

FAQs:

[Applicability, Information Security \(Part-IS\)](#)

Question:

Why are there two sets of rules (Implementing Regulation and Delegated Regulation), and what is the difference between them?

Answer:

Further to the changes introduced in the EU legislative process by the Lisbon Treaty, the European Commission has been given the power to adopt delegated acts in certain areas following a simpler and faster process. In all other cases, the adoption of implementing acts requires to follow the Comitology process, which includes a vote by Member States.

According to Article 128 of the Basic Regulation, the European Commission has been given the power to adopt delegated acts in the areas of Initial Airworthiness and Aerodromes.

For this reason, two acts have been issued to introduce Part-IS requirements: Delegated Regulation (EU) 2022/1645 and Implementing Regulation (EU) 2023/203. Their applicability scope reflects the delegations conferred in Article 128 of the Basic Regulation.

The two acts were scheduled to be issued simultaneously, but issues during the publication process led to a delay of the publication of the Implementing Regulation and, consequently, to the staggered applicability dates.

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Link:

<https://www.easa.europa.eu/sl/faq/142353>