



Rules of procedure of the Member States Advisory Body and its Technical Bodies

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**DOCUMENT CONTROL SHEET****Reference documents****a) Procedures**

PR.RPRO.00001 - Rules development

PR.SFPRG.00001 - Safety programming and monitoring (EPAS)

b) Internal documents

EASA Management Board Decision 19-2015 on the establishment of the Member States Advisory Body (MAB)

Abbreviations/Definitions

ABs - Advisory Bodies

ATM/ANS – Air Traffic Management / Air Navigation Services

EPAS – European Plan for Aviation Safety

FSTD – Flight Simulation Training Devices

MAB - Member States Advisory Body

MB - Management Board

MS - Member State

SAB - Stakeholders Advisory Body

SPD - Single Programming Document

TeB - Technical Body (Member States)

ToR - terms of reference

UAS – Unmanned Aircraft Systems

Log of issues

Issue	Issue date	Change description
001	04/04/2016	First issue after restructuring the MS advisory structure
002	31/05/2018	Second issue containing amendments to Pts. I.1, 1.2, 1.5, 1.6 I.7, II.3, II. 4 and III.3 to adjust procedures and to update the name of the Stakeholder Advisory Bodies, and addition of Pt. II.4 in order to include rules of procedure of the MAB Strategy Group into the text.
003	26/11/2018	Third issue including a new pt I.8 on sub-groups that may be created under the MAB and TeBs.
004	17/10/2022	Fourth issue after review of the performance of Advisory Bodies, lessons learnt from working methods during the Covid-19 pandemic and subsequent efficiency & simplification recommendations.





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Introduction

The Member States Advisory Body (MAB) and its Technical Bodies (TeBs) were established by a Management Board Decision on 15 December 2015 (see reference document above). Subsequently the MAB adopted its Rules of Procedure, which have been amended periodically to reflect changes and updates. The present document constitutes the fourth edition of the document, following discussions with Member States (MS) on the performance of the MAB and TeBs, as well as lessons learnt from the COVID-19 pandemic and the resulting evolution of working methods.

I. General

1. General purpose and composition of the MAB and TeBs

The general purpose of the MAB and TeBs is to facilitate the discussion and consultation of strategic, controversial or horizontal issues at an early stage of the Agency programming cycle; as well as to provide the Agency with a forum to consult Member States on both strategic (MAB) and technical (TeBs) priorities, aiming at reaching a consensus. Additionally, such bodies shall provide implementation support for such actions where necessary, as well as feedback on implementation and standardisation issues.

The MAB shall ensure that horizontal or strategic issues arising at TeB level are discussed in MAB meetings with the objective to provide a harmonised position to the Agency.

The Groups' members shall be representatives of:

- the MS' national competent authorities responsible for applying the Basic Regulation and its implementing rules; and
- the European Commission.

The final composition of the MAB shall be determined by the Executive Director of the Agency, following nominations provided by the MS.

The conclusions reached by these bodies are not binding for the Agency.

2. Chair

The MAB and the TeBs shall be chaired by the Executive Director, who may delegate this task to a staff member of the Agency.

The tasks of the Chair include:

- chairing MAB and TeBs meetings;
- preparing the agenda and documentation for the meetings in due time;
- adopting the minutes of the meetings;
- serving as the Agency's contact point on subjects dealt with by MAB and TeBs Members between meetings;
- ensuring appropriate co-ordination with the work of the Stakeholders Advisory Body (SAB) and its technical bodies;
- TeB Chairs are further responsible for proposing the annual Work Programme of their TeB in line with EPAS and SPD priorities, and for its implementation throughout the year.





3. Role of the Agency

The Agency supports the work of MAB and TeBs, providing the necessary administrative and logistical support for meetings. This support shall include :

- managing the membership of MAB and TeBs;
- providing meeting rooms;
- assisting the group with information on procedural questions;
- drafting and distributing the agenda and preparatory documents in due time;
- collecting, drafting and distributing working papers/position papers and communication;
- drafting and distributing the meeting minutes in due time;
- facilitating the coordination between the MAB and the SAB, TeBs, and among the TeBs.

4. Agenda, minutes and documentation

The Chair shall prepare the agenda for each meeting of the MAB/TeBs. The Chair shall ensure that the agenda contains all the points that need to be raised. The Chair will request Members to supply possible points for the agenda well in advance of the meeting.

The necessary documentation for meetings (agenda, reports, working papers, etc.) shall be distributed to the Members at least 10 working days before the meeting. In specific cases, and more specifically on time sensitive topics, it may be necessary to provide and/or add documents closer to the meeting.

The Agency shall circulate draft minutes of meetings, including any action agreed at the meeting, to all participants within 20 working days after the meeting. The minutes shall be approved at the next meeting. Final approved minutes shall be circulated to all Members and internally within the Agency.

In accordance with the Agency's policy on access to documents, documents relating to the work of MAB and TeBs shall be published on the Agency's website. This includes membership, procedures, meeting agendas and minutes.

5. Meetings

MAB and TeBs meetings shall take place at the Agency's headquarters in Cologne (or in the European Union facilities in Brussels). Depending on the topic, online (or hybrid) meetings / workshops facilitated by video-conference may be more suitable e.g. to enable wider participation, for meetings of shorter duration, to respond to urgent developments or possible restrictions. At least one physical meeting per year should be planned for the benefit of networking and direct exchanges, except in specific circumstances.

MAB and TeBs regular meetings shall be cancelled if, 14 days prior to the meeting, less than ten Members have confirmed their attendance. In special cases, if the circumstances so warrant, the Chair may observe a shorter period before cancellation.

In case of cancellation, the Chair will set another meeting date. If at the second date again less than ten Members register for attendance, the Chair may decide to hold the meeting as planned, irrespective of attendance, or to definitively cancel it.





6. Duties of MAB and TeBs members

MAB and TeBs Members shall participate in good faith and with a view to, where possible, reaching common positions on matters of common interest. Members shall undertake to reflect the viewpoint of their authorities on the relevant issue as clearly and comprehensibly as possible. They should also strive to present consistent opinions throughout the process.

MAB and TeBs Members are responsible for establishing coordination among each other and within their Authorities and for keeping each other updated on MAB/TeB activities. In case of consultations of the EASA Advisory Bodies, MAB and TeBs Members shall ensure the necessary coordination in order to provide a single and consistent input from their Authority to EASA.

Members will be requested to sign an acknowledgment that they are aware about EASA’s code of conduct for external experts.

Members undertake to inform the Chair of any changes in their contact details, and in particular e-mail address.

7. Working arrangements

E-mail and sharing of documents via an online platform shall be the normal and usual means of communication between MAB and TeBs Members, the Chair and the Agency, including for consultation on MAB and TeBs opinions and positions. English shall be the working language of MAB and TeBs and will be used for all internal correspondence, meetings and external communication.

8. Establishment of sub-groups

The MAB and the TeBs may establish sub-groups or Task Forces (including with the participation of industry representatives where beneficial) to discuss or address specific topics requiring specific expertise. Such groups shall establish Terms of Reference (ToR) describing their objectives, scope of work and, as relevant, deliverables and timelines. The ToR shall be endorsed by the MAB or the TeB under which they are established. Such groups shall regularly report on their work and achievements to the responsible MAB or TeB. Members of these sub-groups shall be nominated by the MAB or relevant TeB.

9. Reaching consensus

When the Chair seeks a common position from MAB and TeBs members, this common position shall be agreed by consensus. Consensus does not mean explicit unanimity, but a sufficient level of common understanding that each Member of the group can accept as a common position. If no consensus can be found, but the majority of the group wishes to take a certain position, the members who do not support the majority position may disassociate themselves from the majority position and may request to be mentioned as holding a minority position, whenever the majority position is communicated internally or externally.





II. Member States Advisory Body (MAB)

1. Functions

The MAB is a high-level strategic group. Its functions are stated in the MB Decision 19/2015.

2. Membership and participation

Each EASA MS and the European Commission shall nominate a member. The persons nominated shall be high level aviation administrators able to present an authoritative strategic view in the areas of the Agency's competence.

The Chair may invite international or European organisations as well as third countries which have concluded appropriate working arrangements in accordance with Article 90(2) of the Basic Regulation or which have entered into international agreements with the Union pursuant to which they undertook to adopt and apply Union law in the field covered by the Basic Regulation, to nominate a permanent observer to the MAB, as the involvement of third countries should be pursued to ensure the improvement of civil aviation safety throughout Europe. Notwithstanding, the Chair reserves the right to organise meetings and working groups for EASA Member States only, for issues that affect exclusively or primarily these MS.

The Chair may invite on a case-by-case basis industry representatives or experts from the National Competent Authorities to present or discuss a specific topic.

The MAB members may propose an alternate, who can replace or join the member in the MAB meetings. MAB members may also be accompanied by an additional subject matter expert, if so justified by the agenda of the meeting. In this case, they shall inform the Chair in advance.

Each EASA MS is responsible for ensuring their continuous participation (e.g. through the replacement of members during long-term leaves) and for timely notification of membership changes to the MAB Secretariat via the appropriate channels.

3. Meetings

In addition to the provisions of Chapter I.5 above, the MAB shall meet between two and three times a year, at dates to be defined by the Chair. The meetings' calendar will be provided one year in advance. Additional meetings and/or workshops of the MAB may be convened by the Chair, either at his/her initiative, or following the request of at least half of the Members. These additional meetings should focus on specific issues.

III. Member States Technical Bodies (TeBs)

1. Functions

The TeBs are technical groups, focussing on a specific area within the competence of the Agency. They are a forum for consulting MS on implementation issues and best practices as well as on technical safety priorities when the proposed actions affect the MS.

The TeBs tasks, within their relevant area, are as follows:

- providing advice on the content, priorities and execution of the Agency's safety programmes as well as the best way to address certain safety initiatives (e.g. safety promotion, focused oversight, development of regulatory material, research, etc.);





- presenting and discussing progress on the different types of safety initiatives (development of regulatory material, of safety promotion, etc.) or new initiatives in the domains;
- providing economic and other quantitative data for the purpose of conducting impact assessments, as well as advice on impact assessments;
- providing advice on the composition of rulemaking and safety promotion groups as necessary in relation to specific projects;
- providing advice on draft regulatory material and comments during the consultation of draft regulatory material as specified by the rulemaking process;
- providing input for the monitoring of the implementation of regulatory material, the issues faced during oversight, operational practices, the evaluation of regulatory material and the need for further rulemaking activities.

The TeBs organise their work based on an annual Work Programme, which is submitted by EASA to the MAB for approval at the end of the previous year. A report by each TeB on the implementation of their Work Programme is provided to the MAB at the end of each year.

The following TeBs are established, covering the following areas:

1. Production and Continuing Airworthiness¹,
2. Air Operations,
3. Air Crew (including Flight Crew, Cabin Crew, Medical and FSTD),
4. ATM/ANS,
5. Aerodromes,
6. Safety Management,
7. General Aviation,
8. UAS (scope: 'open' and 'specific' category of UAS).

In addition to the functions common to all TeBs, the Safety Management TeB is also:

- i. advising the MS on the implementation and maintenance of their State Safety Programmes by exchanging information and addressing implementation issues;
- ii. providing feedback and recommendations on the implementation of the EPAS in regard to systemic issues; as well as when action is required on:
 - issues related to the common authority requirements (e.g. oversight methods, inspector qualifications, etc.) and common organisation requirements;
 - just culture and implementation issues in relation to Regulation 376/2014 (in cooperation with the Network of Analysts).
- iii. addressing issues stemming from the standardisation cross-domain assessment.

¹ Continuing Airworthiness as defined in Commission Regulation (EU) No 1321/2014.





2. Membership and participation

Each EASA MS and the Commission shall appoint a member for each TeB. The persons nominated shall be qualified experts with technical experience in the domain of the TeB and able to advise authoritatively on the issues, as well as to coordinate effectively within their Authority in order to present their Authority's positions.

The TeB members may appoint an alternate, who can replace or join the member in the TeBs meetings. Each EASA MS is responsible for ensuring their continuous participation (e.g. through the replacement of members during long-term leaves) and for timely notification of membership changes to the TeB Secretariat via the appropriate channels. TeB members may be accompanied by an additional subject matter expert typically with operational/practical experience, if so justified by the agenda of the meeting. In this case, they shall inform the Chair in advance. Potential participation of more than one subject matter expert is subject to prior agreement of the Chair.

The Chair may invite international or European organisations as well as third countries which have concluded appropriate working arrangements in accordance with Article 90(2) of the Basic Regulation or which have entered into international agreements with the Union pursuant to which they undertook to adopt and apply Union law in the field covered by the Basic Regulation, to nominate a permanent observer to the TeB, as the involvement of third countries should be pursued to ensure the improvement of civil aviation safety throughout Europe. Notwithstanding, the Chair reserves the right to organise meetings and working groups for EASA Member States only, for issues that affect exclusively or primarily these MS.

The Chair may also decide to invite additional experts to join the TeBs as observers when specific issues need to be discussed.

3. Meetings

In addition to the provisions of Chapter I.5 above, the calendar and number of meetings of TeBs shall be fixed by the Chair based on their approved Work Programme for the year.

Further TeB meetings / workshops may be convened by the Chair, either at his/her initiative, or following the request of at least half of the group's Members. These additional meetings should be thematic in nature, and focus on specific issues.

When dealing with multidisciplinary tasks, coordination with other affected TeBs and joint meetings of two or more TeBs should be ensured by the Chair(s) in order to ensure adequate input from all domains and consistency of positions for the benefit of efficiency. This is also the case for thematic issues which necessitate consultation and/or discussion with industry. In such cases, the respective Chairs should convene joint meetings with one or more TeBs and one or more industry ABs.

IV. Review of these Rules of procedure

This document will be reviewed and adapted regularly, and no later than every five years.

