European Aviation Safety Agency
Summary of Conclusions
Subject   Rulemaking Advisory Group 1-2012 meeting
Date   2 October 2012

Location   Hyatt Regency, Rheinsaal 2, Cologne

Organised by   Rulemaking

1. Welcome
Presented by: Patrick Goudou, EASA Executive Director and Chair of the group

The Chair welcomed the attendees to the first RAG meeting and asked for a tour de table.

2. Adoption of the agenda
Presented by: Athanassios Tziolas

Mr Tziolas explained the Agenda items of today's meeting. Two additional points were proposed by the Agency under AOB:
- alternative means of compliance
- Communication platform

Conclusion: The Agenda was adopted by the Group with the proposed additions.

3. Presentation on changes to the Rulemaking Procedure
Presented by: Kai Bauer

Mr Bauer gave a presentation on the changes to the Rulemaking Procedure following the MB Decision 1/2012 followed by
a questions & answers session summarised below:

The RAG is involved in the early phase of the Rulemaking Process though its first meeting in the year (2nd quarter, see II.3. of the RoPs (IP 01), where it will be able to discuss some of the major emerging issues.
There is no mandatory third meeting of the RAG. A joint meeting with the SSCC could be held on a case by case basis.

Consultation of Member States in the context of Art. 7.6 (MB Decision 1-2012) will be possible.

The Rulemaking Programme is an Annex to the Work Programme, which is adopted in (the latest) September of each year. The Rulemaking Programme is an ED Decision which comes out in July/August of each year.

The Production & Maintenance Thematic Advisory Group (P&M TAG) was renamed since the "initial airworthiness domain", which consist purely of certification activities, is only implemented by the Agency, not the Member States (NAAs)

The Agency welcomes any initiative to simplify its rules: The NAAs should point out outdated rules to be deleted and indicate reasons for revision of rules if needed.

The implementation of the MB Decision 1-2012 is ongoing.

Conclusion: The Group supported the new Rulemaking Programme components such as the concept paper, appreciated the possibility of simplification and looked forward to the implementation.

Action 1-1-2012: Agency to distribute presentation as post-meeting doc.

4. General introduction
- Update on existing remit
- Update on First extension
- Update on Second extension

Presented by: Eric Sivel, Jussi Myllärniemi

Presentations on each of the above domains were given.

Main points for Which Agency/Commission gave further explanations:

Opinion on Operational Suitability Data: to be discussed in Dec 2012 EASA committee meeting.

CS on maintenance certifying staff: A new process needs to be defined and thereafter the CS will be drafted once the OSD process has been tested.

ATM Regulatory Roadmap: This is a COM doc which is updated annually, next update expected in spring 2013. It combines ATM related regulatory needs stemming from EASA, SES and SESAR. EASA 4-year RMP is a major source for the Roadmap.

Implications of recast of SES rules: Implementation of the BR article 65a ("… amendment of SES Regulations in line with BR …") involves e.g. difference of interpretation of "safety" and "interoperability".

ADR Ground Handling: There is no legal basis in the Basic Regulation to address directly the ground handling organisations (other than indirectly via the airport operator or the air operator. The issue is recognised and being discussed by the Commission and measures will be taken to ensure the consistency between the ground handling rule and implementing rules for the BR.

SESAR deployment tasks: There are discussions and reviews on-going aiming at defining the tasks to be included in the EASA Rulemaking Programme necessary for the SESAR deployment decisions. Moreover the adopted Rulemaking programme 2013-2016 already outlines SESAR related tasks that may potentially impact the Agency's Rulemaking activities.

Conclusions: N/A
Action 1-2-2012: Agency to distribute presentation as post-meeting doc.

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5. 4-year Rulemaking Programme [*]
Presented by:Athanassios Tziolas

- **State of implementation of the 4-year Rulemaking Programme 2012-2015**
- **Information on the 4-year Rulemaking Programme 2013-2016**
  The presentations on the above subjects were given by the Agency.

  Conclusions: The Group supported the cover of the RMP which explained the changes as compared to the previous RMP and gave reasons. Request from Group and Commission that this be further enhanced and becomes a practice.

- **Milestones for the development of the draft 4-year Rulemaking Programme 2014-2017**
  Mr Tziolas remarked that the third point of this agenda item had already been dealt with in Agenda item 3, so he would not repeat it.

  Action 1-3-2012: Agency to distribute presentation as post-meeting doc

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6. Horizontal issues [†]
Presented by:Athanassios Tziolas, Peter Corbeel

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[*] The Rulemaking Programme is available on the Agency website under:
http://easa.europa.eu/rulemaking/annual-programme-and-planning.php
[†] This will be a permanent Agenda Item.

- **Horizontal issues and brought from the TAGs to the attention of the RAG for a consensus**
  - ▪ **Concept Paper on Flammability Reduction Means (FRM)**

  After the presentation by Mr Corbeel, RAG members voiced their support to start the rulemaking task as soon as possible, although some expressed concerns as to the balance of cost versus safety gain. A new Regulatory impact assessment was also asked for, involving stakeholders in order to commit them and to get a clearer picture of the current situation. The task should be done in an efficient way, comparing and evaluating, looking at the facts.

  Conclusion: The Chair concluded that the task would be launched
  - Immediately
  - With a new RIA involving stakeholders from the beginning to verify if risks commensurate with cost

  and clarified that, from the "Maintenance" point of view, everything had been done regarding this issue

  Action 1-4-2012: Agency to launch this task

- **Feedback on implementation of EASA rules**

  Mr Tziolas presented this standard Agenda item which requested NAAs to raise issues concerning implementation of Agency rules.

  Conclusion: The Group intended to raise some issues at next meeting.

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7. AOB

Presented by:Athanassios Tziolas, Micaela Verissimo

- **Planning of future meetings**

  The IP02 was updated during the meeting.

  Post-meeting note: According to the RoPs, the meetings should take place in the 2nd and 4th quarters of each year. Therefore, the RAG meetings 2013 shall take place on:
  3 July 2013
  November 2013 (date to be confirmed)

  The Agency informed RAG of upcoming workshops on:
  - B2L and L licence, including an update on the upcoming NPA on the Part-M GA task force.
  - Safety Management and links with tasks MDM.055 and MDM.060.

- **Alternative Means of Compliance**

  Following the presentation by Ms Verissimo, the Group supported the idea of a standardised notification form and the inclusion of a list of national focal points in the EASA website. The suggestion was made to use the EASA webpage to discharge the MS' obligation to notify other MS . A few weeks' time for comments was also asked for.

  The Agency gave the following replies to queries:

  The Agency will consider the possibility of using the EASA's webpage to notify other MS, although it highlighted that there may be some issues in relation to this solution, namely that the information in the notification to other MS does not need to be as detailed as the information sent to the Agency, and that the website would be open to the public, so the information would not be restricted to other MS.

The Agency also clarified that "significant" AltMoC meant very simply those that would be further scrutinised. It suggested that the competent authorities could, if they deemed necessary, notify the Agency that they considered a certain AltMoC as significant for it to be further looked at.

Furthermore, the Agency stated that in the case that an AltMoC adopted by a competent authority would be found to be "non-compliant" by the Agency, the normal standardisation process would apply, and a finding would be opened and addressed. The Agency also stated that it would be possible that experts from MS could be involved in the assessment of AltMoCs, but this only on a case by case basis, depending on the complexity of the issue or the Agency lacking expertise in a specific field.

Conclusion: AltMoC notification Form and List of Focal Points were requested by group. More time for comments on presentation was asked for.

Action **1-5-2012**: Agency to create form for notification of AltMOC.

> **1-6-2012**: RAG to provide Agency with names of national focal points and further comments on the presentation.

- **Communication Platform**

  Mr Tziolas presented the project concerning the future communication platform to be used by consultative bodies of the Agency for communication between RAG and Agency, RAG and TAGs, and RAG/TAGs members/observers and their NAA colleagues. He asked for future feedback via a questionnaire (still to be provided to the Group) and, when the test phase of the chosen tool was to begin, requested for 1-2 test persons from the RAG.

  Answers to questions:

  - Agency wants to ensure that previous AGNA documentation will be migrated to the new tool so that AGNA legacy not lost and remains accessible.
  - Agency takes note of suggestion to use tool for questions from RAG members to be addressed between the meetings.

  Conclusion: The Group supports the communication platform project.

  Action **1-7-2012**: Agency to finalise questionnaire, submit tool requirements to IT Dept for search of adequate tool to meet the purpose.

- **ICAO state letters:**

  In relation to rulemaking tasks concerning Remotely Piloted Aircraft Systems (RPAs), it was asked to specify on the timetable regarding SERA as well as the Opinion 2012-10.

  SERA: The Agency replied that the Rulemaking activities would be starting next year. Working together with JARS and Commission. SERA initially did not include RPAS, but was added to ensure harmonised approach of the Rules of the Air in Europe. Respective State Letter has been uploaded on CIRCABC by the Commission – reference 2012/SL19.

  NPA 2012-10:
  There are no differences as compared to the version of 29th May. However, ICAO requires the documents to be provided in English. This may not be followed in the EU due to the various language regimes.

8.	Closing

Presented by: the Chair

The Chair thanked everyone for attending.
The meeting closed at 15:00h

List of actions:				(Optional)
Item	**Action** (What)	**Person Responsible** (Who)	**Deadline** (When)	**Status** (Optional)
1-1-2012; 1-2-2012; 1-3-2012	distribute presentations as follow-up documents	Agency	ASAP	Closed
1-4-2012	launch task on Flammability Reduction Means (FRM)	Agency	next RAG meeting	In progress
1-5-2012	create form for notification of AltMOC	Agency	ASAP	In progress
1-6-2012	provide Agency with names of national focal points for AltMoC and with further comments on the presentation	RAG	15 November 2012	Open
1-7-2012	finalise questionnaire on Communication Platform, submit tool requirements to IT Dept for search of adequate tool to meet the purpose	Agency	end of the year	In progress

Next meeting:

The next meeting is arranged for **3 July 2013** in the **Cologne-Deutz Jugendherberge**, Siegesstr. 2, 50679 Cologne (just opposite of EASA headquarters)

List of Participants

	Members:				
		Mr	Thomas	**Kacsich**	Ministry of Transport	**Austria**
		Mr	Didier	**Ledur**	Civil Aviation Authority	**Belgium**
		Ms	Eleonora	**Dobreva**	DG Civil Aviation Administration	**Bulgaria**
Attendees		Mr	Alfonso	**Arroyo**	Directorate General for Mobility and Transport, European Commission	**EC - DG MOVE**
		Mr	Viktor	**Nath**	Civil Aviation Authority	**Czech Republic**
		Mr	Theo	**Rabenberg**	Transport Authority	**Denmark**
		Ms	Susanna	**Metsälampi**	Transport Safety Agency	**Finland**
		Mr	Georges	**Thirion**	Direction Generale de l'Aviation Civile	**France**

	Ms	Marina	**Köster**	Bundesministerium für Verkehr, Bau und Stadtentwicklung	**Germany**
	Mr	Sotirakis	**Stamou**	Civil Aviation Authority	**Greece**
	Dr	Erika	**Varga**	National Transport Authority - Aviation Authority	**Hungary**
	Ms	Jóhanna Helga	**Halldórsdóttir**	Civil Aviation Administration	**Iceland**
	Mr	Brian	**Skehan**	Aviation authority	**Ireland**
	Mr	Enea	**Guccini**	ENAC	**Italy**
	Ms	Dace	**Revizore**	Civil Aviation Agency	**Latvia**
	Mr	Henrik	**Caduff**	Office of Economic Affairs	**Liechtenstein**
	Ms	Claude	**Wagener**	Direction de l'Aviation Civile	**Luxembourg**
	Mr	Pieter	**Mulder**	DGCA, Ministry of Infrastructure and Environment	**Netherlands**
	Ms	Nina Beate	**Vindvik**	Civil Aviation Authority	**Norway**
	Mr	Malgorzata	**Polkowska**	Civil Aviation Office	**Poland**
	Mr	Ovidiu	**Trãichioiu**	Civil Aeronautical Authority	**Romania**
	Mr	Martin	**Němeček**	Civil Aviation Authority	**Slovak Republic**
	Mr	José María	**Ramírez Ciriza**	Aviation Safety Agency	**Spain**
	Ms	Heléne	**Jansson-Saxe**	Transport Agency	**Sweden**
	Mr	Igor	**Pirc**	Federal Office of Civil Aviation	**Switzerland**

Observers:

	Mr	Jürgen	**Stegmeier**	EDA	**European Defense Agency**
	Ms	Tea	**Galić**	Civil Aviation Agency	**Croatia**
	Mr	Bruno	**Lassagne**	Aviation civile	**Monaco**
	Mr	Mileta	**Nikolic**	Civil Aviation Agency	**Montenegro**
	Ms	Aleksandra	**Potparević**	Civil Aviation Directorate	**Serbia**
	Mr	Özcan	**Başoğlu**	Min. of Transport, Directorate Gen. of Civil Aviation	**Turkey**

Other participants:

	Mr	Franz	**Graser**	Austrocontrol	**Austria**
	Mrs	Pat	**Ricketts**	Civil Aviation Authority	**United Kingdom**
	Mr	Vladimir	**Nekvasil**	Civil Aviation Authority	**Czech Republic**
	Mr	Bob	**Rieder**	DGCA Min. of Infrastructure and Environment	**The Netherlands**
	Mr	Ralf	**Erckmann**	Certification Directorate, Policy & Planning Department	**EASA**

Apologies	Mr Juan **Vazquez-Sanz** Eurocontrol		**EUROCONTROL**

Conclusions prepared by	Kirsti Reinartz-Krott	5/10/2012	Signature
Conclusions reviewed by	Athanassios Tziolas	Date	Signature