



Notice of Proposed Amendment 2024-103

in accordance with Article 6 of MB Decision 01-2022

Regular update of Regulation (EU) 2023/2117

Repository of civil-aviation-related information

RMT.0749

EXECUTIVE SUMMARY

The purpose of this Notice of Proposed Amendment (NPA) is to propose amendments to Regulation (EU) 2023/2117 which lays down the necessary rules and detailed requirements for the functioning and management of a repository of civil-aviation-related information. Considering the huge quantity and complexity of information that is expected to be transmitted and exchanged through the repository in the coming years, there is a need to update this regulation, in particular with regard to the list of information objects provided in Annex I to the Regulation which is considered to be a dynamic list, requiring frequent updates.

The proposed regulatory material is expected to improve the exchange of civil-aviation-related information between national competent authorities, the Agency and the European Commission.

REGULATION(S) TO BE AMENDED

[Commission Regulation \(EU\) 2023/2117](#)

ED DECISION(S) TO BE ISSUED

n/a

AFFECTED STAKEHOLDERS

National competent authorities, European Commission, accident/incident investigation authorities

WORKING METHODS

Development

By EASA

Impact assessment(s)

Light

Consultation

NPA — Focused (MAB)

RELATED DOCUMENTS / INFORMATION

[ToR RMT.0749 - Regular update of Regulation \(EU\) 2023/2117 \(Repository of civil-aviation-related information\) | EASA \(europa.eu\)](#)

PLANNING MILESTONES: Refer to the latest edition of EPAS *Volume II*¹.

¹ Since this RMT was initiated after the last edition of EPAS was finalised, the milestones will only be visible as of the next EPAS Volume II edition.



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1. About this NPA

1.1. How this regulatory material was developed

The European Union Aviation Safety Agency (EASA) developed the regulatory material in question in line with Regulation (EU) 2018/1139² (the Basic Regulation) and the Rulemaking Procedure³, as well as in accordance with the objectives and working methods described in the Terms of Reference (ToR) for this RMT⁴.

EASA informed and consulted its Advisory Bodies (ABs) on the need to amend Annex I to Regulation (EU) 2023/2117⁵, which lists the information object categories to be uploaded to the repository.

1.2. How to comment on this NPA

The draft regulatory material is hereby submitted for consultation to the Member States Advisory Body (MAB) in accordance with the ToR for this RMT.

Please submit your comments via email to rsb@easa.europa.eu.

The deadline for the submission of comments is **30 August 2024**.

1.3. The next steps

Following the consultation of the draft regulatory material, EASA will review all the comments received and will duly consider them in the subsequent phases of this rulemaking activity.

Considering the above, EASA may issue an Opinion proposing amendments to Regulation (EU) 2023/2117. The Opinion will be submitted to the European Commission which shall consider its content and decide whether it will amend the Regulation.

² Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<http://data.europa.eu/eli/reg/2018/1139/oj>).

³ EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 ([EASA MB Decision No 01-2022 on the Rulemaking Procedure, repealing MB Decision 18-2015 \(by written procedure\) | EASA \(europa.eu\)](#)).

⁴ [ToR RMT.0749 - Regular update of Regulation \(EU\) 2023/2117 \(Repository of civil-aviation-related information\) | EASA \(europa.eu\)](#).

⁵ Commission Implementing Regulation (EU) 2023/2117 of 12 October 2023 laying down the necessary rules and detailed requirements for the functioning and management of a repository of information pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L, 2023/2117, 13.10.2023) (http://data.europa.eu/eli/reg_impl/2023/2117/oj).



2. In summary — why and what

2.1. Why we need to act

Annex I to Regulation (EU) 2023/2117 lists the information objects that should be included in the repository of information. Since the publication of the Regulation, some issues have been identified in this list, requiring an amendment to the Annex, as explained in more detail in the following section.

Although the list in Annex I to Regulation (EU) 2023/2117 includes as many information objects as possible to cover the whole range of existing civil-aviation-related aviation information today, it has been found that some information objects are now missing or are considered to be obsolete or duplicated. Furthermore, the assigned priority group (A, B, C) is found inappropriate in some cases due to inconsistencies or shift of urgency.

In addition, this list should avoid unnecessary costs for EASA and especially for the Member States. The costs incurred by the necessary processing and exchange of digital data and information may be considerable, especially when multiple national competent authorities in a Member State would need to digitalise their certificates and adapt their systems. Therefore, the more information objects are involved, the higher the costs will be. It is therefore important that the information objects to be included in the repository are only those that are necessary for the needs of the users concerned.

The affected stakeholders are the European Commission, the national competent authorities, the safety investigation authorities and the Agency, as referred to in the Basic Regulation. All of them have an important role to play in the dissemination, transfer and exchange of information. Consequently, their involvement in the repository of information has financial and technical implications.

If no action is taken, the list of the information objects included in Annex I would not be regularly updated and would therefore not fulfil the need of the aviation community for ensuring the exchange of civil-aviation-related information. Furthermore, timing is an important factor as the regulatory changes need to be formalised before the deadlines provided for in Article 18(3) of Regulation (EU) 2023/2117.

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. The regulatory material presented here is expected to contribute to achieving these overall objectives by addressing the issues described in Section 2.1.

More specifically, with the regulatory material presented here, EASA intends to ensure that Regulation (EU) 2023/2117 can continue to ensure the effective cooperation between the Agency and the national competent authorities concerning the exercise of their tasks relating to certification, oversight and enforcement. Therefore, the need to update this Regulation is crucial as the list of information objects provided in Annex I to the Regulation is considered to be a dynamic list, requiring frequent updates.



2.3. How we want to achieve it — overview of the proposed amendments

With regard to the following five information objects listed in Annex I, EASA proposes the following:

1. *Registration of certified UAS*

Annex I includes the registration of certified UAS, which is under priority group A. However, as there are currently no certified UAS (and it is not expected that there will be any in the coming few years), it is proposed to **change the level of the prioritisation from group A to group B**.

2. *Exemption (cumulative) duration up to 8 months — notification*

Currently the notification of exemptions under Article 71(1) of the Basic Regulation is under priority group A in Annex I. However, all other exemption-related objects are under either priority group B or priority group C (for ATM/ANS-related exemptions). It should also be noted that these exemptions are already managed and exchanged through the Flextool. For efficiency reasons, the Agency proposes to **change the level of the prioritisation from group A to group B**.

3. *UAS operator certificate*

The UAS operator certificate is currently under priority group C in Annex I. However, the UAS operator certificate will be actually issued as an air operator certificate (AOC) under Regulation (EU) No 965/2012⁶ (the Air OPS Regulation), which is already listed in Annex I. Hence, the UAS operator certificate is considered as duplicating the AOC information object. Consequently, it is proposed to **remove the UAS operator certificate from Annex I**.

4. *Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations*

Under the 'Decisions' section, Annex I lists the 'Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations' under priority group C. As this document is sent from one national competent authority (of the Member State of intended operation) to the other (that of the Member State where the operator is registered), the updated mitigation measures will be integrated by the latter State into the operational authorisation. Because of this bilateral and direct exchange between the two States and the integration into the operational authorisation, the need to exchange such a document through the repository is not considered necessary. It is therefore proposed to **remove this information object from Annex I**.

5. *Operational authorisation for UAS operators*

The UAS operational authorisation is currently not included in Annex I. However, the UAS operational authorisation will also include approvals for cross-border operations while the volume of issued authorisations is significant. Therefore, its exchange is essential to support Member States in their joint certification, oversight, and enforcement tasks. Because of its link with the UAS operator registration (priority A), the authorisation should be included in the list as a priority group A

⁶ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<http://data.europa.eu/eli/reg/2012/965/oj>).



information object. It is therefore proposed to **add the UAS operational authorisation in Annex I as Priority A.**

The amendments to Annex I to the Regulation should be applicable following the standard 20 days after publication of the Regulation in the *Official Journal of the European Union*. No transition period or deferred applicability date is provided for.

2.4. What are the stakeholders' views

The MAB, in its capacity as the 'Repository Steering Committee (RSC)', was consulted on a proposal on how, what and when to amend Regulation (EU) 2023/2117 through the MAB paper 'AI08_MAB 02-2024_RSC_WP01_Repository Steering Committee -Changes to list of information object categories'. This paper was presented and discussed during the MAB 02-2024 meeting on 22 May 2024. In a subsequent voting, the MAB/RSC agreed to the proposal, which included the first five changes outlined in Section 2.3 of this NPA.



3. What are the expected benefits and drawbacks of the regulatory material

EASA assessed that an intervention was required and that rulemaking is necessary to effectively address the issues described in Section 2.1, because the objectives described in Section 2.2 cannot be achieved effectively by non-regulatory action.

In the light of the changes proposed, which are not considered to have any detrimental impact on aviation safety, it was not considered necessary to develop a RIA or to describe the benefits or drawbacks. The Agency's assessment is that overall there will be benefits.



4. Proposed regulatory material

The amendments are arranged to show deleted, new and unchanged text as follows:

- deleted text is ~~struck through~~;
- new or amended text is highlighted in blue;
- an ellipsis '[...]' indicates that the rest of the text is unchanged.

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2117 — ANNEX I

ANNEX I

LIST OF INFORMATION OBJECTS

Information object	Priority groups
Certificates – Organisations	
[...]	[...]
UAS operator certificate	C
[...]	[...]
Exemptions	
[...]	[...]
Exemption (cumulative) duration up to 8 months – notification	A B
[...]	[...]
Decisions	
[...]	[...]
Operator confirmation of acceptability of the updated mitigation measures and compliance of local conditions in case of cross border operations	C
[...]	[...]
Others	
[...]	[...]
Registration of certified UAS	A B
Operational authorisation for UAS operators	A
[...]	[...]



5. Monitoring and evaluation

No specific monitoring or evaluation of the proposed amendments is foreseen.



6. Proposed actions to support implementation

No specific action to support the implementation of the proposed amendments is foreseen.



7. References

Working paper: 'Repository Information objects' presented at the MAB 02-2024 meeting on 22 May 2024 (WP No 01_RSC 02-2024)



Appendix 1 — Quality of the NPA

To continuously improve the quality of its documents, EASA welcomes your feedback on the quality of this document with regard to the following aspects:

Please provide your feedback on the quality of this document as part of the other comments you have on this NPA. We invite you to also provide a brief justification, especially when you disagree or strongly disagree, so that we consider this for improvement. Your comments will be considered for internal quality assurance and management purposes only and will not be published (e.g. as part of the CRD).

1. The regulatory proposal is of technically good/high quality

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

2. The text is clear, readable and understandable

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

3. The regulatory proposal is well substantiated

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

4. The regulatory proposal is fit for purpose (achieving the objectives set)

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

5. The regulatory proposal is proportionate to the size of the issue

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

6. The regulatory proposal applies the 'better regulation' principles^[1]

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

7. Any other comments on the quality of this document (please specify)

^[1] For information and guidance, see:

- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how_en
- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en

