

European Aviation Safety Agency

SAFETY STANDARDS CONSULTATIVE COMMITTEE

23.02.2004 – MINUTES

Agenda

There being no comments on the agenda, it was adopted by the Committee.

Election of chair

The Committee discussed the issue of the chair at some length. By common agreement, the following were elected:

- Chair: Wayne Jenner
- Vice-chair Jacques Renvier

Operating procedures

The Committee discussed this issue on the basis of a draft presented by the Agency. The following changes were agreed:

- Section 1:

*The Agency shall hold at least **two** SSCC meetings per year, at the invitation of the Chair. The Chair may propose further meetings at his proposal or the proposal of a Member, with the agreement of the majority of SSCC members.*

This would provide for sufficient flexibility to tailor the programme of meetings according to the rhythm of EASA rulemaking activity. It is understood that during the EASA start-up period the Committee would meet four times a year.

- Section 2:

*The Chair may invite **non-SSCC** members to attend as observers or guests of a meeting or part thereof. The Chair will inform Members of its intention to do so and his/her reasons for doing so. If there are strong objections by one or more Members, the meeting will discuss the invitation for the next SSCC meeting.*

Correction of error in original text.

- Section 2:

*Members, rather than their respective organisations, have the right to sit on the SSCC. A Member may therefore nominate a substitute **who may attend meetings which the member in question** is unable to attend. **The alternate should be from the same Interested Party category.** An alternate can only function in the absence of the Member and can exercise his/her rights and duties for the meeting in question only.*

This clarifies the role of alternate members.

- Section 3:

*In accordance with the Agency's transparency policy, documents relating to the work of the SSCC shall be published in its **official publication, including with its terms of reference.***

In the interests of transparency, this clarifies the role of the Committee itself.

– Section 7:

*Six months after adoption and approval of these procedures, they will be reviewed by the Agency, **which shall propose amendments to the Committee as required.***

The Executive Director shall discuss modifications to the Committee's composition and working methods with the Committee.

Action required:

1. Members are invited to forward remaining comments in writing to the chair/committee secretariat so that a revised version may be quickly adopted at the next meeting.
2. Members are invited to designate alternates who may attend meetings in the member's absence.

2004 rulemaking programme

The Agency presented its draft programme for 2004 and explained that the intention was to include in the programme only those items for which it wishes to deliver a final rule or at least an NPA, in 2004. It is therefore not to be regarded as an exhaustive list of tasks to be carried out by the Rulemaking Directorate. The Committee discussed the programme at some length and agreed a revised document to be submitted to the Agency. It was agreed that members would provide the Chair with additional input shortly after the meeting. In particular, the following questions need to be answered on the 2004 programme:

- a) Which items should be deferred
- b) Which items required a drafting group or review group to be established (where none is currently foreseen)?

It was agreed that in those cases where a shortened consultation period was proposed for individual rulemaking items on the justification that an NPA had already been processed by the JAA, the comment response documents would be circulated at the same time.

Action required:

3. Members are invited to forward remaining comments in writing to the chair/committee secretariat so that a revised version may be quickly adopted at the next meeting.

Rulemaking advance planning for 2005-2007

The Agency presented its rulemaking planning document for 2005-2007 to the Committee. It was explained that the rolling programme was intended to facilitate onward planning, in view of the number of demands on EASA's rulemaking activity, in particular with regards to preparatory work such as preliminary regulatory impact assessment and the formation of drafting groups required for the execution of rulemaking programmes in subsequent years. It is therefore important that the SSCC focus on actions requiring preparatory work in 2004. In view of the length of the document, the chair suggested that it would be a more efficient use of time were members to consider the programme further and categorise the items as follows:

- a) actions which should be started in 2004 and finished as quickly as possible

- b) actions which are 'controversial' and which require further discussion before they should be adopted as part of the 2005-2007 plan; and
- c) actions which are 'routine' and can be addressed as proposed in the draft planning document

The Executive Director reminded members that the 2005 programme needed to be adopted by July 2004 to be incorporated in the 2005 work programme for the Agency, which the Management Board shall adopt in September 2004.

Action required:

- 4. Members are invited to forward remaining comments in writing (in line with a) to c) above) to the chair/committee secretariat so that a revised version may be quickly adopted at the next meeting.

Development of EASA rulemaking procedures

The Committee discussed the working papers on regulatory impact assessment presented by the Agency. It was stressed by the Agency that the SSCC's input was sought on the requirements for the Agency's system of regulatory impact assessment, rather than an opinion on procedural aspects, the documents presented constituting a basis on which to proceed with the drafting of the Agency's implementing measures for the rulemaking Decision. It was agreed that the essential requirements for EASA RIA are as follows:

- RIAs should be as quantitative as possible
- Compliance costs and safety benefits should be broken down to offer extensive information by sector, type, etc., as appropriate
- The safety case should be stated objectively, again supported with quantitative information
- A clear statement of objectives should be included
- Possible unwanted effects should be identified and quantified as far as possible, for example increased risk of maintenance errors with regard to new equipment

The Committee also examined the draft procedures for drafting groups and agreed that members would forward their comments to the chair/committee secretariat.

Action required:

- 5. Members are invited to forward remaining comments on procedures for rulemaking drafting groups in writing to the chair/committee secretariat so that a revised version may be quickly adopted at the next meeting.

Any other business

- a) One member expressed concern at the work done in the Committee and indicated that he was expecting in the future that it would give opinions on essential rulemaking issues and processes, in particular suggestions on how to streamline the regulatory environment and to introduce principles of good governance in the regulatory process.
- b) In the interests of working efficiency, it was agreed that maximum use would be made of the extranet for the exchange of documents. In this connection the

secretariat will arrange for a brief presentation to be made of the CIRCA extranet at the next meeting.

Date of next meeting

The next meeting shall be held on 19 May 2004 at 10.30 at EASA HQ in Brussels.

List of participants

Martin AMBROSE

Pieter DOYER (replacing Fred BRUGGEMAN)

Pier Giorgio COLOMBO

Inger-Helene ENGER

Wolfgang ENGLER

Peter FEIND

Alex FISHER

David GIBBONS

Perrine GUÉROULT

Wayne JENNER

Gerald R. MACK

Paulo Cesar OLENSCKI

Alain PICARD

Jacques RENVIER

Martin ROBINSON

Fons SCHAEFERS

Charles SCHMITT

Rudolf SCHUEGRAF

Peter SORENSEN

Liam SISK

Barry VALENTINE

Carlo VERGARI

Bob WILSON

Mark WILSON

(Claude SCHMITT attended as an observer on behalf of the Advisory Body of Interested Parties)