



## European Aviation Safety Agency

### Summary of Conclusions

**Subject** ATM/ANS Sub-SSCC 2-2013 meeting

**Date** 04 December 2013

**Location** Horion-Haus, LVR; Köln - Deutz

**Organised by** Rulemaking, R.5

#### List of Participants

Attendees	<b>Members and delegates:</b>		
	Mr Guenter	<b>Bertman</b>	EAS
	Mr Dirk	<b>Geukens</b>	ACI
	Mr Luigi	<b>D'Iddio</b>	ETF
	Mr Sauli	<b>Kuortti</b>	IAAPS
	Mr Frederic	<b>Liorzou</b>	ETF
	Ms Joelle	<b>Monso</b>	AIRBUS
	Mr Bernard	<b>Pauly</b>	ASD Thales
	Mr Maciej	<b>Rodak</b>	CANSO
	Mr Philippe	<b>Rollet</b>	Eurocopter ASD
	Mr Eno	<b>Siewrdt</b>	AIAB
	Mr Nuno	<b>Simoes</b>	ATCEUC
	Mr Roland	<b>Vermeiren</b>	ESAM
	Mr Jyrki	<b>Paajanen</b>	EC
<b>Apologies</b>	Sandrine de Backer (ESSP), Dirk Eggert (ERAC), Michael Hickey (ELFAA), Robert Mather (AIAC), Catherine Crocoll (CANSO), Anna-Karin Sogndal		

	(ENP), Ben Stanley (IAOPA), Paul Vissers (ECA), .Zeljko Oreski (IFATCA) <del>Roland Vermeiren (ESAM)</del>
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## 1. Welcome

*Presented by: Maciej Rodak, acting chair of the Sub-SSCC and Jussi Myllärniemi, Head of ATM and Airport Department, EASA*

, Prior to the meeting the members of the Sub-SSCC accepted the proposal by Mr Michel Rocca, that due to his retirement the subject 2-2013 Sub-SSCC meeting would be chaired by Mr Maciej Rodak (CANSO) .

In his capacity as acting sub-SSCC chair, Maciej Rodak welcomed the attendees to the event and opened the meeting. He reinforced the importance of the future work of the committee. Sub-SSCC members and delegates presented themselves.

## 2. Adoption of the agenda

*Presented by: Maciej Rodak, acting chair of the Sub-SSCC*

Mr Rodak explained the Agenda items of the meeting.

**Conclusion:** The proposed Agenda was adopted without changes.

## 3. & 4. Introduction to the review of EASA Rulemaking process & SSCC/Sub-SSCC Rules of procedure

*Presented by: Anastasiya Terzieva, sub-SSCC secretary*

Francesco Cantoro (EASA staff) made a presentation on these topics. He provided information on the novelties introduced with the new Rulemaking process and reminded the Sub-SSCC about the roles of its members. Some of the members expressed concerns about the removal of the reaction period after the CRD publication in the revised RM process as it would require immediate reaction by the stakeholders and the continuation of the dialogue would be interrupted. In response the Agency explained the reasoning behind the change and that by removing the CRD reaction period, another possibilities have been introduced e.g. focused consultations.

**Action:** agreement to distribute the presentation to the ATM/ANS Sub-SSCC members

## 5. Adoption of the summary of conclusions from the previous meeting;

*Presented by: Anastasiya Terzieva, sub-SSCC secretary*

The summary of conclusions from the previous meeting was reviewed.

**Conclusion:** The summary of conclusions from the previous SSCC, 1-2013, was adopted by the Committee.

## 6. 4-year Rulemaking Programme

- Rulemaking programme 2014-2017;
  - Status
  - Changes introduced
  - Progress update

*Presented by: Jussi Myllärniemi, EASA staff*

To facilitate the preparation for the meeting, the Sub-SSCC members and observers had been sent in advance the following papers:

- IP1 – Changes in the RMP 2014-2017
- WP2a - Progress Report on EASA regulatory activities; and
- WP2b - Progress overview of EASA rulemaking projects.

The Agenda item was facilitated with a presentation. Jussi Myllärniemi supported by EASA ATM

rulemaking officers (R5) presented:

- The status and the main changes adopted in the 4-year RMP 2014-2017;
- Progress update on ATM/ANS rulemaking tasks.

The following provides a summary of the rulemaking programme related discussion:

The Agency explained to the Sub-SSCC that the Rulemaking Programme is an annex to the annual Agency Work Programme and provides the expected rulemaking over a period of 4 years. As such the Agency's Rulemaking Programme 2014 – 2017 was officially adopted in August 2013. However, a need to further review the current rulemaking strategy has been initiated to take into account the overload of the EU aviation regulatory system and the economic downturn. This review aims at allowing for consolidation of the existing regulatory framework, facilitating the introduction of new key technologies and systems as well as focusing on proportionalities and better regulation. As a result, exceptionally a revision of the Rulemaking Programme is in progress and is to be proposed to the Agency Management Board meeting on 10 December 2013. This proposal in general reduces the amount of the planned rulemaking tasks and in some cases delays their execution. Some changes concerning the ATM/ANS tasks were also proposed, however the priority to contribute to the ATM regulatory roadmap/deployment of SESAR was considered. It was noted the removal of the tasks on ATFM and ASM based on the perceived high workload and the feedback from the TAG meeting (1-2013), while at the same the Agency is being aware that the potential revision of the Regulation (EU) No 255/2010 could be the right moment of time to address also the technical requirements related to 'local ATFM' provision.

A presentation on ATCO licencing Opinion development was provided, pointing out the main results from the public NPA consultation. Some anticipated implementation questions were addressed related to the temporary OJTI and assessor authorisation. The Agency responded that regarding the temporary OJTI authorisation and due to the comments received, the associated GM (by which the exceptional circumstances for the issue of this endorsement were addressed) has been extended to include the situation of a change in the air navigation service provider, since it is likely to happen that a service provider may leave the unit with all its personnel, so no air traffic controllers that comply with the unit endorsement experience requirement remain, making it impossible to perform assessments during a period of time (established to one year). Regarding temporary assessor authorisation, some reactions call for reintroducing the specific exemption for units having less than three assessors. The Agency strongly agrees with the view that even small units with limited number of personnel should ensure the same level of safety and thus ensure that the assessments are conducted by appropriately qualified personnel. Applying any exemption should, therefore, be accompanied with a safety analysis and appropriate mitigation means. Thus, the possibility to issue a temporary assessor authorisation is suitable to cover the needs of small units. A member of the Sub-SSCC welcomed EASA proposal on provisional inability. It was questioned how the future maintenance of the air traffic controller initial training requirements, as transposed into EU legislation, will be taken care of. It is obvious that the Agency alone cannot possess and maintain such detailed knowledge and experience in air traffic controller training. Therefore, the Agency is considering the most suitable solution to timely establish a rulemaking task in which the affected stakeholders (authorities, ANSPs, training organisations, professional organisations, relevant international organisations such as EUROCONTROL) have a major role in defining and drafting the changes, which will be then channelled swiftly to the rulemaking process concerning the Agency measures. The involvement of subject matter experts from affected stakeholders is considered as a very important asset to ensure the future currency of these training requirements, being the key contributing tool to facilitate the recognition of licences. Furthermore, it was recalled that the transposed training provisions have been subject to a substantial revision undertaken in close cooperation between the Agency and the EUROCONTROL ATCO Common Core Content Training (ACCCT) Task Force to update the initial training with the latest developments introduced in ATS and more in general ATM/ANS practices and regulations, as well as to include necessary changes resulting from the comments made on the NPA. The final results of this review and update activity are reflected in Opinion 11/2013.

The Agency briefed the Sub-SSCC about its involvement in the ICAO ATCO Fatigue task force

and presented the revised timeline of the planned work by ICAO. The Committee invited the Agency to work more actively on the subject with ICAO and at EU level and encouraged any necessary effort to be taken, if needed.

A debrief on SERA status was given. Sub-SSCC members highlighted the importance to allow enough time for consultation with regard to the anticipated SERA amendment (ex-Part C). The Commission re-confirmed that the deadline for the SERA rule implementation is the 4<sup>th</sup> of December 2014 at the latest. Above the local challenges in implementation the significant decrease of the amount of European differences with the related ICAO SARPs was also acknowledged.

The state of play on 'common requirements and safety oversight' RMTs was reported. As regards the adoption options related to the NPA 2013-08 and the subsequent deliverables, the Sub-SSCC members invited the Agency to publish the 'safety assessment of changes' NPA at the earliest opportunity aiming at combining the both work-streams in a joint Opinion. It was pointed out also that the NPA contains 'gaps' which have to be brought up-to-date prior to the adoption process.

The Agency presented an overview and the scope of the rulemaking task on airspace design (ASD) activities. The Sub-SSCC was informed about the forthcoming ToR consultation with a main objective to develop Implementing Rules, Acceptable Means of Compliance and Guidance Material on airspace design service provision. This would include procedure design, with the aim to ensure the airspace structures and flight procedures are appropriately surveyed, designed and validated. The link with PBN implementation, and especially with the PBN implementing rule under development, was pointed out both by EASA and stakeholders.

The status of AMC/GM development for sKPI for RP2 was presented. Some Sub-SSCC members mentioned the importance to clarify the sKPIs by the Agency as the compliance with safety targets to 2017 was largely questioned, especially the use of the RAT tool and related targeting.

The Sub-SSCC was briefed about the RMT.0486 (initially) on ATM/ANS systems and ADR equipment, but after the consultation with the advisory bodies the RMT will focus mainly on ADR equipment at this stage. Some Sub-SSCC members expressed disappointment due to the difficulties faced with the implementation of interoperability (IOP) rules. The discussion on the issue indicated that SES interoperability regime is ambiguous and not uniform implementation is ensured in the sense of oversight responsibilities. The Agency acknowledged the message given, however informed the Sub-SSCC about the TAG opinion that this task (i.e. implementation of the ATM systems related provisions of the Basic Regulation Art. 8b) was not considered as a priority and therefore was proposed to be linked to the SES2+ process. Furthermore, the EC confirmed various difficulties and complaints by the stakeholders on SES interoperability implementation which as such would necessitate regulatory improvements.

In general Sub-SSCC members welcomed the efforts by the Agency in relation to the implementation of the RMP and expressed readiness to continue supporting EASA in further prioritisation as far as necessary.

#### **Conclusions:**

- The Agency presented the status on the implementation of the 4-y RMP 2014-2017 as regards the ATM related RMTs.
- The Agency received useful feedback by the Sub-SSCC which will be duly considered when finalising the Agency's Work Programme and in the revision of RMP 2014-2017.

**Action:** agreement to distribute the presentation to the ATM/ANS Sub-SSCC members.

#### **7. Conclusions on the main points to be reported by the Chair to the full SSCC.**

*Presented by: Maciej Rodak, acting chair of the Sub-SSCC*

The discussion led to the following conclusions to be presented at the full SSCC:

- Attendance at the ATM/ANS Sub-SSCC was 12 (out of 24);
- A good support was provided by the Agency presenting the respective topics;
- Concern has been raised on the removal of formal consultation between the CRD and the Opinion, however the Agency encourages using other means, such as focused consultation;

Key subjects of the ATM/ANS RMP were discussed aiming at clarification and common understanding and the Sub-SSCC expressed support to the draft revised RMP 2014-2017;

- Sub-SSCC noted the removal of the ATM/ANS systems and constituents task and questioned how the integrated certification aspects will be addressed (airborne and ground).
- On ATCO fatigue risk management the Sub-SSCC considers that Europe should be more proactive using regular consultation mechanisms as necessary;
- The Agency is encouraged to take due account of the regulatory needs stemming from the PCP;
- The Sub-SSCC recognised the PBN project as a good application of Total system approach involving all domains;

**Action:** Agreement on the conclusions to be presented at the SSCC on 5<sup>th</sup> of December 2014;

**Action:** Agreement to distribute the presentation to the ATM/ANS Sub-SSCC members.

## 8. AOB

### ▪ **Quality survey;**

The Sub-SSCC was informed about the Agency's initiative and the launching of stakeholder feedback survey specially developed for the advisory groups, which will enable the Agency to improve the SSCC/Sub-SSCC meetings following the input.

### ▪ **Announcement on the chair/vice chair elections;**

The committee was announced that the election of new Chairs and Vice-Chairs should take place during the June 2014 meeting, when the initial two-year term of the current SSCC chair ends. For that purpose the call for candidates will be issued in February 2014.

### ▪ **Information on rulemaking studies;**

A short debrief related to the state of play on the study on safety related roles and functions in ATM/ANS was provided. The study is anticipated to be available by Christmas 2013. The Sub-SSCC expressed its appreciation on the work and is awaiting for its publication.

### ▪ **CIRCACB – tool for consultation;**

The Committee was informed about the new tool for consultation – CIRCACB that will facilitate the consultation of the various deliverables in the future (e.g. ToRs, RIAs, etc.)

The Chairman thanked everyone for attendance and active contribution.

The meeting was closed at 17:30h.

## Next meeting:

The next ATM/ANS Sub-SSCC meeting is initially planned for 4<sup>th</sup> of June 2014.

<b>Conclusions prepared by</b>	Anastasiya Terzieva	<b>27/05/2014</b>	<b>Signature</b>
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<b>Conclusions reviewed by</b>	Jussi Myllärniemi	<b>28/05/2014</b>	<b>Signature</b>
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