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**Annex to EASA Opinion No 01/2024**

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of **XXX****

**laying down requirements for the safe provision of ground handling services and organisations providing them pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council**

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE DELEGATED ACT

#### *Relevant institutional background*

Ground handling (GH) is an aviation domain comprising numerous and distinct activities, some of them having a significant safety-critical aspect and involving multiple actors in their execution. GH organisations offer a wide range of services to aircraft operators both on aerodrome premises and outside aerodromes. Moreover, different GH organisations may perform ground handling activities to the same aircraft at the same time during aircraft turnaround.

GH is a significant and critical part of the aviation industry, subjected to a high degree of competition and commercial pressure. Considerations on aircraft characteristics, an increase in ground support equipment, faster turnarounds, cost reduction programmes, minimal training and high staff turnover contribute to the challenge of improving operational safety. Ground operations on aprons have become increasingly complex due to the growth of air traffic and the proliferation of third-party GH service providers (GHSPs) in addition to the numerous requirements set by air operators or aerodromes.

Considering the significant impact of ground handling activities on flight safety, the European Union, acknowledging the need to ensure a safe end-to-end air transportation, extended the scope of Regulation (EU) 2018/1139<sup>1)</sup> (the ‘Basic Regulation’) to the GH domain.

With this extension of the Basic Regulation’s scope, the organisations providing GH services are formally acknowledged as a stand-alone aviation safety stakeholder included among the safety-relevant aviation domains regulated at European Union (EU) level. Annex VII to the Basic Regulation establishes the essential requirements for ground handling services and the organisations providing them at aerodromes within the scope of that Regulation.

#### *Objectives*

The specific objectives of this proposal are to:

- establish a level playing field for the provision of GH services and organisations providing them at aerodromes within the scope of the Basic Regulation;
- ensure a baseline for the safe provision of ground handling services by establishing requirements for a management system for organisations providing GH services, including a safety management system;
- provide a legal framework to support organisations providing GH services in developing and fostering a safety culture;

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<sup>1)</sup> 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) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

- enable the development of effective interfaces for safety risk mitigations arising from GH activities by GH organisations, aircraft operators and aerodrome operators, including the exchange of safety-relevant information;
- ensure minimum training standards for GH personnel, focused on their continued competence;
- reduce the number of audits to GH organisations currently performed by aircraft operators under the current air operations requirements on contracted activities;
- establish a system for competent authorities to perform oversight of GH organisations and their activities, with particular focus on cooperative oversight, and provide a ground for a future risk-based oversight.

*Reason for the proposed EU GH Regulation and the problem(s) it is intended to resolve*

### *1. Safety aspects*

Safety in aviation is as strong as its weakest link.

Until its inclusion in the scope of the Basic Regulation, GH has been the only major safety-critical domain, with an impact on over 300 000 employees in the Union alone, not being directly subject to a European aviation safety regulation.

The safety, reliability and consistency of flight operations must begin long before take-off and must continue on the ground. Aprons are often the most congested and busiest areas of an aerodrome with aircraft turnarounds carried out under significant space and time constraints.

The safety-critical dimension of GH activities is visible when errors occur in the provision of those services: those errors may lead to damage to the aircraft on the ground or to equipment, injuries or even death to persons on the ground or, in the worst-case scenarios, to aircraft accidents. Such occurrences have a significant cost impact on aircraft operators, aerodrome operators and GH organisations. Furthermore, undetected or unreported errors and damage during the provision of GH services can affect the aircraft's mass and balance, aerodynamics, airworthiness and performance, having thus a direct impact on flight safety.

To have a clearer picture of the safety dimension of the GH services which had to be regulated, EASA analysed the safety issues in GH activities, which were already highlighted in the safety risk portfolios published in the past five issues of the European Plan for Aviation Safety (EPAS).

The statistics of safety reports recorded in the European Central Repository (ECR) of the European Commission for all aviation domains since 2015 <sup>(2)</sup> have revealed a low number of reports submitted by GH organisations and the fact that the amount of reporting per Member State is not at all proportional either to the size of the Member State or to the number of

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<sup>(2)</sup> 2015 is the year when Regulation (EU) No 376/2014 became applicable. This Regulation applies also to GH organisations.

Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0376&qid=1704375957338>).

aerodromes within the scope. In fact, there is a visible imbalanced reporting ratio at Union level. More details are provided in the regulatory impact assessment related to the proposal.

Statistics and a report of the International Air Transport Association (IATA) <sup>(3)</sup> show damage to the aircraft during GH activities estimated to EUR 1.5 billion costs in Europe, and almost USD 5 billion costs per year worldwide, only for commercial operations. A high number of incidents and accidents resulting in aircraft damage can indicate multiple other factors or causes that become clear only when further analysing the events that led to those incidents and accidents. The contributing factors to these occurrences could be human factors (lack of awareness, fatigue, pressure, lack of proper training, deviation from the operational procedures) or organisational aspects (poor quality management, poor maintenance of equipment).

Indicators such as the highest staff turnover in the aviation industry (turning to an annual 70 % or even 100 % turnover rate post-Covid with some GH organisations operating in Europe) coupled with the business need to remain competitive and minimise the costs where possible may also contribute to an increased level of safety risk to the entire flight and ground operation.

Despite the recognisable efforts of industry to self-regulate, the desired level of standardisation of procedures and training is not consistently achieved. With safety management systems (SMS) being implemented only on a voluntary basis, a minimum SMS awareness cannot be ensured across the whole GH industry. For GH organisations providing worldwide services the SMS is not an alien concept; often safety awareness and safety culture are well embedded in their organisations. Unfortunately, this does not always happen at smaller GH organisations; providers of GH services at only one aerodrome or just a few, those organisations operating locally, which struggle to survive strong competition, are less familiar with the SMS concept, if at all. Moreover, responsibility for the safe provision of GH services has always been with aircraft operators, as contractors of GH services, and less with GH organisations providing the GH services. Aircraft operators should no longer bear alone the burden of responsibility for how safely the GH organisations provide the services. The GH sector is an active contributor to aviation safety. This key contribution to ensuring flight safety should be acknowledged as such by elevating the role of the GH organisation from that of a mere service provider to a safety stakeholder with an active responsibility in ensuring end-to-end safety in aviation.

## *2. Oversight by competent authorities and feedback loop on safety reports from authorities to GH organisations*

So far, the safe provision of GH services has been subject either to national regulations or to voluntary compliance with industry standards, or indirectly regulated through other safety regulations that have an interface with GH.

In most of the EASA Member States today, the only regulatory framework for competent authorities to conduct any direct oversight of GH organisations is the Ground Handling Directive 96/67/EC published in 1996; however, the GH Directive has a different scope than

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<sup>(3)</sup> [IATA Ground Damage Report: the case for enhanced ground support equipment](#), published in December 2022: 'Analysis of the current situation together with the forecast traffic growth and change in aircraft type mix shows that, unless measures are actively taken to reduce the ground damage incident rate, the current annual total ground damage costs will double to \$9.7 billion over the next 15 years.' (p.7).

safety – to regulate market access of GH organisations to certain aerodromes. The GH Directive is differently transposed into the national legislations of the Member States. In some Member States, it is the aerodrome operator that is responsible for the implementation of the GH Directive.

In some Member States the national legislation transposing the GH Directive partially covers the safety of certain operations, in lack of more proper legal tools for safety oversight. Other Member States have included a few GH activities in their national legislations (e.g. transport of dangerous goods, or fuelling operations); in one Member State, all GH organisations must prove they have been accredited through an industry auditing programme for conformance with industry standards before being authorised or approved to provide GH services at an aerodrome in that State.

A few Member States use the provisions of Regulations (EU) No 965/2012 on air operations and (EU) No 139/2014 on aerodromes to conduct an indirect oversight of GH activities through the requirements on contracted services applicable to aircraft operators and respectively aerodrome operators.

This whole situation has led to an inconsistent and non-harmonised oversight of GH activities throughout the Union.

The audits and inspections performed mostly by aircraft operators under the applicable requirements of Regulation (EU) No 965/2012 and several also by aerodrome operators under Regulation (EU) No 139/2014 or, as the case may be, national implementation of the GH Directive, aim at achieving and maintaining an acceptable level of safety of the GH services. However, the efficiency of those audits can be improved, as evidence shows the extreme (but not singular) case of a large GH organisation spending 178 days a year in audits done to them by various organisations (over 1/3 of a year), which implies significant costs, both to the GH audited organisation and the auditors. What further proves that so much auditing is unnecessary is the results of those many audits: 80 % of the results are the same and do not reveal any new safety items that the GH organisation is not already aware of through its own internal compliance monitoring process.

This has been confirmed by large organisations and even aircraft operators on many occasions in conferences and during meetings with the expert group supporting EASA in the rule development process. In one example provided by a pan-European GH organisation, out of 100 stations, an average of 625 entities (aircraft operators, authorities, aerodrome operators, etc. conduct audits each year resulting in a little less than 5 000 manhours spent by the GH organisation. In other words, we can estimate that most GH organisations are subject to more than 6 audits per year per station, i.e. one audit every 2 months for each station, generating a non-productive time requirement of around 50 manhours <sup>(4)</sup> per station, in a sector that is already struggling with high levels of staff shortages.

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<sup>(4)</sup> Data provided by the GH experts who supported EASA in the development of the draft GH rules of RMT.0728.

With an oversight performed by a competent authority, the number of audits done by the airline clients is expected to be reduced to a great extent, as the results of competent authority oversight can be shared by the GH organisation with the customers that wish to audit it.

Another challenge faced today by GH organisations is the lack of a feedback loop from the authority receiving a report back to the rapporteurs. Also, there is not enough transparency of the actions taken to reduce the risks as a result of safety reporting or safety analysis of the reports, which would prove the value of reporting.

3. *In conclusion:*

- (a) There is no harmonised oversight of GH activities and GH organisations across the EASA Member States.
- (b) There is no minimum level of safety in GH, as the SMS is not mandatory and organisations apply an SMS only on a voluntary basis. The level of safety estimated from submitted reports may be inaccurate, as the reporting culture, safety culture and accuracy of reporting has not been assessed consistently and there is no feedback loop for reports submitted by GH organisations and often no consistent exchange of safety information between airlines, airports and GH organisations.
- (c) The minimum level of training for GH personnel is not standardised except for organisations that apply industry standards, and it is verified only under the contractual conditions with the aircraft operators or aerodrome operators. Compliance with the training elements for vehicle drivers included in Regulation (EU) No 139/2014 is verified by the aerodrome operator, and this is the only training applicable to GH that is currently standardised at Union level.
- (d) There is a high number of industry audits performed each year to a GH organisation by various third parties, most of them customer airlines.

For all the reasons identified above, it is considered that a regulatory framework is necessary to ensure the implementation of a scalable SMS for all organisations providing GH services, to support organisations to implement and foster a safety culture, to apply a training programme that aims at developing adequate competencies in personnel, and to establish the ground for a future risk-based oversight of GH services and organisations.

*Consistency with existing provisions in the policy area and other EU policies*

Relation between the future GH Regulation and Council Directive 96/67/EC <sup>(5)</sup>, ‘the Ground Handling Directive’

Currently, the provision of GH services at European aerodromes is regulated at national level through the transposition of the Ground Handling Directive into the national regulatory frameworks of the Member States. This Directive addresses access to the GH market at Community airports and does not address safety management, operational, or training elements for the GH organisations.

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<sup>(5)</sup> Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports (OJ L 272, 25.10.1996, p. 36) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31996L0067>).

The Ground Handling Directive on access to the GH market at Community airports has an economic scope and does not have an impact on the rights and obligations of Member States concerning safety and security at aerodromes. As stated in its Article 17, ‘the provisions of this Directive in no way affect the rights and obligations of Member States in respect of law and order, safety and security at airports’.

EASA is responsible for ensuring a high level of safety in civil aviation in the Union. Market regulation is not in its remit. For this reason, the Ground Handling Directive continues to apply independently from the future delegated act containing safety requirements applicable to GH services and the organisations providing them prepared by EASA and published by the European Commission.

The future GH Regulation will address those elements of GH operations that have a critical impact on safety.

#### *Added value of the EU GH Regulation*

The proposed GH Regulation contributes greatly to the harmonisation of GH services and the organisations providing them, as these are not regulated at Union level. The same is valid also for the application of a consistent and harmonised oversight of GH organisations, many of which provide services in many Member States. Therefore, it is considered that the proposed GH Regulation will achieve benefits that have not been achieved at national level or through other international bodies such as the International Civil Aviation Organization (ICAO). ICAO has, at the moment, no standards and recommended practices regarding the GH services. Moreover, the EU GH Regulation can be taken as a model for any future ICAO standards and recommended practices on GH. Having one EU GH Regulation for all the EU Member States and the European States applying the EASA regulations is preferable to a more fragmented system with different set of rules at different levels. The GH Regulation will ensure the application of common rules and standards for aviation safety and cooperation on GH.

## **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

In accordance with Article 128(4) of the Basic Regulation, before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. The present draft delegated act is based on EASA Opinion No 01/2024. The content of the Opinion was consulted the first time with the public in June-September 2022 through the ‘Working paper on draft EU Ground Handling Regulation’ and the second time in July-September 2023 with the EASA Advisory Bodies, the Ground Handling Expert Group that provided technical expertise to EASA, and the Member States Advisory Body (MAB) through the Notice of Proposed Amendment (NPA) 2023-106 ‘Ground Handling Requirements’ (RMT.0728).

As overall feedback that can summarise the comments received, this proposal is much welcomed by the GH industry, aerodrome operators, aircraft operators, one workers federation, and competent authorities.

### 3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 39(1) points (d) and (e) of the Basic Regulation empower the Commission to adopt delegated acts, in accordance with Article 128 of that Regulation, laying down detailed rules for the provision of ground handling services and the organisations providing them.

#### COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

#### **laying down requirements for the safe provision of ground handling services and organisations providing them**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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<sup>(6)</sup>, and in particular Article 39(1) points (d) and (e) thereof,

Whereas:

- (1) Regulation (EU) 2018/1139 establishes the essential requirements for the safe provision of ground handling services and organisations providing them at the Union aerodromes within the scope of that Regulation. Point 4 of the essential requirements in Annex VII includes provisions addressing the declaration by providers of ground handling services of their capability to discharge their responsibilities associated with the safe provision of ground handling services.
- (2) To ensure a total-system approach and guarantee a baseline for safety in all aviation-related activities, and in line with the principle of subsidiarity, the aviation safety regulatory system in the Union requires detailed rules for the provision of ground handling services and the privileges and responsibilities of organisations providing them.
- (3) To ensure a high level of civil aviation safety in the Union, the regulation should reflect the state of the art and best practices in the field of ground handling; take into account the applicable International Civil Aviation Organization (hereinafter referred to as ‘ICAO’) Standards and Recommended Practices (hereinafter referred to as ‘SARPS’); worldwide ground handling operation experience, as well as scientific and technical progress in the ground handling domain; be proportionate to the size and complexity of the ground handling activities; and provide for the necessary flexibility for customised compliance.
- (4) To ensure uniformity in the application of common requirements, it is essential that common standards are applied by the national competent authorities and, where applicable, by the European Union Aviation Safety Agency (hereinafter, the Agency) when assessing and monitoring compliance with these requirements; the Agency should

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<sup>(6)</sup> [OJ L 212, 22.8.2018, p.1.](#)



facilitate the voluntary application of industry standards and good practices used on a wide scale by industry to demonstrate compliance with the requirements. The common requirements should cater for identical processes within national competent authorities across the different aviation domains. However, they should not prevent the application of different processes if and where necessary or beneficial, for example in the case of sharing the workload in overseeing ground handling organisations providing services in more than one Member State. The safety objectives of these requirements should remain unaffected by differentiated means of technical compliance.

- (5) The Regulation should establish the legal framework to ensure a level playing field for the provision of ground handling services for all organisations providing those services, including self-handling by aircraft operators, at Union aerodromes within the scope of Regulation (EU) 2018/1139.
- (6) The approach to regulating the ground handling domain should be proportional to the exposure to safety risk. Therefore, a sign-and-start regime in the form of a declaration is considered to be the appropriate form of self-assessment and formal acknowledgment by an organisation that it is capable of discharging its responsibility for the safe provision of services. At the same time, a declaration is sufficient for a national competent authority to be informed of that organisation's ground handling activities.
- (7) For organisations already having management system structures required under other applicable regulations, the ground handling requirements should be easy to integrate so as to create minimum disruptions to the established system of organisations and national competent authorities. Therefore, this Regulation should be aligned as much as possible with the other regulations with which it interacts most frequently, and only establish the necessary cross-references, where necessary, thus avoiding contradictions or duplications of the existing requirements.
- (8) To maximise the efficiency of the ground handling regulation, the requirements should cover only the safety aspects of the ground handling activities and the organisations providing them, including self-handling by aircraft operators.
- (9) Therefore, the Regulation does not address those ground handling activities that are already covered by other applicable regulations, such as flight dispatch and load control which are covered by Regulation (EU) No 965/2012 <sup>(7)</sup> or oil handling which is covered by Regulation (EU) No 1321/2014 <sup>(8)</sup>.
- (10) To ensure proportionality of the Regulation's scope, aircraft operators performing any operations other than commercial air transport operations with complex and other-than-complex motor-powered aircraft, as well as commercial air transport operators with other-than-complex motor-powered aircraft should be excluded from the scope of this Regulation when performing self-handling activities. It is considered that the regulations already applicable to those operators sufficiently address the safety risks of the self-handling activities for the operations and the types of aircraft mentioned above.
- (11) To achieve a total system approach with the integration of the ground handling domain in the aviation safety regulations, ground handling organisations should assume full

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<sup>(7)</sup> 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](#)).

<sup>(8)</sup> Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks ([OJ L 362, 17.12.2014, p. 1](#)).

responsibility for the safe provision of services, their operations, and control the operational risks of their activities, while aircraft operators continue to remain responsible for the safety of the aircraft and for the flight, and aerodrome operators continue to remain responsible for the safe operation of aerodromes. Ground handling organisations should achieve this by developing and implementing a management system with effective safety management processes capable of identifying and managing the safety risks through the application of adequate and proportionate mitigation measures.

- (12) All organisations providing ground handling services at aerodromes within the scope of Regulation (EU) 2018/1139 should achieve, as a minimum, the baseline safety established through the Regulation by developing and implementing a management system scalable to the size and complexity of their organisation and activities, to cover the management of safety, management of changes, safety reporting, training of personnel, records and documentation, maintenance of ground support equipment used, identification of safety-related interfaces with other stakeholders involved in ground handling activities, operational procedures, and compliance monitoring. The Regulation should therefore establish a framework for the implementation of a management system by ground handling organisations, which includes all these elements.
- (13) Ground handling organisations should strive to develop and foster an organisational safety culture, in which employees understand their individual importance in the aviation safety chain and contribute actively to maintaining and improving the level of safety in their daily operational tasks. It is important that the Regulation provides a framework to support organisations to develop and cultivate a healthy reporting culture, in which individuals are encouraged to report an unsafe event in a work environment with a strong just culture component validated by the organisation's management.
- (14) Ground handling organisations are responsible for managing safety risks and aiming for continuous improvement of safety including mutual sharing of safety-relevant information. The purpose is to ensure a common approach when addressing the safety risks of the interfaces in ground handling operations, beyond the occurrence-reporting obligations. Ground handling organisations, aircraft operators and aerodrome operators should have the same level of information and safety relevant data when this affects the safety performance of either organisation. This approach would complete the occurrence-reporting obligations to national competent authorities and would ensure a more direct flow of safety information among the stakeholders concerned. The Regulation should enable organisations having many operational interfaces to share among themselves relevant safety information resulting from occurrence reports or oversight inspections and audits.
- (15) Ground handling services, provided *to* an aircraft *at* an aerodrome, are an interface in themselves between aircraft and aerodrome operations. The safety risks arising from this situation should be properly acknowledged through a regulatory framework for the interaction between organisations, so as to enable them to identify those operational interfaces having an effect on safety and apply proper mitigation measures to minimise the risks in operation. At the same time, the Regulation should empower ground handling organisations to discuss safety on an equal ground with the other stakeholders involved in those operational interfaces and provide them with the possibility to apply their own operational procedures if they are based on their safety risk management processes and if this is agreed with the aircraft operator to which they provide services.
- (16) For ground handling organisations that are already operating at the time when this Regulation becomes applicable, the requirements should address the possibility that those

organisations may continue operating without interruption and ensure compliance with the declaration requirement. In any scenario, ground handling organisations do not require a prior approval by the national competent authority before they can start operating.

- (17) Training of ground handling operational personnel is one of the most important measures for mitigating the safety risks in ground handling activities. Therefore, ground handling organisations should ensure that all operational personnel involved in ground handling activities are competent to provide those services as per the established requirements and their competence should be maintained. The Regulation should establish minimum requirements regarding the training of safety-relevant personnel to ensure that they develop and maintain the competencies necessary to perform their tasks safely and effectively.
- (18) To support the mobility of personnel across organisations and to reduce the training costs upon re-training of a new employee that already has already achieved the required qualifications at the previous employment, ground handling personnel should be able to easily provide proof of training already completed. The organisation should therefore provide to the employee a copy of respective training records, upon request, which should enable the easy assessment and mutual recognition of training across organisations subject to the Regulation.
- (19) Flight safety and safe provision of ground handling services depend heavily on the use of functional, properly maintained ground support equipment. The functionality of the equipment and vehicles used for the provision of ground handling services should be ensured by the application of a maintenance programme, including preventive maintenance, developed and applied in accordance with instructions and manuals of the vehicle manufacturer. The rules should also be technology-neutral, to allow innovations and a smooth adoption of new technologies at a fast pace, while keeping an environmentally friendly approach towards the choice of ground support equipment. At the same time, the rules should provide the possibility for organisations to adopt and implement practices and business models that minimise aerodrome congestion and make aerodrome operations safer and more efficient, such as equipment pooling or a safety stack model, where the aerodrome specificity allows for the implementation of such business models.
- (20) The transport of dangerous goods by air should be conducted in accordance with ICAO international SARPs contained in Annex 18 to the Chicago Convention as last amended and amplified by the Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Doc 9284-AN/905).
- (21) The Regulation should ensure a pragmatic and balanced approach between prescriptive and performance-based rules. Flexibility in the approach towards requirements on operational procedures for ground handling services is key in achieving the safety objectives. For many years, organisations have been applying well tested industry standards and good practices for the ground handling services to mitigate the safety risks arising from the complex operational environment. The rules should allow the application of industry standards and good practices that have been developed with wide participation of industry expertise from all technical areas concerned. Those industry standards and good practices have been updated regularly by incorporating lessons learned from daily operations and safety events, innovative solutions and new technologies to improve safety and efficiency of ground handling operations. Therefore, it is essential that the requirements covering the operational procedures remain performance-based and rely on

the voluntary application of industry standards and good practices, as well as operational procedures well established by aircraft operators and ground handling organisations.

- (22) The essential requirements of Regulation (EU) 2018/1139 mandate that organisations provide ground handling services in accordance with the operational instructions and procedures of the aircraft operators. The operational procedures for the same ground handling service and to the same type of aircraft may differ significantly between aircraft operators, and this increases the risk of human error as it could lead to aircraft damage and endanger flight safety. Ground handling organisations need to develop their own operational procedures for the provision of ground handling services and maintain a balance between safety and commercial pressure. Harmonisation of various operational procedures is considered to be one of the most difficult tasks to achieve. Although most aircraft operators and ground handling organisations apply industry standards and good practices that aim at standardising the operational procedures for ground handling operations, many individual aircraft operators use them as a basis and adjust them further to their own safety risk assessment, creating thus many deviations from those standards. The Regulation should therefore provide the background to encourage ground handling organisations and aircraft operators to agree on using a common set of operational procedures based on industry standards and good practices and minimise the variations from those standards as much as possible. The requirements enable ground handling organisations to apply their own operational procedures if this is agreed with the aircraft operator. Furthermore, the Regulation makes ground handling organisations formally accountable and responsible for the safety of their own services by the application of an effective safety management system. This should also support ground handling organisations in developing, assessing, discussing and agreeing with the aircraft operators on common operational procedures that are safe for both parties. All these elements, placed in several requirements, should improve the existing level of trust between the aircraft operator and its provider of ground handling services, and lead towards a harmonisation of the operational procedures.
- (23) This Regulation should further ensure that it provides solid elements for organisations to improve their analysis of causes of events identified through their own compliance monitoring processes or through the national competent authority oversight, and also to improve their safety reporting culture. At the same time, the Regulation should also provide a framework for the provision by the national competent authorities of direct and consistent feedback on reported ground handling events directly to the ground handling organisations.
- (24) It is necessary to provide sufficient time for the ground handling industry and national competent authorities to implement the new regulatory framework after the entry into force of this Regulation, therefore a transition period of 3 years should be provided in the Regulation.
- (25) The requirements laid down in this Regulation are based on Opinion No 01/2024 issued by the Agency in accordance with Article 75(2) points (b) and (c), and Article 76(1) of Regulation (EU) 2018/1139.
- (26) In accordance with Article 128(4) of Regulation (EU) 2018/1139, the Commission consulted experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making,

HAS ADOPTED THIS REGULATION:

*Article 1*  
*Subject matter*

This Regulation establishes common requirements for the provision of ground handling services and organisations providing them at aerodromes within the scope of Regulation (EU) 2018/1139. This Regulation lays down detailed rules on:

1. the conditions and procedures for organisations providing ground handling services to declare the provision of such services, as referred to in Article 37(2) of Regulation (EU) 2018/1139, as set out in Annex II (Part-ORGH) and Annex III (Part-GH.OPS) to this Regulation;
2. the conditions for the safe provision of ground handling services that are necessary for an aircraft's arrival and departure;
3. the conditions for organisations providing ground handling services to discharge their responsibilities for the safe provision of services as set out in Annex II (Part-ORGH) and Annex III (Part-GH.OPS) to this Regulation;
4. the conditions under which the provision of ground handling services will be suspended or limited by the competent authority, subject to certain conditions in the interest of safety.

*Article 2*  
*Scope*

1. This Regulation shall apply to the following organisations that provide any of the ground handling services specified in paragraph (2) at one or more aerodromes within the scope of Regulation (EU) 2018/1139, herein called a 'ground handling organisation':
  - (a) a provider of one or more ground handling services, operating as a stand-alone organisation or as part of a single ground handling organisation business grouping;
  - (b) an aerodrome operator providing ground handling services;
  - (c) an aircraft operator providing ground handling services to itself or within a single air carrier business grouping (self-handling).
2. This Regulation covers the organisational and safety aspects of the following ground handling activities when they are performed at an aerodrome within the scope of Regulation (EU) 2018/1139:
  - (a) Passenger handling, including passengers with reduced mobility. This covers safety aspects of passenger and baggage acceptance at the aerodrome, safety of passengers during boarding and disembarkation using ground support equipment and during transit or transfer, and ground transportation of passengers between the aerodrome terminal and the aircraft;
  - (b) Baggage handling, including baggage identification, sorting, building, transfer, arrival and reclaim;
  - (c) Aircraft servicing covering the following:

- (i) operation of ground support equipment and other vehicles used for ground handling services, including ground transportation of passengers, baggage, cargo, mail or catering between the aerodrome terminal or other aerodrome facilities and the aircraft;
  - (ii) aircraft refuelling and defueling, namely into-plane fuelling services at the aerodrome;
  - (iii) aircraft toilet servicing;
  - (iv) potable water servicing;
  - (v) aircraft exterior cleaning;
  - (vi) aircraft de-icing and anti-icing;
- (d) Turnaround activities covering the following:
- (i) activities upon aircraft arrival, including aircraft securing on the ground;
  - (ii) aircraft loading and unloading of baggage, cargo, mail, catering, and loading supervision<sup>9</sup>
  - (iii) activities upon aircraft departure<sup>9</sup>
  - (iv) aircraft towing and pushback;
- (e) Cargo and mail handling covering, as applicable, the following activities performed at an aerodrome:
- (i) cargo acceptance on behalf of the aircraft operator;
  - (ii) final build-up and storage;
  - (iii) final weighing and tagging of unit load devices;
  - (iv) final checks before air transportation;
  - (v) ground transportation of cargo and mail between the point of final checks and the aircraft.

Activities in points (i), (ii), (iii) and (iv) may be performed in a cargo terminal or a cargo warehouse at an aerodrome or adjacent to it.

- (f) Ground supervision.

3. This Regulation shall not apply to the following activities and organisations performing them:

- (a) Marshalling of aircraft. This activity shall comply with the applicable requirements of Regulation (EU) No 139/2014 <sup>(9)</sup>.
- (b) Flight dispatch tasks performed by flight dispatchers as defined by Regulation (EU) No 965/2012. These activities shall comply with the applicable requirements of Regulation (EU) No 965/2012.
- (c) Load control tasks related to load planning, mass and balance calculations, load control messages and communications, and issuance of load control documents.

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<sup>(9)</sup> Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ([OJ L 44, 14.2.2014, p. 1](#)).

These activities shall comply with the applicable requirements of Regulation (EU) No 965/2012.

- (d) Ground supervision performed by aircraft operators as a self-handling activity or within a single air carrier business grouping. These activities shall comply with the applicable requirements of Regulation (EU) No 965/2012.
  - (e) Oil handling for the aircraft (including replenishment, servicing) performed by maintenance organisations approved under Regulation (EU) No 1321/2014, other organisations compliant with Regulation (EU) No 1321/2014, and other maintenance organisations holding an approval issued in compliance with ICAO Annex 8 Chapter 6.
  - (f) Aircraft exterior cleaning when performed by maintenance organisations approved under Regulation (EU) No 1321/2014, other organisations compliant with Regulation (EU) No 1321/2014, and other maintenance organisations holding an approval issued in compliance with ICAO Annex 8 Chapter 6 and the activity is included in the organisation's maintenance manual.
  - (g) Ground transportation of persons, other than passengers and crew members. These activities shall comply with the applicable requirements of Regulation (EU) No 139/2014.
  - (h) Self-handling, when performed by aircraft operators performing any of the following types of operations:
    - (i) commercial air transport operations with other-than-complex motor-powered aircraft;
    - (ii) any flight operations with complex or other-than-complex motor-powered aircraft that are not commercial air transport operations.
  - (i) Handling of passengers with reduced mobility when this is the only ground handling service provided by an aerodrome operator with its own personnel, not cumulated with other ground handling services provided by that aerodrome operator.
4. The term 'aircraft' used in this Regulation shall be understood to refer to aeroplanes unless specified otherwise.

### *Article 3* *Entry into force and application*

- 1. This Regulation shall enter into force on the [twentieth] day following that of its publication in the *Official Journal of the European Union*.
- 2. It shall apply from [3 years from the date of entry into force].
- 3. Point ORGH.MGM.201 shall apply from [6 years from the date of entry into force].
- 4. By derogation from point ORGH.DEC.100, organisations already providing ground handling services at the date of application of this Regulation shall submit a declaration within an interval agreed with their competent authority but no later than 12 months from the date of application of this Regulation.

This Regulation shall be binding in its entirety and directly applicable in all Member States.  
Done at Brussels,

*For the Commission*  
*The President*  
[\[...\]](#)