



# Explanatory Note to Decision 2017/002/R

## Air operations requirements on management of aeronautical databases

RELATED NPA/CRD 2014-20 — OPINION NO 02/2015 — RMT.0593

### EXECUTIVE SUMMARY

This Decision addresses safety, economic and regulatory coordination issues related to the provision of data to airspace users for the purpose of safety-critical air navigation. Acknowledging the importance of correct data and information being fed into the airborne system and highlighting that the lack of such correct data could lead to significant safety risks for a flight, the specific objectives are to:

- ensure that the aeronautical data and information for use on certified aircraft systems are processed in a way that guarantees their quality and meets the requirements set by the aircraft manufacturers for the airspace end-users' intended use;
- provide cost-efficient rules in the field of air navigation and aircraft operation by avoiding double oversight of the data services by the competent authority and by the operators contracting their services; and
- ensure that the Single European Sky (SES) objectives on interoperability with respect to data used on aircraft systems are achieved.

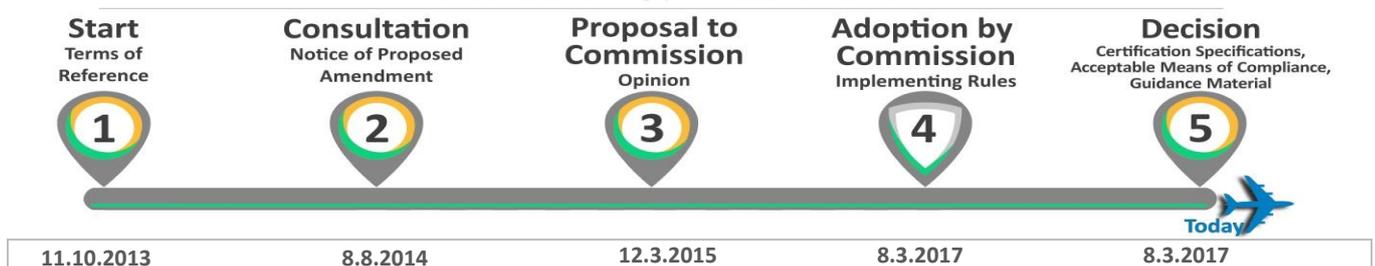
The changes are expected to support the implementation of performance-based navigation (PBN) throughout the European Union and provide for cost-effectiveness through the reduction of regulatory burden on aircraft operators and on the competent authorities performing their oversight at national level.

The changes will apply from 2019, and the amendments to the associated acceptable means of compliance (AMC) and guidance material (GM) to Commission Regulation (EU) No 965/2012 as regards the management of aeronautical databases (discharging aircraft operators from their data suppliers auditing obligation) will be issued through a separate Decision.

However, Commission Implementing Regulation (EU) 2017/373 laying down common requirements for providers of air traffic management (ATM)/air navigation services (ANS) and other ATM network functions and their oversight allows data services (DAT) providers, on a voluntary basis, to apply for, and be granted, the relevant certificates immediately upon the entry into force of said Regulation. Thus, this Decision is providing operators the possibility to also use certified DAT providers before the applicability date of the new provisions.

<b>Action area:</b>	Safety management		
<b>Affected rules:</b>	AMC/GM to Part-CAT; AMC/GM to Part-NCC		
<b>Affected stakeholders:</b>	Aircraft operators and competent authorities		
<b>Driver:</b>	Safety, efficiency/proportionality	<b>Rulemaking group:</b>	Yes
<b>Impact assessment:</b>	Light	<b>Rulemaking Procedure:</b>	Standard

• EASA rulemaking process milestones



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## 1. About this Decision

The European Aviation Safety Agency (EASA) developed this ED Decision in line with Regulation (EC) No 216/2008<sup>1</sup> (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure<sup>2</sup>.

This rulemaking activity is included in the EASA Revised 2014-2017 Rulemaking Programme<sup>3</sup> under RMT.0593. The scope and timescales of the task were defined in the related Terms of Reference (see process map on the title page).

The *draft* text of this Decision has been developed by EASA based on the input of the Rulemaking Group RMT.0593. All interested parties were consulted through NPA 2014-20<sup>4</sup>, which was published on 8 August 2014. 410 comments were submitted by 30 stakeholders, including industry, national aviation authorities (NAAs), and associations.

EASA has reviewed the comments received on the NPA. The comments received and the EASA responses thereto are presented in Comment-Response Document (CRD) 2014-20<sup>5</sup>.

In order to take an informed decision, EASA also carried out a focused consultation in the form of thematic meetings. One of them took place on 1 December 2015 with the aim of commonly identifying and analysing the issues as well as establishing guidance for the review of the proposals towards drafting the final Decision. Said thematic meeting was attended not only by experts who were members of the Rulemaking Group RMT.0593, but also by experts who contributed actively to the NPA consultation. The *final* text of this Decision with the acceptable means of compliance (AMC)/guidance material (GM) has been developed by EASA based on the analysis of the comments and inputs received.

The process map on the title page summarises the major milestones of this rulemaking activity.

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<sup>1</sup> Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1467719701894&uri=CELEX:32008R0216>).

<sup>2</sup> The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2012 of 13 March 2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure) (<https://www.easa.europa.eu/system/files/dfu/EASA%20MB%20Decision%2001-2012%20Revised%20MB%20Decision%20RM%20Process%20.pdf>).

<sup>3</sup> <http://www.easa.europa.eu/document-library/rulemaking-programmes/revised-2014-2017-rulemaking-programme>

<sup>4</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2014-20>

<sup>5</sup> <https://www.easa.europa.eu/document-library/comment-response-documents/crd-2014-20>



## 2. In summary — why and what

### 2.1. Why we need to issue the AMC/GM

Aeronautical data and information have to be derived from qualified data sources and be kept up to date; however, this in itself is not sufficient. Quality has to be maintained in all phases of the aeronautical data chain. To this end, aeronautical data and information need to be properly processed, that is provided in a compatible format and as required by the airspace end-users (e.g. aircraft manufacturers, aircraft operators).

This issue has been well acknowledged since 2003, when it was agreed at the Federal Aviation Administration (FAA)/Joint Aviation Authorities (JAA) International Conference that an improved control of data stored in aircraft navigational databases is essential to support the implementation of Area Navigation (RNAV) and Required Navigation Performance (RNP) concepts (now replaced by PBN). For that reason, the Agency issued Opinion No 01/2005 on the conditions and the associated guidance for the issuance of Letters of Acceptance (LoA) for navigation database suppliers by the Agency. Said Opinion aimed to confirm the eligibility of LoA holders that transcribe, format and/or integrate information originating from national Aeronautical Information Publications (AIPs) into electronic databases for airborne navigation systems. The LoA does not constitute a mandatory requirement since it is not stemming from a binding act. The LoA concept attests that the data provided by these data organisations can be used by aircraft operators without further verification and that the organisation has put in place an appropriate quality system for controlling data processing. This obviates the obligation for the aircraft operator to verify that the data is appropriate for the intended operation and facilitates the aircraft operators' oversight by the NAAs. The outcome of the LoA concept is a significant decrease in audits by aircraft operators of DAT providers when the latter can demonstrate that the Agency is performing the oversight of these data services provision. However, as already mentioned, said conditions and associated guidance are applied on a purely voluntary basis at the request of the applicant.

With the adoption of Commission Implementing Regulation (EU) 2017/373<sup>6</sup> 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, the mentioned voluntary LoA concept will be replaced by a certification scheme for DAT providers. Thus, the air operations requirements applicable to the management of aeronautical databases have been also amended to reflect the new set-up for DAT providers and therefore relieve aircraft operators from their oversight responsibilities once the DAT provider is certified for databases which are not only used for navigation purposes.

The Agency will provide for the domain covered by Regulation (EU) No 965/2012 (air operations), the accompanying AMC and GM that are necessary to facilitate the uniform implementation of said implementing rules.

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<sup>6</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) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1488964263924&uri=CELEX:32017R0373>)



However, having recognised that several DAT providers may apply on a voluntary basis to be certified in accordance with the new provisions in advance of the applicability date (1 January 2019), the Agency also recognises the advantage for operators of using such providers before that time.

The present Decision is, therefore, introducing the possibility for CAT and NCC operators to use certified DAT providers as an alternative to LoA holders.

This Decision is intended to bridge the transition period until the new requirements apply.

The necessary associated AMC and GM that aim to facilitate the uniform implementation of said implementing rules will be issued through a separate Decision having the applicability date of 1 January 2019 in accordance with the new provisions.

## 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. The specific objective of this Decision is to facilitate the uniform implementation of air operations requirements applicable to the management of aeronautical databases by providing a flexible approach to the means of compliance and by assisting with the necessary level of guidance.

## 2.3. What are the stakeholders' views

Please refer to the outcome of consultation published via [Opinion 02/2015](#) on the technical requirements and operating procedures for the provision of data to airspace users for the purpose of air navigation published on 16 March 2015.

## 2.4. What are the benefits and drawbacks

Please refer to Section 2.4 'Summary of the Regulatory Impact Assessment (RIA)' of [NPA 2014-20](#) on the technical requirements and operational procedures for the provision of data for airspace users for the purpose of air navigation issued on 8 August 2014.

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

### ED Decision 2014/015/R is amended as follows:

AMC1 CAT.IDE.A.355 is amended to allow the use of certified DAT providers.

GM1 CAT.IDE.A.355 is amended to introduce the definition of certified DAT providers.

### ED Decision 2013/021/R is amended as follows:

AMC1 NCC.IDE.A.260 is amended to allow the use of certified DAT providers.

GM1 NCC.IDE.A.260 is amended to introduce the definition of certified DAT providers.



### 3. References

#### 3.1. Related regulations

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).

#### 3.2. Affected decisions

- ED Decision 2014/015/R of the Executive Director of the Agency of 24 April 2014 adopting Acceptable Means of Compliance and Guidance Material to Part-CAT of Regulation (EU) No 965/2012 and repealing Decision 2012/018/R of the Executive Director of the Agency of 24 October 2012 ‘AMC and GM to Part-CAT — Issue 2’.
- ED Decision 2013/021/R of the Executive Director of the Agency of 23 August 2013 adopting Acceptable Means of Compliance and Guidance Material for non-commercial operations with complex motor-powered aircraft ‘Part-NCC’.

#### 3.3. Reference documents

- 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).
- Opinion No 02/2015 ‘Technical requirements and operating procedures for the provision of data to airspace users for the purpose of air navigation’

