



## Requirements for apron management services at aerodromes

RELATED NPA/CRD TO NPA 2013-24 — RMT.0485 & RMT.0465 — 24.9.2014

### EXECUTIVE SUMMARY

This Opinion addresses the requirements for apron management services at aerodromes and provides the final outcome — i.e. a draft amending Commission Regulation — of the rulemaking tasks RMT.0485 & RMT.0465, which started in July 2012 and resulted in the publication of the Notice of Proposed Amendment (NPA) 2013-24 'Requirements for apron management services at aerodromes' on 18 December 2013.

The specific objectives of this Opinion are to ensure and maintain a high and uniform level of safety, and to propose the necessary implementing measures which should comply with Regulation (EC) No 216/2008.

This Opinion proposes an amendment to Commission Regulation (EU) No 139/2014 of 12 February 2014 laying down requirements and administrative procedures related to aerodromes, to include the certification, oversight and operations requirements for providers of apron management services.

The proposed changes are expected to provide safe and harmonised rules with additional benefits in terms of free movement of services and persons in the EU at minimised implementation costs. This will be achieved by introducing a set of rules that will be applicable to aerodromes falling under the scope of Regulation (EC) No 216/2008. With the proposed changes, compliance with the ICAO Standards and Recommended Practices is ensured.

	Applicability	Process map	
Affected regulations and decisions:	Commission Regulation (EU) No 139/2014 ED Decision 2014/012/R	Terms of Reference:	20.7.2012
Affected stakeholders:	Competent Authorities; aerodrome operators; air traffic services providers; providers of apron management services	Concept Paper:	No
Driver/origin:	Legal obligation (Regulation (EC) No 216/2008)	Rulemaking group:	Yes
Reference:	Article 8a(2)(d) and 8a(5) of Regulation (EC) No 216/2008	RIA type:	Light
		Technical consultation during NPA drafting:	No
		Publication date of the NPA:	18.12.2013
		Duration of NPA consultation:	3 months
		Review group:	No
		Focussed consultation:	Yes
		Publication date of the Decision:	2015/Q2

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## 1. Procedural information

### 1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Opinion 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 [Agency's Rulemaking Programme](#) under RMT.0485 and RMT.0465. The scope and timescale of the task were defined in the related Terms of Reference (see process map on the title page).

The draft text of this Opinion has been developed by the Agency based on the input of the Rulemaking Group RMT.0485 and RMT.0465. All interested parties were consulted through NPA 2013-24<sup>3</sup>. 1 187 comments were received from 48 different stakeholders, including aerodrome operators, industry, national aviation authorities, air traffic services providers and professional associations.

The Agency has addressed and responded to the comments received on the NPA. The comments received, and the Agency's responses thereto, are presented in the Comment-Response Document (CRD) 2013-24<sup>4</sup>.

On 3 and 10 June 2014 the Agency organised focussed consultation meetings with the national aviation authorities and the industry in order to discuss and resolve the most contentious comments received during the commenting period of the NPA.

The final text of this Opinion (i.e. Explanatory Note and draft Commission Regulation) has been developed by the Agency based on the input received during the focussed consultation meetings.

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

### 1.2. The structure of this Opinion and related documents

Chapter 1 of this Opinion contains the procedural information related to this task. Chapter 2 'Explanatory Note' explains the core technical content. The draft rule text proposed by the Agency is published on the Agency's website<sup>5</sup>.

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<sup>1</sup> Regulation (EC) No 216/2008 of the European Parliament and 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), as last amended by Commission Regulation (EU) No 6/2013 of 8 January 2013 (OJ L 4, 9.1.2013, p. 34).

<sup>2</sup> The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2013.

<sup>3</sup> In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

<sup>4</sup> <http://easa.europa.eu/system/files/dfu/NPA%202013-24.pdf>

<sup>5</sup> <http://easa.europa.eu/document-library/opinions>



### 1.3. The next steps in the procedure

This Opinion contains proposed amendments to European Union regulations. The Opinion is addressed to the European Commission, which shall use it as a technical basis to prepare a legislative proposal.

The Decision containing the related Acceptable Means of Compliance (AMC) and Guidance Material (GM) will be published by the Agency when the related Implementing Rules are adopted by the Commission.

For information, the Agency published the draft text for the related Agency Decision containing AMC and GM within CRD to NPA 2013-24. The final Decision adopting the AMC and GM will be published by the Agency once the European Parliament, the Council and the European Commission have adopted the Regulation.



## 2. Explanatory Note

### 2.1. Issues to be addressed

The provision of apron management services at aerodromes is part of the aerodrome operations. There are many ways for the provision of these services. They can be provided by the aerodrome operator, by the air traffic services provider, by a combination of these two, or by an independent third party. Currently, there are only a few cases in Europe where these services are provided solely by the aerodrome operator or by a third party independent from the aerodrome operator or the air traffic services provider.

The establishment of a dedicated unit to provide apron management services at an apron is not a legal requirement. This is a decision normally taken by the aerodrome operator based on various factors such as traffic density, complexity of apron, visibility conditions, etc. However, the proper functioning of the apron requires the establishment of procedures and an adequate level of training for personnel involved in apron management functions.

Some of the procedures required for the proper operations on an apron have already been addressed in Commission Regulation (EU) No 139/2014, while the rest are addressed in this Opinion.

The following issues are addressed:

- Adaptation of Authority Requirements included in Commission Regulation (EU) No 139/2014 to include certification and oversight of providers of apron management services;
- Adaptation of Organisation Requirements included in Commission Regulation (EU) No 139/2014 to include providers of apron management services, following the same concept as with the aerodrome operator, but providing proportionate measures taking into consideration the size of the organisation and its scope of activities;
- Introduction of Operations Requirements for aerodrome operators and providers of apron management services related to the apron operation, including training requirements for personnel involved in the provision of apron management services. Current training requirements for personnel involved in aerodrome operations and in the provision of air traffic services have also been taken into account.

### 2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2.1. The specific objective of this proposal is to establish authority requirements for the certification and oversight of providers of apron management services, their organisation requirements, operations requirements for the apron, as well as training requirements for personnel involved in the provision of apron management services. The proposal aims to maintain a high and uniform level of safety, to complete the requirements for aerodrome operations by integrating apron operations, and to allow apron management service providers to offer their services at different aerodromes and in different Member States without the need for multiple certificates.

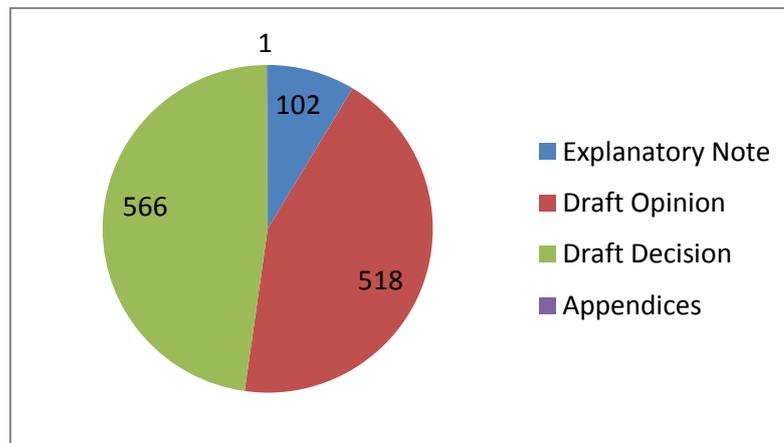


### 2.3. Outcome of the consultation

As mentioned above, during the public consultation period of NPA 2013-24, the Agency received 1 187 comments from stakeholders. The distribution of the comments on the NPA is shown in Table 1 and Figure 1 below:

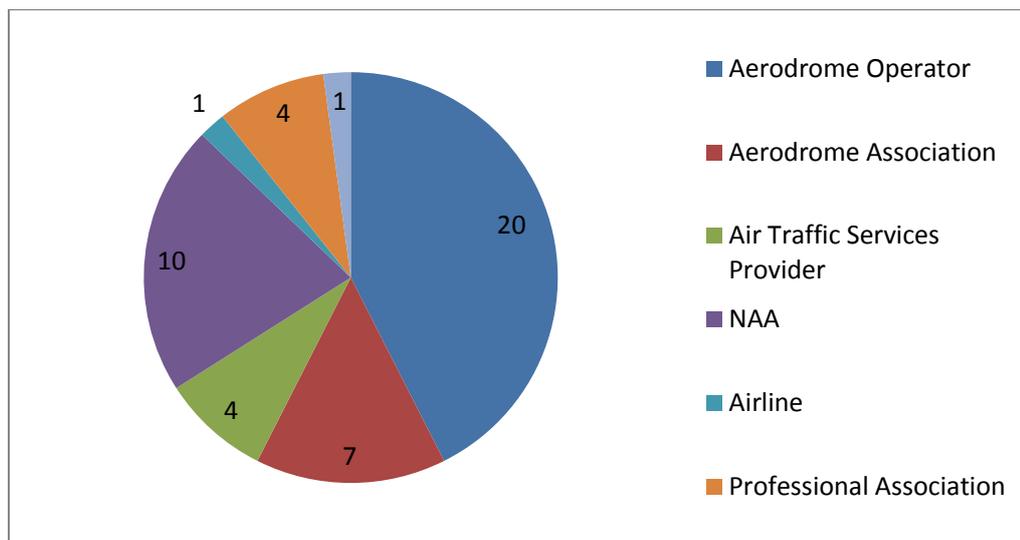
		Pages	Segments	Segments commented	Comments
NPA 2013-24	Explanatory Note	9	14	14	102
NPA 2013-24	Draft cover Regulation and IR Part-ADR.AR, Part-ADR.OR and Part-ADR.OPS	17	53	53	518
NPA 2013-24	AMC/GM to Part-ADR.AR, Part-ADR.OR and Part-ADR.OPS	48	91	91	566
NPA 2013-24	Appendices	9	1	1	1

**Table 1:** Distribution of comments received to NPA 2013-24



**Figure 1:** Distribution of comments received to NPA 2013-24

The distribution of comments received according to the stakeholders' sectors is shown in Figure 2 below:



**Figure 2:** Distribution of the comments received according to the stakeholders' sectors

The number of the comments appears exaggerated because the majority of them was an exact repetition expressing identical views; the overall amount of non-copied comments is significantly lower.

Many comments provided very valuable proposals for changes to the Implementing Rules and to the AMC and GM, and the Agency could accommodate most of them by adjusting the text proposed in the NPA. The main areas of concern were the following:

- Certification and oversight of providers of apron management services providing services at aerodromes located in different Member States;
- Adaptation of the management system of the aerodrome operator and of the air traffic services provider when they provide partially or exclusively apron management services;
- Clear distinction between the responsibilities of the aerodrome operator and the provider of apron management services;
- Adaptation of the operations manuals of the aerodrome operator and the air traffic services provider when they provide partially or exclusively apron management services;
- The responsibility of the aerodrome operator to ensure the training of persons not belonging to its organisation, but providing functions clearly related to apron management services, such as aircraft marshalling and 'FOLLOW-ME' services.

#### 2.4. Summary of the Regulatory Impact Assessment (RIA)

The options identified in the Regulatory Impact Assessment (RIA) are as follows:

- (a) Option 0: Baseline option (no action);
- (b) Option 1: Rulemaking action to achieve the specific objectives required by the Basic Regulation.

Option 0 means that the provision of apron management services will continue under the current national regulations, if established, resulting in different practices across the Member States. However, apron management services have been included in the Basic Regulation; therefore, a legislative proposal by the Commission is required.

Option 1, apart from satisfying the requirements of the Basic Regulation, will establish harmonised rules for the provision of apron management services, training, and the certification and oversight by the Competent Authorities in the European Union.

#### 2.4.1. Analysis of impacts

Option 1 will ensure that the **certification requirements** for the providers of apron management services are **harmonised across the EU**. They will ensure that the provider has the appropriate organisational structure, operational procedures and manuals to accomplish its tasks in a safe manner. The harmonised certification requirements will also facilitate the provision of apron management services in different Member States without the need for additional certification requirements, thus facilitating the **free movement of services** in the EU. The **harmonised training requirements** for personnel involved in the provision of apron management services as foreseen in Option 1 will ensure that involved personnel have acquired the appropriate training and competency to assume their duties, as well as to maintain their competence through appropriate recurrent and refresher trainings and proficiency checks. The proposed training concept includes an initial training complemented by aerodrome-specific training ('unit training'). The implementation of this concept will allow personnel with the initial training to exercise their duties at any aerodrome in the EU after having completed the aerodrome-specific unit training. Therefore, Option 1 will **facilitate the free movement of persons** from one aerodrome to another and will have a positive social impact as personnel will have the opportunity to work at different aerodromes. It will also enable the providers of apron management services to utilise **more efficiently** their personnel in case they provide services at various aerodromes.

The proposed rules in Option 1 are expected to have a **limited cost impact** on the aerodrome operators and the air traffic services providers since, considering also the current practice explained in Chapter 2.1., these activities could be included in their current certificate. The proposal allows the current practices and allocation of responsibilities concerning apron management to continue. Therefore, apart from some adjustments to the operations manuals of the aerodrome operators and the air traffic services providers, no other significant changes are expected.

Concerning Competent Authorities, the proposed rules on authority requirements are integrated into the existing requirements included in Commission Regulation (EU) No 139/2014, minimising to the extent possible the impact on their resources and processes. Additionally, the oversight requirements will support the Competent Authorities to maintain an appropriate surveillance of the activities of the provider resulting to the early identification of issues that may have a positive impact on safety in the future. Option 1 introduces also the concept of the cooperative oversight between Competent Authorities when overseeing providers operating at aerodromes located in different Member States. This concept allows a **more efficient management of resources** for oversight in the Competent Authorities.

**Comments received from the stakeholders** on NPA 2013-24 triggered a number of changes to the proposal so that the harmonised requirements for apron management services can be smoothly introduced in the activities of the aerodrome operators, air traffic services providers and Competent Authorities. For more details on how the comments were addressed, please refer to CRD 2013-24.



Overall, Option 1 is the preferred option as it provides safe and harmonised rules with additional benefits in terms of free movement of services and persons in the EU at minimised implementation costs.

## 2.5. Overview of the proposed amendments

### 2.5.1. Draft Commission Regulation

Article 1 of the draft Commission Regulation defines the subject matter and the scope of the proposed amendment to Commission Regulation (EU) No 139/2014. Article 2 defines the conversion of existing certificates of apron management service providers, which is similar to the conversion process of the aerodrome certificates. Article 3 defines the entry into force and the applicability of the proposed amendments.

### 2.5.2. Annex I (Definitions) to Commission Regulation (EU) No 139/2014

The definitions of the 'principal place of business' and the 'provider of apron management services' have been added. The definition of the 'principal place of business' has been introduced, in analogy to the same definition in Commission Regulation (EU) No 965/2012, to identify the Competent Authority responsible for the certification and oversight of providers of apron management services providing services at aerodromes located in different Member States.

### 2.5.3. Annex II (Part-ADR.AR) to Commission Regulation (EU) No 139/2014

#### 2.5.3.1. SUBPART A — GENERAL REQUIREMENTS

##### **ADR.AR.A.005 Competent Authority**

The rule has been revised to identify the Competent Authority for the providers of apron management services. Unlike aerodrome operators, where the Competent Authority is the one designated by the Member State in which the aerodrome is located, this concept is not applicable to providers of apron management services, since they can provide services in many aerodromes located in different Member States. For this reason, and following the same line as with other domains (air operations, flight crew licensing, etc.), it is proposed that the Competent Authority be the one designated by the Member State where the provider of apron management services has its 'principal place of business'. In the NPA, the 'principal place of operation' had been proposed for the designation of the Competent Authority; however, there were many comments received, explaining that the 'principal place of operation' could change over time.

##### **ADR.AR.A.010 Oversight documentation**

The rule has been updated to include providers of apron management services in the organisations to whom the Competent Authority shall make available the oversight documentation in order to facilitate their compliance with the applicable requirements.



**ADR.AR.A.030 Immediate reaction to a safety problem**

The rule has been revised in order to replace Directive 2003/42/EC on occurrence reporting in civil aviation<sup>6</sup> with Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation<sup>7</sup>. Furthermore, considering the fact that the aerodrome operator is overall responsible for the operation of the aerodrome, a new point (e) has been included in the rule to ensure that any measures addressed to the provider of apron management services by the Competent Authority are also notified to the aerodrome operator concerned.

**ADR.AR.A.040 Safety directives**

A new point (e) has been included in the rule following the same rationale with ADR.AR.A.030.

**2.5.3.2. SUBPART B — MANAGEMENT (ADR.AR.B)****ADR.AR.B.005 Management system**

The management system requirements for the Competent Authorities remained unchanged; however, considering the fact that providers of apron management services can provide their services in different locations, it was considered appropriate to include a requirement for the Competent Authorities to establish procedures for the mutual exchange of information for providers of apron management services in different Member States.

**ADR.AR.B.010 Allocation of tasks to qualified entities**

Point (a) of the rule has been revised in order to better reflect the provisions of Article 13 of the Basic Regulation.

**ADR.AR.B.020 Record keeping**

The rule has been revised in order to include certified apron management service providers in the record-keeping system of the Competent Authority as well as into those oversight records for the providers of apron management services exercising activities in this Member State but certified by the Competent Authority of another Member State, if there is such an agreement between these Authorities for cooperative oversight.

**2.5.3.3. SUBPART C — OVERSIGHT, CERTIFICATION AND ENFORCEMENT (ADR.AR.B)****ADR.AR.C.005 Oversight**

The rule has been revised to include providers of apron management services in the oversight responsibility of the Competent Authority. The oversight of providers of apron management services providing services at aerodromes located in different Member States was a very complex issue. After validating different options, it was considered more appropriate to follow the same principle followed in other domains, meaning that the oversight will be conducted by the certifying Competent Authority.

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<sup>6</sup> Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation (OJ L 167, 04.07.2003, p. 23).

<sup>7</sup> 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, 24.04.2014, p. 18).

However, the proposed rule allows the certifying Competent Authority to agree on certain oversight functions to be performed by the Competent Authority of the Member State where the aerodrome is located and the service is provided. This allocation of tasks is in line with the principle of cooperative oversight, which is applicable to other domains like air operations, aeromedical centres, etc.

#### **ADR.AR.C.010 Oversight programme**

The rule has been adapted to include also the certified providers of apron management services into the oversight programme of the Competent Authority. In the initial proposal in the NPA, the oversight programme was the same for certified and declared providers of apron management services. However, during the consultation period and the meetings held with the stakeholders, it was considered more appropriate to introduce a different approach to the oversight of declared providers of apron management services, since these organisations are subject to different requirements in order to commence the provision of the services. For this reason, a new point (e) has been proposed in accordance with the principle of risk-based oversight.

#### **ADR.AR.C.015 Initiation of the certification process**

The rule has been revised to include also the providers of apron management services into the same process as for the aerodrome operators. In that way, it is ensured that the Competent Authority will follow the same process for both aerodrome operators and providers of apron management services without increasing its administrative burden.

#### **ADR.AR.C.035 Issuance of certificates**

The rule has been updated to include the issuance of the certificate for the provider of apron management services. For the provider of apron management services' certificate, it has been decided to introduce a standardised form of this certificate since it is mutually recognised amongst the Member States. The rule enables also the aerodrome operator to request from the Competent Authority the issuance of a separate certificate, detached from the aerodrome certificate, if the aerodrome operator decides to provide apron management services at other aerodromes. Finally, the rule gives to the Competent Authority the discretion to accept certified air traffic services providers as apron management service providers when they have demonstrated to the Competent Authority that their operations manual is aligned with the aerodrome manual. This provision was the outcome of the consultation with the stakeholders, after considering the similarities of apron management services and air traffic services, thus avoiding unnecessary administrative burden for the air traffic services providers.

#### **ADR.AR.C.040 Changes**

In order to ensure a uniform approach of the Competent Authority towards the aerodrome operator and the provider of apron management services, the rule has been updated to include the providers of apron management services as well.

#### **ADR.AR.C.055 Findings, observations, corrective actions and enforcement measures**

Following the same rationale with ADR.AR.A.030 and ADR.AR.A.040, any findings or observations made to a provider of apron management services shall be notified by the Competent Authority to the aerodrome operator concerned.



#### 2.5.4. Annex III (Part-ADR.OR) to Commission Regulation (EU) No 139/2014

As a general principle, the Agency tried to accommodate the requirements for the providers of apron management services into the same rule, which is applicable to the aerodrome operator. However, there were many cases where rules adapted to the provider of apron management services had to be drafted because of the different requirements and nature of operations of the aerodrome operator.

##### 2.5.4.1. SUBPART A — GENERAL REQUIREMENTS (ADR.OR.A)

###### **ADR.OR.A.010 Competent Authority**

The rule mirrors ADR.AR.A.005 and defines the Competent Authority for the provider of apron management services.

##### 2.5.4.2. SUBPART B – CERTIFICATION AND DECLARATION (ADR.OR.B)

The title of the Subpart has been changed by adding the word ‘declaration’. This is the outcome of the comments received during the commenting period of the NPA, where stakeholders expressed the concern that it was difficult for the reader to identify where the rules related to the declaration of providers of apron management services are located.

###### **ADR.OR.B.005 Certification obligation of aerodromes, aerodrome operators and providers of apron management services**

The rule has been updated to include providers of apron management services into the certification obligation before commencing the provision of apron management services. During the consultation period, many stakeholders expressed their concern that even if a certificate is mutually recognised amongst the Member States, the Competent Authority of the host Member State has to be satisfied that the provider of apron management services is able to operate in the new environment. For this reason, the provider of apron management services is required to conclude an agreement with the aerodrome operator, to notify the Competent Authority of the host Member State of its intentions, and to demonstrate to that Competent Authority that its operations manual is aligned with the aerodrome manual of the host aerodrome. The rule also requires the providers of apron management services subject to declaration to submit a declaration before the commencement of operations.

###### **ADR.OR.B.020 Application for a certificate — providers of apron management services**

The rule describes the process of applying for a certificate as a provider of apron management services. The process is similar to the application for an aerodrome certificate; however, it has been adjusted to meet the specific requirements for and the nature of operations of providers of apron management services, i.e. the certification basis is not applicable to apron management services.

###### **ADR.OR.B.026 Demonstration of compliance — providers of apron management services**

As in the previous rule, the demonstration of compliance by the providers of apron management services is similar to that of the aerodrome operators; however, it is customised to the needs and the scope of activities of the providers of apron management services.

###### **ADR.OR.B.030 Terms of the certificate and privileges of the certificate holder**

The rule has been updated to include also the certified providers of apron management services.



**ADR.OR.B.035 Continued validity of a certificate**

The rule has been updated to include also the certified providers of apron management services.

**ADR.OR.B.040 Changes**

The process of managing changes follows exactly the same principles as for the aerodrome operators; therefore, the rule has been updated to include certified providers of apron management services.

**ADR.OR.B.060 Declaration of providers of apron management services**

The proposed rule initially required the provider of apron management services to provide its services in accordance with the aerodrome manual. However, the provider is required to develop an operations manual based on the aerodrome manual, the air traffic services operations manual, and the written agreements with the aerodrome operator as well as the formal arrangements with the air traffic services provider. For this reason, the aerodrome manual has been replaced by the operations manual of the provider of apron management services.

**ADR.OR.B.070 Termination of operation — providers of apron management services**

The termination of operation by a provider of apron management services allocates responsibilities both to the provider and the aerodrome operator. The provider of apron management services shall notify the Competent Authority and the aerodrome operator, and shall surrender the certificate to the Competent Authority or shall request the deregistration of the declaration. The aerodrome operator, being responsible for the overall operation of the aerodrome, shall provide the information to the Aeronautical Information Services (AIS) for publication and shall take all the appropriate measures to mitigate all the risks associated with the termination of the service.

**2.5.4.3. SUBPART C — ADDITIONAL AERODROME OPERATOR AND PROVIDER OF APRON MANAGEMENT SERVICES' RESPONSIBILITIES (ADR.OR.C)**

The title of the Subpart has been revised to include the providers of apron management services in order to facilitate the reader in identifying the requirements for providers of apron management services in the text.

**ADR.OR.C.010 Provider of apron management services' responsibilities**

In analogy with the aerodrome operators, the proposed rule establishes the responsibilities of the provider of apron management services. The approach followed is similar to the one adopted for the aerodrome operator; however, the requirements are simpler due to the limited scope of activities and nature of operations.

**ADR.OR.C.020 Findings and corrective actions**

The aerodrome operator, being responsible for the operation of the aerodrome, should be aware of any findings raised by the Competent Authority to the provider of apron management services and any corrective action should be coordinated. For this reason, the proposed rule has been updated in order to require the provider of apron management services to inform and coordinate with the aerodrome operator the actions following a finding, i.e. root cause, the definition of the corrective action plan and the demonstration of its completeness.



**ADR.OR.C.030 Occurrence reporting**

The rule has been updated to include the provider of apron management services into the reporting of occurrences to the Competent Authority as well as to replace Directive 2003/42/EC with Regulation (EU) No 376/2014. Additionally, following many comments by the stakeholders, any occurrence report submitted by the provider of apron management services to the Competent Authority shall also be notified to the aerodrome operator.

**ADR.OR.C.045 Use of alcohol, psychoactive substances and medicines**

The new point (b) that has been added in the rule imposes the obligation to the provider of apron management services to implement the procedures established by the aerodrome operator with regard to the consumption of alcohol, psychoactive substances and medicine by its personnel.

**2.5.4.4. SUBPART D — MANAGEMENT (ADR.OR.D)****ADR.OR.D.005 Management**

The rule has been revised to include also the management requirements for the providers of apron management services. The overall line followed is the same as for the aerodrome operators and similar to that followed in other aviation domains. This will also facilitate the aerodrome operators and air traffic services providers to adapt smoothly their management system when providing apron management services. In order to make the latter evident for the above-mentioned organisations, a new point (f) has been added to provide this possibility.

**ADR.OR.D.016 Personnel requirements — providers of apron management services**

This rule establishes the personnel requirements for the providers of apron management services. Although the overall philosophy is similar to that for the aerodrome operator, the requirements are simpler since the scope of the activities and the nature of operations are more limited compared to the aerodrome operator's. As in ADR.OR.D.005, in order to avoid duplication of requirements for the aerodrome operators and air traffic services providers when they provide apron management services partially or exclusively, the rule allows them to integrate the personnel requirements into their existing allocation of responsibilities within their organisation.

**ADR.OR.D.018 Training and proficiency check programmes — providers of apron management services**

The rule establishes the training and proficiency check programmes' requirements for the providers of apron management services. The requirements are similar to those for the aerodrome operator; however, the scope is limited since it applies only to the personnel of the provider of apron management services. The rule also allows the aerodrome operator and the air traffic services provider to integrate the training programme for apron management services into their training scheme when they provide apron management services partially or exclusively.

**ADR.OR.D.032 Safety reporting system — providers of apron management services**

The provider of apron management services, according to the management system requirements, shall have in place a safety management system. One of the elements of the safety management system is the establishment of a safety reporting system. The purpose of the rule is the establishment of such a system by the provider of apron management system for its personnel. However, considering the fact



that the overall responsibility for the safety of aerodrome operations lies with the aerodrome operator and that there are also strong links with the air traffic services provider, the rule provides for the cooperation between those organisations when assessing safety occurrences in order to address safety deficiencies and identify trends, as well as the participation of the provider of apron management services into the investigation of safety reports conducted by the aerodrome operator, whenever is required.

#### **ADR.OR.D.040 Record keeping — providers of apron management services**

The rule establishes the record-keeping requirements for the providers of apron management services, which are similar to those for the aerodrome operator, but adjusted to meet the specific needs of the provider of apron management services.

#### **2.5.4.5. SUBPART F — OPERATIONS MANUAL AND DOCUMENTATION OF PROVIDER OF APRON MANAGEMENT SERVICES (ADR.OR.F)**

This is a new Subpart addressing the requirements for the operations manual and documentation requirements for the providers of apron management services. The Subpart contains two rules, one referring to the operations manual and the other to the documentation requirements. For the operations manual, contrary to the aerodrome manual, there is no ICAO guidance concerning its content and structure. In the absence of any guidance material, the Agency decided to follow a structure similar to that of the aerodrome manual, but adjusting its content to the scope of activities and nature of operations of the provider of apron management services. Another reason for selecting this solution was to facilitate the inclusion of the apron management requirements into the aerodrome manual and the operations manual of the air traffic services provider when they provide partially or exclusively apron management services. As for the documentation requirements, the rule is similar to the one already established for the aerodrome operator.

#### **2.5.5. Annex IV (Part-ADR.OPS) to Commission Regulation (EU) No 139/2014**

Initially, Subpart D of NPA 2013-24 contained both the responsibilities of the aerodrome operator and of the provider of apron management services. Many comments were received, requiring the responsibilities of the aerodrome operator and of the provider of apron management services to be allocated into different subparts in order to be easily identifiable. For this reason, Subpart D contains all the requirements for the aerodrome operator on the apron, irrespective of the existence of an apron management services provider, while Subpart E contains the requirements for the providers of apron management services when they are established at an aerodrome.

#### **2.5.5.1. SUBPART D — ADDITIONAL AERODROME OPERATOR RESPONSIBILITIES ON THE APRON (ADR.OPS.D)**

##### **ADR.OPS.D.001 Apron requirements**

The aerodrome operator is responsible for the operation of the aerodrome, including the apron. However, many requirements described in this Subpart are fulfilled either by the aerodrome operator or by other organisations under arrangements with the aerodrome operator. The proposed rule allows the aerodrome operator to continue this practice.



**ADR.OPS.D.002 Apron management**

Apron management is an essential task at any aerodrome, irrespective of its size, complexity and visibility conditions, under which operations will be maintained, and is not related to the existence of a dedicated apron management service to manage apron operations. The rule obliges the aerodrome operator to establish arrangements in order to ensure the proper management of operations on the apron.

**ADR.OPS.D.005 Written agreement between the aerodrome operator and the provider of apron management services**

There are different methods and practices in the provision of apron management services. These services can be provided exclusively by the aerodrome operator, or the air traffic services provider, or by a dedicated provider of apron management services, or by any combination of the above. Nevertheless, any type of arrangement chosen entails some responsibilities for the aerodrome operator in the context of agreements with the provider of apron management services, when concluded, and must ensure that formal arrangements are in place between the provider of apron management services and the air traffic services providers. The rule also provides for similar agreements between the aerodrome operator and the air traffic services providers when they are providing apron management services themselves.

**ADR.OPS.D.010 Management of aircraft movement on the apron**

The management of aircraft movement on the apron is an essential task of apron management in order to prevent collisions between aircraft and between aircraft and obstacles, vehicles and persons. The aerodrome operator has the responsibility to ensure that means and procedures are in place in order to meet this objective. There are various ways which can be used in order to meet this objective, which are detailed in the respective Acceptable Means of Compliance.

**ADR.OPS.D.015 Coordination of aircraft entry to/exit from the apron**

The transfer of aircraft from one area of responsibility to another is a critical task, where coordination between the organisations responsible for these areas is required. Irrespective of the existence of an apron management service, it has to be ensured that the transfer of aircraft control from the manoeuvring area to the apron and vice versa is done in a coordinated manner following specific procedures.

**ADR.OPS.D.020 Apron management services' boundaries**

When a provider of apron management services is established, it is necessary to define the boundaries of the area where apron management services are provided. Although it could be claimed that the boundaries of the area are the boundaries of the apron, this could not be applied in many cases because, for operational reasons, the area of responsibility of the provider of apron management services is extended towards some parts of the manoeuvring area. This information is also important for the flight crews in order to be aware of the areas where apron management services are provided. This is accomplished in cooperation with the air traffic services provider and the information is provided for publication in the Aeronautical Information Publication.

**ADR.OPS.D.025 Publication of aeronautical radio frequencies assigned to apron management**

It is important for the flight crews, when entering the apron, to know the frequencies that they can use in order to communicate with the organisation responsible for the apron management. The rule requires the aerodrome operator to provide this information for publication in the Aeronautical Information Publication.

#### **ADR.OPS.D.030 Management of vehicle movements**

Usually, on aprons there is a lot of vehicle movement, which many times interferes with aircraft movement. The rule requires that the aerodrome operator shall, as a minimum, take some actions in order to ensure the safety of operations. These actions include the establishment, implementation, monitoring and enforcement of apron-driving rules, the designation of appropriate vehicles' driving routes in order to minimise the interference of vehicle routes with aircraft taxiing routes, as well as the establishment and enforcement of vehicle condition requirements.

#### **ADR.OPS.D.035 Right-of-way on the apron**

The simultaneous movement of aircraft and vehicles on the apron requires the establishment of priorities between moving aircraft and vehicles, which should be universally applicable to all aerodromes. The rule establishes the right-of-way on the apron and is based on the ICAO Annex 14 requirements.

#### **ADR.OPS.D.040 Management of apron safety**

Apart from vehicle movements on the apron, there are also other activities which may endanger safety. Although the apron-driving rules largely contribute to the overall apron safety, it is necessary that the aerodrome operator ensures that apron-safety rules covering apron activities are established, disseminated and implemented. In addition to this, it has to be ensured that discipline on the apron is monitored and action is taken in case of violations.

#### **ADR.OPS.D.045 Aircraft stand allocation**

Aircraft stand allocation is also an important safety function. Even if it can be claimed that aircraft stand allocation has a commercial element for both the aerodrome operator and the aircraft operator, safety issues should also be equally considered when allocating an aircraft to a stand. Although this function can be performed by organisations different from the aerodrome operator, it is the responsibility of the aerodrome operator to establish and implement the procedures in order to ensure that the allocated aircraft stand is suitable for the aircraft type intended to use it, that the allocated stand is communicated to the organisations responsible for providing taxi instructions to aircraft, and that this information is also communicated to the persons responsible for aircraft manoeuvring.

#### **ADR.OPS.D.050 Marshalling of aircraft**

The marshalling of aircraft is provided using appropriate hand signals according to ICAO Annex 2, which has been transposed into the European regulatory system with Commission Implementing Regulation (EU) No 923/2012<sup>8</sup>. The proposed rule makes reference to this Regulation.

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<sup>8</sup> 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).

**ADR.OPS.D.055 Aircraft parking**

Aircraft parking is an action which may have a negative impact on some safety aspects due to the fact that the aircraft is approaching an area which in many cases is very close to fixed installations, equipment and personnel. Appropriate rules should be in place in order to ensure that aircraft safety is not affected by the above-mentioned conditions. Although aircraft parking is normally assisted by airline and ground-handling staff, the aerodrome operator is responsible to establish and implement procedures in order to ensure the safety of the aircraft.

**ADR.OPS.D.060 Aircraft departure**

Aircraft departure is a similar process to that of aircraft parking that requires some safety measures. As already mentioned in ADR.OPS.D.055, the aerodrome operator is responsible to establish and implement the procedures to ensure the safety of the aircraft when departing from the stand.

**ADR.OPS.D.065 Dissemination of information to operators**

Frequently, there are some limitations to the operations on the apron for various reasons, such as maintenance, operation of new types of aircraft, reallocation of driving routes, etc., which have a negative impact on normal operations. In these cases, a timely dissemination of the relevant information to the organisations operating on the apron is crucial for ensuring the safety of operations. The proposed rule aims to meet this objective.

**ADR.OPS.D.070 Alerting of emergency services**

Normally, the aerodrome emergency plan contains the procedures for alerting the emergency services in case of accidents. Alerting is very often performed by the air traffic services when an aircraft in flight is involved. However, there are many incidents or accidents on the apron not involving the air traffic services, where alerting the emergency services is necessary. The proposed rule requires the aerodrome operator to ensure that appropriate facilities and means are available on the apron for personnel working there in order to alert emergency services.

**ADR.OPS.D.075 Training**

The rule requires the aerodrome operator to ensure that persons providing marshalling services and 'FOLLOW-ME' guidance to aircraft are appropriately trained and qualified. Some comments were received asking for the deletion of the rule since, according to the Ground Handling Directive, this is considered as provision of ground-handling services, if not provided by the aerodrome operator. The argument was rejected firstly due to the fact that especially 'FOLLOW-ME' guidance is normally provided by the aerodrome operators and secondly because both activities are directly related to flight operations and a minimum level of training must be ensured for those persons.

**2.5.5.2. SUBPART E — PROVISION OF APRON MANAGEMENT SERVICES (ADR.OPS.E)****ADR.OPS.E.005 Management of aircraft movement on the apron by the provider of apron management services**

This requirement is addressed to the provider of apron management services, when established. Although the aerodrome operator has the overall responsibility to ensure that means and procedures are in place for the management of aircraft movement on the apron, as established under



ADR.OPS.D.010, the provider of apron management services has to apply the procedures by using the means provided.

**ADR.OPS.E.010 Coordination of aircraft entry to/exit from the apron**

The proposed rule can be considered as the executive part of ADR.OPS.D.015. The coordination of the aircraft's entry to/exit from the apron is an essential apron management function, irrespective of the existence of a provider of apron management services. The aerodrome operator is responsible to ensure that the aircraft's entry to/exit from the apron is coordinated with the air traffic services, but the provider of apron management services, when established, is responsible for the implementation.

**ADR.OPS.E.015 Management of vehicle movements by the provider of apron management services**

The proposed rule is a conditional one. Normally, the management of vehicle movements on the apron is the responsibility of the aerodrome operator, which is also responsible to ensure that driving rules on the apron are established, disseminated and implemented. However, there could be cases where the management of vehicle movements is assigned to the provider of apron management services, therefore, the proposed rule allows also that form of arrangement.

**ADR.OPS.E.020 Formal arrangements between the provider of apron management services and the air traffic services providers**

The provider of apron management services, when established, has to coordinate a number of activities with the air traffic services provider. For this reason, the establishment of formal agreements between the two organisations is essential to ensure a safe and efficient flow of air traffic, which is the objective of the Implementing Rule. The content of the formal arrangement is included in the relevant AMC since it largely depends on the aerodrome layout, the traffic density and the visibility conditions, under which operations will take place.

**ADR.OPS.E.025 Start-up clearances and taxi instructions**

Start-up clearances are normally given by air traffic services. On the other hand, push-back and taxi clearances are normally given by the unit responsible for the apron. If a provider of apron management services has been established, coordination between them is necessary because push-back and taxi clearances are related to start-up clearances.

**ADR.OPS.E.030 Training of personnel providing taxi instructions to aircraft through radio**

The rule requires the provider of apron management services to ensure the training of personnel providing taxi instructions to aircraft through aeronautical radio frequencies. The training syllabus is similar to the training for aerodrome tower and ground controllers since the content of the job is similar and to a large extent is performed by air traffic controllers.

Done at Cologne, on 24 September 2014.

P. KY  
Executive Director



### 3. References

#### 3.1. Affected regulations

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)

#### 3.2. Affected decisions

Decision 2014/012/R of the Executive Director of the Agency of 27 February 2014, adopting Acceptable Means of Compliance and Guidance Material to Regulation (EU) No 139/2014 — ‘AMC/GM for Aerodromes — Initial Issue’

#### 3.3. Reference documents

- ICAO Annex 14
- ICAO Doc 9137, Airport Services Manual, Part 8
- ICAO Doc 9476, SMGCS Manual

