



Terms of Reference

for rulemaking task

RMT.0763 Issue 1

Alignment of common requirements for ATM/ANS providers with SES 2+

OBJECTIVE(S)

Regulation (EU) 2024/2803 introduced the new Single European Sky regulatory framework, including a number of amendments to Regulation (EU) 2018/1139 for consistency.

This rulemaking task concerns the alignment of specific provisions of Regulation (EU) 2017/373 (the 'Common Requirements') with conflicting requirements of Regulation (EU) 2024/2803 (the 'SES2+ Regulation'), which are already applicable.

The Agency has performed a regulatory analysis of impact of Regulation (EU) 2024/2803 on the ATM/ANS and ATCO delegated and implementing acts under the EASA scope that are currently in force. This analysis concluded that a swift alignment is needed to ensure consistency between Regulation (EU) 2017/373 and Regulation (EU) 2024/2803 on the following specific subjects:

- Alignment of the Common Requirements for contracted activities with the SES 2+ requirements for the procurement of air navigation services (ANS). The SES2+ regulatory framework stipulates that contracted ANS activities must meet SES2+ procurement requirements, in particular, requirements for certification, location, ownership and control of ANS providers. Hence, at least, the requirements for contracted activities, in Point ATM/ANS.OR.B.015 of Annex III, need to be revised for consistency; and
- Alignment of the Common Requirements to the now distinct roles for the national supervisory authorities (NSA) and the national competent authorities (NCA) in the certification and oversight of ANS providers. This necessitates, at least, the revision of Articles 4 and 5, as well as PART ATM/ANS.AR (Annex II).

In this context, the objective of this rulemaking task is to propose amendments to achieve the above mentioned regulatory alignment. Other amendments identified during the regulatory analysis will be processed via regular updates of Regulation (EU) 2017/373.

REGULATIONS INTENDED TO BE AMENDED/ISSUED

Regulation (EU) 2017/373

EASA DECISION INTENDED TO BE AMENDED

ED Decision 2017/001/R

AFFECTED STAKEHOLDERS

Providers of ATM/ANS services (ANSPs); Member States; NCAs (including military); NSAs; Network Manager; EASA

WORKING METHOD(S)

Development	Impact Assessment(s)	Consultation
By EASA with support of the European Commission	Light	Focused (Advisory Bodies)

PLANNING MILESTONES

- Stakeholder consultation on draft Opinion in September 2025.
- Hearing at EASA Committee scheduled on 21-23/10/2025.
- Publication of resulting Opinion by 31/10/2025.
- Planned publication of ED Decision in Q3 2026, subject to publication of the amending regulation.

This RMT is not included in the current EPAS 2025 Volume II edition but will be included in the next EPAS 2026 Volume II edition.

