European Union Aviation Safety Agency

FAQ n.99725

FAQs:

Aerodromes, Aerodromes (ADR), Regulations

Question:

ADR.14 Is it correct that Europe has extended powers with respect to the protection of aerodrome surroundings and that this area will be regulated by Europe?

Answer:

The Basic Regulation ((EU) 2018/1139) in its article 38 talks about the Member States' and aerodrome operators' obligations with respect to the protection of aerodrome surroundings and the possible European intervention in order to ensure the uniform application of these obligations.

Article 38 states that Member States must ensure that the aerodrome located in their territory are safeguarded against activities and developments in their surroundings, which may cause unacceptable risks to aircraft using the aerodrome. Examples for such activities would be for example those that attract wildlife, while development would be constructions, which represent obstacles in one of the different obstacle limitation surfaces.

The article then goes on to say, that aerodrome operators have the task to monitor the aerodrome surroundings for such activities and developments which may cause risks to aviation in the surroundings of their aerodromes. They then need to take the necessary measures to mitigate those risks in as far as this lies in their control or otherwise bring the risk to the attention of the competent authority of the Member State where the aerodrome is located.

The Commission shall develop implementing acts to ensure the uniform application of the article on the basis of the principle laid out in Art. 4 of the Basic Regulation in order to achieve the objectives laid out in Art. 1, among which the establishment and maintenance of a high uniform level of civil aviation safety in the Union is the most prominent.

However, the development of this task will only start at some point after 2021, due to lack of resources and other priority tasks at this point in time.

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