



# Explanatory Note to Decision 2021/014/R

## Standardised European rules of the air

### Introduction of radiotelephony phraseologies for the provision of aerodrome flight information service

RELATED NPA/CRD: 2021-05 — RMT.0476 — SUBTASK 3

#### EXECUTIVE SUMMARY

The objective of this rulemaking task is to maintain a high level of safety as regards services and procedures in air navigation.

Common rules for the provision of flight information service (FIS), which includes aerodrome flight information service (AFIS), have been established with the adoption of Commission Implementing Regulation (EU) 2020/469, applicable as of 27 January 2022. The introduction of radiotelephony (RT) phraseologies for the provision of FIS/AFIS is necessary to ensure unambiguous air-ground voice communication between air traffic services (ATS) units and pilots, thus increasing safety.

A complete and explicit set of RT phraseologies for the provision of FIS and AFIS will provide safety benefits throughout the EU, especially for cross-border flights which receive such services, by considerably reducing the possibility for misinterpretations in air-ground voice communications between ATS units and pilots.

Decision 2021/014/R introduces the necessary amendments to the Annex to ED Decision 2013/013/R of 17 July 2013 adopting the AMC and GM to Commission Implementing Regulation (EU) No 923/2012 on Standardised European Rules of the Air (the SERA IR), and more specifically to Appendix 1 to AMC1 SERA.14001 thereto, by introducing the following:

- a comprehensive set of AFIS RT phraseologies for air-ground voice communications between pilots and AFIS units;
- some additional RT phraseologies applicable to both FIS and AFIS to address specific operational situations; and
- structural amendments to the aforementioned Appendix 1 to clearly indicate which RT phraseologies are applicable when different ATS (air traffic control (ATC) service and/or FIS, including AFIS) are provided, thus supporting their harmonised use in a safe manner.

<b>Domain:</b>	Air traffic management (ATM) / air navigation services (ANS)		
<b>Related rules:</b>	Commission Implementing Regulation (EU) No 923/2012 and ED Decision 2013/013/R; Annex IV (Part-ATS) to Commission Implementing Regulation (EU) 2017/373 and ED Decision 2017/001/R		
<b>Affected stakeholders:</b>	Member States; competent authorities (CAs) / national supervisory authorities (NSAs); ATM/ANS providers; airspace users (e.g. aircraft operators); aerodrome operators; pilots; air traffic controllers (ATCOs); flight information safety officers (FISOs) / aerodrome flight information safety officers (AFISOs)		
<b>Driver:</b>	Efficiency/proportionality	<b>Rulemaking group:</b>	No
<b>Impact assessment:</b>	No	<b>Rulemaking Procedure:</b>	Standard

#### EASA rulemaking procedure milestones

Start Terms of Reference	Public Consultation NPA 2021-05 (draft Decision)	Proposal to the Commission Opinion	Adoption by the Commission Implementing Rules	Decision Acceptable Means of Compliance, Guidance Material
18.8.2017	6.4.2021	n/a	n/a	24.11.2021



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## 1. About this Decision

The European Union Aviation Safety Agency (EASA) developed Decision 2021/014/R in line with Regulation (EU) 2018/1139<sup>1</sup> (the ‘Basic Regulation’) and the Rulemaking Procedure<sup>2</sup>.

Rulemaking task (RMT).0476 is included in the European Plan for Aviation Safety (EPAS) for 2021-2025<sup>3</sup>. The scope and timescales of the task were defined in the related Terms of Reference (ToR)<sup>4</sup>.

EASA developed the *draft* text of this Decision jointly with a drafting group that comprised EUROCONTROL subject-matter experts. All the interested parties were consulted through Notice of Proposed Amendment (NPA) 2021-05<sup>5</sup>, to which EASA received 272 comments from 52 commentators from a variety of stakeholder categories, such as national aviation authorities (including air navigation service providers (ANSPs)), aerodrome operators, professional organisations (e.g. IFATCA, IFISA, IAOPA), and individuals.

EASA assessed the comments received during the public consultation with the support of a review group that comprised EASA and EUROCONTROL subject-matter experts. The comments received and the related EASA’s responses are presented in Comment-Response Document (CRD) 2021-05<sup>6</sup>. Section 2.4 includes a summary of the comments received and of the related EASA position and actions.

EASA developed the *final* text of this Decision with the acceptable means of compliance (AMC) and guidance material (GM) based on the input of the public consultation and of the consequent work of the aforementioned review group.

Due to the relevant structural changes introduced to Appendix 1 to AMC1 SERA.14001, this Decision amends existing Appendix 1 and replaces it with its updated version, including the relevant amendments. A file (Change Info) with the detailed changes made to the contents of existing Appendix 1 is also published on the same webpage for information purposes only.

The major milestones of this RMT are presented on the cover page.

<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>).

<sup>2</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the ‘Rulemaking Procedure’. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

<sup>3</sup> <https://www.easa.europa.eu/document-library/general-publications/european-plan-aviation-safety-2021-2025>

<sup>4</sup> <https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0476>

<sup>5</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2021-05>

<sup>6</sup> <https://www.easa.europa.eu/document-library/comment-response-documents>



## 2. In summary — why and what

### 2.1. Why we need to amend the AMC and GM — issue/rationale

The SERA IR includes provisions that address air–ground voice communications, in particular between pilots and ATS units. The detailed and standardised RT phraseologies to be used in such voice communications are established in Appendix 1 to AMC1 SERA.14001 of ED Decision 2013/013/R<sup>7</sup> with the aim to achieve unambiguous air–ground voice communications, thus increasing safety.

Regulation (EU) 2020/469<sup>8</sup> introduced significant amendments to Annex IV (Part-ATS) to Regulation (EU) 2017/373<sup>9</sup> (the ATM/ANS Common Requirements IR), which shall apply from 27 January 2022. It lays down, inter alia, the organisational and technical requirements for the provision of FIS and AFIS, complemented by appropriate AMC and GM. In this context, it is necessary to revise and update the existing RT phraseologies to be used for air-ground voice communications in order to ensure that such services, and in particular AFIS, are provided safely.

Particularly, the need to improve pilot situational awareness and to clearly define and harmonise the provision of AFIS throughout the EASA Member States is clearly identified. Moreover, as before the introduction of Regulation (EU) 2020/469 the provision of AFIS has not been regulated explicitly in the context of ICAO or at EU law level, there is currently a significant diversity in the provision of AFIS across the EASA Member States, which establishes non-harmonised practices in the use of RT phraseologies. This situation may have a detrimental effect on safety, in particular in the case of international flights.

The amendments introduced with this Decision complete the EU regulatory framework for the provision of FIS/AFIS and establish, in the context of Appendix 1 to AMC1 SERA.14001, an explicit and uniform set of RT phraseologies for use in the provision of such services with the aim to ensure safe air operations by considerably reducing the possibility for misinterpretations in air–ground voice communications between ATS units and pilots.

### 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This Decision will contribute to achieving the overall objectives by addressing the issue described in Section 2.1.

<sup>7</sup> Decision 2013/013/R of the Executive Director of the European Aviation Safety Agency of 17 July 2013 adopting the Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/20101 — ‘Acceptable Means of Compliance and Guidance Material to the rules of the air’ (<https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2013013r>).

<sup>8</sup> Commission Implementing Regulation (EU) 2020/469 of 14 February 2020 amending Regulation (EU) No 923/2012, Regulation (EU) No 139/2014 and Regulation (EU) 2017/373 as regards requirements for air traffic management/air navigation services, design of airspace structures and data quality, runway safety and repealing Regulation (EC) No 73/2010 (OJ L 104, 3.4.2020, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020R0469&qid=1636027317749>).

<sup>9</sup> Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (OJ L 62, 8.3.2017, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R0373&qid=1636027484833>).

The specific objectives of this Decision are, therefore, to:

- maintain a high level of safety by fostering the harmonisation of the set of RT phraseologies for voice communication between pilots and ATC as well as FIS/AFIS units, and thus ensuring adequate pilot situational awareness when they receive FIS/AFIS;
- ensure completeness and coherence of the EU regulatory framework with regard to SERA and Annex IV (Part-ATS), concerning the provision of FIS/AFIS; and
- clarify the applicability of certain RT phraseologies and their correlation to the various ATS elements (ATC, FIS/AFIS).

### 2.3. How we want to achieve it — overview of the amendments

The Annex to Decision 2021/014/R contains principally amendments to Appendix 1 to AMC1 SERA.14001, initially issued with ED Decision 2013/013/R.

In terms of structure, the aforementioned Appendix 1 is amended to clearly indicate the applicability for each of the existing RT phraseologies in the context of the provision of ATC and FIS/AFIS, in strict accordance with the related objectives, principles and tasks stipulated in Section 1, Subpart B, Annex IV (Part-ATS) to Regulation (EU) 2020/469.

Accordingly, GM2 Appendix 1 to SERA.14001 is introduced to explain the structural modifications made to Appendix 1 and to clarify specific aspects of the use of such RT phraseologies and how they should be supplemented by the use of plain language under certain circumstances.

The title of existing 'GM1 SERA.14001 for Appendix General' is amended for editorial consistency.

As a result of the general review of the RT phraseologies performed during the rulemaking process, including the public consultation of NPA 2021-05, new RT phraseologies that are considered necessary to address repetitive operational circumstances in the provision of AFIS are introduced. This was considered particularly for the case of runway operations — one of the most safety-critical scenarios of aerodrome activities.

After detailed and careful consideration, it was assessed that 'warning' RT phrases are legitimately justified on safety grounds, and are unambiguous and consistent with the operations within a volume of airspace where pilots take decisions for the operations they perform based on the information available, whereas 'direct' phrases could create confusion, undue expectations from pilots or situations potentially detrimental to a clear delineation between FIS (including AFIS) and ATC service. Therefore, it was considered necessary to ensure consistency in the provision of FIS and to focus on the timely provision of safety-critical information to increase the situational awareness of the flight crew and assist them in taking the appropriate decisions, in particular in the context of the provision of AFIS.

Section 1.2.10 is introduced to support the relaying by FIC or AFIS units to pilots of clearances, instructions and information issued by ATC units. It is underlined that FIC and AFIS units are not allowed to issue instructions and clearances to pilots.

Following further analysis, EASA has determined that the phraseologies in Section 1.1.4 are only applicable to the context of the provision of ATC service, as they are 'instructions' by default and as such they are established for the operational context 'Transfer of control and/or frequency change' which is not applicable to FIS. For flights in uncontrolled airspace, including those that operate to/within/from RMZ, the transfer of communication between ATS units and the approval for

frequency change are not required, unless when it is necessary to relay related instructions issued by an ATC unit; in this case, the phraseologies in Section 1.2.10 apply. FIC/AFIS units may provide information to pilots about the frequency in use at relevant ATS units.

Since in the context of RMT.0464<sup>10</sup> the ICAO provisions concerning PAR approach were not considered applicable in the EU context and, therefore, were not transposed with Regulation (EU) 2020/469, Section 2.2.5 'PAR approach' of Appendix 1 to AMC1 SERA.14001 is deleted.

#### 2.4. What are the stakeholders' views — outcome of the consultation

The initiative to amend the existing SERA RT phraseologies to explicitly address the provision of FIS/AFIS was generally welcomed by commentators. From many of the comments received on RT phraseologies it became evident that FIS/AFIS are currently provided throughout the EU following sometimes different practices, in some cases with nuances of the ATC service, and that certain commentators would wish to maintain this practice. In response to those comments, and in addition to the objectives of this ED Decision described in Section 2.2, EASA generally clarified that Member States are required to designate the appropriate ATS to support safe operations (in the case of AFIS, in the context of aerodrome operations) and then provide services in compliance with the applicable regulations. When a Member State selects the provision of AFIS at a specific aerodrome, it is expected that the AFIS unit provides the services according to the principles and provisions established for that service.

Therefore, EASA considers that the update of the RT phraseologies in accordance with the new EU regulatory framework for the provision of ATS introduced with Regulation (EU) 2020/469 completes and clarifies the applicable rules for the provision of such services and the related SERA rules.

In recognition of the time required to ensure the application of the amendments introduced by this Decision, EASA considers acceptable the request expressed by many stakeholders to set an appropriate transitional period and applicability date to allow for the revision of the relevant procedures and the delivery of the necessary training to affected personnel. Consequently, the applicability date is set on 1 December 2022 (coinciding with the AIRAC cycle).

With regard to the questions to the stakeholders formulated in NPA 2021-05 on specific aspects, based on stakeholder feedback and by consequent assessment:

- EASA did not pursue further the proposed amendment to introduce the term 'energy' in the phraseologies in Section 1.1.3 'Minimum fuel'. Even considering the recent publication of Commission Implementing Regulation (EU) 2021/1296<sup>11</sup> addressing the issue of fuel/energy planning and management, the decision to not introduce the term 'energy' is justified by the need to ensure safety through the use of standardised phraseology worldwide in a determined contingency situation. EASA will consider any amendment to the currently existing RT phrases concerning minimum fuel, should ICAO introduce related amendments in the future.

<sup>10</sup> Requirements for Air Traffic Services (ATS) (<https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0464>).

<sup>11</sup> Commission Implementing Regulation (EU) 2021/1296 of 4 August 2021 amending and correcting Regulation (EU) No 965/2012 as regards the requirements for fuel/energy planning and management, and as regards requirements on support programmes and psychological assessment of flight crew, as well as testing of psychoactive substances (OJ L 282, 5.8.2021, p. 5) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1296&qid=1636031243963>).

- EASA decided to maintain the applicability of Section 1.1.6 ‘Change to the call sign’ to ATC service only. After thorough consideration, EASA believes that such an amendment could introduce a number of safety drawbacks and implementation issues (e.g. in uncontrolled airspace there are flights that operate without a flight plan).

## 2.5. What are the benefits and drawbacks of the amendments

The main benefit of the amendments issued with this Decision is the achievement of the objectives as exhaustively described in Section 2.2. No drawbacks are envisaged from the introduction of the amendments included in ED Decision 2021/014/R.

An extensive regulatory impact assessment (RIA) concerning the introduction of detailed AFIS provisions into the EU regulatory framework was conducted in the context of RMT.0464 ‘Requirements for air traffic services’, and is included in Section 3 of the resulting NPA 2016-09(A) ‘Requirements for air traffic services’<sup>12</sup>.

A RIA on the subject of this Decision was not conducted, as EASA considered it a necessary consequent action to ensure consistency within the existing EU regulatory framework, without expecting additional controversial elements nor major impacts on the stakeholders concerned.

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<sup>12</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2016-09a>



### 3. How we monitor and evaluate the amended AMC and GM

EASA will continuously monitor and evaluate the correct application of the amended RT phraseologies of Appendix 1 to AMC1 SERA.14001 by conducting the following:

- standardisation inspections/activities;
- analyses of the AltMoCs approved by Member States; and
- analyses of the available safety occurrence reports which indicate the use of the RT phraseologies as a primary cause or contributing factor to accidents or incidents.

Accordingly, EASA will determine the need for further action, including safety promotion activities and/or rulemaking.





## 4. References

### 4.1. Related EU regulations

- Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p. 1)
- Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011 (OJ L 62, 8.3.2017, p. 1)
- Commission Implementing Regulation (EU) 2020/469 of 14 February 2020 amending Regulation (EU) No 923/2012, Regulation (EU) No 139/2014 and Regulation (EU) 2017/373 as regards requirements for air traffic management/air navigation services, design of airspace structures and data quality, runway safety and repealing Regulation (EC) No 73/2010 (OJ L 104, 3.4.2020, p. 1)
- 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)

### 4.2. Related EASA decisions

- DECISION 2013/013/R OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY of 17 July 2013 adopting the Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010
- Executive Director Decision 2017/001/R of 8 March 2017 issuing Acceptable Means of Compliance and Guidance Material to Commission Implementing Regulation (EU) 2017/373 — ‘Common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight’
- DECISION 2014/019/R OF THE EXECUTIVE DIRECTOR OF THE AGENCY of 24 April 2014 adopting Guidance Material to Regulation (EU) No 965/2012 — ‘GM to Regulation (EU) No 965/2012’

### 4.3. Other reference documents

- EUROCONTROL Manual for Aerodrome Flight Information Service (AFIS) — Edition 1.0 of 17 June 2010
- ICAO Circular 211-AN/128 ‘Aerodrome Flight Information Service (AFIS)’, 1988



## 5. Related document(s)

- CRD to NPA 2021-05 'Standardised European rules of the air — Introduction of radiotelephony for the provision of aerodrome flight information service (AFIS)' (Subtask 3)<sup>13</sup>

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<sup>13</sup> <https://www.easa.europa.eu/document-library/comment-response-documents>

