



Notice of Proposed Amendment 2024-05 (A)

in accordance with Article 6 of MB Decision 01-2022

Conformity assessment — Establishment of a European certification/declaration system for safety-related aerodrome equipment

RMT.0161 (Subtask 4)

EXECUTIVE SUMMARY		
<p>This Notice of Proposed Amendment (NPA) proposes a regulatory framework for the voluntary certification/declaration of safety-related aerodrome equipment once the equipment has been found, or has been declared, to be compliant with the essential requirements of Regulation (EU) 2018/1139.</p> <p>The objectives are to enhance the certification process of aerodromes, to promote the development of the internal market, to support the introduction of new technologies and innovative solutions, to increase efficiency and reduce costs as regards the procurement and maintenance of safety-related aerodrome equipment, and to optimise the use of resources and reduce administrative burden during the demonstration of compliance. Furthermore, organisations involved in the design and production of safety-related aerodrome equipment that have products that are certified by or declared to EASA will be able to make them available in the EU without the need for separate approvals for each aerodrome.</p> <p>The proposed regulatory material is expected to reduce the regulatory burden for aerodrome operators, organisations involved in the design and production of safety-related aerodrome equipment and national competent authorities, increase cost-effectiveness, and ensure a level playing field for equipment manufacturers and aerodrome operators, by enabling all processes to be managed centrally by EASA.</p>		
<p>REGULATION(S) TO BE AMENDED/ISSUED</p> <ul style="list-style-type: none"> — Regulation (EU) No 139/2014 (Aerodromes) — Draft Commission Delegated Regulation (EU) .../... amending Regulation (EU) No 139/2014 — Draft Commission Implementing Regulation (EU) .../... laying down requirements for the certification/declaration of safety-related aerodrome equipment 	<p>ED DECISION(S) TO BE AMENDED/ISSUED</p> <ul style="list-style-type: none"> — ED Decision that issues the AMC & GM to support the application of the new regulations — ED Decision 2014/012/R 'AMC & GM to Authority, Organisation and Operations Requirements for Aerodromes 	
<p>AFFECTED STAKEHOLDERS</p> <p>Organisations involved in the design, production and maintenance of safety-related aerodrome equipment; ADR operators; NCAs</p>		
WORKING METHODS		
Development	Impact assessment(s)	Consultation
By EASA with external support	Light	NPA — Public
<p>RELATED DOCUMENTS /INFORMATION</p> <p>ToR RMT.0161</p>		
<p>PLANNING MILESTONES: Refer to the latest edition of EPAS <i>Volume II</i>.</p>		



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1. About this NPA

1.1. How this regulatory material was developed

The European Union Aviation Safety Agency (EASA) developed this notice of proposed amendment (NPA) in the context of rulemaking task (RMT).0161 ‘Conformity assessment — Establishment of a European certification/declaration system for safety-related aerodrome equipment’, Subtask 4. This subtask is included in *Volume II* of the European Plan for Aviation Safety for 2023–2025. Subtasks 1 to 3 were related to air traffic management (ATM)/air navigation services (ANS) systems and constituents, and led to the publication of Commission Delegated Regulation (EU) 2023/1768¹ and Commission Implementing Regulation (EU) 2023/1769².

EASA developed the regulatory material in question in line with Regulation (EU) 2018/1139³ (the Basic Regulation) and the Rulemaking Procedure⁴, and in accordance with the objectives and working methods described in the Terms of Reference (ToR) for this RMT⁵.

When developing the regulatory material, EASA received input from organisations involved in the design or production of safety-related aerodrome equipment, competent authorities and aerodrome operators, through regular meetings.

1.2. How to comment on this NPA

The draft regulatory material is hereby submitted to all interested parties for consultation in accordance with Article 115 of the Basic Regulation and Article 6(3) of the Rulemaking Procedure.

NPA 2024-05 is divided into two parts: A and B.

- The present document, NPA 2024-05 (A), contains the background information pertaining to the regulatory proposal.
- NPA 2024-05 (B) contains the proposed amendments.

¹ Commission Delegated Regulation (EU) 2023/1768 of 14 July 2023 laying down detailed rules for the certification and declaration of air traffic management/air navigation services systems and air traffic management/air navigation services constituents (OJ L 228, 15.9.2023, p. 1) (http://data.europa.eu/eli/reg_del/2023/1768/oj).

² Commission Implementing Regulation (EU) 2023/1769 of 12 September 2023 laying down technical requirements and administrative procedures for the approval of organisations involved in the design or production of air traffic management/air navigation services systems and constituents and amending Implementing Regulation (EU) 2023/203 (OJ L 228, 15.9.2023, p. 19) (http://data.europa.eu/eli/reg_impl/2023/1769/oj).

³ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<http://data.europa.eu/eli/reg/2018/1139/oj>).

⁴ EASA is bound to follow a structured rule-making process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board and is referred to as the ‘rule-making procedure’. See Management Board Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material (‘rulemaking procedure’), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

⁵ [ToR RMT.0161 - Conformity assessment | EASA \(europa.eu\)](#)



Please submit your comments using the **Comment-Response Tool (CRT)**, available at <http://hub.easa.europa.eu/crt/>⁶.

The deadline for the submission of comments is **9 October 2024**.

1.3. The next steps

Following the consultation of the draft regulatory material, EASA will review all the comments received, further revise the proposed regulatory proposal, as appropriate, and issue an opinion. In this context, EASA may perform focused consultation activities to discuss and address specific issues, as deemed appropriate, for which the stakeholders' views are considered essential or require further evaluation. Together with the opinion, EASA will also publish a comment-response document (CRD) containing all the comments received during the public consultation of the NPA.

The opinion shall be issued and addressed to the European Commission, which will use it as a technical basis to consider the adoption of the proposed implementing and delegated acts.

Upon adoption by the European Commission of the implementing and delegated acts proposed with the opinion, EASA will issue a decision with the first set of related specifications, acceptable means of compliance (AMC) and guidance material (GM) which can be used by organisations involved in the design or production of safety-related aerodrome equipment for the purpose of certification or declaration. Before the publication of the decision, the related specifications, AMC and GM will be publicly consulted through a dedicated NPA (as defined for Subtask 5 of RMT.0161).

⁶ In case of technical problems, please send an email with a short description to crt@easa.europa.eu



2. In summary — why and what

2.1. Why we need to act

Regulation (EC) No 216/2008, in Article 8a, paragraphs (1) and 2(a), requires aerodromes and aerodrome equipment as well as the operation of aerodromes to comply with the essential requirements set out in Annex Va. The Article further specifies that in order for such compliance to be established, a certificate is required, and that such certificate shall cover aerodrome, its operation and its safety-related aerodrome equipment.

In accordance with point ADR.OR.B.025 of Regulation (EU) No 139/2014⁷, the aerodrome operator shall perform and document all actions, inspections, tests, safety assessments or exercises necessary to demonstrate compliance with the notified certification basis and the certification specifications applicable to a change. This implies that the aerodrome operator should either by itself or in coordination with the equipment manufacturer perform all the necessary tests to demonstrate that the equipment complies with the certification specifications applicable to that equipment.

The Basic Regulation, which repealed Regulation (EC) No 216/2008, gives in Article 34(1) the option to exclude safety-related aerodrome equipment from the aerodrome certificate, if that equipment is covered by a declaration or certificate referred to in points (a) and (b) of Article 35(1) of that Regulation.

To allow the use of certificates and declarations as an additional way to demonstrate compliance with the certification specifications applicable to safety-related aerodrome equipment, this NPA proposes a certification and declaration scheme for safety-related aerodrome equipment.

The following entities will be affected.

Manufacturers — that is, organisations involved in the design or production of safety-related aerodrome equipment — are those primarily affected by the proposed new regulatory framework.

Aerodrome operators will remain responsible for demonstrating the compliance of the safety-related aerodrome equipment with the applicable certification or declaration specifications through tests and inspections; however, they will be exempt from tests and inspections for equipment that has been certified by or declared to EASA.

EASA will be required to act as the competent authority in relation to the certification and acceptance of declarations of safety-related aerodrome equipment.

Competent authorities will not be required to verify the compliance of the safety-related aerodrome equipment if that equipment is certified by / declared to EASA.

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. The regulatory material presented here is expected to contribute to achieving these overall objectives by addressing the issues described in Section 2.1.

⁷ 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) (<https://eur-lex.europa.eu/eli/reg/2014/139/oj>).

More specifically, with the regulatory material presented here, EASA intends to:

- promote the development of the internal market by ensuring fair competition while facilitating the free movement of safety-related aerodrome equipment through the mutual recognition of certificates or declarations, without further requirements or evaluations, in all Member States;
- facilitate the development and implementation of new technologies in the aerodrome domain;
- enable increased efficiency and reduced costs as regards the procurement and maintenance of safety-related aerodrome equipment;
- optimise the use of resources during the demonstration of compliance and minimise the administrative burden.

2.3. How we want to achieve it — overview of the proposed amendments

2.3.1. Proposals

This NPA proposes the introduction of a new EU regulatory framework for the certification/declaration of safety-related aerodrome equipment. The proposal is structured as follows:

- a draft implementing act laying down requirements for the certification/declaration of safety-related aerodrome equipment;
- a draft delegated act amending Regulation (EU) No 139/2014.

2.3.2. Draft implementing act on the certification/declaration of safety-related aerodrome equipment

In accordance with Article 36 of the Basic Regulation, this proposal introduces a scheme for the certification/declaration of safety-related aerodrome equipment. The scheme addresses the following:

- the rules and procedures for establishing and notifying to an applicant the detailed specifications applicable to safety-related aerodrome equipment for the purposes of certification;
- the rules and procedures for issuing, maintaining, amending, limiting, suspending or revoking the certificates for safety-related aerodrome equipment, and for the situations in which such certificates are to be required;
- the rules and procedures for establishing the detailed specifications applicable to safety-related aerodrome equipment which is subject to a declaration;
- the rules and procedures for the declaration of safety-related aerodrome equipment, and for the situations in which such declarations are to be required;
- the privileges of the organisations holding certificates for safety-related aerodrome equipment or having submitted declarations.

In accordance with Article 79 of the Basic Regulation, EASA is responsible for the tasks related to certification, oversight and enforcement with respect to the certificates for, and the declarations made in respect of, safety-related aerodrome equipment. Therefore, the implementing act contains requirements for EASA. These requirements are similar to the requirements for EASA included in



Regulation (EU) 2023/1768 and Regulation (EU) 2023/1769 in order to ensure efficiency and reduce the administrative burden for EASA and to facilitate the work of organisations that manufacture ATM/ANS equipment, as well as safety-related aerodrome equipment.

While for organisations involved in the design or production of ATM/ANS systems and constituents an approval may be required, there is no such provision for organisations involved in the design and production of safety-related aerodrome equipment. This implies that, whenever an organisation applies for a certificate or submits a declaration for certain safety-related aerodrome equipment to EASA, the organisation needs to demonstrate to EASA that it is capable of designing and producing the equipment in accordance with the specifications. While this approach may be appropriate for organisations that design and produce limited types of safety-related aerodrome equipment, it may not be appropriate for large organisations that design and produce many different types of safety-related aerodrome equipment. Therefore, EASA is introducing the option for these organisations to declare their design and production capabilities to EASA. In order to do this, these organisations should have in place a management system that corresponds to the nature and complexity of the activities and the size of the organisation and includes structure, resources and processes, such as the following:

- an accountable manager for design and production activities;
- a design assurance system;
- a quality assurance system for production;
- a compliance-monitoring function to ensure compliance with the applicable requirements, including a feedback system to the accountable manager to ensure effective implementation of the corrective actions;
- cooperation with contractors.

The draft implementing act also defines the criteria against which either certification or declaration for the safety-related aerodrome equipment is required. Where either certification or declaration is required, this will be based on the demonstration of compliance with the relevant detailed specifications. The draft implementing act lays down the requirements for the establishment of criteria that are sufficiently detailed and specific that they may be used by organisations to demonstrate compliance with the relevant essential requirements set out in Annex VII and, if applicable, Annex VIII to the Basic Regulation.

Safety-related aerodrome equipment is defined in Article 3 of the Basic Regulation as ‘any instrument, equipment, mechanism, apparatus, appurtenance, software or accessory that is used or intended to be used to contribute to the safe operation of aircraft at an aerodrome’.

The Basic Regulation does not include a detailed list of safety-related aerodrome equipment. To establish such a list, due consideration should be given to the provisions in the Basic Regulation, and equipment that has a direct impact on flight safety should be included.

In accordance with Annex VIII to the Basic Regulation, ATM/ANS systems are those that are required to support the following functions and services:

- airspace management;
- air traffic flow management;



- air traffic services, in particular flight data processing systems, surveillance data processing systems and human–machine interface systems;
- communications, including ground-to-ground/space, air-to-ground and air-to-air/space communications;
- navigation;
- surveillance;
- aeronautical information services;
- meteorological services.

From the list above, it is evident that radio navigation aids, means of communication, surface movement radars and meteorological equipment, although located at an aerodrome, do not fall under the definition of safety-related aerodrome equipment but are considered ATM/ANS systems.

Annex VII to the Basic Regulation, in point 1.3, contains the essential requirements for safety-related aerodrome equipment, which includes visual and non-visual aids. However, no further information is provided. Visual aids include the following:

- individual lights;
- signs;
- markers;
- wind direction indicators;
- aerodrome beacons;
- precision approach path indicators;
- runway guard lights;
- visual and advanced visual docking guidance systems;
- closed runway lights;
- stop bars;
- approach lighting systems.

To expand the list of safety-related aerodrome equipment, further criteria need to be established. For simplicity, it is proposed that the list should include equipment that either has a direct impact on the safety of the flight or replaces/complements the activities of specific aerodrome operations personnel. Equipment that may fall under these criteria could be:

- aircraft-arresting systems,
- foreign object debris (FOD) detection systems,
- avian radar systems,
- runway weather information systems (related to global reporting format (GRF)),
- friction measurement devices or equivalent.



Question 1 for stakeholders. Do you agree with the initial list of safety-related aerodrome equipment that will be subject to certification/declaration? Do you have additional equipment to propose?

EASA needs to propose criteria against which safety-related aerodrome equipment should be subject to either certification or declaration. Currently, certification specifications are available for visual aids and aircraft-arresting systems, which are covered by the aerodrome certificate. EASA is of the opinion that safety-related aerodrome equipment that provides information directly to the flight crew to enable them to execute the flight safely should be subject to certification, while equipment that supports the operations of aerodrome personnel should be subject to declaration. Applying these criteria will make all visual aids subject to certification, while other equipment such as FOD detection systems should be subject to declaration.

Question 2 for stakeholders. Do you agree with the proposed criteria? If not, what are your proposed criteria?

Although the regulation will establish the criteria against which safety-related aerodrome equipment should be subject to either certification or declaration, there may be cases in which the organisation would prefer to opt in for certification instead of declaration.

Question 3 for stakeholders. Do you agree that organisations involved in the design or production of safety-related aerodrome equipment should be given the opportunity to opt in for the certification of equipment that would otherwise be subject to declaration?

The introduction of the new regulation should give enough time for the affected parties to comply with the new provisions. EASA, therefore, proposes a transitional period of 2 years following the publication of the regulation in the *Official Journal of the European Union* for those affected to comply with the requirements applicable to them. EASA also proposes that the regulation will apply to all new applications submitted to it after 2 years following the publication of the regulation in the *Official Journal of the European Union*. For existing safety-related aerodrome equipment, EASA proposes to conduct an evaluation within 5 years from the entry into force of the regulation. If deficiencies are identified, the organisations concerned will be given an additional 3 years to apply any mitigation measures unless the deficiency is detrimental to safety, in which case mitigation measures should be taken immediately. For equipment that is going to be manufactured and put into operation during the transition period, a statement of compliance by the organisation would be required, followed by an evaluation by EASA upon the completion of the transitional period.

Question 4 for stakeholders. Do you agree with the transitional provisions? If not, what are your proposed transitional provisions?



3. Expected benefits and drawbacks of the proposed regulatory material

The implementation of Articles 35 and 36 of the Basic Regulation requires a new regulation, together with the related AMC and GM, to effectively address the issues described in Section 2.1.

Furthermore, enhancing the harmonisation of the safety-related aerodrome equipment requirements will result in improved efficiency and lower costs of equipment procurement, a level playing field for equipment manufacturers and aerodrome operators and an enhanced level of safety.

Even though EASA has already established certification specifications for some safety-related aerodrome equipment, there is no harmonised approach in the EU to demonstrating the compliance of equipment, leading to unnecessary administrative burden for equipment manufacturers and aerodrome operators. In addition, equipment that already complies with industry standards (e.g. FOD detection systems, continuous friction measuring equipment) may not be used widely owing to a lack of recognition through the issuance of a certificate or declaration submitted to a recognised accreditation body.

The establishment of a certification/declaration system in the EU under the responsibility of EASA, which will act as a competent authority, will bring the following **benefits**:

- The proposed concept is optional and market-driven because manufacturers have the choice to either apply to EASA for the certification/declaration of the equipment or continue with the current practice and the need to demonstrate compliance during the certification process separately for each aerodrome where the equipment is installed.
- A single, harmonised and mutually recognised mechanism to attest the safety and compliance of certain aerodrome equipment without the need for further tests or verifications.
- EASA will be the single point of reference for equipment manufacturers that have opted for a certificate/declaration under the proposed new system.
- Equipment that is certified by or declared to EASA will be considered appropriate for use at all EU aerodromes that are within the scope of the Basic Regulation.
- Manufacturers that opt to apply for a certificate to be issued by EASA, or submit a declaration to EASA, will need to demonstrate compliance only to EASA, thus reducing their workload, administrative costs and barriers to selling their products in the EU internal market.
- The workload for competent authorities will be reduced, as they will not be required to approve the use of safety-related aerodrome equipment that has already been certified by or declared to EASA.
- No additional demonstration of compliance by aerodrome operators will be required for certified or declared equipment, thus leading to reduced workload for aerodrome operators and manufacturers.
- A level playing field will be ensured because all safety-related aerodrome equipment subject to the applicable regulations will have to comply with the same requirements and specifications.



The following **drawback** of the proposed regulatory framework has been identified:

- Initially, there may be additional minor workload and cost as manufacturers and EASA will have to adapt their processes and procedures to the new system, but in the medium to long term this additional cost will be offset by the benefits listed above.

No environmental or social impacts have been identified. The proposed regulatory framework implements the legal requirements of the Basic Regulation contained in its Articles 35 and 36 to ensure that manufacturers also have the option to apply for an EU-wide certification/declaration scheme.

Question 5 for stakeholders. Is there any other information you may find necessary to bring to the attention of EASA concerning the benefits and drawbacks of this proposal?



4. Proposed regulatory material

Please refer to **NPA 2024-05 (B) — Proposed new regulation and amendments to Regulation (EU) No 139/2014**



5. Monitoring and evaluation

The effectiveness of the proposed regulatory framework as regards the certification/declaration of safety-related aerodrome equipment could be measured by the following indicators:

- the number of applications for safety-related aerodrome equipment certification;
- the number of requests to register a declaration of compliance for safety-related aerodrome equipment;
- the number of pieces of safety-related aerodrome equipment that are certified by or declared to EASA compared with the number of safety-related aerodrome equipment that have been included under the aerodrome certificate;
- the number of organisations involved in the design and production of safety-related aerodrome equipment that declare to EASA their design and production capabilities;
- the safety performance of safety-related aerodrome equipment subject to certification/declaration.



6. Proposed actions to support implementation

In order to support affected stakeholders in the implementation of the new regulatory material, EASA plans to take the following actions:

- focused communication for Advisory Body meeting(s) (MAB/ SAB/TeB/technical committees, including TEC);
- detailed explanation with clarifications on EASA's website (primarily targeted at aerodrome operators, competent authorities and organisations involved in the design or production of safety-related aerodrome equipment);
- dedicated thematic workshop (primarily targeted at aerodrome operators, competent authorities and organisations involved in the design or production of safety-related aerodrome equipment).



7. References

n/a



Appendix — Quality of the NPA

To continuously improve the quality of its documents, EASA welcomes your feedback on the quality of this document with regard to the following aspects:

Please provide your feedback on the quality of this document as part of the other comments you have on this NPA. We invite you to also provide a brief justification, especially when you disagree or strongly disagree, so that we consider this for improvement. Your comments will be considered for internal quality assurance and management purposes only and will not be published (e.g. as part of the CRD).

1. The regulatory proposal is of technically good/high quality

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

2. The text is clear, readable and understandable

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

3. The regulatory proposal is well substantiated

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

4. The regulatory proposal is fit for purpose (achieving the objectives set)

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

5. The regulatory proposal is proportionate to the size of the issue

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

6. The regulatory proposal applies the ‘better regulation’ principles^[1]

Please choose one of the options

Fully agree / Agree / Neutral / Disagree / Strongly disagree

7. Any other comments on the quality of this document (please specify)

^[1] For information and guidance, see:

- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how_en
- https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en

