
GREECE			Georgios Souvranos
HUNGARY	Zsolt C. Horváth	Vago Jozsef	Eva Kallai
ICELAND*	Pétur K. Maack		
IRELAND			Dick Davis Brian Skehan
ITALY		Daniele Carrabba	Enea Guccini
LATVIA	Not appointed	Not appointed	
LIECHTENSTEIN*			-
LITHUANIA			
LUXEMBOURG	Henri Klein		
MALTA	Joseph Sultana		
Netherlands	Pieter Mulder	Jan Dirk Steenberg	
NORWAY*	Heine Richardsen	Øyvind EK	Karl Koefoed
POLAND		Zbigniew Maczka	
PORTUGAL		Luis Coimbra	-
ROMANIA			
SLOVAK REPUBLIC	Represented by proxy by M. Jindrich Ploch (Czech republic)	Zuzana Omachelova	
SLOVENIA	Franc Željko Županec	Jozef Slana	-
SPAIN		José M. Ramírez Ciriza	-
SWEDEN	Nils Gunnar Billinger		Magnus Molitor
SWITZERLAND*	Urs Adam	-	-
UNITED KINGDOM	Michael Smethers (Vice Chairman)	Natasha Coates	Pat Ricketts
EUROPEAN COMMISSION	Zoltan Kazatsay	Roberto Salvarani	Alessandra Zampieri
EASA ADVISORY BOARD OBSERVERS	M. Mark Wilson – Chairman M. Claude Schmitt – Secretary General Mr John Clear – Vice Chairman		

* Members without voting rights

Annex I:

COMMISSION OPINION

on the work programme of the European Aviation Safety Agency for 2008

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,
Having regard to Regulation (EC) No 1592/2002 of the European
Parliament and of the Council of 15 July 2002 on common rules in the
field of civil aviation and establishing a European Aviation Safety Agency,
and in particular Article 24(2)(c) thereof,

HAS ADOPTED THIS OPINION:

The Commission welcomes the 2008 Agency's draft work programme and recognises that the planned activities and actions are in accordance with the tasks entrusted to the Agency by Regulation (EC) No 1592/2002 with the aim of ensuring a high and uniform level of civil aviation protection of the European citizens at all times.

This is the first priority of the well established Community policy in the field of aviation safety. In this context, the Commission wishes to place particular emphasis on the following tasks to be conducted by the Agency in 2008, without prejudice to other tasks conferred upon it by Regulation (EC) No 1592/2002:

- The Commission wishes to recall that the Agency has to assist the Commission in monitoring the application of Regulation (EC) No 1592/2002 and its implementing rules by conducting standardisation inspections of Member States competent authorities. The Commission expects that the Agency will devote all necessary resources to this highest priority. In this respect, the Commission considers that the standardisation inspections shall be conducted to the maximum possible extent by the Agency's personnel.
- The Commission expects more assistance from the Agency for the update of the Community list of air carriers subject to an operating ban within the Community, by participating in on site visits, conducting ad hoc analysis of SAFA (Safety Assessment of Foreign Aircraft) ramp inspection reports and in general providing

Annex 1: Opinion of the Commission on the Agency's Work programme)
any information that may lead to an update of the list, as foreseen
in article 4.3 of EC Regulation 2111/2005¹.

- The Agency has to provide the Commission with the technical and scientific support needed to carry out its tasks, including in the framework of its international action in the field of civil aviation. In particular, the Commission expects that the Agency will be active in supporting its technical cooperation action in Africa.
- The Agency has to assist Member States and the industry in implementing Community legislation. In this respect, the Commission expects that the Agency will play a greater role in disseminating best practices among the competent administrations of the Member States and third countries.
- In order to ensure that the Agency grows as an efficient organisation, a special effort shall be made to establish and implement the performance indicators referred to in article 5.5 of Commission Regulation N° 593/2007 of 31 May 2007 on the fees and charges levied by the European Aviation Safety Agency. Furthermore, special attention has to be paid to the proper implementation of the recommendations stemming from the various audits carried out on the Agency, as well as to the preparation and entry into force of the "Enterprise Resource Planning". A careful analysis of the outcome of the study on the evaluation of the implementation of Regulation 1592/2002 (article 51) will have to be carried out in order to assess which recommendations might be implemented to enhance the efficiency of the Agency.
- The Agency should accelerate the works aimed at extending the scope of Regulation 1592/2002 to airports and air traffic management, in order to provide the Commission with an opinion on both topics in the beginning of 2008.

The Agency is therefore requested to carry out the tasks entrusted to it, ensuring optimum coordination and collaborating closely with the relevant Commission departments working towards the development and safety of civil aviation.

This opinion is addressed to the Chairman of the Management Board of the European Aviation Safety Agency, Post Box 10 12 53 - DE 50452 - Cologne.

Annex: Work programme of the European Aviation Safety Agency for 2008.

¹ [Regulation \(EC\) No 2111/2005 of the European Parliament and of the Council of 14 December 2005](#)
on the establishment of a Community list of air carriers subject to an operating ban within the Community and
on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of
Directive 2004/36/EC