

## **EASA MANAGEMENT BOARD**

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**17 December 2002**

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### **Minutes of the 4<sup>th</sup> meeting of the EASA Management Board** (list of participants is attached)

*Opening the meeting, the Chairman, on behalf of the Management Board, welcomed the representatives of Iceland, Norway and Switzerland henceforth associated as observers with the deliberations of the Board. The Swiss Representative, on behalf of the three countries, responded and thanked the Chairman and the Board in a statement whose text is attached.*

*One Member recalled the anniversary of the first flight of Orville and Wilbur Wright, on 17 December 1903.*

#### **1. AGENDA**

The Management Board adopted unanimously the following agenda:

##### Administrative part (for decision):

- 1) Adoption of the agenda [WP1]
- 2) Adoption of the minutes of 3<sup>rd</sup> meeting of the Management Board [WP 2]
- 3) Continuation of work on the structure of the Agency [WPs 3, 5 & 7]
- 4) Confirmation of next meetings [WP 4]

##### For discussion:

- 5) Implementation of 2002 Budget (oral report)
- 6) A.O.B. (invitation of third countries [WP 6]; Commission new financial Regulation [IP]; set up of the ABIP; work programme until September 2003)

## **2. MINUTES OF THE PREVIOUS MEETING**

The minutes of the 3<sup>rd</sup> meeting of the Board as set out in document WP 2 dated 9 December 2002 have been adopted unanimously with the following modifications:

### - Item 4:

The Board considered that States covered by paragraph 5 of article 3 of the Rules of Procedures (future EU Member States) and by paragraph 6 (state party to an agreement with the EU as specified in article 55 of the EASA Regulation) were in a different situation. That shall be recognised by splitting the bullet point into two different points.

### - Item 5:

- the first sentence is replaced with: *“The Board discussed a working paper provided by the Secretariat, which set out some principles to be agreed by the Board”*.

- the last paragraph of page 3 is rewritten as follows: “These objectives have to be achieved under high constraints. To be operational as from September 2003, the Agency shall take over its rule-making responsibilities, immediately, *but it is unlikely by then to have in place sufficient in-house capacity to undertake all the necessary tasks*. Consequently, it seems inevitable to use, during the transition phase, the expertise and the human resources of the JAA *system* - the more so as those have the confidence of industry and foreign partners. However, the use of *the JAA system* does not mean that the agency will reproduce the structures and the procedures of the JAA: only *the* technical expertise and capacity to handle rule-making processes *shall* be used.

- in the first sentence of the last paragraph, “national resources” is replaced with *“expertise currently existing within Member States”*.

The final text will be published.

## **3. STRUCTURE OF THE AGENCY**

After discussion on the basis of working papers presented on that subject, a consensus emerged on the following items:

- The establishment of the rule-making function must be the priority of the Agency, so that it can produce in due time before September 2003 the necessary

implementing rules, certification specification and related guidance material, plus proposals for extending the scope of the EASA Regulation to operations and licensing, using the input to be delivered between January and March by the Core Groups. The organisation of certification tasks will be discussed later, together with related procedures.

- To do so requires the adoption of the EASA's own rule-making process following the opinion of the ABIP. That opinion being expected in February, the Board should aim at adopting its decision as soon as possible after that. It also requires that the Agency puts in place its own team to manage the use of available expertise in the JAA system.

- The JAA on its side shall continue its work, in particular in domains not yet covered by the EASA regulation (operations and licensing); it shall also be the vehicle through which regulatory co-operation with European third countries is maintained until their full association. It would be therefore unwise to disturb its functioning until more is known on the implications of the so-called "option 3".

- A reasonable way forward for the short term would be therefore to agree flexible arrangements with the JAA so that the Agency can make use of:

- the JAA system in the fields of operations and licensing,
- the necessary support for running its own business in its field of competence (airworthiness, maintenance and environmental protection),

under its management.

The implementation of these conclusions requires now the urgent elaboration of a basic organisational structure so that the hiring of key staff can be initiated as early as possible. Formal decisions however would be made only after an Executive Director has been appointed and had been able to express his/her opinion on that subject.

The Board started discussions on the organisational structure, bearing in mind the suggestions made by the consultant hired by the Commission and other contributions made available during its previous meetings. A consensus emerged for an "as light as possible" structure:

- An Executive Director
- A Certification Directorate
- A Regulation Directorate
- An Administrative Directorate

There was also an agreement on the need for a legal function and a quality and standardisation function, but their place in the structure remains to be discussed.

Most views expressed agreed with the need for a strong “project management” function, but considered it should be under the supervision of the certification director. In the same way, the “communication” function was considered essential, but should be part of the administrative directorate.

Also whether maintenance should have a Directorate of its own as proposed by one member and opposed by another remained an open question.

It was recognised that there might be conflicts to be resolved between the regulatory and certification functions, and also that the external demands on the Executive Director might necessitate additional technical support. These issues should be left for determination by the Executive Director.

The Board asked the secretariat to prepare a working document on that basis for further work during its next meeting.

As agreed during its last meeting, the Board continued discussions on the internalisation and localisation of the tasks of the Agency. Unanimity was reached along the following principles:

- There shall be a strong headquarters where the main tasks and responsibilities of the Agency are centralized.
- The execution of certification tasks could be done at main production centers when more efficient and cost effective. That could lead to the establishment of a few satellite offices on a pragmatic basis. They should be entirely subordinated to the Agency headquarters and should comply with its rules and directives.

#### **4. CONFIRMATION OF NEXT MEETINGS**

The Management Board should meet on: 29 January, 25 February, 18 March, 8 April, 29 April, 20 May, 17 June and 10 July.

By mid-January 2003, an ad-hoc meeting will be convened by the Commission to discuss the 2003 budget and prepare the appropriate decision of the Board.

#### **5. IMPLEMENTATION OF 2002 BUDGET (ORAL REPORT)**

An oral report was given on progress made on the different items included in the 2002 budget:

- for personnel : interviews have taken place during the previous weeks and a first group of 8 persons has been selected. Recruitment procedures were being launched with the aim to have the first staff available by mid January,

- for the building: the Commission will host agencies in one of its buildings where vacant offices exist. The building will be rue de Genève 12, Evere and the Commission will offer offices for 40 persons for the first semester of 2003 to EASA and the European Maritime Safety Agency (EMSA). These offices will be available quickly (mid January). Cost is most likely to be less than if the agency was hiring its own building on the market.

- for IT and telecommunications infrastructure : the Commission will make a global price together with the rent (and other associated charges) in order to make the necessary infrastructure available for the time of renting of the building.

It was also explained that because all these activities will now start in early 2003, it was no more possible to use the 2002 budget.

Therefore the secretariat requested the Board's authorisation to start anticipated commitments on the 2003 budget on the basis of the decisions taken during the 2002 budget discussion. The Board gave its authorisation.

#### **6.A.O.B.**

- Set up of the ABIP: the interested parties have been informed of the decision taken by the Board during its second meeting. Informal contacts indicate that they are proceeding with the nomination of representatives and expect to organise their first meeting on 20 January. They should then adopt their rules of procedures and start discussing the EASA rule-making process on the basis of an abstract of the consultant's report, communicated to them.

- Work programme until September 2003: It was agreed that the secretariat will provide a description of the main tasks to be executed for the setting up of the new Community regulatory system, and their timing.

- Invitation of third countries [WP 6]: The debate has been postponed to the next meeting.

- Commission new financial Regulation:

The secretariat indicated that following the reform of its own financial mechanisms, the Commission adopted on 18 November a standard financial regulation as a basis for the elaboration of the Agencies' financial regulations. Negotiations are going on in parallel in the European Parliament and in the Council on a Commission proposal to amend the constituting acts of the existing Agencies, including the EASA Regulation<sup>1</sup>.

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<sup>1</sup> COM (2002) 400 final of 17 July 2002

**EASA Management Board Meeting,  
17 December 2002 in Brussels**

**Speaking Note for the presentation of the position of Iceland, Norway  
and Switzerland concerning the participation of third countries in the  
EASA Management Board**

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*Presented by Switzerland*

Dear Mr. Chairman,  
Dear members of the EASA Management Board

It was with great pleasure that we took note of the invitation to Iceland, Norway and Switzerland to participate from now on in the EASA Management Board Meetings. Let me therefore first of all express the warm thanks to all of you for having supported our request to participate in the important and challenging process of the establishment of EASA. I assure you that we wish to participate in the work of the Management Board in a constructive manner.

This invitation was a first and utmost important step towards the pan-European development of EASA. The pan-European dimension and full integration of those Non EU-Member States, which have been standardized under the JAA system into EASA has always been one of the key elements for a transition of JAA into EASA, permitting us to maintain and improve the high level of safety of European civil aviation which we enjoy today.

To conclude I strongly appeal to all the representatives of EU Member States and to the European Commission to keep the pan-European dimension of aviation safety regulation by guaranteeing full transparency in the process of the establishment of EASA for all standardized JAA-Members interested to accede the Agency in the near future. This should also include the exchange of relevant information with all parties involved on a regular basis.

I thank you for your attention and we look forward the coming of EASA in 2003.

**Management Board of the EASA**  
**List of participants, 4<sup>th</sup> meeting, 17.12.02**

	Member	Alternate member	Adviser
Austria	Dr. Karl Prachner Bundesministerium für Verkehr, Innovation und Technologie Abt. II/D/23 Radetzkystrasse 2 A - 1030 Wien Tel.: 43 1 71162 9700 Fax: 43 1 71162 9799 E-mail: karl.prachner@bmvit.gv.at		Walter Gessky Austrocontrol, FL Schnirchgasse 11 A – 1030 Wien Tel.: 43 51 703 1630 Fax: 43 51 703 1666 e-mail: walter.gessky@austrocontrol.at
Belgium	M. Erik Van Nuffel Directeur général Service public fédéral Mobilité et Transports Direction générale Transport aérien CCN, rue du Progrès 80 bte 5 B - 1030 Bruxelles Tel.: 32 2 206.32.00 Fax: 32 2 203.15.28 e-mail: erik.vannuffel@mobilit.fgov.be		
Denmark	Henning Christensen Acting Director		

	Civil Aviation Administration Denmark Ellebjergvej 50, P.O. Box 744 DK - 2450 København SV Tel.: 45 36 18 61 11 Fax: 45 36 18 60 01 Mobile: 45 20829232 E-mail: henn@slv.dk		
Finland	Kim Salonen Director, Flight Safety Authority Civil Aviation Administration P.O. Box 50 FIN - 01531 Vantaa Tel.: 358 9 8277 2400 Fax: 358 9 8277 2499 e-mail: <a href="mailto:kim.salonen@fcaa.fi">kim.salonen@fcaa.fi</a>	Yrjö Mäkelä Ministerial Adviser, Unit for Railways and Aviation Ministry of Transport and Communications P.O. Box 31 FIN - 00023 Government Tel.: 358 9 160 28473 Fax: 358 9 160 28595 e-mail: yrjo.makela@mintc.fi	
France		M. René Gaudin Chef du service de la formation aéronautique et du contrôle technique de la Direction Générale de l'Aviation Civile 50, rue Henri Farman F - 75720 Paris Cedex 15 Tel.: 33 1 58 09 43 23 Fax: 33 1 58 09 43 38 e-mail: <a href="mailto:rene.gaudin@aviation-civile.gouv.fr">rene.gaudin@aviation-civile.gouv.fr</a>	Maxime Coffin DGAC / SFACT 50, rue Henri Farman F – 75720 Paris Cedex 15 Tel.: 33 1 58 09 43 30 Fax: 33 1 58 09 43 38 e-mail: <a href="mailto:maxime.coffin@aviation-civile.gouv.fr">maxime.coffin@aviation-civile.gouv.fr</a>
Germany	Herrn Thilo Schmidt	Herrn Horst Busacker	Herrn Ulrich Schwierczinski



	BMVBW LS 1 (DGAC Bonn) Bundesministerium für Verkehr Robert Schumanplatz 1 D - 53175 Bonn Tel.: 49 228 300 4501 Fax: 49 228 300 4599 E-Mail: thilo.schmidt@bmvbw.bund.de	BMVBW LS 15 Bundesministerium für Verkehr Robert Schumanplatz 1 D - 53175 Bonn Tel.: 49 228 300 4850 Fax: 49 228 300 1454 E-Mail: horst.busacker@bmvbw.bund.de	Luftfahrt-Bundesamt (LBA) Präsident Hermann-Blenk-Str. 26 D-38108 Braunschweig Tel.: 49 531 2355-111 Fax: 49 531 2355 120 e-mail: president@lba.de
Greece		Mr Nicholas Kavadas Director General of Air Transport Hellenic CAA 1, Vassileos Georgiou street GR - 16604 – Helliniko Tel.: 30 210 89 82 219 Fax: 30 210 89 83 226 E-mail: hcaagov@otenet.gr	Mr Georgios Sourvanos Airworthiness Section Hellenic CAA 1, Vassileos Georgiou street GR – 16610 - Glyfada Tel.: 30 210 99 73 016 Fax: 30 210 99 73 060 e-mail: <a href="mailto:gsourv@hcaa.gr">gsourv@hcaa.gr</a>
Ireland	Mr Robin McKay Deputy Director General for Civil Aviation, Aviation Regulation and International Relations Division, Department of Transport, 44 Kildare Street, IRL - Dublin 2 Tel.: 353 1 604 1623 (direct) Tel.: 353 1 670 7444 (switchboard) Fax: 353 1 670 7411 e-mail: robinmckay@transport.ie	Mr Micheal O'Mealoid Aviation Regulation and International Relations Division, Department of Transport, 44 Kildare Street, IRL - Dublin 2 Tel.: 353 1 604 1130 (direct) 353 1 670 7444 (switchboard) Fax: 353 1 670 7411 e-mail: michealomealoid@transport.ie	Mr. John Nolan Irish Aviation Authority, Aviation House, Hawkins Street, IRL – Dublin 2 Tel.: 353 1 671 9976 Fax: 353 1 679 3349 e-mail. john.nolan@iaa.ie

Italy	Ing. Salvatore Sciacchitano Vice Direttore Generale dell'ENAC ENAC – Ente Nazionale per l'Aviazione Civile Viale del Castro Pretorio 118 I - 00185 Roma Tel.: 39 06 44596310 Fax: 39 06 44596311 e-mail: s.sciacchitano@enac.rupa.it		
Luxembourg	M. Henri Klein Directeur de l'Aviation Civile Ministère des Transports (MoT/CAA) 19-21 Boulevard Royal L - 2938 Luxembourg Tel.: 352 478 44 12 Fax: 352 46 77 90 e-mail: <a href="mailto:henri.klein@tr.etat.lu">henri.klein@tr.etat.lu</a>		
Netherlands	Dhr. J.A.J.M. (Jules) Kneepkens Ministerie van Verkeer en Waterstaat Directoraat-Generaal Luchtvaart (DGL) Directeur Veiligheid en Capaciteit Postbus 90771 NL - 2509 LT Den Haag Tel.: 31 70 351 7457 Fax: 31 70 351 6345 E-mail:	Dhr. Sijbrand Veenstra Inspectie Verkeer en Waterstaat (IVW) Divisie Luchtvaart Postbus 575 NL - 2130 AN Hoofddorp Tel.: 31 23 566 3043 Fax: 31 23 566 3011 E-mail: <a href="mailto:sijbrand.veenstra@ivw.nl">sijbrand.veenstra@ivw.nl</a>	Mr Richard Ossendorp MoT / DGAC Ministerie van Verkeer en Waterstaat Directoraat-Generaal Luchtvaart (DGL)  Tel.: 31 70 351 7438 Fax: 31 70 351 7338 e-mail: <a href="mailto:richard.ossendorp@dgl.minvenw.nl">richard.ossendorp@dgl.minvenw.nl</a>

	<a href="mailto:jules.kneepkens@dgl.minvenw.nl">jules.kneepkens@dgl.minvenw.nl</a>		
Portugal	Eng. José Ernesto da Costa Queiroz Presidente do Conselho de Administração do Instituto Nacional da Aviação Civil (INAC) (Aeroporto de Lisboa) Rua B – Edificio 4 P - 1749-034 Lisboa Tel.: 351 21 842 35 61 Fax: 351 21 847 35 85 e-mail: <a href="mailto:jqueiroz@inac.pt">jqueiroz@inac.pt</a>	Eng. Francisco Manuel da Naia Balacó Vogal do Conselho de administração do INAC (Aeroporto de Lisboa) Rua B – Edificio 4 P – 1749-034 Lisboa Tel.: 351 21 842 3561 Fax: 351 21 847 35 85 e-mail: <a href="mailto:balaco@inac.pt">balaco@inac.pt</a>	
Spain	Sr. D. Ignacio Estaún y Diaz de Villegas Director General of Civil Aviation Ministerio de Fomento Subsecretaria Direccion General de Aviación civil Paseo de la Castellana, 67 Despacho A-521 E - 28071 Madrid Tel.: 34 91 597 5355 Fax: 34 91 597 5357 e-mail: <a href="mailto:iestaun@mfom.es">iestaun@mfom.es</a>	Sr. D. Luis Rodríguez Gil Deputy Director of Air Transport Control (Flight Safety) Ministerio de Fomento Tel.: 34 91 597 8849 Fax: 34 91 597 8857 e-mail: <a href="mailto:lrodriguez@mfom.es">lrodriguez@mfom.es</a>	Jose M. Ramirez Head, Certification Dept. Direccion General de Aviación Civil Ministerio de Fomento Tel.: 34 91 597 8858 Fax: 34 91 597 8584 e-mail: <a href="mailto:jmramirez@mfom.es">jmramirez@mfom.es</a>
Sweden	Mr Arne Axelsson Aviation Safety Director Aviation Safety Authority Civil Aviation Administration	Mrs Kersti Karlsson Director Näringsdepartementet (Ministry of Industry)	

	SE - 60179 Norrköping Tel.: 46 11 192040 Fax: 46 11 192680 Mobile: 46 708 192140 e-mail: <a href="mailto:arne.axelsson@lfv.se">arne.axelsson@lfv.se</a>	SE - 103 33 Stockholm Tel.: 46 8 405 3671 Fax: 46 8 405 2298 e-mail: <a href="mailto:kersti.karlsson@industry.ministry.se">kersti.karlsson@industry.ministry.se</a>	
United Kingdom	Mr Michael Smethers Head of Multilateral Division, Aviation Directorate, UK - Department for Transport Great Minster House 76 Marsham Street UK-London SW1P 4DR Tel.: 44 207 944 4710 Fax: 44 207 944 2192 e-mail: <a href="mailto:michael_smethers@dft.gsi.gov.uk">michael_smethers@dft.gsi.gov.uk</a>	Mrs Pat Ricketts Multilateral Division 1, Aviation Directorate, UK - Department for Transport Great Minster House 76 Marsham Street UK-London SW1P 4DR Tel.: 44 207 944 6241 Fax: 44 207 944 2192 e-mail: <a href="mailto:pat_ricketts@dft.gsi.gov.uk">pat_ricketts@dft.gsi.gov.uk</a>	Mr. Michael Bell Head of Design & Production Standards Division UK CAA Aviation House Gatwick RH6 0YR West Sussex Tel.: 44 1293 573081 Fax: 44 1293 573930 e-mail: <a href="mailto:mike.bell@caa.srg.co.uk">mike.bell@caa.srg.co.uk</a>
European Commission	Mr Michel Ayrat Director Air Transport Directorate DG for Energy and Transport European Commission Rue De Mot 24 Tel.: 32 2 295 56 43 Fax: 32 2 296 46 94 e-mail: <a href="mailto:michel.ayral@cec.eu.int">michel.ayral@cec.eu.int</a>	Mr Claude Probst Adviser Air Transport Directorate DG for Energy and Transport European Commission Rue De Mot 24 Tel.: 32 2 295 44 43 Fax: 32 2 296 60 17 e-mail: <a href="mailto:claudio.probst@cec.eu.int">claudio.probst@cec.eu.int</a>	Mrs. Fotini Ioannidou Administrator Air Transport Directorate DG for Energy and Transport European Commission Rue De Mot 24 Tel.: 32 2 295 55 48 Fax: 32 2 296 83 53  Mr. Marc Thomas Tel.: 32 2 298 46 51 e-mail: <a href="mailto:marc.thomas@cec.eu.int">marc.thomas@cec.eu.int</a>
Iceland			Mr Pétur K. Maack

			Director of Flight Safety Division Icelandic Civil Aviation Administration Reykjavik Airport 107 Reykjavik Tel.: 354 569 4121 Fax: 354 562 1902 e-mail: petur@caa.is
Norway			Mr Per-Arne Skogstad Director General of Civil Aviation Civil Aviation Authority P.O. Box 8050, Dep. NO - 0031 OSLO Tel.: 47 2331 7801 Fax: 47 2331 7995 Cellular: 47 952 04714 E-mail: pas@caa.dep.no
Switzerland			Mr Urs Adam Dep. Director + COO Federal Office for Civil Aviation Maulbeerstrasse 9 CH - 3003 Bern Tel.: 41 31 325 98 29 Fax: 41 31 325 80 56 e-mail: urs.adam@bazl.admin.ch