



Management Board Sub-Group
on the
Future of the European Aviation Regulatory System

Final Report

Table of Contents

Table of Contents.....	2
Foreword.....	3
1. Vision and Strategic Goals.....	5
2. Scope and Governance.....	6
3. Level of Regulation.....	8
4. Safety Oversight.....	9
5. SMS/SSP/EASP.....	10
6. Industry.....	11
7. International aspects.....	12
8. Resources and Funding.....	13
Annex I – Summary of recommendations.....	15
Annex II – Action plan and deadlines.....	16
Annex III – The Art. 62 report’s main recommendations and the Sub-group’s responses.....	18
Annex IV – List of Sub-group members and Questions to the Sub-group.....	21
Annex V – List of the consulted stakeholders and Questions sent to them.....	23
Annex VI – List of invited persons to the 10 March meeting.....	25
Annex VII – Acronyms and Definitions.....	26

Foreword

During the EASA Management Board meeting on 17 September 2013, following the report of the Article 62 panel, the Board agreed that the MB should be the body where the strategic discussion on the future of the European Aviation safety/ regulatory system should take place.

The EASA Executive Director suggested that a small group of MB members at DGAC level will work together, and produce concrete recommendations to be submitted to the Management Board in June 2014.

The group is composed of a restricted group of MB members, the Agency and the Commission. The members of this group are persons that are involved already in the EU DGCAs, Eurocontrol and ECAC work, and are at DGCA level.

The aim of the group has been to prepare a strategy for the development of the EASA/Commission/Member States system in the aviation safety and regulatory fields.

The Commission has indicated that the report is a key element for the on-going revision of the Basic Regulation 216/2008, and will evaluate it very carefully. The Commission intends by next year to submit a proposal for the revision of the BR together with other documents, including an impact assessment, this report, and EASA's views.

The group has developed concrete recommendations and an action plan to implement the strategy. The actions identified are those on which there was already a consensus and on which work can start already now.

Input to the group has consisted of:

- the Article 62 report (recommendations are listed in Annex I)
- from the group: each member of the group has been asked to provide a paper with his/her input to the discussions. The structure of the contribution and the consolidated responses can be found in Annex IV.
- from the industry: this has been in the form of a survey (the consulted organisations, the structure of the contribution and the consolidated responses can be found in Annex V) as well as senior executives from selected organisations (Airlines, ANSPs, Airports, etc.) who participated to a round-table discussion during the March meeting of the group (the list of invited persons can be found in Annex VI).

At the Management Board meeting of June 2014, the group presented to the Board their work and the draft recommendations. A fruitful and constructive discussion followed. The Present report merges the findings and recommendations of the sub-group and the comments made during the MB meeting.

General comments:

During the presentation made at the June Management Board many member states thanked the sub-group for their work and openly supported the presentation. The following specific general remarks were made:

- the work done has clarified the role and importance of the Agency. It is important to distinguish the definition of a safety authority vs. a compliance agency. EASA is a technical agency, whose role and responsibilities need to be translated in legal terms;
- the report should be considered a policy document and not an action plan, which will need to be subsequently developed, detailing the possible actions looking at not only the near future or the changes in the Basic Regulation, but also looking at the future in 10 or more years' time. The aviation sector will be completely different from what it is today, and when looking at the future we need to imagine what the new aviation system will become in the coming years. This document is important because it traces the new relationship between EASA and the NAAs, the stakeholders, and more ambitiously Europe and the rest of the world in terms of the aviation sector;
- the report is recognised as being comprehensive, holistic, and future-oriented and could probably become the long-term document for the future. The holistic aspect is particularly appreciated, as there should be little or no delineation between safety, security, the ATM system, and the financial and economic aspects;
- The work done is recognised as a very good analysis of the situation which shows in which direction we should go. Agree on the strategic goals. We want to ensure that it is not only a system for us but also a system for citizens as well and we are taking into account economic factors regarding industry. The individual measures are extremely well set out and set out a good analysis of the problems and how we can solve them. When we look at the A-NPA and the future BR we should ensure that we do not ignore these points. We should look at deepening steps for implementation. The measures need to be in harmony with each other, with the EASA system and with any other changes made to the BR. Finally, although Annex II aircraft have not been addressed, it might be worth reconsidering such category.

1. Vision and Strategic Goals

Vision

Our objective is to build on the excellent safety record of the European aviation sector in a manner that retains and enhances public confidence.

Strategic Goals

Our processes and regulations are:

- data driven,
- performance and risk-based,
- cost-effective and efficient,
- flexible and adaptive,

to support a safe and secure air transport system for the European citizen, having regards to the competitiveness of the European industry.

Background and Challenges:

The objectives stemming from the vision and the strategic goals are set but not necessarily the way to get there. It is important to recognise the high safety records achieved in Europe and one should not underestimate the level of ambition set out in the vision. The objective is to build on the excellent safety record, whilst recognising that it has to be done in a competitive way, taking into account costs and benefits of regulations and how they are designed. You can only be competitive if you are safe.

When mentioning the enhancement of public confidence, the communication side needs to be developed, by indicating what we want to enhance and how we are going to do it.

As a side comment, it was proposed to follow more closely what ICAO is doing and to promote more proactively European ways of dealing with certain issues.

2. Scope and Governance

Background and Challenges

There is an overall general agreement on the need for consolidating the existing EASA competencies. There is also a widespread support for a strong EASA, but at the same time for a decentralized decision-making, implementation, and enforcement structure.

The current economic situation will put increasing pressure on the resources within the aviation system and incite a consolidation of the aviation sector, impacting the way we work together, possibly leading to some sort of consolidation at authority level.

Cooperation between EASA and NAAs needs to be defined concisely and clearly in the Basic Regulation. For example the call for close work (not cooperation) between EASA and the national authorities could be indicated in the strategic preamble of the regulation. Regarding the group's recommendation to define concisely and clearly in the BR the roles between EASA and the NAAs a request for further elaboration was made.

The need for removing duplication of effort and cost between EASA and Eurocontrol was brought to the attention by the WG. The need to clarify the duplication with Eurocontrol was further remarked, and the responsibility and the power to do so lies with the MS.

Regarding the extension of competencies several specific comments were made with regards to the security, environment and ground-handling aspects.

With regards to Security, the WG recommended the extension of EASA's competencies to those security aspects only when linked to the safety of aircraft design, air operations and aerodrome operations, subject to a satisfactory cost-benefit analysis. There was support for EASA taking over the oversight and technical /safety aspects as long as individual MS retained their decision-making power and autonomy at national level, but that was not seen as a priority.

Regarding the extension to Environment, noise, emissions, and REACH-linked aspects were indicated as examples of the scope of activities that would be foreseen. However, some reservations were made as it was felt that the main issues concern local problems and urbanisation (especially with regards to airports and the noise around the airports). On the other hand, the reference to need to address REACH related aspects was strongly welcomed, indicating that the change in the BR has created a window of opportunity to look into this issue and find solutions.

Finally, with regards to the extension of the EASA's remit to Ground Handling, this was met by several comments. It is believed that it is already in EASA's remit as an element of air operations but that it is not that much regulated. Some questions were raised with regards to the basis for this request and whether there were any actual safety concerns. Evidence shows that there are some areas in ground handling which are insufficiently covered from a safety point of view and should be carefully analysed.

It was also underlined that IATA already has an extensive standard (ISAGO) which is used in a practical way by airports/operators, and which works well, however all the air operators are not IATA members. Danger of mixing responsibilities could arise (today it is the responsibility of operator), and that a cost/benefit analysis would be needed in support of this recommendation. Furthermore, it was remarked that the main risk of a damaged aircraft lies with the operators, which may not systematically be a direct safety risk. Having further detailed rules or certification of ground handling providers beyond the industry standards covered through ISAGO may not be the solution to this problem, and a recommendation to be cautious was made. The need for the extension shall be based on safety cases.

In the short term the concept of pool of resources was promoted (also but not only in respect of funding, which needs to be ensured). This is further detailed in the resources section below.

Recommendations

- Enable sharing of resources within the EASA system for specific tasks, through contractual and voluntary mechanisms
- Extension of the remit to safety aspects in the field of ground handling, security (for oversight activities) , environment (for product-related aspects), and RPAS.

Action:

EASA MS to identify tasks and corresponding resources for which they would be ready to set up mechanisms to enable sharing across the system.

3. Level of Regulation

Background and Challenges:

The WG agreed on the opportunity to follow the principles of Performance Based Regulations and of proportionality whenever possible, as already promoted in the domain of General Aviation where potential/several cases of overregulation have been identified.

It was widely recognised that the transition towards PBR implies a different mind-set of rule-makers, Authorities and regulated entities, and that this will require more definition work, and time. The current inspectors' qualification requirements will also have to be reconsidered, as PBR requires different skills.

PBR also requires the set-up of an agreed risk hierarchy, where acceptable safety levels/targets and acceptable risks are differentiated by type of operations (CAT, GA, etc.) and defined at political level. PBR should also be based on sound and comprehensive data.

The existing ICAO material, such as the Safety Management Manual, should also be taken in due account.

Considering all the above, a sensible and careful PBR implementation plan is needed.

Regulations must be evidence based, proportional, cost efficient and responsive to needs. A "better regulation" policy needs to be developed and implemented consistently across all domains, and the very early stages of the rulemaking process should be strengthened, as a more robust impact assessment and a closer involvement of users would improve the quality of the outcome.

The SG also identified the need to consolidate the current set of rules, as many new requirements have been introduced in the last two years and all stakeholders need time to learn and implement them. At the same time, the existing flexibility mechanisms and provisions should be streamlined, in order to handle unforeseen or specific cases at national level in a more effective way.

Recommendation:

Avoid potential overregulation and promote performance and risk-based regulations where appropriate. The principles of proportionality and subsidiarity need to be respected.

Action:

EASA to help progressing on the PBR concept, and prepare a plan, based on strategic objectives, on how, on what items, and to what extent, we manage transition to PBR, including preparation of rule-makers, authorities/ inspectors, and regulated entities.

EASA MS to identify practical examples where there is overregulation and where they would like the Agency and the Commission to act upon.

4. Safety Oversight

Background and Challenges:

The WG agreed on the need to build a better common understanding between the Agency and NAAs with regard to safety oversight. Standardisation should be used to develop such a common understanding, to build confidence, and to increase transparency, with a just culture approach. Standardisation should also facilitate the promotion of best practices to cover NAAs' processes.

The introduction of Performance Based Regulations (PBR) needs to be accompanied by a shift towards Risk Based Oversight (RBO), and more guidance is needed in order to implement RBO best practices. EASA should set-up a mechanism allowing Member States to share their experiences.

It was also highlighted that the availability of adequate safety data / information and analyses is a key enabler in establishing a sound risk-based approach, as increasingly complex industry patterns need to be addressed. The legal framework shall allow the exchange of safety data with the industry while protecting any inappropriate use of safety data in our legal system.

Recommendations:

- Risk-based oversight (RBO) - More effective, well planned use of oversight resources based on detected risks.
- Performance based oversight (PBO) concentrating on the required outcome or performance in relation with the agreed safety objectives.

Action:

EASA to coordinate/facilitate the development of best practices to carry out risk/ performance based working methods.

5. SMS/SSP/EASP

Background and Challenges

Several WG members agreed on the need to build some step-by-step experience before considering making the EASP legally binding, as it could be counterproductive.

The system should initially rely upon the experience built by Member States (SSP) and the industry (SMS), and pursue a better coordination amongst them rather than a top-down approach.

A pre-condition to the EASP is the availability of sound SSPs at national level.

The EASp should also be one of the main inputs to the Rulemaking Programme. Therefore, evidence-based EASp priorities for safety actions should be endorsed at sufficiently high level.

SMS implementation is a key enabler in order to be able to measure the safety performance of stakeholders. It requires the availability of appropriate safety indicators, of relevant and comparable data, and ultimately of appropriate safety targets.

EASA should develop maturity models for evaluating the SMS implementation levels and identify the skill profiles needed when evaluating a SMS.

The legal framework should be further improved in order to facilitate the exchange of safety data and information while ensuring data protection.

Other aspects requiring further analysis include improving the quality of safety data in ECCAIRS and other reporting systems, clarifying data ownership, and acquiring new competencies in the area of safety analysis.

Recommendation

Facilitate the implementation of SMS at Europe/State/Authority and organisation level, in a consistent manner, as an enabler for a risk/performance-based environment

Action

EASA to design/develop an operational data/FDM repository (together with ATM and MET data), run independently and accessible to all NAAs for trend analysis and benchmarking. Other actions may be identified.

EASA MS to submit to EASA best practices, e.g. experiences made so far, implementation models, etc.

6. Industry

Background and Challenges

The WG members, supported by the invited industry representatives collectively agreed that it was important to ensure a level-playing field and standardisation in regulation implementation and oversight inside Europe (e.g. no national gold-plating, uniform level of oversight across the whole system) in the interest of EU industry and its citizens.

Specifically, it is important to ensure the proper and efficient monitoring of the aviation sector as we see the development of new business models and increased cross border operations.

The European EASA system should ensure competitiveness (inside/outside Europe), through cost-efficient regulations, and minimising the burden of regulatory measures on the industry.

As a follow-up to the constructive March meeting with the participation of industry representatives, it is suggested to organise a yearly meeting between EASA/EU/DGACs and industry representatives (at CEO/COO level), with a formalised agenda, documented discussions and conclusions, and actions to be followed up. The idea of establishing a CEO/Industry advisory group was welcomed, but this should be not at the expense of good real time contacts to provide input to live issues.

A suggestion was also made to enlarge the participation of specialised Industry representatives (airport, operators, ANSP, etc.) as non-voting members to the EASA Management Board.

It was also proposed that, although industry is already involved in expert rulemaking groups (NPA and CRD level), it could also be involved in discussions in the more strategic level rulemaking groups.

Recommendation

Have due regard to the competitiveness of the European industry, and avoid putting undue regulatory burden on it, as well as reviewing its role in the rulemaking process.

Action

EASA to establish an advisory committee composed of industry CEOs providing advice on a regular basis.

7. International aspects

Background and Challenges

The WG recommends that the Agency should intensify its cooperation with Third Country Aviation Authorities.

Bilateral Aviation Safety Agreements (BASAs) with third countries should be expanded for the benefit of the European Aviation industry. Although it is agreed that it is right to increase the number of BASAs, there might be national approaches that need to be taken into consideration, and it is necessary that the impact of the BASA's enforcement on NAA's activities should be correctly evaluated, for which a more articulated discussion between the Commission and the States would be welcomed.

Concerning the rulemaking activities a closer cooperation with the FAA, Transport Canada and other Global players should be envisaged.

The Agency should deepen its role in ICAO (and ICAO Regional offices and similar Regional civil aviation organisations) and should work closely together with ICAO concerning all ICAO oversight activities.

Recommendation

The Agency shall enhance its presence at international level

Action:

EASA MS to further enhance coordination and cooperation in order to achieve stronger EU positions vis-à-vis our partners.

8. Resources and Funding

Background and Challenges

It is important to define where highly qualified inspectors (e.g. type-rated) are needed and for which tasks, and where these should be balanced with experienced staff with industry background. Although there was a general agreement on the qualification levels of inspectors, these should not only be based on initial training or experience (university or industry) but also through qualified continuous training and built-on experience.

In addition, a particular emphasis was made to ensure that inspectors have the right skill-set. There is a need to look at the competencies that will be required in the future, not only technical competencies but also other complementary competencies which are already identified today and which will be crucial to the future work of EASA and the NAAs.

In this context, the standardisation of resources is also a key element. EASA has taken steps by defining some criteria for inspectors' skills, but the ultimate aim should be to end up at European level with standardised qualification criteria for inspectors' skills which will be needed to standardise resources.

Regarding the level of resources, it is felt that the totality of the resources in the system may be sufficient but the distribution is sub-optimal (across tasks/roles, skill-sets, geographical distribution). We should look at solutions for using the resources better, and pooling of resources could be a solution. However, regarding the pool of experts we should start at looking at what has been done in this context in other regions rather than start all over again. Some concern was expressed with regards to the funding of the pool of resources, and whether it would require additional resources.

As a general remark, resources need to be given to certification activities in order to ensure that aircraft are certified on time and to avoid competitors get an advantage.

With regards to new funding mechanism, a reservation was made on the use of en-route charges to finance activities, if all other things remain equal.

Recommendations

The group recognises that there are resources shortages in some areas:

- Ensure the necessary resources are available, especially for certification and oversight purposes;
- Identify areas where resources could be released without compromising performance;
- Ensure continued availability of resources matching the evolving needs e.g. in safety analysis and PBO;
- New funding mechanisms based on the user-pays principle should be explored/made available, especially when the conditions change (e.g. remit expansion), but without generating new costs for the airlines;
- The continuous efficiency in the use of financial resources should be ensured and prioritised.

Actions

- EASA to coordinate the establishment and practical use of pools of resources, based on voluntary and contractual mechanisms between NAAs, or EASA and NAAs.
- EASA to carry out a review of the qualification and deployment of resources within the NAAs and the Agency.
- EASA MS to identify areas where efficiency gains can be made through better/more efficient (re)deployment of resources (e.g. use of type-rated inspectors).

Annex I – Summary of recommendations

- a) Enable sharing of resources within the EASA system for specific tasks, through contractual and voluntary mechanisms;
- b) Extension of the remit to safety aspects in the field of ground handling, security (for oversight activities), environment (for product-related aspects), and RPAS;
- c) Avoid potential overregulation and promote performance and risk-based regulations where appropriate. The principles of proportionality and subsidiarity need to be respected;
- d) Risk-based oversight (RBO) - More effective, well planned use of oversight resources based on detected risks;
- e) Performance based oversight (PBO) concentrating on the required outcome or performance in relation with the agreed safety objectives;
- f) Facilitate the implementation of SMS at Europe/State/Authority and organisation level, in a consistent manner, as an enabler for a risk/performance-based environment;
- g) Have due regard to the competitiveness of the European industry, and avoid putting undue regulatory burden on it, as well as reviewing its role in the rulemaking process;
- h) The Agency shall enhance its presence at international level;
- i) Ensure the necessary resources are available, especially for certification and oversight purposes;
- j) Identify areas where resources could be released without compromising performance;
- k) Ensure continued availability of resources matching the evolving needs e.g. in safety analysis and PBO;
- l) New funding mechanisms based on the user-pays principle should be explored/made available, especially when the conditions change (e.g. remit expansion), but without generating new costs for the airlines.
- m) The continuous efficiency in the use of financial resources should be ensured and prioritised.

Annex II – Action plan and deadlines

	Actions	Action Owner	Deadline
1.	EASA to prepare a plan, based on strategic objectives, on how we transition to PBR, including preparation of rule-makers, authorities/ inspectors, and regulated entities.	EASA	Spring 2015
2.	EASA to coordinate/facilitate the development of best practices to carry out risk based working methods.	EASA	Spring 2015
3.	EASA to design/develop an operational data/FDM repository (together with ATM and MET data), run independently and accessible to all NAAs for trend analysis and benchmarking. Other actions may be identified.	EASA	MB/Dec; plan
4.	EASA to establish an advisory committee composed of industry CEOs providing advice on a regular basis .	EASA	TBD
5.	EASA to coordinate the establishment and practical use of pools of resources.	EASA	TBD
6.	EASA to carry out a review of the qualification and deployment of resources within the NAAs and the Agency.	EASA	Spring 2015
7.	EASA MS to identify tasks and corresponding resources for which they would be ready to set up mechanisms to enable sharing across the system.	EASA MS	MB/Dec; plan
8.	EASA MS to identify practical examples where there is overregulation and where they would like the Agency and the Commission to act upon.	EASA MS	MB/Dec; plan
9.	EASA MS to submit to EASA best practices, e.g. experiences made so far, implementation models, etc.	EASA MS	MB/Dec; plan

10.	EASA MS to further enhance coordination and cooperation in order to achieve stronger EU positions vis-à-vis our partners.	EASA MS	MB/Dec; plan
11.	EASA MS to identify areas where efficiency gains can be made through better/more efficient (re)deployment of resources (e.g. use of type-rated inspectors).	EASA MS	MB/Dec; plan

Annex III – The Art. 62 report’s main recommendations and the Sub-group’s responses

Preamble

The Article 62 panel report has been the key document and the basis for the discussions held by the MB Sub-group. All recommendations were considered to be very important and were carefully reviewed, and most of them have been taken on board in the MB Subgroup’s own recommendations above. A one-to-one explanation of the position of the group can be found below.

Some of the recommendations require changes to the Basic Regulation. As such, regardless of the position of the Sub-group or the MB, these will feed into the process of the revision of the BR, where a wide consultation mechanism and the EU institutions’ legislative process will determine which ones will be retained in the end.

To this end, EASA has launched an A-NPA covering all aspects of the Basic Regulation, and the MB looks forward to reviewing the results.

Recommendations and related position

1. The work of establishing a risk-based EU Safety Management System should be prioritised and completed urgently. It should extend to all areas in the Agency’s remit and be mandatory involving changes to the Basic Regulation. Data collection and exchange should be accorded priority and action to implement a just culture regime across the EU System should be stepped up. Tools for the analysis of data and shared information should be enhanced as a matter of urgency.

Sub-group: the recommendation is supported in the priority to be given to the EASP work. However a step-by-step approach is preferred, with focus on the consistency between EASP and SSPs rather than on the mandatory aspect. The recommendation has led to the sub-group’s own Recommendation f and Action item 3.

2. The Agency should be mandated for the safety aspects of EU security measures as well as the safety aspects of ground handling, commercial space transport and remotely piloted aircraft.

Sub-group: the safety aspects of security and ground handling were supported by the group (see discussions under chapter 2 and recommendation a)

Regarding commercial space transport and RPAS, this was not covered in the discussions and a dedicated analysis should be mandated. (RPAS are included at the end of recommendation a) because although it was not specifically discussed we understand there is a general support for their inclusion)

3. Should Member States have insufficient resources to perform their oversight activities the Panel recommends a System-wide solution, which may be voluntary in nature but may in some cases need to be mandatory. For the voluntary solution the Agency should, by amending the Basic Regulation, be authorised to execute the national oversight duties for those Member States that wish to transfer their duties to the Agency. Where the voluntary solution is not appropriate or practical for whatever reason but the oversight responsibilities are not being or cannot be performed, a mandatory

solution, requiring amendment of the Basic Regulation is recommended. The Agency should be mandated to identify and report to the Commission those States/NAAs failing in their oversight obligations and if a method to resolve the problem (whether voluntary or mandatory) is not availed of by those States, consideration should be given to employing whatever measures are available to the Commission/Agency to resolve the issue.

Sub-group: the recommendation is partially supported, and is covered by several Recommendations (a, d, (e), f, i and j) and Action items ((1), 2, 5, and 6) of the Sub-group. The main focus is to address issues of resource inequalities quickly and efficiently in facilitating the sharing of resources through any contractual arrangements thereof on a voluntary basis.

4. The Management Board should initiate a study designed to clarify institutional roles and responsibilities of the actors involved in the EASA System. The outcome of the study should lead to a common understanding – pending any regulatory changes that may be required – amongst the EASA System actors on their institutional boundaries, responsibilities and roles. This understanding would be expressed in an agreed document.

Sub-group: although further efforts may be necessary to explain institutional roles to industry stakeholders, the majority of the Group did not believe either a study or a new document are necessary.

5. A method should be found of tapping into and using the pool of expertise available in the European manufacturing industry. In addition, consideration should be given to delegating self-oversight arrangements to the industry on the basis of clear legal conditions.

Sub-group: although the Group welcomed the Agency's "Level of Involvement" initiative aimed to match resources to risk, the Group did not support formal delegation of self-oversight.

6. A small Executive Board should be created and responsibility delegated to it by the Management Board, empowered to enable it to do this. Amendment of the Basic Regulation would be required.

Sub-group: the preferred option is to reorganise the MB meetings into "administration focused MB meetings" (with enhanced delegation to FABS Advisory Group sub meetings) and "strategic focused MB meetings" (e.g. current plenary MB meetings, but where the role of the DGCA's is emphasised).

7. The European Aviation Safety Plan should be embedded in the Basic Regulation (legally binding the Agency and Member States) and, as a rule, Agency proposals should emanate from this Plan.

Sub-group: the recommendation is partly supported: more experience is needed and a step-by-step approach is preferred (e.g. by making the creation of the Safety Plan a legal requirement, but not making its contents legally binding). The recommendation has led to the sub-group's discussion under Chapter 5 and its own Recommendation f.

8. To assist in securing stable and predictable funding of the Agency, new sources of funding should be explored with a stronger emphasis on the application of the user pays approach. One source that should be explored is the possibility of drawing on air navigation en route charges.

Sub-group: the recommendation is supported in principle and was taken on board in Recommendation k.

9. The Management Board should recognise and accept that the current EASA System is not sustainable in the medium to long term.
10. The Management Board should acknowledge the need for early planning to develop the present System into a genuine European Aviation Safety System through the convergence of the various existing system actors towards a single entity, one integrated Agency, within the EU institutional architecture.

Sub-group (for 9 and 10): There is an overall general agreement on the need for consolidating the existing EASA competencies. There is also a widespread support for a strong EASA, but at the same time for a decentralized decision-making, implementation, and enforcement structure.

The current economic situation will put increasing pressure on the resources within the aviation system and incite a consolidation of the aviation sector, impacting the way we work together, possibly leading to some sort of consolidation at authority level.

Annex IV – List of Sub-group members and Questions to the Sub-group¹

Name	Country
Pekka Henttu (Chair)	Finland
Patrick Ky	EASA
Matthew Baldwin	European Commission
Silvia Gehrler	Austria
Frank Durinckx	Belgium
Josef Rada	Czech Republic
Patrick Gandil	France
Gerold Reichle	Germany
Ildikó Szakmáry	Hungary
John Fearon	Ireland
Benedetto Marasa	Italy
Claude Waltzing	Luxemburg
Rob Huyser	the Netherlands
Stein E Nodeland	Norway
Armand Petrescu	Romania
Isabel Maestre	Spain
Peter Müller	Switzerland
Patricia Hayes	United Kingdom

¹ The consolidated responses will be provided separately as Appendix 1

Questions:

- 1) **Your vision of the future relationship between Commission, EASA, Member States on aviation safety activities:**
 - a. Level of regulation
 - b. Level of oversight
 - c. Inspection/ audits
 - d. Resources
- 2) **The constraints in the development of this vision:**
 - a. Legal
 - b. Political
 - c. Economic
 - d. Technical (in particular availability of technical resources)
- 3) **Your vision on today's situation and trends:**
 - a. Regulation
 - b. Subsidiarity/ overlap
 - c. Technical proficiency
 - d. Resources (financial and technical)

Annex V – List of the consulted stakeholders and Questions sent to them

ACI	(Airports Council International)
AEA	(Association of European Airlines)
AEI	(Aircraft Engineers International)
AIA	(Aerospace Industries Association)
ASD	(AeroSpace and Defence Industries Association of Europe)
ATCEUC	(Air Traffic Controllers European Unions Coordination)
CANSO	(Civil Air Navigation Services Organisation)
EAAPS	(European Association of Airline Pilot Schools)
EBAA	(European Business Aviation Association)
ECA	(European Cockpit Association)
ECOGAS	(European Council of General Aviation Support)
EHA	(European Helicopter Association)
EIMG	(European Independent Maintenance Group)
ELFAA	(European Low Fairs Airline Association)
ERA	(European Regions Airline Association)
ERAC	(European Regional Aerodromes Community)
ESAM	(European Society of Aerospace Medicine)
ESM	(European Sailplane Manufacturers)
ETF	(European Transport Workers' Federation)
Europe Air Sports	
GAMA	(General Aviation Manufacturers Association)
IACA	(International Air Carrier Association)
IAOPA	(International Aircraft Owners and Pilots Association)
IATA	(International Air Transport Association)
IFATCA	(International Federation of Air Traffic Controllers' Associations)
IFATSEA	(International Federation of Air Traffic Safety Electronics Associations)

Questions:

Governance

1. As a stakeholder, do you perceive or experience any difficulties/gaps/overlaps /duplications in the definition of roles and in the repartition of responsibilities within the European Aviation System (Commission, Member States, EASA, NAAs, Eurocontrol, NSAs, ANSPs). If yes, could you explain what they are, what kind of improvements or changes would be needed in your opinion.
2. What is your vision of the future relationship between the Commission, EASA and the Member States in regards to the following aviation safety activities:
 - e. Level of regulation
 - f. Level of oversight
 - g. Inspection/ audits
 - h. Resources

Regulation

3. Following the transposition of the previous JAA rules in the EU regulatory system the Agency is now committed to streamline and improve the regulatory framework and landscape. From your experience, are you experiencing any particular issues with the regulations. If yes, could you provide concrete examples where the Commission/Agency should concentrate its efforts or where regulations (Basic regulation, implementing rules, AMCs/GM) should be reviewed/improved.

Resources/financial aspects/processes

4. As the Agency is moving past its start-up phase, it is now concentrating its efforts also on improving stakeholder relationships and lead time on the product and services it delivers. In this respect, are you experiencing any particular difficulties/problems with the processes, and if yes what kind of improvements would you like to see and in which areas
5. With regards to availability of resources in the future do you envisage any particular concern (availability, technical proficiency/level of competence, etc.). If yes, what mitigating actions if any would you foresee, and what could be the role of the Commission/Agency.

Future system

6. It is widely agreed that the current system (EASA and National Authorities) is not sustainable in the long term due to a number of constraints (reducing budgets, legal constraints, changes in the market and market forces). How do you see the current system evolving in the future. What kind of changes do you envisage in terms of efficiency gains/enhances/increased cooperation, roles and responsibilities, legal/regulatory framework, etc., taking into account economic, legal, political and technical (in particular availability of technical resources) constraints.

Annex VI – List of invited persons to the 10 March meeting

Charles CHAMPION	AIRBUS
Alain BASSIL	AIR FRANCE
Dag FALK-PETERSEN	AVINOR
Paul RIEMENS	CANSO
Jean-Paul EBANGA	CFM
Olivier VILLA	DASSAULT
Kay KRATKY	LUFTHANSA
Duncan FORBES	ROLLS-ROYCE
Michael O'LEARY	RYANAIR

Annex VII – Acronyms and Definitions

Acronym	Explanation
ALoS	Acceptable Level of Safety
AMC	Acceptable Means of Compliance
A-NPA	Advanced Notice of Proposed Amendment
ANSP	Air Navigation Service Provider
ATM	Air Traffic Management
BASA	Bilateral Aviation Safety Agreement
BR	Basic Regulation
CEO	Chief Executive Officer
CRD	Common Response Document
DGCA	Director General of Civil Aviation
EAB	European Advisory Board
EASA	European Aviation Safety Agency
EASA MS	EASA Member States
EASp	European Aviation Safety Plan
EASP	European Aviation Safety Programme
EC	European Commission
ECAC	European Civil Aviation Conference
EU	European Union
FAA	Federal Aviation Administration
FDM	Flight Data Monitoring
GA	General Aviation
GM	Guidance Material
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
ISAGO	IATA Safety Audit for Ground Operations
MB	Management Board
MS	Member State
MET	Meteorology
NAA	National Aviation Authority
PBR	Performance Based Regulation
RBO	Risk Based Oversight
RPAS	Remotely Piloted Air System
SMS	Safety Management System
SSP	State Safety Programme
WG	Working Group